



Subject:	Grant of Licence and Easement to Mrs J Kelly, 15 Manse Road, Castlereagh
Date:	10 May 2016
Reporting Officer:	Gerry Millar, Director of Property and Projects
Contact Officer:	Cathy Reynolds, Estates Manager

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To seek Committee approval for the grant of a licence and easement to the occupier of No. 15 Manse Road, Castlereagh.
2.0	Recommendations
2.1	The committee is asked to: <ul style="list-style-type: none">Recommend to the Strategic Policy and Resources Committee to grant a licence to the occupier of No.15 Manse Road, Castlereagh permitting works to realign a boundary fence, the removal of a hedgerow and the regrading of an embankment on Council owned land directly adjoining Henry Jones Playing Fields.
2.2	<ul style="list-style-type: none">Recommend to the Strategic Policy and Resources Committee to also grant an easement to the occupier requiring the occupier to maintain an area of grassland to be reserved as a sightline serving the existing dwelling at No. 15 Manse Road.
3.0	Main Report
3.1	<u>Key Issues</u> Number 15 Manse Road directly adjoins Council owned land at Henry Jones Playing Fields. Manse Road is a busy county road between Dundonald and Lisburn and the occupiers of No. 15 Manse Road have contacted the Council with road safety concerns. They have advised that vehicles emerging from the driveway of No. 15 Manse Road are unable to see oncoming traffic as the line of vision is obscured by a fence and hedgerow

fronting the Council owned Henry Jones Playing Fields. Access onto Manse Road is virtually blind and very dangerous. A location map and photo are enclosed at Appendices 1 & 2.

3.2 Given these dangers, the occupier of No. 15 Manse Road has sought permission to remove the existing hedgerow, regrade the supporting embankment (if required) and erect a new boundary fence set back from the road to improve visibility and provide a safe sightline to service the existing dwelling. All works will be agreed with the Council and carried out under licence to the Council's satisfaction.

3.3 The licensee will be liable for all costs incurred in connection with the works. He will be required to obtain all necessary statutory consents and abide by relevant legislation in terms of birds, wildlife and environmental protection. The design, layout and specification of the works will be agreed in advance with the Council.

3.4 Upon satisfactory completion of the works, the licensee should be granted an easement to maintain the plot of grassland reserved for sightlines. All maintenance works must be carried out to the Council's satisfaction. No development shall be permitted on the sightline.

3.5 The proposed licence and easement shall be in favour of the occupier of No 15 Manse Road and shall be non-assignable. It shall be of benefit to the existing dwelling only and shall not facilitate further development.

3.6 There will be no transfer of ownership in the land and the grant of easement shall be subject to a fee of £1,000.

3.7 The City Parks Manager has advised that the proposal has no impact on the use and enjoyment of the Henry Jones Playing Fields.

Financial Implications

3.8 The licensee shall be liable for all costs associated with proposed works and shall pay the Council a £1,000 easement fee.

Human Resource Implications

3.9 Legal Services and Estate Management staff resource required to draw up the Licence and Easement and the City Parks Manager shall approve the works.

3.10	<u>Asset & Other Implications</u> The proposals do not impact upon the use and enjoyment of Henry Jones Playing Fields and they will assist with improving a road safety issue for the adjoining property.
4.0	Appendices – Documents attached
4.1	Appendix 1 – Photograph of existing entrance. Appendix 2 – Drawing of proposed works.