



**Causeway  
Coast & Glens  
Borough Council**

<b>Planning Committee Report Item 5.6</b>	
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environment and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Cathy McKeary
<b>Cost: (If applicable)</b>	N/a

## **ITEM 5.6**

**Lands Within And Directly South  
Of Corkey Quarry  
160 Corkey Road  
Corkey  
Loughguile  
Ballymena.**

**LA01/2015/0728/F**

**28<sup>th</sup> September 2016**

**No:** LA01/2015/0728/F

**Ward:** The Glens

**App Type:** Full Planning

**Address:** Lands Within And Directly South Of Corkey Quarry, 160 Corkey Road, Corkey, Loughguile, Ballymena.

**Proposal:** A lateral extension in a southerly direction to the existing quarry and ancillary mineral development units, including the rationalisation of face positions and consequent final floor levels corresponding to an area within the existing quarry.

**Con Area:** N/A

**Valid Date:** 24.09.2015

**Listed Building Grade:** N/A

**Agent:** Quarryplan Limited

**Applicant:** P Keenan Road Surfacing

**Objections:** 0

**Petitions of Objection:** 0

**Support:** 0

**Petitions of Support:** 0

**Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)**

## **1 RECOMMENDATION**

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is in the rural area near the village of Corkey and is accessed from the Corkey Road to the west. This is an established basalt quarry with capacity for expansion due to availability of minerals in the area.
- 2.2 The proposed site is adjacent to an existing quarry with a mixture of semi-improved pasture, scrub woodland, heath

ephemeral/short perennial habitat, and ruderal habitat. The nearest Ramsar site is Garron Plateau Ramsar Site which is approximately 9km from the site. There are no forest areas nearby nor are there any identified mountain peak and the site is not within any nature reserves or parks, nor within any areas classified or protected under EEA legislation.

- 2.3 The site falls within LCA Moyle Moorlands and Forest which is characterised by large scale, sweeping, open, expansive rounded upland rising to approximately 550m AOD and forming a backdrop to more intimate glens. The site is within 3km of Antrim Hills SAC. The nearest ASSI is Dunloy Bog.

### **3 RELEVANT HISTORY**

D/1974/0218 Quarry Permission Granted  
D/1991/0134 Continuation of quarrying activities  
Permission Granted  
D/1996/0136 Extension of quarry Permission Granted  
D/2012/0084/F Application for retrospective permission for continued use of land, buildings, extended settlement ponds, and plant for crushing and screening of rock for aggregate production/sale. Permission Granted 27.08.2013  
LA01/2015/0294/PAN Pre application notification for a lateral extension in a southerly direction to existing quarry and mineral development site including rationalisation of face positions and consequent final floors levels corresponding to an area within the existing quarry Agreed

### **4 THE APPLICATION**

- 4.1 The proposal is a 3.5 Ha lateral extension in a southerly direction to the existing approved site with the rationalisation of existing face and floor levels within a 2.6 Ha area of the existing quarry site. Rationalisation involves creating the stepped effect within the quarry to ensure managed extraction and a safe working environment.
- 4.2 It is proposed to win and work the mineral in two phases. Phase 1 shall have the minerals worked in a predominantly south direction and phase 2 will move east so that the final face positions correspond to the existing approved development.

The proposal also seeks to rationalise the floor levels within the application area to a level of 182mAOD.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

There are no objections to this proposal.

No neighbours were notified as none fell within the limits laid out in Article 8(1)(b) and 8(2) of the Planning (General Development Procedure) Order (NI) 2015. No objections have been received from the advertisements in the local press on 14th October 2015.

### **5.2 Internal**

Schedule 3 Planning (General Development Procedure) Order (NI) 2015 required that the following statutory consultations were carried out:

- NIEA (consulted under item 1b, 1i, 1l, of Schedule 3)
- Health and Safety Executive (consulted under item 2a of Schedule 3)
- DRD Transport NI (consulted under item 3a of Schedule 3)
- DETI Geology (consulted under item 7b of Schedule 3)

### **5.3 Standard:**

- National Air Traffic Services - No objection
- Ministry Of Defence Safeguarding - No objection
- Geological Survey Northern Ireland - No objection
- Belfast International Airport - No objection
- City of Derry - No objection
- Transport NI - No objection subject to the amended plans provided and conditions attached
- Health and Safety - No objection (informatives recommended)

- Rivers Agency - Site affected by undesignated water courses and drainage assessment required as site is in excess of 1 Ha as per PPS15 FLD3. Agent contends that this was adequately provided within the project assessment document upon submission and agreed with Rivers officers to submit a Synopsis of Hydrogeological Assessment. This was considered acceptable subject to the implementation of the flood risk measures therein. Informatives provided
- EHO - Request noise information and advise IPRI consultation required (forms part of NIEA response of 17th November 2015). EHO are now content with the additional noise information and have no objection subject to the addition of a condition which limits the noise from the site.
- NIEA - No comments beyond those raised in EIA responses below.(Restoration condition and informative provided)

#### 5.4 EIA Screening:

- NIEA - Water Management Unit - Unlikely to be significant impact subject to best practice and appropriate mitigation
- Industrial Pollution Radiation Inspectorate - Extension will be introduced into existing permit via a variation, no objection
- Waste Management Unit - Potential for impact on local surface water and groundwater due to presence of groundwater that requires dewatering in the existing extraction. Recommendation of implementation and adherence to the recommendations made within the Corkey Quarry ·& Hydrogeological Appraisal dated August 2015 provided within the application supporting information (Appendix 2). Advised that Rivers Agency should be consulted.
- Natural Environment Division - Proposal does not lie within any designation but is near Antrim Coast and Glens AONB. Report indicates that a small part of the habitat may be priority heathland which should be recognised within the restoration plan on sloped areas of the site. Peregrine nest noted, consultee requests assessment of alternative nest site before any recommendation can be made. This was provided on 27th April 2016 and NIEA have advised that they are

content that the nest be moved to another area upon expansion of the quarry.

- Historic Monuments Unit - No objection
- Environmental Health Office -Request noise information and advise IPRI consultation required (forms part of NIEA response of 17th November 2015). EHO are now content with the additional noise information and have no objection subject to the addition of a condition which limits the noise from the site.
- Transport NI - No objection in principle subject to provision of further information regarding access arrangements.
- Shared Environmental Service – Habitat Regulation Assessment screening completed and no likely significant environment effect identified on the selection features, conservation objectives or status of any European site (SPA, SAC, Ramsar).

5.5 While an Environmental Impact Assessment Determination was carried out. The environmental impact was not considered significant and an Environmental Statement was not required.

## **6.0 MATERIAL CONSIDERATIONS**

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is the Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.

- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7.0 RELEVANT POLICIES & GUIDANCE**

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Strategy for Rural Northern Ireland

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6: Planning, Archaeology and The Built Heritage

Supplementary Guidance

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 As a major application the applicant had to engage in the proposal of application notice process (PAN) and subsequent consultation. This had to be done at least 12 weeks prior to the submission of the full application.
- 8.2 The main considerations in the determination of this application relate to the:
- principle of development
  - environmental impact on flora and fauna,
  - impact on hydrological and hydrogeological links
  - visual amenity (impact on landscape and landscaping provided)
  - amenity of people living and working in proximity to the site



- convenience of road users
- waste management plan
- restoration plan.

### **Proposal of Application Notice**

- 8.3 Prior to the submission of the application, a Proposal of Application Notice (LA01/2015/0294/PAN) was submitted on 2nd June 2015. There was 12 week requirement for consultation by the applicant until 27th August 2015, after which the full application was submitted. The following consultations were agreed to be carried out by the applicant:
- Public meeting
  - Notification in Ballymoney and Moyle Times
  - Submission of pre application community consultation report
- 8.4 The pre application community consultation report was submitted with the full application and demonstrates that the public event was advertised in the Ballymoney and Moyle Times on 10th June 2015 (copy of advert supplied in Community Consultation Report)
- 8.5 The public event at Loughguile Community Centre on 18th June 2015 consisted of a presentation (copy provided within pre application community consultation report) outlining the nature of the proposal and providing the opportunity to ask questions. The matters raised were regarding site drainage and rock blasting. A hydrological report has been provided as part of the application submission and is considered to be acceptable by Rivers Agency.
- 8.6 The attendees sought assurances that there would be notification of blasting and the applicant considers that this is good practice and assured the attendees that this would be done prior to every blast.

### **Design and Access Statement:**

- 8.7 A design and access is not required even though this is a major application. Under Article 6 (4) (b) of The Planning (General Development Procedure) Order (NI) 2015 the requirement for this statement does not apply to engineering or mining operations.

### **Principle of Development**

- 8.8 The regional strategic objective for minerals development are:

- facilitate sustainable minerals development through balancing the need for specific minerals development proposals against the need to safeguard the environment;
- minimise the impacts of minerals development on local communities, landscape quality, built and natural heritage, and the water environment; and
- secure the sustainable and safe restoration, including the appropriate re-use of mineral sites, at the earliest opportunity.

8.9 This requires the balance of the need to support the winning and working of minerals against the impact on the environment, landscape and amenity of those who live and work nearby. It also requires an active restoration of the site.

#### **Northern Area Plan 2016**

8.10 The area plan does not have any designations which impact or limit the expansion or rationalisation of the faces of the existing quarry.

#### **Environmental Impact**

8.11 The regional strategic objectives for minerals development in the SPPS seek to balance the need for specific minerals development against the need to safeguard the environment. Policy MIN 1 of the PSRNI also seeks to balance the need for the mineral resource against the need to protect and conserve the environment.

8.12 The proposal does not lie within any designation. There is no issue with any part of the proposal negatively impacting on the flora or fauna within the site. An ecological report has indicated that a small part of the habitat contains dry heathland elements. This will be restored with woodland and grassland as considered appropriate by NIEA.

8.13 There is a protected species on site and peregrines have been also been identified on site. NIEA is content that the existing artificial peregrine nest be relocated and has advised that the applicant continue to liaise with the Northern Ireland Raptor Study

Group as they have been doing. No further comment has been made regarding protected species.

### **Impact on hydrological and hydrogeological links**

- 8.14 With the expansion of the quarry there is the possibility of suspension of suspended solids within quarry discharge and displacement of groundwater, potential for rainfall runoff. NIEA advised that impacts on the water environment generated by this proposal are unlikely to be significant subject to best practice and appropriate mitigation being applied throughout the duration of the proposal.

### **Visual amenity (impact on landscape and landscaping provided)**

- 8.15 Policy Min 2 of the PSRNI and the SPPS seek to protect both areas of designation and general landscape amenity. This site is not within any European or local designations. However the site falls within LCA 118 which is the Moyle Moorlands and Forest Landscape. The landscape in this area is characterised by open upland, rough grazing and an exposed landscape with few roads or settlements, scattered farms on edges of the uplands.
- 8.16 Views of the quarry are possible over a 5km radius however, significant views are only available when approaching the quarry along the Corkey Road. The land rises away from the road to the North East and the existing quarry then fall down behind the ridge line. At this point there is a prominent mound of earth which will be removed in the rationalisation and extension of the quarry. The majority of the quarry and the proposed Southern extension is/will be hidden behind an existing ridge line which is proposed to be retained. The Southerly extension and future extraction area run parallel to the Reservoir Road, and due to roadside hedges and field vegetation, there will be no significant views of the quarrying.
- 8.17 The quarrying is proposed in 2 phases in that phase 1 is in the centre of the proposed site moving out to the Southern and South Eastern boundary for phase 2. In phase 1 the overburden will be stored on the South Eastern boundary while in phase 2 it will be backfilled to the South Eastern boundary with a residual amount remaining on the North Eastern corner of the proposed site adjacent to the South Eastern boundary.

- 8.18 Moreover, a landscaping plan has been submitted to mitigate and potentially better the visual impact in the long term. Overall it appears that the visual impact is not significant as the extension is a lesser portion of the overall site, with negligible public views while the phasing and restoration can help mitigate any perceived impact.
- 8.19 The proposed plans show that plant will remain in the current location, and as there will be no additional processing, no additional plant will be required. No stockpiling is proposed as part of this application. Soil storage mounds will remain on the South Eastern boundary and at the most northerly tip of the existing site. Any existing redundant plant is proposed to be removed and has been conditioned as such.
- 8.20 The landscaping plan provided for implementation shows areas allocated for native grassland and natural regeneration to the Eastern boundary of the site. This will also be augmented by advanced woodland. There will be an area of advanced woodland planted to the Western portion of the site along the South Western and Southern boundary which will provide integration of the site to the existing landscape from any public viewpoints. This will be provided within the first year of commencement of the site subject to the planting season.

**Amenity of people living and working in proximity to the site**

- 8.21 MIN 6 of the PSRNI considers safety and amenity, while the SPPS advises that particular regard should be given to the amenity of local residents.
- 8.22 Pollution and nuisance would come from dust and noise from blasting, quarrying, transportation and storage of minerals and materials. Noise, dust and managed nuisance are inherent to the nature of the quarrying industry but are not constant and not even daily in their occurrences. Blasting is not a daily activity and so impact will be limited to the days and times on which the blasting occurs.
- 8.23 Dust created from storage and transportation modes will be minimised by no processing being carried out within the extension area, stock piling within the plant site and use of overburden to create haul ramps and tracks. Basalt does not give rise to significant amounts of dust by its nature when excavated and will

be stockpiled on the quarry floor. Dust suppression sprays will also be used on the crusher prior to stockpiling. Loading, despatch and transportation of minerals which cause dust can be managed by a number of industry practices which have been identified in the Dust Impact Assessment provided with the original submission. It should be noted that Patrick Keenan is already regulated by IPRI under permit P0103/08B under the Pollution Prevention and Control (Industrial Emissions) regulations (NI) 2013 and therefore the environmental impact is unlikely to be significant.

8.24 The quarry will entail the winning and working of basalt. The winning and working of minerals in itself will not produce "waste" however there will be spoil heaps on the site and the removal of soil required prior to digging. There is risk of accident due to blasting, removing and storing materials, however the blasting is limited and certainly not daily. The quarry owner has committed to notifying residents about blasting as per the public meeting, however this notification is not something that can be stipulated by the Planning Department. Access is restricted to quarry sites and industry standards limit the risk when removing, transporting and storing materials on the site.

8.25 EHO are content that the noise impact can be dealt with by adhering to conditions limiting working hours at the quarry and no adverse impact from dust has been identified. Health and Safety are content that properties identified as close to the blast area are an adequate distance that they should not be adversely effected.

#### **Convenience of road users**

8.10 Min 7 of the PSRNI advises that the Council should take account of the safety and convenience of road users. The proposal intends to use the existing quarry access on Corkey Road and Transport NI consider this to be acceptable and have stipulated that there should be no access onto the Reservoir Road adjacent to the proposed extension.

#### **Waste Management Plan:**

8.11 The waste management plan was submitted on 17<sup>th</sup> May 2016. Water Management Unit advised on 16<sup>th</sup> June 2016 that they were content on the basis of this information submitted.

#### **Restoration plan.**

8.12 Policy Min 8 of the PSRNI states requires mineral workings to be restored at the earliest opportunity. The restoration will be conditioned to be carried as shown in the proposed drawing upon the exhaustion of this extension to the existing quarry. Upon exhaustion the quarry will be 50m below existing land levels at the lowest point, graduated back up to the existing ground levels. The restoration plan pertains to the majority of the site to be allowed to naturally regenerate with native grassland (detailed schedule provided). There will be a number of areas of advanced woodland/scrub mix to be planted on the quarry faces in the centre of the site. This is in addition to the planting to be carried out at the boundaries of the site as shown in the landscaping proposals. A pond has been provided to mitigate for the loss of biodiversity in the existing water channels which will be removed as the quarry progresses.

## **9.0 CONCLUSION**

9.1 This proposal is considered acceptable in this location having regard to the Area Plan and other material considerations.

## **10 CONDITIONS**

### 10.1 Regulatory Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved Drawing Nos: 01Rev1 bearing the date stamp 18 November 2015.

Reason: To ensure the development is carried out in accordance with the approved plans.

3. Any access to this site shall be via the access hereby approved onto Corkey Road and no access either vehicular or pedestrian shall be permitted onto Reservoir Road to the Eastern side of the site.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not become operational until effective vehicle wheelwashing facilities have been installed and brought into operation for the lifetime of the development approved.

Reason: To prevent the carry-over of mud or debris onto the public road in the interests of road safety and convenience.

5. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out within 1 year of the commencement of the development hereby approved and in accordance with drawing 08 Rev 02 dated 8th August 2016.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

6. Reinstatement of the site shall proceed in accordance with drawing 09 Rev 02 dated 8th August 2016 upon exhaustion of the site and shall be completed within 2 years of the date of exhaustion.

Reason: To mitigate and compensate for the impact of the proposal on the nature conservation value of the site.

7. At no time during the initial construction phase, working life of the landfill or site reinstatement, shall work take place on Sundays or



outside the hours of 0730 - 1900 Monday to Friday and 0700 - 1700 Saturday, other than in exceptional circumstances and with prior written agreement of the Council.

Reason: To respect the living conditions of residents in the area.

8. Noise from the permitted extraction and restoration of the quarry hereby permitted shall not exceed predicted noise levels LAeq (1 hour) as detailed within Table 7 attached below for the working hours stated in condition 07 above at identified noise sensitive receptors detailed within Table 4 below.

An increased noise limit of 70dB LAeq (1 hour) not exceeding eight weeks in any calendar year is permitted at all dwellings to allow for temporary operations to facilitate essential site preparation, restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs.

Reason: To preserve residential amenity

**Table 4:** Noise sensitive receivers in proximity to Keenan's Quarry, Bridge Road, Dunloy.

Noise Sensitive Receiver	Coordinates		
	X(m)	Y(m)	Z(m)
NSR 1 - New House on Reservoir Road - SE of Quarry	309645.07	422225.89	233.60
NSR 2 - 18 Reservoir Road - S of Quarry	309377.00	421847.00	187.59
NSR 3 - 6 Kilwee Gardens - S of Quarry	309196.00	421777.00	168.49
NSR 4 - 182 Corkey Road - SW of Quarry	308987.00	421976.00	160.65
NSR 5 - 180 Corkey Road - SW of Quarry	308968.00	421999.00	159.79
NSR 6 - 178 / 178a Corkey Road - SW of Quarry	308944.00	422043.00	158.68
NSR 7 - 172 / 174 Corkey Road - SW of Quarry	308929.00	422071.00	158.37
NSR 8 - 157 Corkey Road - W of Quarry	308793.00	422420.00	155.59
NSR 9 - 42 Reservoir Road - NE of Quarry	309752.00	422692.00	265.98



**Table 7:** Predicted 1-hour noise levels ( $L_{Aeq}$ ) at Noise Sensitive Receivers during the proposed overburden removal and quarrying activities during each phase of quarrying.

Noise Sensitive Location	Predicted Level dB $L_{Aeq}$ Existing Extraction	Predicted Level dB $L_{Aeq}$ Phase 1 Overburden	Predicted Level dB $L_{Aeq}$ Phase 1 Extraction	Predicted Level dB $L_{Aeq}$ Phase 2 Overburden	Predicted Level dB $L_{Aeq}$ Phase 2 Extraction
NSR 1	48.9	46.6	38.6	47.6	42.6
NSR 2	37.1	41.1	34.5	41.3	31.8
NSR 3	36.8	41.2	35.8	39.6	34.6
NSR 4	39.9	44.1	40.9	43.4	38.8
NSR 5	39.8	44.2	41.1	43.4	38.9
NSR 6	40.4	44.3	42.2	43.3	39.8
NSR 7	41.4	44	42.6	43.5	40.2
NSR 8	47.1	47.6	47.3	47.5	46.9
NSR 9	42.1	43.1	33.5	42.8	32.9
NML 1	46.4	47.1	46.6	46.9	46
NML 2	50.3	46.5	35.9	50.3	37.9
Relevant Limit	55 dB $L_{Aeq}$	55 dB $L_{Aeq}$	55 dB $L_{Aeq}$	55 dB $L_{Aeq}$	55 dB $L_{Aeq}$

- Any disused plant shall be permanently removed from the site once it becomes redundant.

Reason: To preserve visual amenity.

## 10.2 Informatives

- "The Health and Safety Executive for Northern Ireland has advised: Face heights should not exceed 15m without prior approval via geotechnical assessment. Any face exceeding 15m in height is classed as a 'significant hazard'.

Relevant details of 'significant hazard' and Geotechnical reports.

The operator of the quarry should ensure that a suitable appraisal of all proposed or existing excavations or tips at the quarry is undertaken by a competent person in order to determine whether any such excavation or tip is a 'significant hazard'. Should a 'significant hazard' be identified and a geotechnical assessment undertaken the report on the geotechnical assessment and its findings should be included in the Health and Safety Document and sent to HSENI.

Haul routes should be designed and constructed to remain stable, taking into account their use by heavy traffic and geological factors. Haul routes design should meet the following:

Gradients should be no greater than 1 in 10

Haul routes should be constructed with an edge berm, at least 1.5m high, or the axle height of the largest vehicle using it (whichever is greater) and be wide enough to absorb the impact of a laden dump truck.

The road surface should be at least 2.5 times the width of the largest vehicle using it (where no one way system is in place) or 1.5 times the width of the largest vehicle for one way traffic (i.e. where there is an alternate haul road present)

The operator should ensure that, where appropriate, a barrier suitable for the purpose of discouraging trespass is placed around the boundary of the quarry and is properly maintained.

The operator should also consider more broadly ways in which working the quarry may create a risk to the public. The stability of adjacent lands and any public access to the site are obvious examples and must be considered and included in the health and safety document to be submitted to HSENI"

2. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
3. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of

structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

4. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
5. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
6. Where a Designated watercourse flows through or adjacent to a development site, it is considered essential that a working strip of minimum width 5m is left along the bank in order to facilitate future maintenance of the watercourse by the Rivers Agency. Actual requirement should be determined in consultation with the Agency.