



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓir

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Planning Act (Northern Ireland) 2011: Section 170

Application No: **LA10/2023/1448/CLOP
UD**

Date of Application: **16 February 2023**

Site of Proposed Development: **Approx. 20m NW of 17 Moorlough Road, Lisnaskea, BT92
0HA**

Description of Proposal: **Proposal to complete dwelling as approved under
L/2006/2364/F**

Applicant:
Address:



Agent: Robert Brown
Address: 12 Derryhoney Road
Lisbellaw
Enniskillen
BT94 5DH

Drawing Ref: 01, 02

The Council hereby

CERTIFIES

that on 16 February 2023 the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in red on the plan attached to this certificate, would be lawful within the meaning of Section 170 of the Planning Act (Northern Ireland) 2011.

Dated: 14 July 2023

Authorised Officer: Paul McDermott

The First and Second Schedule are attached hereto together with a plan. Please read the footnotes including your rights of appeal.



Schedule and Notes attached to:

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Application No:	LA10/2023/1448/CLOPUD
Applicant:	Seamus McCusker 42 Moorlough Road Lisnaskea
Location:	Approx. 20m NW of 17 Moorlough Road, Lisnaskea, BT92 0HA

FIRST SCHEDULE **Description of use certified**

Proposal to complete dwelling as approved under L/2006/2364/F

SECOND SCHEDULE **Land specified in the Certificate**

Approx. 20m NW of 17 Moorlough Road, Lisnaskea, BT92 0HA

NOTES

1. This certificate is issued solely for the purpose of Section 170 of the Planning Act (Northern Ireland) 2011.
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule would be lawful and thus, would not be liable to enforcement action under Section 138 or 139 of the Planning Act (Northern Ireland) 2011.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described or which relates to other land may render the owner liable to enforcement action.
4. The effect of this certificate is also qualified by the provision in Section 170(4) of the Planning Act (Northern Ireland) 2011, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to



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determining such lawfulness.

5. If this Certificate has been granted in a form which the Council has modified the description of the use, operations or other matter in your application has substituted an alternative description and if you do not accept the Council decision you may appeal by giving notice to the Planning Appeals Commission under Section 173 of the Planning Act (Northern Ireland) 2011 and article 11(6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015.