

**400M & 450M EAST OF
17 AGHNAGAR ROAD
GALBALLY
DUNGANNON
CO. TYRONE
BT70 2HP**



*working harder to make your **move easier***

26 Church Street,
Dungannon,
Co. Tyrone,
N. Ireland
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2 X ADJACENT BUILDING SITES FOR SALE IN 1 OR 2 LOTS TO SUIT

THESE FANTASTIC RURAL BUILDING SITES (APPROX. 0.5 ACRES EACH – TOTALLING APPROX. 1 ACRE) OFFER A UNIQUE OPPORTUNITY FOR SELF-BUILDERS SEEKING TO CONSTRUCT THEIR DREAM HOME OR A DEVELOPER / CONTRACTOR ALIKE.

LOCATED ONLY CIRCA. 5 MINUTES FROM THE MAIN BALLYGAWLEY ROAD FOR EASY COMMUTING ACROSS THE PROVINCE AND BEING MOST CONVENIENT TO CABRAGH, GALBALLY, BALLYGAWLEY, AUGHNACLOY & DUNGANNON BY CAR THESE ADJACENT SITES BENEFIT FROM **FULL PLANNING PERMISSION** FOR SUPERIOR DETACHED TWO STOREY DWELLINGS (M/2009/0532/RM & M/2008/1283/RM).

“A FANTASTIC OPPORTUNITY FOR SELF-BUILDERS OR DEVELOPERS – DON’T MISS IT!”



PRICE ON APPLICATION

PLANNING LEGISLATION OVERLEAF...

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**400m East of 17 Aghnagar Road,
Galbally, Dungannon,
Co. Tyrone, BT70 2HP**



OUTLINE PLANNING PERMISSION
Planning (Northern Ireland) Order 1991

Application No: M/2006/0127/O
Date of Application: 26th January 2006

Site of Proposed Development: 400m East of 17 Aghnagar Road Dungannon

Description of Proposal: Proposed dwelling

Applicant: Agent:
Address: Address:

Drawing Ref: 01

The Department of the Environment in pursuance of its powers under the above-mentioned Order hereby

GRANTS OUTLINE PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. As required by Article 35 of the Planning (Northern Ireland) Order 1991, application for approval of the reserved matters shall be made to the Department within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: Time limit.

Application No. M/2006/0127/O

DCI001MW

Omagh Planning Office

See also Explanatory Notes attached



2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters'), shall be obtained from the Department, in writing, before any development is commenced.

Reason: To enable the Department to consider in detail the proposed development of the site.

3. The proposed dwelling shall exhibit the traditional elements of rural design, particularly in form, proportion and finishes, as set out in the Department's Planning Strategy for Rural Northern Ireland.

Reason: To ensure the dwelling is in keeping with the character of the rural area.

4. The proposed dwelling shall have a ridge height of less than 7.0 metres above finished floor level.

Reason: To ensure that the dwelling is in keeping with the character of the rural area.

5. The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.45 metres at any point.

Reason: In the interest of visual amenity.

6. The existing mature trees and natural screenings of this site, along the western and southern boundaries of the approved plan date stamped 26 January 2006, shall be retained and no lopping, topping, felling or removal shall be carried out.

Reason: To ensure the development integrates into the countryside and to ensure the maintenance of screening to the site.

7. A landscaping scheme shall be agreed with the Department at Reserved Matters stage and shall include a survey of all existing trees and hedgerows on the land, together with details of those to be retained and measures for their protection during the course of development. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out during the first available planting season after the occupation of the dwelling.

Reason: To ensure the provision of a high standard of landscape.

8. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the access to be constructed in accordance with the attached form RSI.

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

Application No. M/2006/0127/O

DCI001MW

Omagh Planning Office

See also Explanatory Notes attached



Informatives

1. This approval relates to stamped approved drawing No. 01 which was received on 26 January 2006.

2. With regard to the above Condition No. 03, you are advised that in order to meet the requirements of the Department's Design Guide for Rural Northern Ireland, the form and shape of the dwelling will normally fall within the following parameters:-

- i. The width of the dwelling frontage, should be up to a maximum of 18 metres or 20 metres if the roof line is broken or frontage set back.
- ii. The external gable depth (front to back) of a dwelling should not exceed 9 metres and only 7 metres in sensitive locations.
- iii. The roof pitch should be within the range 35 to 40 degrees except when gable depth is below 7.5 metres, then 45 degrees is acceptable.
- iv. The front elevation should not have any projection or return other than a simple pitched roof storm porch if desired. Returns must always be subservient.
- v. Any chimney breast should be internal, with the chimney stack positioned centrally on the ridge, preferably at the gable end of the dwelling.

3. Water supply not available. The nearest public water main is located approx 330m distance.

4. Foul water sewer not available. The use of a septic tank, (on the basis of one for each dwelling) is subject to the necessary written consent being obtained from the Environment and Heritage Service and the approval of the local District Council Environmental Health section.

Where approval to the use of a septic tank disposal system is granted and the applicant wishes the Water Service to provide a periodic desludging service the applicant must complete the necessary 'Form of Agreement' and adhere to the construction requirements contained therein. Contact Water Service's Customer Services Unit to obtain a 'Form of Agreement' form, or telephone Waterline on 0845 7440088.

5. Surface water sewer not available. Surface water must not be taken to the foul sewer. Where it is proposed to discharge surface water to a river, stream or watercourse prior written consent for such discharge must be obtained from the Department of Agriculture's River Agency.

6. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 1973, as amended 1993, consultation with Water Service is essential at design stage with regard to the following matters:

- (a) water supply requirements;
- (b) septic tank emptying;

Contact Water Service's Customer Services Unit or telephone Waterline on 0845 7440088.

Application No. M/2006/0127/O

DCI001MW

Omagh Planning Office

See also Explanatory Notes attached



7. The applicant is advised to contact Water Service through its Customer Service's Unit or Waterline on 0845 7440088 upon receipt of this decision to discuss any issues of concern.

8. A Consent to Discharge effluent from a septic tank will be required under the provisions of the Water (NI) Order and it is recommended that any planning permission granted be conditional upon such a Consent being obtained prior to commencement of the development.

9. Additional Comments: DRD Roads Service RSI form attached for your information.

Dated: 19th June 2006

Authorized Officer

Application No. M/2006/0127/O

DCI001MW

Omagh Planning Office

See also Explanatory Notes attached



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

Schedules and Notes attached to:

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Application No: LA09/2021/0927/LDP

Applicant:

Location: 400m east of 17 Aghnagar Road
Dungannon

FIRST SCHEDULE Description of use certified:

Establish the lawful commencement of planning permission (M2009/0532/RM) by way of excavation of foundations for entire footprint of dwelling to allow future completion at a subsequent date.

SECOND SCHEDULE Land specified in the Certificate:

400m east of 17 Aghnagar Road, Dungannon

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 (use/operation(s)) described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any (use/operation (s)) which (is/are) materially different from that described or which relate(s) to other land may render the owner or occupier

Application No. LA09/2021/0927/LDP

LA09

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 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 or has substituted an alternative description for that description and if you do not accept the Council's 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.

Application No. LA09/2021/0927/LDP

LA09



The Planning Service RECEIVED
16 JUN 2009

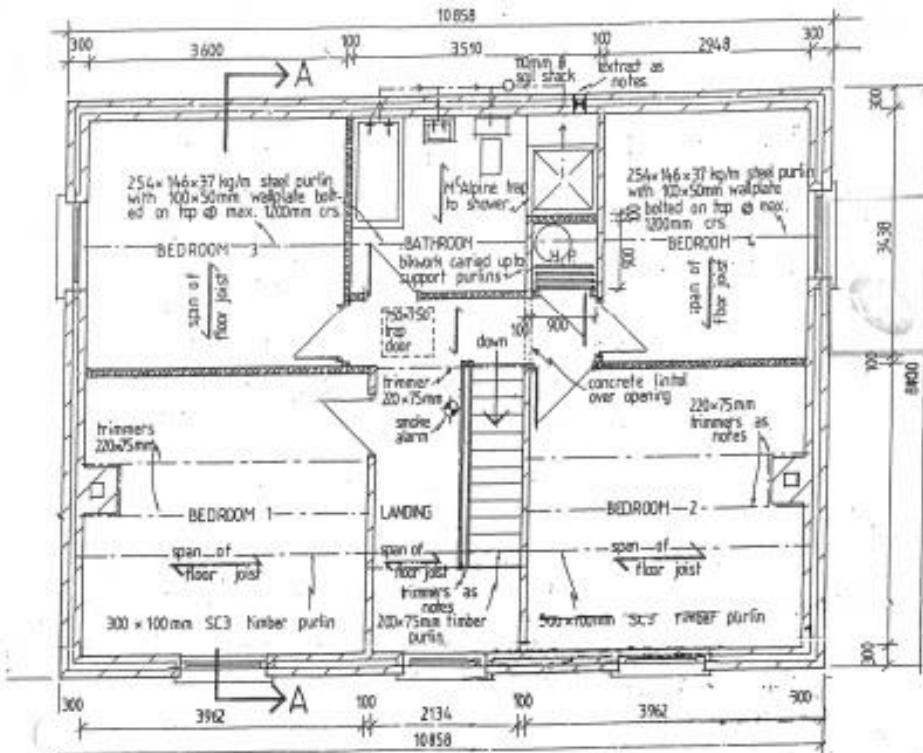
Planning (NI) Order 2008
Control Division
Section 13
GRANTED
Approval of Development Matters
Subject to Conditions as set out on
M/2009/0532/RM
12th Nov 09
M 2009 / 0 5 3 2

Drawing
Number 4
Planning

Finishes
Roof tiles: grey redland mini stonewall
Fascia, barge & windows: white PVC
Wall finish: smooth plaster with rubbed up finish

JOB TITLE
Erection of dwelling 400m east of 17 Aghnagar Road, Dungannon.
Drawing No: 04 (Elevations) Scale: 1:100
Date: April 2009

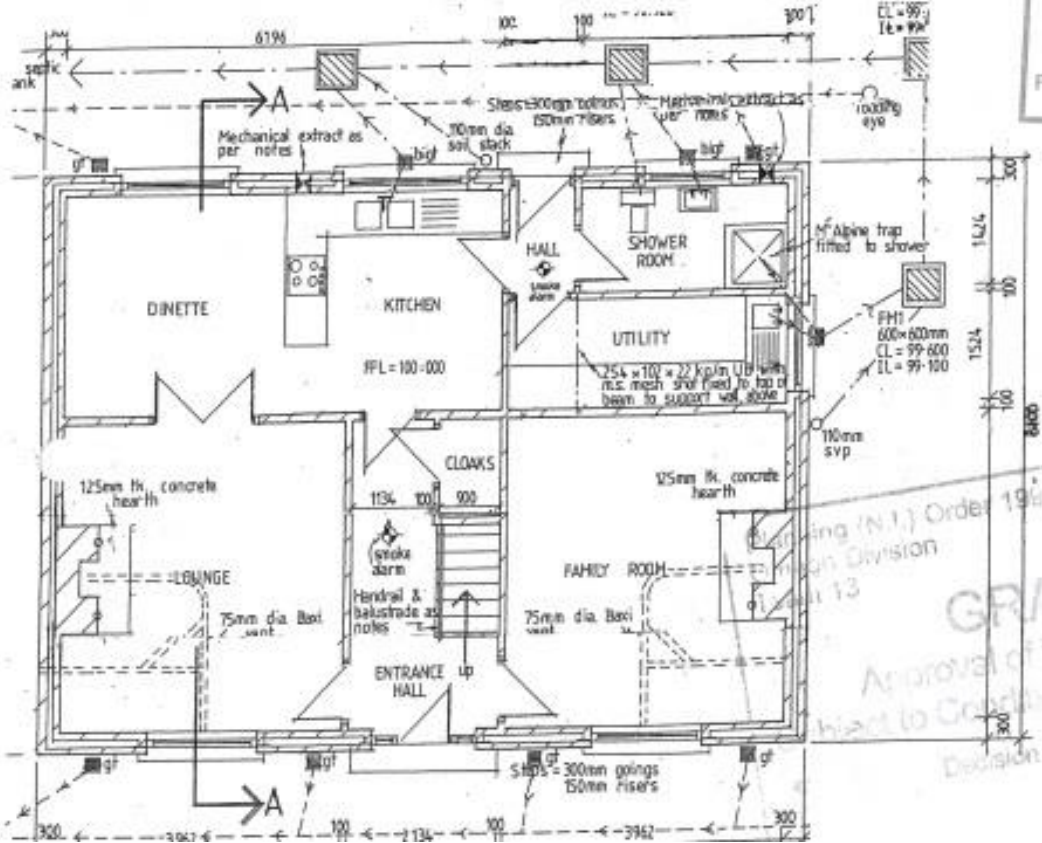
The Planning Service RECEIVED
19 JUN 2009



FIRST FLOOR PLAN
Scale: - 1:100

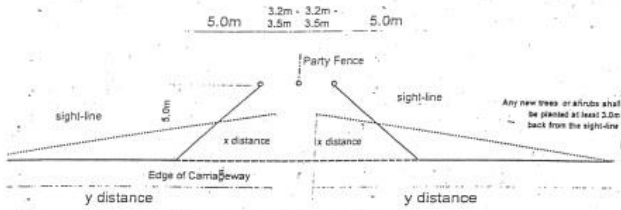
Drop...
Number 03/2009...

The Planning Service
RECEIVED
28 AUG 2009
File No.
OMAGH 6



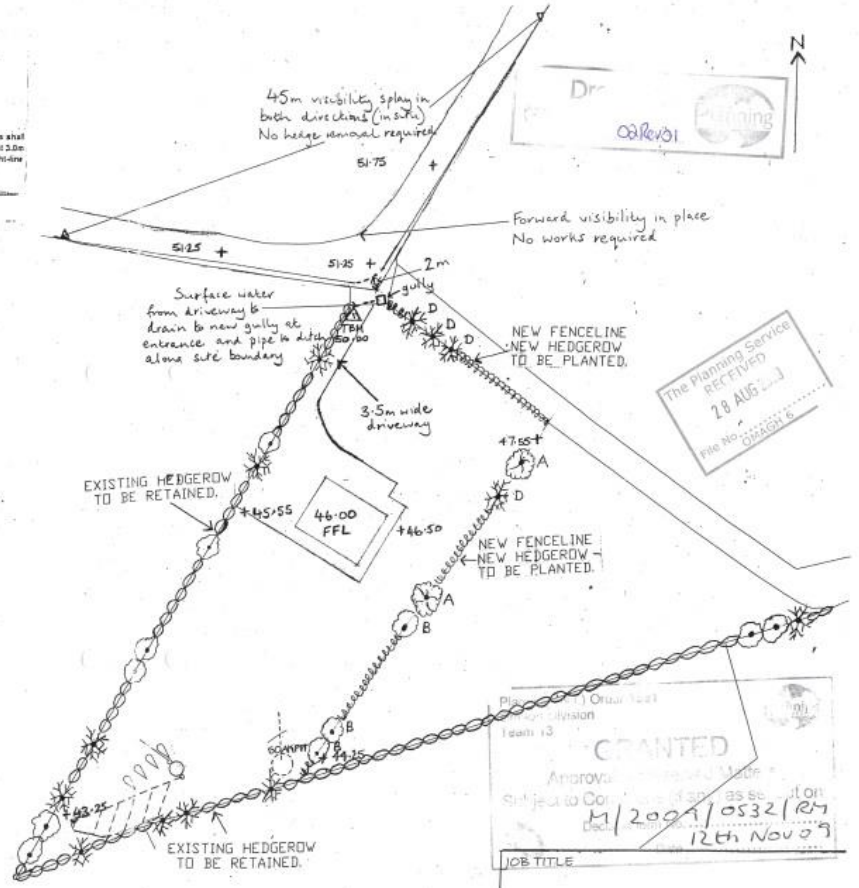
Planning (N.I.) Order 1991
Planning Division
13
GRANTED
Approval of... Matters
as set out
M/2009/0532/RM
12th Nov 09

ACCESS FOR PAIRED DWELLINGS



- Existing vegetation around the site boundaries shall be retained and no lopping, topping, felling or removal shall be carried out unless necessary for the provision of visibility splays.
- Landscaping works shall be carried out during the first available planting season after the occupation of the dwelling.
- Existing trees and root systems to be protected from damage during construction using timber posts and soil surroundings.
- The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the commencement of the development hereby permitted and shall be retained and kept clear thereafter.
- It is the responsibility of the developer to ensure that surface water does not flow from the site onto the public road and that the existing roadside drainage is accommodated and no water flows from the public road onto the site.
- The gradient of the access shall not exceed 1:12.5 (8%) over the first 5 metres from the side of the road boundary, i.e. from the back of the verge / back of footway / ceiling / edge of carriageway.
- Visibility splays must be retained in perpetuity.
- Drainage shall be provided where necessary to prevent water from the access flowing onto the public road. Similarly the existing road drainage must be accommodated where appropriate and measures must be taken to prevent road surface water from flowing onto the access. The appropriate drainage arrangements must be detailed on plan.
- Drains or outlets in the road verge shall be piped to the satisfaction of the D Roads Service. Watercourses behind / in front of a hedge / fence line shall be piped to the satisfaction of Rivers Agency.

SPECIES	HEIGHT(m)	GIRTH(cm)	QUANTITY
DAK (QUERCUS ROBUR) PLANTED ALONG HAVTHORN HEDGEO	4-8	10-35	x2 No.
SYCAMORE (ACER PLATANOIDES) UNDERPLANTED WITH WHITE TREE WING BIRCH, ROWAN, QUERCUS, BEECH, OAK	2-7	10-30	x2 No.
POPULAR (POPULUS NIGRA ITALICA) UNDERPLANTED WITH WILLOW, CORNUS, BURNING BUSH	2-6	10-25	x2 No.
ALDER (ALNUS GLUTINOSA)	2-5	10-30	x1 No.
BIRCH (BETULA JACQUINHARTII)			



Site Layout Plan

1/6 PLAN 159-14
Co-ords 267954 361257

Planning (N.I.) Order 1991
The Planning Service
Team 13
GRANTED
Approval of Plans (Access)
Subject to Conditions that's set out on
M/2009/0532/1/RM
12th Nov 09

Erection of dwelling 400m east of
No.17 Aghnagar Road, Dungannon
Drawing No: 02A Scale 1:500
AMENDMENTS AUG '09

For I.D. Purposes Only.



The Planning Service
RECEIVED
16 JUN 2009
File No: 0532/1/RM

The Planning Service
RECEIVED
19 JUN 2009
File No: 0532/1/RM

M 2009 / 0532 / 1

Drawing
Number
The Planning Service

Planning (N.I.) Order 1991
The Planning Service
Team 13
GRANTED
Approval of Plans (Access)
Subject to Conditions that's set out on
M/2009/0532/1/RM
12th Nov 09

The Planning Service
RECEIVED
19 JUN 2009
File No: 0532/1/RM

Scale: 1:2500
O.S. Grid Ref: 159-14
Co-ords: 267954 361257
Drawing No: 01

Proposed dwelling 400m east of
No.17 Aghnagar Road, Dungannon

**450m East of 17 Aghnagar Road,
Galbally, Dungannon,
Co. Tyrone, BT70 2HP**



OUTLINE PLANNING PERMISSION
Planning (Northern Ireland) Order 1991

Application No: M/2005/0759/O
Date of Application: 8th April 2005

Site of Proposed Development: 450m East of 17 Aghnagar Road, Dungannon.

Description of Proposal: Proposed dwelling.

Applicant: Agent:
Address: Address:

Drawing Ref: 01

The Department of the Environment in pursuance of its powers under the above-mentioned Order hereby

GRANTS OUTLINE PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. As required by Article 35 of the Planning (Northern Ireland) Order 1991, application for approval of the reserved matters shall be made to the Department within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: Time limit.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters'), shall be obtained from the Department, in writing, before any development is commenced.

Application No. M/2005/0759/O

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached



Reason: To enable the Department to consider in detail the proposed development of the site.

3. The proposed dwelling shall exhibit the traditional elements of rural design, particularly in form, proportion and finishes, as set out in the Department's Planning Strategy for Rural Northern Ireland.

Reason: To ensure the dwelling is in keeping with the character of the rural area.

4. The proposed dwelling & cartilage shall be sited in the area shaded green on the approved plan No.01 date stamped 8th April 2005.

Reason: To ensure that the development integrates into the landscape in accordance with the requirements of the Department's Rural Strategy.

5. The proposed dwelling shall have a ridge height of less than 7 metres above finished floor level.

Reason: To ensure that the development is integrated into the landscape in accordance with the requirements of the Department's Rural Strategy.

6. The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.45 metres at any point.

Reason: In the interest of visual amenity.

7. A landscaping scheme shall be agreed with the Department at Reserved Matters stage and shall include a survey of all existing trees and hedgerows on the land, together with details of those to be retained and measures for their protection during the course of development. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out during the first available planting season after the occupation of the dwelling.

Reason: To ensure the provision of a high standard of landscape.

8. The existing natural screenings of this site, along the entire boundaries of the approved plan date stamped 8th April 2005 shall be retained and no lopping, topping, felling or removal shall be carried out unless necessary for the provision of visibility splays.

Reason: To ensure the development integrates into the countryside and to ensure the maintenance of screening to the site.

9. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the commencement of the development hereby permitted and shall be retained and kept clear thereafter.

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

Application No. M/2005/0759/O

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached



10. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the access to be constructed in accordance with the attached form RS1.

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

11. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawing No 01 which was received on 8th April 2005.

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

Informatives

1. With regard to the above Condition No. 03, you are advised that in order to meet the requirements of the Department's Design Guide for Rural Northern Ireland, the form and shape of the dwelling will normally fall within the following parameters:-

- i. The width of the dwelling frontage, should be up to a maximum of 18 metres or 20 metres if the roof line is broken or frontage set back.
- ii. The external gable depth (front to back) of a dwelling should not exceed 9 metres and only 7 metres in sensitive locations.
- iii. The roof pitch should be within the range 35 to 40 degrees except when gable depth is below 7.5 metres, then 45 degrees is acceptable.
- iv. The front elevation should not have any projection or return other than a simple pitched roof storm porch if desired. Returns must always be subservient.
- v. Any chimney breast should be internal, with the chimney stack positioned centrally on the ridge, preferably at the gable end of the dwelling.

2. Water supply not available.

3. Foul water sewer not available. The use of a septic tank, (on the basis of one for each dwelling) is subject to the necessary written consent being obtained from the Environment and Heritage Service and the approval of the local District Council Environmental Health section.

Where approval to the use of a septic tank disposal system is granted and the applicant wishes the Water service to provide a periodic desludging service the applicant must complete the necessary 'Form of Agreement' and adhere to the construction requirements contained therein. Contact Water Service's Customer Services Unit to obtain a 'Form of Agreement' form, or telephone Waterline on 0845 7440088.

4. Surface water sewer not available. Surface water must not be taken to the foul sewer. Where it is proposed to discharge surface water to a river, stream or watercourse prior written consent for such discharge must be obtained from the Department of Agriculture's River Agency.

Application No. M/2005/0759/O

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached



5. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 1973, as amended 1993, consultation with Water Service is essential at design stage with regard to the following matters:

- (a) water supply requirements;
- (b) foul water and surface water sewerage (Article 17 agreement) requirements;
- (c) trade effluent discharge;
- (d) septic tank emptying;
- (e) existing water main crossing the site;
- (f) existing sewer crossing the site.

Contact Water Service's Customer Services Unit or telephone Waterline on 0845 7440088.

6. The applicant is advised to contact Water Service through its Customer Service's Unit or Waterline on 0845 7440088 upon receipt of this decision to discuss any issues of concern.

7. If during the course of developing the site the developer uncovers a pipe not previously evident the local Water Service should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe.

8. A Consent to Discharge is required under the Water order (NI) 1999. An application form for such can be obtained by applying to Water Management unit, Calvert House, 23 Castle Place, Belfast, BT1 1FY. A fee is payable for this application.

9. The applicant is to be advised that no work should be undertaken until such is approved. The applicant must ensure that sufficient land will be available to accommodate the septic tank and an effectual dispersal system.

10. To achieve this the applicant should engage the services of a suitably qualified person.

Dated: 30th November 2005

Authorised Officer

Application No. M/2005/0759/O

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached





Explanatory Notes to accompany Approvals

Type of Approval	See Notes
(a) Planning Permission and Approval of Reserved Matters	1, 2, 3, 4
(b) Consent to display advertisements	1, 2, 4, 5
(c) Listed Building consent	1, 2, 4, 6

Note

- If you are unhappy with the conditions placed on the permission/approval/consent granted by the Planning Service you may appeal to the Planning Appeals Commission, Park House, Great Victoria Street, Belfast BT2 7AG (Tel (028) 9024 4710) within 6 months of receipt of the notice. A publication entitled "Planning Appeals - A Guide to Procedure" is also available from this address, or from your Divisional Planning Office.
- You should check whether further approval is required under other legislation, such as Building Regulations or the Water Act.
- If your proposal involves an access or any vehicular crossing of the highway, it is in your interest to notify your intentions to the authorities responsible for electricity, telephones, water etc. to allow them the opportunity to carry out any planned works first and so avoid breaking through any newly made surfaces.
- Failure to adhere to approved plans or comply with conditions attached to this permission is a contravention of the Planning (NI) Order 1991 (for the Planning (Control of Advertisements) Regulations (NI) 1973 in the case of advertisements), and may result in The Planning Service taking enforcement action.
- If you intend to display an advertisement on land which is not in your possession, you should first obtain the consent of the landowner or the person(s) entitled to grant such permission.
- If you have obtained listed building consent to demolish a building you must not do so before the Environment and Heritage Service has:
 - been given reasonable access to the building for one month following the granting of consent; or
 - stated that it has completed its record of the building; or
 - stated that it does not wish to record it.

The Environment and Heritage Service, Historic Monuments and Buildings Branch can be contacted at 5-33 Hill Street, Belfast BT1 2LA - Tel: (028) 9023 5000.

Form P19



PLANNING PERMISSION FOR PUBLIC ROAD ACCESS

Planning Ref: M/2008/1283/RM

1. The detailed access requirements for the above proposal are set out in the form below. A maximum 1:200 scale plan accompanying the application must be submitted in part (a) of the application.

2. Plans must be on "C" or "D" scale paper. The application must be accompanied by the following:

3. Letters to be in accordance with Diagrams

4. Visibility splay: N = 2 metres, W = 4.5 metres (on site)

5. Forward sight distance: 4.5 metres (on site)

6. Width of access (at proposed steps): 2.1 metres

7. Access width (at proposed steps): 2.1 metres

8. ACCESS ACROSS FOOTWAY: Where the access crosses a footway it is important to have visibility between pedestrian and emerging motorist. In these circumstances there should normally be visibility signs between 2 to 20 metres in the direction of a distance measured along the footway for the use of the highway.

9. PARALLEL FOOTWAY: The required space for parking and turning must be provided within the width of the site. Provision must be made for vehicles to enter and exit the proposed site. (2000mm clear in a 2.1m x 2.1m)

10. Access position: Existing kerbside

11. Other requirements: 6.120 metre wide access path to a public road

12. Date: 25/10/08

13. The proposed access details must also be in accordance with the Roads Service publication "Vehicle Access Standards" more recent of which are reproduced below for convenience.

11. In the case of industrial premises or other major activities, gates or barriers should be located at a distance from the edge of the carriageway that will allow the driver to see the access to stop clear of the carriageway when the gate or barrier is closed.
12. MINIMUM WIDTH: 2.1 metres. Maximum: 2.6 metres.
13. VISIBILITY SPLAYS ACROSS EXISTING FOOTWAY: The footway shall be extended to the width of the visibility splay and the height of the extension shall be the same as the existing footway level at the new footway.
14. Any existing access shall be closed 100% if there is any new access opening.
15. DRIVEWAY: DRIVEWAY: 2.1 metres.
16. Where the access to a public road, the access gradient for the last 2m adjacent to a public road shall be between 8 and 2%.
17. MINIMUM MATERIAL: The driveway shall be surfaced in bituminous material to the edge of the splay to a level with the crown line of the existing footway/road.
18. DRAINAGE: The drainage shall be provided to prevent water from the access flowing onto the public road. The drainage shall be provided to prevent water from the access flowing onto the public road. The drainage shall be provided to prevent water from the access flowing onto the public road.
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32. The drainage shall be provided to prevent water from the access flowing onto the public road. The drainage shall be provided to prevent water from the access flowing onto the public road.

DO13077 - FORM R51-21



APPROVAL OF RESERVED MATTERS

Planning (Northern Ireland) Order 1991

Application No: M/2008/1283/RM

Date of Application: 21st November 2008

Site of Proposed Development: 450m East of no 17 Aghnagar Road, Dungannon

Description of Proposal: Erection of dwelling

Applicant: Agent: Address: Address:

Outline Application Number: M/2005/0789/O;

Drawing Ref: 01, 02, 03

With respect to the above proposal for development, being matters reserved in the outline planning permission specified above, the Department of the Environment, in pursuance of its powers under the above-mentioned Order, and in accordance with your application

HEREBY APPROVES

the said reserved matters subject to compliance with the following conditions which are imposed for the reasons stated:

- As required by Article 35 of the Planning (Northern Ireland) Order 1991 the development to which this approval relates must be begun by whichever is the later of the following dates:
 - The expiration of a period of 5 years from the grant of outline planning permission; or
 - The expiration of a period of 2 years from the date hereof.

Reason: Time limit.

- All planting comprised in the approved plans shall be carried out in the first planting season following the commencement of the building and any trees or shrubs which, within a period of 5 years from the occupation of the building, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Application No. M/2008/1283/RM

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached



Reason: In the interests of visual amenity.

- The vehicular access, including visibility splays and any forward sight line, shall be provided in accordance with the approved plans, prior to the commencement of any works or other development hereby permitted and shall be retained and kept clear thereafter.

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

Informative

- Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the DRD's consent before any work is commenced which involves making openings to any fence or hedge bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is: Main Road, Moygashel. A deposit will be required.

- It is the responsibility of the developer to ensure that

[surface water does not flow from the site onto the public road].

[the existing roadside drainage is accommodated and no water flows from the public road onto the site].

[surface water from the roof of the development hereby approved does not flow onto the public road, including the footway].

Dated: 10th March 2009

Authorised Officer

Application No. M/2008/1283/RM

DC1001MW

Omagh Planning Office

See also Explanatory Notes attached





CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Planning Act (Northern Ireland) 2011: Section 170 Planning (General Development Procedure) Order (Northern Ireland) 2015: Article 11

Application No: **LA09/2021/0928/LDP**

Date of Application: **16th June 2021**

Site of Proposed Development: **450m E of 17 Aghnagar Road
Dungannon**

Description of Proposal: **Establish the lawful commencement of planning permission (M/2008/1283/RM) by way of excavation of foundations for entire footprint of dwelling to allow future completion at a subsequent date**

Applicant: Agent:
Address: Address:

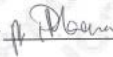
Drawing Ref: 01

Mid Ulster District Council hereby

CERTIFIES

that on 8th September 2021 the (use/operation(s)) 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, for the following reason(s):

1. Mid Ulster District Council, having considered the information provided, is satisfied that the existing use and operations specified in the First Schedule and shown on the attached drawing No.01 were commenced prior to the expiry date of planning approval 10th March 2011, the expiry date of planning approval granted by virtue of M/2005/0759/O and M/2008/1283/RM.

Dated: 12th October 2021 Planning Manager 



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

Schedules and Notes attached to:

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Application No: **LA09/2021/0928/LDP**

Applicant:

Location: **450m E of 17 Aghnagar Road
Dungannon**

FIRST SCHEDULE

Description of use certified:

Establish the lawful commencement of planning permission (M/2008/1283/RM) by way of excavation of foundations for entire footprint of dwelling to allow future completion at a subsequent date.

SECOND SCHEDULE

Land specified in the Certificate:

**450m E of 17 Aghnagar Road
Dungannon**

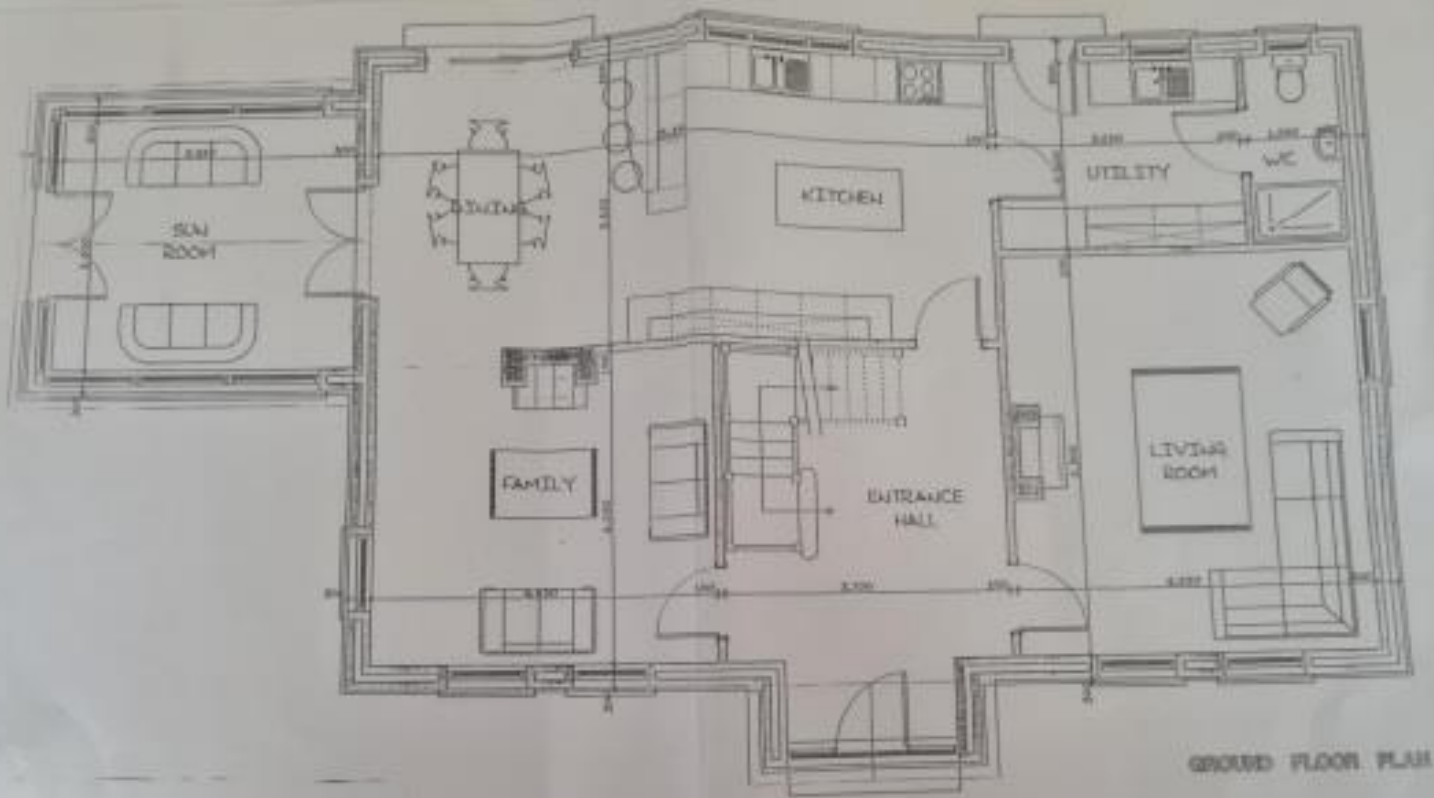
NOTES:

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 (use/operation(s)) described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any (use/operation (s)) which (is/are) materially different from that described or which relate(s) to other land may render the owner or occupier liable to enforcement action.



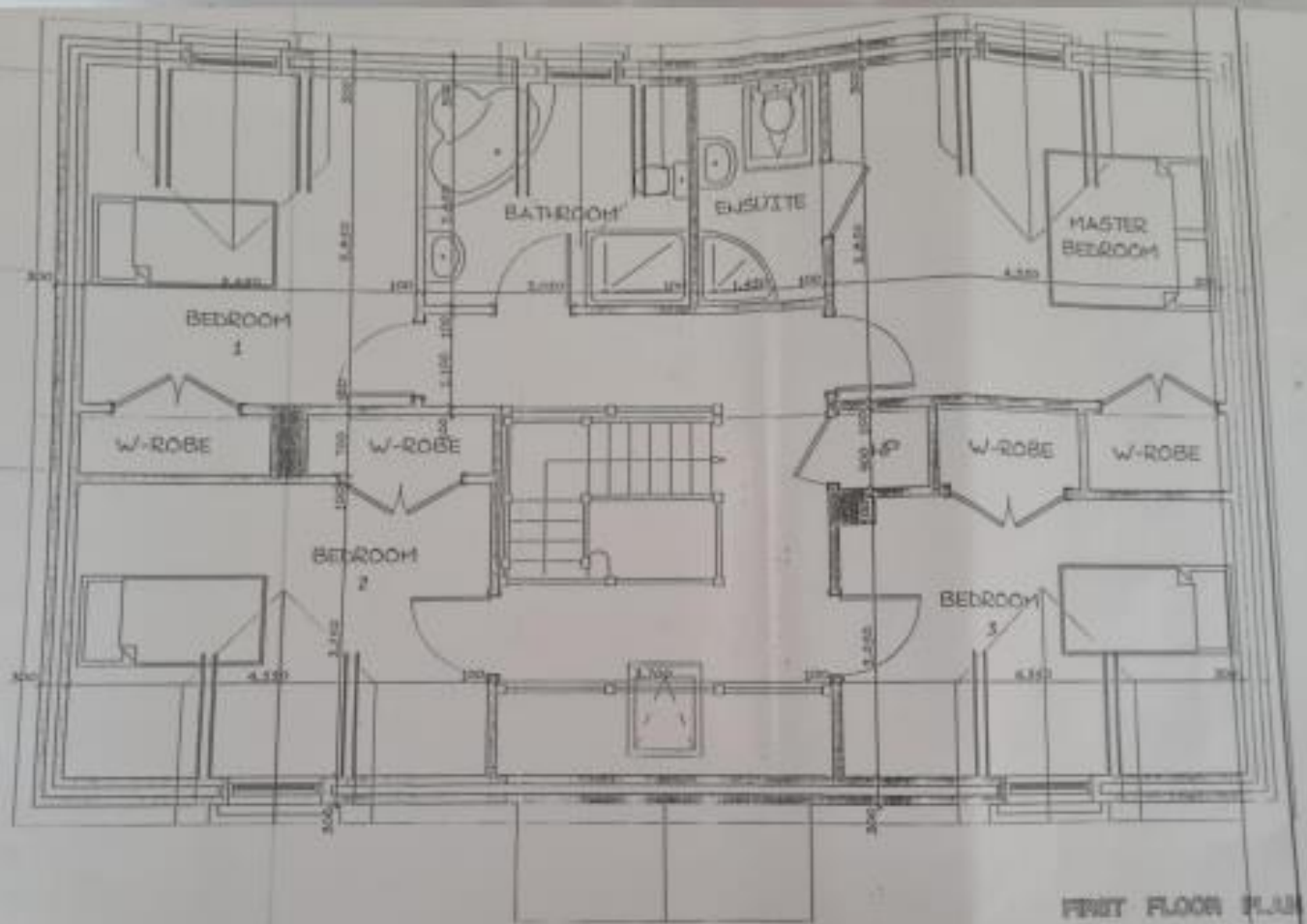
4. The effect of this certificate is also qualified by the provision in Section 170 (4) of the Planning Act (Northern Ireland) 2011, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to 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 or has substituted an alternative description for that description and if you do not accept the Council's 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.



GROUND FLOOR PLAN

WISHES
 BLACK CONC TILE / SLATE
 1/4" CAST SAND CEMENT RENDER WITH
 100TH RAISED PLINTH & WINDOW BANES
 - HARDWOOD STAINED / PAINTED
 DOORS - OAK GRAIN U-PVC
 WINDOWS - BLACK U-PVC



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