



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

## 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: LA10/2022/0346/LDP

Date of Application: 28th March 2022

Site of Proposed  
Development:

50 Cullion Road  
Tempo

Description of Proposal:

Proposal to complete dwelling approved under planning  
reference L/2009/0323/RM

Applicant:  
Address:

Agent: Funston Howe Architecture  
Address: 30 Cullion Road  
Edenmore  
Tempo

Drawing Ref: 01

The Council hereby

### CERTIFIES

that on 28th March 2022 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: 13th April 2022

Authorised Officer: \_\_\_\_\_

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

Application No. LA10/2022/0346/LDP

LA10





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Schedules and Notes attached to:

**CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT**

Application No: LA10/2022/0346/LDP

Applicant:

Location: 50 Cullion Road  
Tempo

**FIRST SCHEDULE**

**Description of use certified:**

Proposal to complete dwelling approved under planning reference  
L/2009/0323/RM

**SECOND SCHEDULE**

**Land specified in the Certificate:**

50 Cullion Road  
Tempo

**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





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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.

