

DEPARTMENT OF THE ENVIRONMENT

PLANNING (NI) ORDER 1991

Applications for Planning Permission presented to Dungannon Council

Date of Council Meeting 06-Apr-09



Application Ref	DOE Opinion	Applicant	Location	Proposal	
1	M/2007/0330/F	Refusal	Parkland Developments Ltd C/o 2 Georges Street, Dungannon, BT70 1BP	29-30 Market square, Dungannon, Co.Tyrone	Proposed mixed used development comprising of 2 No. ground floor shop units, 6 No. upper floor apartments and 6 No. basement carparking spaces.
		<p>The proposal is contrary to Policies SP18 and DES2 of the Planning Strategy for Rural Northern Ireland in that the development would, if permitted, be insensitive to the character of the area by reason of its design, scale and use of materials and would therefore fail to make a positive contribution to townscape.</p> <p>The proposal is contrary to Policy QD1 of Planning Policy Statement 7 - Quality Residential Environments, because it fails to demonstrate that the proposal will create a quality and sustainable residential development that draws upon the positive aspects of the character and appearance of the surrounding area.</p> <p>The proposed development would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide adequate sight lines where the proposed access joins Feeney's Lane.</p> <p>The proposed development would, if permitted, prejudice the safety and convenience of road users since adequate provision cannot be made clear of the highway for the parking of vehicles which would be attracted to the site.</p> <p>The proposed development would, if permitted, prejudice the safety and convenience of road users since the number of car parking spaces lost in the provision of safe access to the site is not acceptable in an area where parking is heavily used and is at or near full capacity.</p>			

Application Ref	DOE Opinion	Applicant	Location	Proposal	
2	M/2007/0934/F	Refusal	Mr D Ritchie 126 Ballynakilly Road, Dungannon, Co Tyrone	Approx 90m West of 33 Drumard Cross Road, Drumard, Dungannon	Proposed retention of mobile home □(mobile erected on site without planning approval)

The proposal is contrary to Policy CTY1 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that it does not merit being considered an exception to the policy nor are there any overriding reasons why this development is essential and could not be located within a settlement.

The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.

The proposal is contrary to Policy CTY14 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the building would, if permitted result in a suburban style build-up of development when viewed with existing buildings and would therefore result in a detrimental change to the rural character of the countryside.

The proposal is contrary to Policy CTY9 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the provision of the temporary mobile dwelling is not dependant on the development of a permanent dwelling nor is related to any compelling site specific, personal or domestic circumstances.

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3	M/2008/0050/F	Refusal	Palmvale Developments Ltd 6 Glenhoy Road, Augher, Co.Tyrone, BT77 0DF	77-79,81-83 & 85-85A Main Street, Fivemiletown, Co.Tyrone	Demolish existing buildings and boundary walls at 77-79,81-83 &85-85A Main Street and construct building comprising of 2 no.retail units and 26 No.apartments with basement and surface car parking with vehicular access through existing entrance off Edfield Way.
					<p>The proposal is contrary to Policies SP18 and DES2 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, by reason of its scale, layout, design, materials and relationship to adjoining buildings be out of character of the area and would therefore fail to make a positive contribution to townscape.</p> <p>The proposal is contrary to Policy BH8 of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage in that the proposal involves demolition, in part, of The Old Market Yard which is listed under Article 42 of the Planning (NI) Order 1991.</p> <p>The Department has insufficient information, as requested under Article 7(4) of the Planning (General Development) Order (NI) 1993, in that a Transport Assessment Form requested by Road Service has not been provided.</p> <p>The proposal is contrary to Policy QD1 of Planning Policy Statement 7: Quality Residential Environments in that the development fails to respect the surrounding context and is inappropriate to the character of the site in terms of layout, scale, proportions, massing and appearance of buildings and landscaped and hard surfaced areas and would therefore fail to make a quality residential environment.</p>
4	M/2008/0412/F	Refusal	Mr Daly 27 Meadowvale, Quarry Lane, Dungannon, BT70 1QL	Site 10m to rear of No 60 Union Place, Dungannon	4 No apartments, 2 No 2 bed and 2 No 1 bed with associated parking (Amended land ownership certificate and map)
					<p>The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking Standards Policy AMP2 in that it is not possible to provide a satisfactory means of access to the public road and in that the existing road network around the site is substandard.</p>

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5	M/2008/0445/F	Refusal	Tivrin Ltd C/o Windyridge Group, 1st Floor, Savoy House, 16 West Street, Portadown, BT62 3PD	150m south of No 27 Killyman Road, Killyman, Dungannon, Tyrone	Demolition of existing buildings and construction of 114 No residential unit development, including associated landscaping works, to include - 34 No two storey, semi-detached (3 bed) dwellings and garages, 30 No two storey town houses (3 bed), 6 No three storey town houses (5/6 bed), 12 No three storey town houses (5 bed), 6 No two storey town houses (3 bed), 8 No two storey apartments (3 bed), 12 No two storey apartments (2 bed), 6 No three storey apartments (3 bed)
			<p>Insufficient information (including requested amendments) , in particular with regard to distances to boundaries, private amenity space, retaining structures , boundary treatment, landscaping details, landscape management plan, open space management arrangements and internal road layout and access arrangements has been submitted to enable a full assessment of these matters. As such it has not been demonstrated that the development would create a quality and sustainable residential environment. The proposal would therefore be contrary to the guidance and policies contained in 'Creating Places; achieving quality in residential environments' Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' and Policy OS2 of Planning Policy Statement 8: Open Space Sport and Outdoor Recreation.</p> <p>Insufficient information has been submitted with regard to levels within the site to enable the Department to properly consider the flood risk associated with the 100 year floodplain of the watercourse that forms the western site boundary, and as such it has not been demonstrated to the Department's satisfaction that the proposal would comply with policy FLD 1 of Planning Policy Statement 15 (PPS 15) Planning and Flood Risk.</p>		
6	M/2008/0459/F	Refusal	Mr Burke 73 Kingsmill Road, Whitecross, Armagh	Lands adjacent to and north of 113 Mullaghmore Road, Donaghmore	Erection of domestic stables building, hay barn & machinery storage shed.(Amended land ownership certificate)
			The proposal is contrary to Policy IBD 6 of draft Planning Policy Statement 4 (PPS 4) Industry, Business and Distribution in that as the development is outside the curtilage of any dwelling it cannot be considered to be domestic and is therefore an inappropriate commercial use in the countryside.		
7	M/2008/0702/RM	Approval	Mr B Shields 27 Fardross, Dungannon	220m south east of 52 Ballynasaggart Road Ballygawley	Erection of two storey dwelling house with deatched double domestic garage (amended drawing)

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8	M/2008/0873/F	Approval	Mr S Weir C.o.a	40 Tobermesson Road, Benburb, Dungannon	Proposed replacement dwelling
9	M/2008/1013/F	Refusal	Epl C/O Andrew Coulter Associates	180m South West of 136 Dungannon Road, Ballygawley	Change of use from former machinery storage premises with external alterations, to equipment plant hire premises and erection of new palisade fencing
					<p>The proposal is contrary to draft Planning Policy Statement 4 - Policy IBD 1 and IBD 6 in that the development is an inappropriate commercial use in the countryside.</p> <p>The proposal is contrary to draft Planning Policy Statement 4 - Policy IBD 11 in that there would be no environmental benefits as a result of the development.</p> <p>The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 3 in that it would, if permitted, result in the creation of a new vehicular access onto a Main Traffic Route (Protected Route), thereby prejudicing the free flow of traffic and conditions of general safety.</p>
10	M/2008/1038/F	Refusal	Srs Machinery Services C/O Andrew Coulter Associates	140 Dungannon Road, Ballygawley	Proposed retention of office building and palisade fencing at 140 Dungannon Road, Ballygawley
					<p>The proposal is contrary to draft PPS 4 Industry, Business and Distribution Policy IBD 10 in that the proposal would, if permitted, result in a significant increase in the site area of the enterprise.</p> <p>The proposal is contrary to Planning Policy Statement 4 Industrial Development, in that the development would, if permitted, result in unacceptable traffic levels using the site.</p> <p>The proposal is contrary to Policy AMP 3 (Access to Protected Routes) of PPS 3 - Access, Movement and Parking in that it would, if permitted, result in the intensification of use of an existing access onto a Main Traffic Route (Protected Route), thereby prejudicing the free flow of traffic and conditions of general safety.</p> <p>The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that: the proposed building is a prominent feature in the landscape; the proposed site lacks long established natural boundaries/ is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; the proposed building relies primarily on the use of new landscaping for integration; ancillary works do not integrate with their surroundings; the proposed building would fail to blend with the landform and other natural features which provide a backdrop and therefore would not integrate into this area of the countryside.</p>

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11	M/2008/1066/F	Refusal	P T McWilliams Ltd 114 Carnalea Road, Seskinore, Omagh, BT78 2PR	134 Dungannon Road, Ballygawley	Site offices consisting of portacabins for earthworks agent on DSFO2 scheme 3 road project. Temporay period only & will be removed at end of project exp. Jan 2010 (leased from landowner)
			<p>The proposal is contrary to Planning Policy Statement 4 - Policy IBD 1 (General Criteria) in that it has not been demonstrated that appropriate boundary treatment and means of enclosure are provided; that any areas of outside storage proposed will be adequately screened from public view; that satisfactory landscaping arrangements will be provided; that it will not be a hazard to road safety and that adequate access can be provided.</p> <p>The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that: the proposed building is a prominent feature in the landscape; the proposed site lacks long established natural boundaries/ is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; the proposed building relies primarily on the use of new landscaping for integration; the proposed building would fail to blend with the landform and other natural features which provide a backdrop and therefore would not integrate into this area of the countryside.</p> <p>The Department has insufficient information, as requested under Article 7(4) of the Planning (General Development) Order (NI) 1993, in that; the applicant has failed to provide an advocacy statement as requested 20.11.08 to justify a relaxation of planning policy in this rural location.</p> <p>The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking Policy AMP 3 in that it would, if permitted, result in the intensification of use of an existing access onto a Main Traffic Route (Protected Route), thereby prejudicing the free flow of traffic and conditions of general safety.</p>		
12	M/2008/1130/F	Approval	Mr A Johnstone Unit 2 The Old Throne, 244 Whitewell Road, Belfast, BT36 7ES	Land approximately 1500m South of 175 Cloughfin Road, Lurganbuoy, Sixmilecross	Erection of a 60m high measurement mast, guyed at 50.8m, with 4 no. anemometers, 2 no. wind vanes and 1 no. data logger for a period of 36 months.
13	M/2008/1133/RM	Approval	Mr T Mckearney 45 Dungannon Road, Moy	130m NE of 61 Majors Lane, Moy Dungannon	Proposed private dwelling

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14 M/2008/1192/RM	Approval	T Herron 9 Viewfort, Killymeal Road, Dungannon, BT71 6LP	Rear of 9 Viewfort, Killymeal Road, Dungannon, Co Tyrone	Proposed two no semi-detached dwellings
15 M/2008/1227/F	Refusal	Anville Properties Ltd 1 Tullybrae Manor, Aughnacloy, BT69 6HX	Lands south of no 47 Caledon Road Aughnacloy	Variation of conditions 2 of planning permission M/2006/2175 lands south of no 47 Caledon Road Aughnacloy
<p>This proposal is contrary to Planning Policy Statement 7 Quality Residential Environments Policy QD1 and Planning Policy Statement 8 Open Space, Sport and Outdoor Recreation Policy OS 2 in that the conditions attached to M/2006/2175/F are necessary to ensure the adequate provision is made for public and private open space and landscaped areas as an integral part of the development.</p>				
16 M/2008/1250/F	Approval	Mr B Henderson Esq 212 Ballynakelly Road, Dungannon	A45 Filling Station, 204 Ballynakelly Road, Dungannon	Proposed extension to existing premises and alterations to existing carpark
17 M/2008/1266/F	Refusal	Mr A Hayes 146-150 Pomeroy Road, Dungannon, BT70 2TY	1-5 Ballygawley Road, Dungannon, Co Tyrone	Change of use from commercial units and ancillary parking to temporary external car sales area and ancillary office & storage
<p>The Department has insufficient information, as requested under Article 7(4) of the Planning (General Development) Order (NI) 1993, in that; it has not been demonstrated that the Roads Service requirements including visibility splays and access arrangements can be provided as requested on 12th January 2009.</p>				
18 M/2008/1274/F	Approval	Mr W Dilworth C/O Mc Keown & Shields, 1 Annagher Road, Coalisland	Adjacent to 60 Drumkee Road, Dungannon	Proposed improvements to existing entrance to provide shared access to existing dwelling and approved site M/2005/0783

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19	M/2008/1295/F	Refusal	Miss C Richardson 86 Blackisland Road, Dungannon	Approx 275m North of 134 Blackisland Road, Derryhubbert, Dungannon	Proposed livestock weathering building & external slurry tank
<p>The proposal is contrary to Policy CTY8 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that the development would, if permitted, result in the extension of ribbon development along the Blackisland Road and would therefore adversely affect the visual amenity and character of the countryside.</p> <p>The proposal is contrary to policy CTY12 of Draft PPS21 and the accompanying Ministerial Statement in that it has not been demonstrated that the proposal is necessary for the efficient operation of the agricultural holding, that it visually integrates into the landscape, that there are no suitable existing buildings on the holding, that the design and materials are sympathetic to the locality and as the proposal is not sited beside existing farm buildings.</p> <p>The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21 and the accompanying Ministerial Statement in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence the development would, if permitted, have an adverse impact on the landscape as it would be unduly prominent.</p> <p>The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that the design of the proposed building is inappropriate for the site and its locality and as a result would be a prominent feature in the landscape and therefore would not integrate into this area of the countryside.</p> <p>The proposal is contrary to Policy CTY14 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and would therefore result in a detrimental change to the rural character of the countryside.</p>					
20	M/2008/1351/F	Approval	Ddca Unit 2, Torrent Valley Business Park, Donaghmore, Dungannon	Lands fronting St Joseph's Grammar School, 58 Castlecaulfield Road, Donaghmore, Dungannon	Proposed development of a 3G floodlit football pitch and associated catch nets and fencing.

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21	M/2008/1356/F	Refusal	Mr B Hughes 48 Bovean Road, Dungannon, BT71 7HR	Site 60m West of 125 Trew Mount Road Dungannon	Erection of proposed dwelling house with sunlounge & detached garage to rear
<p>The Department has insufficient information, as requested under Article 7(4) of the Planning (General Development) Order (NI) 1993, in that the plans as submitted showing access and servicing of the site to ensure the safety and convenience of road users by provision of parking, turning, loading and unloading of vehicles clear of the highway has not been provided.</p>					
22	M/2009/0030/F	Refusal	Mr J Crawford 80 Newpark Road, Dromore	Property at and adjacent to 82 Murley road Fivemiletown Co Tyrone	Proposed retention of change of use from agricultural land to storage compound
<p>The proposal is contrary to draft Planning Policy Statement 4, Industry, Business and Distribution Policy IBD 1 and IBD 6 in that the development is an inappropriate commercial use in the countryside.</p>					
23	M/2009/0032/F	Approval	M Kyle C/O Agent	Opposite 119 Carnteel Road Aughnacloy	Relocation of dwelling and garage and change of house type previously permitted under permission ref M/2008/0379/RM
24	M/2009/0033/F	Approval	Parklands Veterinary Clinic 28 Little Scotch Street, Dungannon, BT70 1AP	5 Old Moy Road Dungannon	Amendment to previous approval M/2007/0768 to include change of layouts and removal of an access
25	M/2009/0045/F	Approval	Mrs A Mc Ateer 18 Ardglena Grove, Dungannon, BT71 7TN	Site at no 14 Upper Parklands, Dungannon	1 1/2 storey dwelling and garage with basement.
26	M/2009/0062/F	Approval	Jermon Developments Ltd 16 Northland Row, Dungannon, BT71 6AP	Unit 31, Linen Green, Moygashel, Dungannon	Change of use from vacant retail space on ground and first floors to restaraunt facilities

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27	M/2009/0067/F	Approval	Jermon Developments 16 Northland Row, Dungannon, BT71 6AP	63 Scotch Street, Dungannon, Co Tyrone	Alterations to existing shop & provision of first floor flat
28	M/2009/0070/F	Approval	Mr R Greenaway 67 Annaghbeg Rd, Dungannon, BT71 6HY	67 Annaghbeg Rd, Dungannon	Retention of existing storage/packing building
29	M/2009/0080/F	Approval	A Hetherington 111 Trewmount Road, Dungannon	118m South West of 17 Derraghadoan Road, Dungannon	Proposed replacement dwelling
30	M/2009/0087/F	Refusal	Mr M Mc Elhatton C/O Marcus Kerr Design	37 Dunroe Rd, Clogher	Proposed replacement dwelling

The proposal is contrary to Policy CTY3 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that the proposed replacement dwelling would have a visual impact significantly greater than the existing dwelling and therefore would not integrate into the landscape.

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31	M/2009/0109/F	Refusal	Mr E Pike C/O Prestige Homes, 1 Lismore Road, Ballygawley, BT70 2ND	Adjacent to 42 Leaney Road, Dungannon	Retention of existing agricultural building
<p>The proposal is contrary to Policy CTY1 of draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying ministerial statement in that it does not merit being considered an exception to the policy nor are there any overriding reasons why this development is essential and could not be located within a settlement.</p> <p>The proposal is contrary to policy CTY12 of draft Planning Policy Statement 21 Sustainable Development in the Countryside and the accompanying Ministerial Statement in that it has not been demonstrated that the building is necessary for the efficient operation of the agricultural holding, it is inappropriate to its location in terms of scale and character and it has not been demonstrated that there are no suitable buildings on the holding or enterprise that can be used.</p> <p>The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that the design of the agricultural building is inappropriate for the site and its locality and as a result would be a prominent feature in the landscape and therefore would not integrate into this area of the countryside.</p>					
32	M/2009/0143/F	Approval	Mr B McCormack C/o Prestige Homes, 1 Lismore Road, Ballygawley, County Tyrone	120 M South East of 28 Castletown Road, Aughnacloy	Proposed Dwelling & Garage Approved under M/2005/1040/O with Revised Entrance Approved Under M/2006/1668/F
33	M/2009/0144/F	Approval	J C Investments C/o McKeown & Shields, 1 Annagher Road, Coalisland, County Tyrone	Lands to the Rear and Adjacent to 139 & 141 Old Caulfield Road, Castlecaulfield, Dungannon	Proposed 2 No Detached Dwellings

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34	M/2009/0148/F	Refusal	C Carey 82 Crevelough Road, Bantry, Dungannon, BT70 1LY	24 Augher Road, Clogher	Demolition of existing dwelling to replace with 2 No. 2 storey, 3 bedroom semi-detached dwelling at 24 Augher Road, Clogher.
		<p>The proposal is contrary to Policy QD1 of Planning Policy Statement 7: Quality Residential Environments in that the development fails to respect the surrounding context and is inappropriate to the character of the site in terms of layout, scale, proportions and massing of buildings and in that the proposal would adversely affect the amenity of adjacent dwellings by reason of overlooking, thereby failing to create a quality residential environment.</p> <p>The proposal is contrary to Policies SP18 and DES2 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, be detrimental to the character of the surrounding area by reason of its scale, layout and relationship to adjoining buildings and would therefore fail to make a positive contribution to townscape.</p> <p>The proposal is contrary to Planning Policy Statement 3 Access, Movement and Parking Policy AMP2 in that the development would, if permitted, prejudice the safety and convenience of road users since it would necessitate vehicles having to reverse onto the protected route.</p>			
35	M/2009/0149/F	Refusal	S Mc Grath 48 Derryloughan Road, Derryloughan, Coalisland, BT71 4QR	81m South East of 31 Derryvaren Road, Derrytresk, Coalisland BT71 4QP	Proposed replacement dwelling & garage on offsite site (81m S.E of 31 Derryvaren Road, Derrytresk, Coalisland)
		<p>The proposal is contrary to Policies CTY1 and CTY3 of draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the building does not exhibit the essential characteristics of a dwelling.</p> <p>The proposal is contrary to Policies CTY1 and CTY3 of draft Planning Policy Statement 21, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed replacement dwelling would have a visual impact significantly greater than the existing dwelling, the proposed replacement dwelling is not sited within the established curtilage of the existing dwelling and it has not been demonstrated that the alternative position nearby would result in clear landscape, heritage, access or amenity benefits and the overall size of the new dwelling does not allow it to integrate into the surrounding landscape.</p>			
36	M/2009/0152/F	Approval	Stewartstown Harps Gfc 66 Mullaghmoyle Road, Stewartstown, BT71 5PX	66 Mullaghmoyle Road, Stewartstown, Co Tyrone, BT71 5PX	Proposed floodlit training pitch & ancillary car parking, landscaping & siteworks

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37 M/2009/0160/O	Approval	Mr S Conroy 90 Drumgannon Road, Moy, Dungannon, BT71 7DY	29 Rhone Road, Moy, Dungannon, Co tyrone	Proposed replacement dwelling