



04 February 2020

Dear Councillor

You are invited to attend a meeting of the Planning Committee to be held in The Chamber, Magherafelt at Mid Ulster District Council, Ballyronan Road, MAGHERAFELT, BT45 6EN on Tuesday, 04 February 2020 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business

Matters for Decision

Development Management Decisions

4. Receive Planning Applications 9 - 498

	Planning Reference	Proposal	Recommendation
4.1.	LA09/2017/0318/F	Replacement pig shed with 2 feed bins and an above ground covered slurry store at land approx. 100m NE of 13 Drumard Road, Draperstown, for Stanley Hepburn.	APPROVE
4.2.	LA09/2017/1003/F	Timber drying area and store at lands approx. 140m S of 3A Glenarny Road, Drum, for Michael Bell.	APPROVE
4.3.	LA09/2017/1366/F	Residential development comprising of 52 units (to supercede I/2006/1186/F) at 20	APPROVE

		Dungannon Road, Cookstown, for McKernan Construction.	
4.4.	LA09/2017/1426/F	Retention of boundary wall and the alteration of ground levels to provide concrete finish to hardcored yard at 55 Knockanroe Road, Cookstown, for Reid Engineering (Cookstown) Ltd.	APPROVE
4.5.	LA09/2017/1653/F	Lateral extension of existing quarry over 4.7 hectares to secure additional reserves at Derraghadoan Shale Quarry, Carland Road, Dungannon, for Lafarge Ireland.	APPROVE
4.6.	LA09/2018/1101/F	Residential housing development (32 two-storey semi-detached dwellings and 22 detached dwellings) at lands 92m S of 2 Laurel Brook, Aughrim Road, Magherafelt, for F P McCann.	APPROVE
4.7.	LA09/2019/0024/O	Outline application to support future mixed use and enterprise centre/business units which will be subject to Reserved Matters Planning Applications submitted by purchasers of plots from Mid Ulster District Council at former Maghera High School, Tobermore Road, Maghera, for Mid Ulster District Council.	APPROVE
4.8.	LA09/2019/0025/F	Development of existing brown field site; new internal access road/footpaths; improved access including right hand turning lane; alteration of existing levels to provide platforms for future development; installation of site fencing; clearance of undergrowth vegetation and associated site works to support future mixed use and enterprise centre/business units at former Maghera High School, Tobermore Road, Maghera, for Mid Ulster District Council.	APPROVE
4.9.	LA09/2019/0232/F	8 semi detached dwellings at land to the rear of 65-69 Oldtown Street, Cookstown, for Mr Malcolm Thom.	APPROVE

4.10.	LA09/2019/0467/F	Refurbishment and alteration of existing workshop at 20B Station road Glebe Industrial Estate, Magherafelt, for Coolhaven Developments Ltd.	APPROVE
4.11.	LA09/2019/0475/O	Housing development (Phase 1) at lands opposite 2 Lisnamuck Road, Tobermore, for Tobermore Concrete.	REFUSE
4.12.	LA09/2019/0489/F	Retention of the existing curtilage (amended description and site location plan) at lands 140m S of 215 Washingbay Road, Coalisland, for Evergreen Peat.	REFUSE
4.13.	LA09/2019/0784/F	Farm shed to include feeding shelter and storage area; underground slurry tanks and new access to be taken from Drumlamph Lane, at approx. 130m SE of 9 Drumlamph Lane, Castledawson, for Mr Cathal Shivers.	REFUSE
4.14.	LA09/2019/0810/F	5 tonne modular pelletizing plant for research and development use at 11 Aughnagar Road, Ballygawley (Acheson & Glover precast yard) for Brian Fox, Silform Technologies.	APPROVE
4.15.	LA09/2019/1008/F	Retention of dwelling under construction at 7 Tobermesson Road, Dungannon, for Conor Curran.	REFUSE
4.16.	LA09/2019/1045/O	Dwelling and domestic garage/store at 130m NW of 27 Tirnaskea Road, Pomeroy, for Mick Mallon.	REFUSE
4.17.	LA09/2019/1081/O	Site for dwelling at 40m S of 117 Cavankeeran Road, Pomeroy, for Catherine McAleer.	REFUSE
4.18.	LA09/2019/1090/F	Isolation shed for animals and storage of machinery at approx. 165m NW of 81 Kinturk Road, Lower Mullan, Cookstown, for Eamonn Maynes.	REFUSE
4.19.	LA09/2019/1158/O	Dwelling and garage at 50m SE of 8 Scotts Road, Ballyrogully, Moneymore, for Thomas McVey.	REFUSE
4.20.	LA09/2019/1177/F	20m telecommunication mast for MPLS microwave link for network	APPROVE

		connectivity to Davagh Dark Skies Observatory at Davagh Forest, 650m E of Davagh Park Cottages, for Mid Ulster District Council.	
4.21.	LA09/2019/1204/O	Dwelling and garage on a farm at approx. 100m NW of 12 Lisnagleer Road, Dungannon, for Mr Cyril Montgomery.	APPROVE
4.22.	LA09/2019/1216/F	Retrospective farm diversification scheme (change of use of an agricultural building to a paint work shop) at 325m SW of 75 Moneyhaw Road, Moneymore, for Harold and Stephen Hessin.	APPROVE
4.23.	LA09/2019/1220/F	Dwelling and domestic garage 35m N of 25 Annaghmore Road, Annaghmore, Coalisland, for Ms Eithne O'Neill.	REFUSE
4.24.	LA09/2019/1232/O	Relocation of approved 'off-site' replacement dwelling and garage (LA09/2017/0079/O) adjacent to 103 Tirkane Road, Maghera, for Diarmaid Donnelly.	REFUSE
4.25.	LA09/2019/1341/O	Single storey dwelling adjacent to 94 Reaskmore Road, Dungannon, for Michaela Martin.	REFUSE
4.26.	LA09/2019/1376/O	Site for dwelling and garage (gap site) at 50m S of 39 Baladoogh Lane, Cookstown, for Patrick McAleer.	REFUSE
4.27.	LA09/2019/1387/O	Infill site for dwelling and domestic garage at site approx. 10m S of 11 Reenaderry Road, Coalisland, for Sean Robinson.	REFUSE
4.28.	LA09/2019/1402/O	Site for dwelling and domestic garage approx. 50m NE of 45 Moneyneany Road, Draperstown, for Mr Michael McWilliams.	REFUSE
4.29.	LA09/2019/1415/F	Replacement dwelling 60m E of 5 Drumgarrell Road, Cookstown, for D Conway.	REFUSE
4.30.	LA09/2019/1465/O	Infill dwelling and detached garage at approx. 28m E of 260 Ballygawley Road, Dungannon, for Mr Kevin McCaul.	REFUSE
4.31.	LA09/2019/1466/O	Infill dwelling and detached dwelling at approx. 102m E of 260 Ballygawley Road,	REFUSE

		Dungannon, for Mr Kevin McCaul.	
4.32.	LA09/2019/1501/O	Site for two storey dwelling and garage on a gap site between 19 and 21 Tirgan Road, Moneymore, for Malachy McCrystal.	APPROVE
4.33.	LA09/2019/1513/O	Dwelling and domestic garage opposite 70 Cullenramer Road, Lisgallon, Dungannon, for James Morris.	REFUSE
4.34.	LA09/2019/1551/F	Single storey rear extension at 48 Brough Village, Castledawson, for Paddy Henry.	APPROVE
4.35.	LA09/2019/1601/F	Construction of a playpark extension with accompanying wet pour and the installation of an asphalt concrete path around the perimeter at Eglish play Park at land to the rear (SE) of 12-16 Roan Park and NW of Eglish GAC, for Mid Ulster District Council.	APPROVE
4.36.	LA09/2019/1602/F	Relocation of current goal post and ball net to allow an area for play park to be located and surrounded by a 1.2m high roll top fence and gate at existing open space between 32 and 39 Henderson Park, Stewartstown, for Mid Ulster District Council.	APPROVE
4.37.	LA09/2019/1603/F	Installation of play park with accompanying wet pour and 1.2m high bow top fence around perimeter at existing open space adjacent to Castlebay Centre, 176-186 Mountjoy Road, Dungannon, for Mid Ulster District Council.	APPROVE
4.38.	LA09/2019/1604/F	Installation of play park accompanying wet pour and 1m high timber fence around the perimeter at the Washingbay Centre, Ballybeg Road, Washingbay, for Mid Ulster District Council.	APPROVE
4.39.	LA09/2019/1605/F	Installation of play park with accompanying wet pour, 1.2m high bow top fence and an asphalt concrete path to be	APPROVE

		installed around the perimeter at lands off Barrack Road and directly adjacent to O'Neill Park, Ballymaguigan, for Mid Ulster District Council.	
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5. Receive Deferred Applications

499 - 588

	Planning Reference	Proposal	Recommendation
5.1.	LA09/2016/1654/A	Flat screen sign displaying moving and static images at Walshes Hotel, 53 Main Street, Maghera (sign to be displayed on the Coleraine Road side of the building), for Mr Kieran Bradley.	REFUSE
5.2.	LA09/2017/0897/F	Part use of existing farm shed to provide internal dry storage in association with the Evergreen Peat business at 100m NW of 213 Washingbay Road, Coalisland, for Jim McCuskey, Evergreen Peat.	REFUSE
5.3.	LA09/2018/1282/O	Dwelling and garage at 110m NE of Tamnymullan Lane, Maghera, for Mr Robert Sufferin.	REFUSE
5.4.	LA09/2019/0357/F	Retention of 20 x 8ft container to house vending machines at 42 Main Road, Moygashel, Dungannon, for Mr Bryan Turkington.	REFUSE
5.5.	LA09/2019/1169/O	Infill dwelling and garage at lands between 33a & 33b Grange Road, Moy, for Mr Andrew Smith.	APPROVE

6. Receive Report on Tree Preservation Order at former Maghera High School

589 - 594

Matters for Information

7 Minutes of Planning Committee held on 7 January 2020

595 - 610

Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.

Matters for Decision

Matters for Information

8. Confidential Minutes of Planning Committee held on 7 January 2020
9. Confidential Minutes of Special Planning Committee (Local Development Plan) held on 13 January 2020
10. Receive Enforcement Report
11. Enforcement Cases Opened
12. Enforcement Cases Closed



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

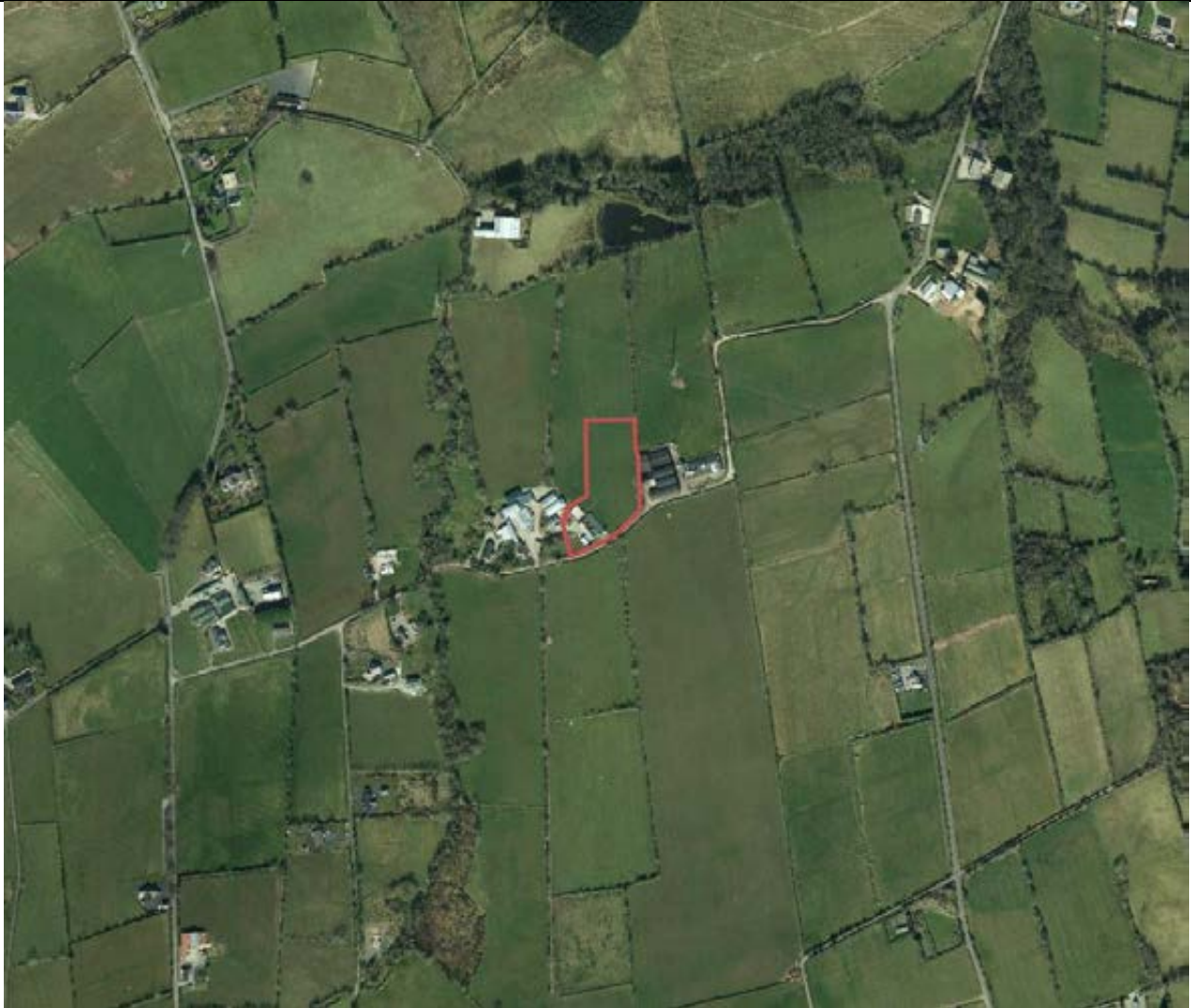
Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2017/0318/F	Target Date:
Proposal: Proposed 1No. replacement pig shed with 2No. feed bins and an above ground covered slurry store (pig shed to contain 8000 weaner pigs)	Location: Land approx. 100mN.E.of 13 Drumard Road Draperstown
Referral Route: 7 Objections received.	
Recommendation: Approval	
Applicant Name and Address: Mr Stanley Hepburn 13A Drumard Road Draperstown BT45 7JU	Agent Name and Address: Henry Marshall Brown Architectural Partnership 10 Union Street Cookstown BT80 8NN
Executive Summary:	
Signature(s): Lorraine Moon	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	Advice
Non Statutory	Rivers Agency	Substantive Response Received
Non Statutory	Environmental Health Mid Ulster Council	Add Info Requested
Non Statutory	DFI Roads - Enniskillen Office	Substantive Response Received
Non Statutory	DAERA - Coleraine	Substantive Response Received
Non Statutory	Shared Environmental Services	Substantive Response Received

Statutory	DFI Roads - Enniskillen Office	
Non Statutory	DAERA - Coleraine	Substantive Response Received
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	NIEA	Advice
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	Shared Environmental Services	Advice
Statutory	NIEA	No Response
Non Statutory	Shared Environmental Services	Add Info Requested
Statutory	NIEA	
Statutory	Shared Environmental Services	
Statutory	NIEA	
Statutory	Shared Environmental Services	
Statutory	DFI Roads - Enniskillen Office	Advice
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Statutory	Shared Environmental Services	
Statutory	NIEA	Advice
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Statutory	NIEA	Advice
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Statutory	Shared Environmental Services	
Statutory	NIEA	Error
Statutory	Shared Environmental Services	Advice
Statutory	NIEA	Error
Statutory	Shared Environmental Services	
Statutory	Shared Environmental Services	Advice

Representations:

Letters of Support	None Received
Letters of Objection	7
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

7 Objections received as detailed within the report.

Characteristics of the Site and Area

The application site is located in the countryside immediately adjacent to No. 13 Drumard Road. The replacement building is located within a group of existing farm buildings. The proposed replacement pig shed is to replace 2 smaller existing ones. There are a number of domestic properties close to the site towards the west of the site.

The proposal is for the erection of 2 pig sheds which have 2 pitched roofs joined with a central corridor to give a combined building size of 3969m². The buildings have a green cladding to the walls and roof and the ridge height is approx. 2metres. There are 2 feed bins and a slurry store and the proposal will accommodate 8000 weaner pigs (ie up to 30kg weight).

Description of Proposal

Full application for - Proposed 1No. replacement pig shed with 2No. feed bins and an above ground covered slurry store (pig shed to contain 8000 weaner pigs)

Planning Assessment of Policy and Other Material Considerations

I have assessed this proposal under the following:

SPSS

Magherafelt Area Plan 2015

PPS21, PPS3, PPS3

Neighbours: Owners/Objectors of No 13 Drumard Road, Draperstown were notified of the proposal on 24.08.2017.

Objectors: - 7 objections have been received as follows.

Gwyneth McQuisten received on 09.11.2018

Joanne Lusby received on 08.11.2018

Harriett Moore-Boyd received on 09.11.2018

Olga Harper received on 09.11.2018

Diane Greer received on 13.11.2018

Cormac McAleer received on 10.11.2018

Ciaran McClean received on 23.11.2018

Given no addresses are provided with any of these objections it is unclear if these originate from any nearby residents.

The objections received highlight the same concerns with the proposal, these are:

- Failure to provide full information details - further information was submitted following the receipt of the objections and no further objections were received.

- environmental information being significantly flawed and incomplete - further information was sought by the appropriate authoritative bodies once this was received they were reconsulted and issued final positive responses. No further objections were received.

- Proposal contravenes Planning Policy Statement 21 _ Planning Policy Statement 2 - it has been demonstrated further below in this report how this proposal adheres to the criteria within relevant planning policy statements.

- Assessed against inappropriate screening policies - MUDC consults with appropriate organisations (NIEA, SES, Env. Health etc) for their qualified guidance. There has been no indication from these bodies that the screening used is inappropriate.

- DAERA's operational protocol is significantly flawed - all statutory consultees have had access to all objections submitted and in their final responses none have raised the validity of any screening, assessments or plans submitted or used to reach their final conclusions.

- Queried cumulative impact and should include trans-boundary sites - Transboundary consideration

Impacts on the environment will be experienced where the slurry is spread. The applicant/agent has provided a Nutrient Management Plan that indicates the slurry from the proposed development will be spread over fields located within the vicinity of the pig shed, and there are no additional designated sites located within 7.5km of the land spreading area that's not included in the original assessment.

In guidance for assessment of ammonia emitting projects for the purposes of Habitat Regulations Assessment issued by Shared Environmental Services (last updated 30/07/2019) point 14 states;

'SES assumes that all licences and permits issued by DAERA for utilization of manure/slurry/litter arising from livestock are compliant with the requirements of the Habitats Regulations and related Directives. SES assumes that the relevant authority in other jurisdictions will ensure compliance with the Habitats and Birds Directives.'

In light of this, consultation on transboundary impacts are not required in this case as, it is assumed that the Agriculture and Food Development Authority in the Republic of Ireland has ensured compliance with the Habitats and Birds Directives.

- Questioned legality of planning approvals in NI for poultry houses, anaerobic digesters and anaerobic digester waste treatment plants - There are no directly related historic planning approvals to the proposal site. In addition if historic applications have not been challenged and the assessments within them challenged they still stand.

- no evidence of bioaerosol risk assessment or consultation with public health agency - The proposal includes a mechanically ventilated shed with the provision for 8000 weaner pigs, a circular slurry store and land spreading. It has been demonstrated by submitted information that emissions will be significantly reduced from the existing levels should the proposal be granted approval.

- nutrient management plan submitted - questioned its validity MUDC acknowledge that utilisation of pig slurry is a critical environmental aspect of the farm, particularly since the cumulative impact of pig slurry generated by this and other proposals may be significant. Through the submitted nutrient management plan the applicant/agent has been able to demonstrate that the pig slurry produced will be applied in accordance with crop needs for phosphorus as well as nitrogen and they have demonstrated the land that will be used. A condition has also been included by NIEA which reads 'All contaminated run-off (from the facility and concrete apron) must be directed to an appropriate collection tank, with no overflow or outlet to any waterway or soakaway. The applicant should also be reminded of their responsibilities under the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (SSAFO) (Northern Ireland) 2003 and The Nitrates Action Programme (NAP) Regulations (Northern Ireland) 2014 as detailed in Standing Advice Note 12 for agricultural developments. Reason: In order to reduce the potential for negative impacts on neighbouring land uses.'

- questioned how NMP'S are even considered whether lawful - all statutory consultees have had access to all objections submitted and in their final responses none have raised the validity of any screening, assessments or plans submitted or used to reach their final conclusions.

- queried the loading capacity and how this proposal would impact this - the proposal will result in a 40% ammonia reduction in region compared to that of existing situation. This proposal is for 8000 weaner pigs therefore should an approval be granted if any exceedance of this number or different types of pig would be a breach of the planning permission and as such would be enforced by current planning legislation. A nutrient management plan has been submitted and deemed acceptable.

- Stated that the SES HRA is unlawful - all statutory consultees have had access to all objections submitted and in their final responses none have raised the validity of any screening, assessments or plans submitted or used to reach their final conclusions.

It should be noted that the applicant has an established breeder pig farm which houses pigs from birth to fatteners. This proposal is to replace the existing farm with 8000 weaners. The existing breeder farm is long established and would be completely replaced by the proposal which will incorporate modern practices and reduce the existing ammonia emissions from the site by approx. 40%. According to SES the HRA has been undertaken to identify potential impacts on European designated sites and where considered necessary conditions have been recommended to ensure no adverse effect on site integrity.

Whilst I have sought the view of Environmental Health on this application, in light of the numerous issues raised in these objections I have invited Environmental Health to confirm their position remains as previously advised.

Consultees: - Environmental Health - submitted their final response dated 05.09.2017 recommending the inclusion of two conditions should MUDC is minded to approve the proposal.

DFI - made final comment with conditions and informatives recommended on their response dated 27.11.2017

Rivers Agency - final consultation response dated 12.09.2017 - advice given should approval be granted.

NIEA - made final comment in their response dated 16.04.2019

SES - made final comment on 19.12.2019 with conditions and advice.

DAERA - made final comment in their response dated 24.08.2017 whereby they stated that the farm business has been in existence for more than 6 years and is considered active as the farmer has been received Single Farm Payments.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

Magherafelt Area Plan acknowledges that agriculture is an important use in the area. It does not have any policies in relation to this application but it identifies the site within the rural area where Planning Policy Statement 21 - Sustainable Development in the Countryside provides the policy considerations.

The Strategic Planning Policy Statement re-states the policies contained in PPS21, and I consider the most appropriate policy for consideration is CTY 12 which sets out criteria that allows planning permission to be granted for agricultural development subject to consideration of the status of the farm business; it impacts on the locality, neighbouring residents, natural and built heritage.

The proposed development is for a replacement building to house pigs. Pig houses are a specialist building which are generally purpose built, as such I do not consider that existing buildings on the farm can be converted for this purpose. The agri-food industry is a significant driver for the Northern Ireland economy as noted in the Ministers Statement of July 2013 and as such I consider this proposal as necessary for this reason. The proposal is for an expansion of an existing active and established farm and the building is sited beside the existing buildings, is larger than the existing building to be replaced however is similar in size, scale and appearance to some of the existing buildings on the site and as such I consider the development to be appropriate to the location.

Views of the site will be achievable from Drumard Road as the siting is roadside. The existing vegetation around the site, existing buildings on the site and topography of the landscape will, in my opinion ensure the development adequately integrates into the landscape.

The application was accompanied by a Transport Assessment Form, Air Quality Impact Assessments, Drainage Assessment and Nutrient Management Plan. The statutory agencies have not objected to this development, provided some conditions to mitigate against possible environmental effects are attached to any planning permission. Environmental Health officers have advised the site will be acceptable in terms of odour impacts on adjacent residential properties provided conditions are imposed to ensure the site is exercising good animal husbandry within the units and the development being designed, constructed and operated in accordance with the Code of Good Agricultural Practice, industry standards and associated guidance.

PPS2 - Natural Heritage, Northern Ireland Environment Agency have assessed the proposed development in relation to impacts on Ballynahone Bog ASSI/SAC/Ramsar site, Teal Lough and Slaghtfreedan Bogs ASSI, Teal Lough Part 11 ASSI, Teal Lough SAC, Sruhanleanantawey Burn ASSI, Drumbally Hill ASSI.

NIEA recognise that there are significant challenges for the sector in permitting agricultural expansion in areas where the critical loads and levels are currently exceeded.

SES in their consultation response dated 19.12.2019 stated that in their opinion emissions from the holding will be significantly reduced due to pig type; the proposal will not add to background ammonia levels at any European designated site (net reduction); the proposal will not impede the achievement of the conservation objectives of any European designated site. They went on to conclude that, provided mitigation is conditioned the proposal will not have an adverse effect on site integrity of any European site.

In light of this I am content the proposal meets with policies contained in PPS2.

PPS3 - Access, Movement and Parking, TNI have advised that provided conditions and informatives are adhered to they have no objection to the proposal.

PPS15 - Planning and Flood Risk, due to the size of the proposal development policy FLD 3 places a requirement for a drainage assessment to be carried out to demonstrate adequate measures are put in place to mitigate against flooding. Following the submission of this information Rivers Agency commented that providing the drainage works described in the Drainage Assessment and noted on drawing relevant drawings contained within the Drainage Assessment, are implemented, the proposed development should not increase the risk of flooding to the development or elsewhere.

Having considered all of the information above I feel a recommendation for approval is the most appropriate for this application.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Approval recommended

Conditions:

1.The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2.The vehicular access, including visibility splays of 2.4m x 60m in both directions, shall be in place, in accordance with Drawing No. 02/1 bearing the date stamp 6th October 2017, prior to the commencement of any other works or other development hereby permitted.

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

3.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 development hereby permitted is commenced 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.

4.The access gradient(s) to the dwelling(s) hereby permitted shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

5.No other development hereby permitted shall be commenced until the road works, including the passing bays, indicated on Drawing Nos 02/1 and 05 bearing the date stamp 6th October 2017 have been fully completed to the satisfaction of DFI Roads, in accordance with the approved plans.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out at the appropriate time.

6. The applicant should draw up an odour management control plan which sets out the measures the applicant would propose to take to minimise potential odour emission from the site.

These records should be kept on site at all times.

Reason: In order to protect the amenities of neighbouring properties.

7.Prior to the occupation of the building hereby approved the applicant will draw up a documented Pest Control Management plan which sets out measures the applicant proposes to take to control potential fly and rodent infestations which may arise from the site. The plan should include details on the routine monitoring for pests, the steps to be taken when identified, chemicals to be used in their treatment and records showing details monitoring and any treatments carried out.

These records should be kept on site at all times.

Reason: In order to protect the interest of neighbouring properties.

8.The maximum number and type of pigs within the proposed facility shall not exceed 8000 weaner pigs at any one time. DAERA Annual Inventory of livestock to be provided to the Planning Authority on request.

Reason: To protect the qualifying features and conservation objectives of Ballynahone Bog Ramsar/SAC, Teal Lough pRamsar/SAC and Curran Bog SAC and to ensure the existing farm buildings are decommissioned or ensure no housing of pigs therein.

9.The applicant must adhere to all mitigation and disposal methods for pig slurry generated by this proposal as detailed in the five Nutrient Management Plans (NMP) uploaded to the NI Planning Portal on 5th September 2017. Any deviation from the NMP's must be approved in writing by the Planning Authority.

Reason: To ensure no adverse effect on the site integrity of any European designated site.

10.A suitable buffer of 10metres shall be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and the surface water drainage system.

Reason: In order to protect from potential harm impacting any designated sites.

11. All contaminated run-off (from the facility and concrete apron) must be directed to an appropriate collection tank, with no overflow or outlet to any waterway or soakaway. The applicant should also be reminded of their responsibilities under the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (SSAFO) (Northern Ireland) 2003 and The Nitrates Action Programme (NAP) Regulations (Northern Ireland) 2014 as detailed in Standing Advice Note 12 for agricultural developments.

Reason: In order to reduce the potential for negative impacts on neighbouring land uses.

12. Storm drainage of the site, during construction and operational phases, must be designed to the principles of the Sustainable Drainage Systems (SuDS) in order to prevent the polluting effects of storm water on aquatic environments. Construction of SuDS should comply with the design and construction standards as set out in The SuDS Manual - Construction Industry.

Reason: In order to protect from potential harm impacting any designated sites.

13. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

Reason: To ensure the continuity of amenity afforded by existing trees.

14. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

Informatives

1. The applicant must apply to the DFI Roads for a licence indemnifying the Department against any claims arising from the construction of the passing bays.

2. Highway design shall be in accordance with the current relevant standards of the Design Manual for Roads and Bridges.

3. The developer is required to enter into a licence agreement with the Department for Infrastructure, for the carrying out of the road works approved, prior to the commencement of any works to the public road network.

4. Under the terms of The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001, design for any Street Lighting schemes will require approval from TransportNI's Street Lighting Consultancy, County Hall Ballymena. The applicant is advised to contact TransportNI Street Lighting Section at an early stage. The Applicant/Developer is also responsible for the cost of supervision of all street works determined under the Private Streets Order (Northern Ireland) 1980.

5. The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owner or managed by the Department for Infrastructure for which separate permissions and arrangements are required.

6. The applicant is advised that under Article 11 of the Roads (NI) Order 1993, the Department for Infrastructure is empowered to take measures to recover any reasonably incurred expenses in consequence of any damage caused to the public road/footway as a result of extraordinary traffic generated by the proposed development.

7. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

8. Notwithstanding the terms and conditions of the Planning Authority'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 Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Molesworth Street, Cookstown.

A monetary deposit will be required to cover works on the public road.

9. Under the terms of Schedule 6 of the Drainage (NI) Order 1973 any proposal either temporary or permanent, in connection with the development which involves interference with any watercourse such as culverting, bridging, diversion, building adjacent to or discharge of storm water etc requires the written consent of DfI Rivers.

This should be obtained from Rivers Agency Western Regional Office, Woodside Avenue, Gortin Road, Lisnamallard, Omagh, BT79 7BP.

10. 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.

11. 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.

12. 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.

13. 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.

14. Agricultural developments may result in the generation of slurry and dirty water. The applicant should also be reminded of their responsibilities under the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (SSAFO) (Northern Ireland) 2003 and The Nitrates Action Programme (NAP) Regulations (Northern Ireland) 2014 as detailed in the Standing Advice document for agricultural developments.

The applicant should also refer and adhere to the precepts contained in the following Standing Advice documents: Pollution Prevention Guidance, Sustainable Drainage Systems, Discharges to the Water Environment, Agricultural Developments and Livestock Installations and Ammonia. Standing Advice notes are available at :

<https://www.daera-ni.gov.uk/articles/standing-advice-0>

Simple calculation of Atmospheric Impact Limits (SCAIL) is a free, online modelling tool. An updated version, containing cattle emission factors, is now available here;

<http://www.scaill.ceh.ac.uk/>

15. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

16. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	3rd March 2017
Date First Advertised	16th March 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses) Gwyneth McQuiston 11, Drumalief Road, Limavady, Londonderry, Northern Ireland, BT49 0QS The Owner/Occupier, 13 Drumard Road, Draperstown Harriett Moore-Boyd 21, Christine Park, Newtownabbey, Antrim, Northern Ireland, BT36 6TD Olga Harper Email Ciaran McClean Email Diane Greer Email Cormac McAleer Email Joanne Lusby Email	
Date of Last Neighbour Notification	
Date of EIA Determination	23rd August 2017
ES Requested	Yes /No
Planning History Ref ID: LA09/2017/0318/F Proposal: Proposed 1No. replacement pig shed with 2No. feed bins and an above ground covered slurry store (pig shed to contain 8000 weaner pigs) Address: Land approx. 100mN.E.of 13 Drumard Road, Draperstown, Decision: Decision Date: Ref ID: H/2011/0475/F Proposal: 33kv overhead powerline to connect from Draperstown North substation to Brackagh Quarry to serve approved wind turbine development. Address: Townlands Drumard, Cahore, Cloughfin, Straw Mountain, Brackagh, Corick, Decision: Decision Date: 18.06.2012	

Ref ID: H/2012/0156/F

Proposal: 33kv Overhead Powerline

Address: Townlands: Drumard, Cahore, Cloughfin, Straw, Mountain Brackagh, Corick,

Decision: PG

Decision Date: 19.11.2012

Ref ID: H/1978/0503

Proposal: HV O/H LINE (BM 2536)

Address: DRUMARD WEST, MAGHERAFELT

Decision:

Decision Date:

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 01

Type: Site Location Plan

Status: Approved

Drawing No. 02

Type: Site Layout or Block Plan

Status: Submitted

Drawing No. 02/1

Type: Site Layout or Block Plan

Status: Approved

Drawing No. 03

Type: Elevations and Floor Plans

Status: Approved

Drawing No. 04

Type: Roads Details

Status: Approved

Drawing No. 05

Type: Road Access Plan

Status: Approved


Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2017/1003/F	Target Date:
Proposal: Proposed timber drying area and store	Location: At lands approx. 140m South of 3A Glenarny Road Drum Cookstown
Referral Route: Approval – to Committee – Five Objections received	
Recommendation:	APPROVE
Applicant Name and Address: Michael Bell 3A Glenarny Road Cookstown	Agent Name and Address: Henry Marshall Brown Architectural Partnership 10 Union Street Cookstown BT80 8NN
Executive Summary: Approval	
Signature(s): Peter Henry	

Case Officer Report		
Site Location Plan		
		
Consultations:		
Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Content
Non Statutory	DAERA - Forestry Division	Substantive Response Received
Non Statutory	NIEA	Substantive Response Received
Statutory	Historic Environment Division (HED)	Content
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Non Statutory	Shared Environmental Services	Substantive Response Received
Non Statutory	NIEA	Substantive Response Received
Non Statutory	NIEA	Substantive Response Received
Non Statutory	DAERA - Forestry Division	Substantive Response Received
Non Statutory	DAERA - Forestry Division	No Response

Non Statutory	DAERA - Forestry Division	Add Info Requested
Non Statutory	DAERA - Forestry Division	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Statutory	DFI Roads - Enniskillen Office	Content

Representations:

Letters of Support	None Received
Letters of Objection	5
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

Approval – to Committee – Four Objections received - Summary of Objections below - It is first noted that the first three objections appear to have used the same letter with one separate objection being received later but all made reference to the previous application that was withdrawn but hold the opinion that their concerns were not adequately addressed in this new application. All objectors raised issues in relation to the relevant policies

- CTY 1 – As in LA09/2016/0360/F there have been no overriding reasons given as to why this development is essential in this location and to why it could not be located within the development limits.
- CTY 11 – it is noted that the shed is located closer to the main farm holding as per the previous application, however the shed will still be located in relative isolation and will not be read as part of the holding and is seen as contrary to CTY 11.
- CTY 12 – In the submitted drawings it indicates the removal of a large section of existing mature hedgerow and trees along the Glenarny Road to provide visibility splays. Objectors hold the opinion that this would have a huge detrimental impact on the existing character of Glenarny Road especially if this removal is to be replaced by a fence and laurel hedge and is completely inappropriate.
- In addition due to the level of trees being harvested alongside this removal along the Glenarny Road would mean it will be very difficult for the proposed shed to integrate into the landscape.
- The sweeping driveway creates a suburban emphasis which is not appropriate in this location and the access should run along the existing boundaries.
- The size of the shed appears larger than it is required, it is identical to the shed proposed previously which was considered inappropriate due to its unacceptable character and scale.
- Objectors hold the belief that the proposal would have a significant adverse impact on the amenity of the neighbouring residents. This would be due to both the visual impact of the development and the negative impact of large vehicles entering and leaving the site.
- Objectors note that the noise report was for the previous application.
- There are concerns that a commercial business could operate at the site which is unacceptable and that there are no details of any planting.

- There was an issue over the ambiguity over the amended plans sent in that indicate that no trees or hedges will need to be removed to achieve splays but this conflicts with the most DFI Roads comments that state hedge removal would be necessary to obtain the splays.
- In the latest objection it made reference to the noise report submitted along with comments from Environmental Health and requested clarification on the following;
 - i. Will the trees felled on-site be stored without any further cutting or processing that would require the use of plant or machinery or generate additional noise?
 - ii. Are Environmental Health satisfied that the sound impact assessment appears to have only assessed the sound generated by lorries transporting timber to and from the site and not the impact of plant and machinery?
 - iii. Is the proposed storage shed only for timber harvested on-site or will timber arrive on-site from other sources as suggested in the sound impact report?

Characteristics of the Site and Area

The site comprises a rectangular portion of a larger agricultural field situated along the Glenarny Road, Drum, Cookstown. The site is located directly opposite too and east of No 4 Glenarny Road. The site is covered in dense forestry with a mature thick tree line roadside boundary along 90 of the site frontage. In the Southern corner of the site a recent access has been cleared, with a new post and wire fence allowing visibility into and out of the site. There is also a set of agricultural gates preventing access to a small cleared area of recent construction which has been lain in gravel.

The site lies within the open countryside a short distance to the West of Cookstown. The site lies on the eastern outskirts of Drum forest, it is surrounded by forestry on the south and west, with a large residential plot to the North and a row of three dwellings to the east.

Relevant planning history

LA09/2016/0370/F - Timber drying area and store - Lands at approx. 19m SE of 3A Glenarny Road, Drum, Cookstown, – Application withdrawn

Representations

There were nine neighbour notifications sent out however there were four objections received on this application.

Description of Proposal

The proposals seeks planning permission for timber drying and storage shed.

Planning Assessment of Policy and Other Material Considerations

The Strategic Planning Policy Statement for Northern Ireland
 PPS 3 - Access, Movement and Parking
 PPS 21 - Sustainable Development in the Countryside.
 Cookstown Area Plan 2010

The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present,

the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety'.

Development in the countryside is controlled under the provisions of PPS 21 Sustainable Development in the Countryside. Policy CTY 1 provides clarification on which types of development area acceptable in the countryside. In which it states that planning permission will be granted for non-residential development in the countryside, in the instance it will be considered under CTY 12 – agricultural and forestry development.

CTY 12 states that planning permission will be granted for development on an active and established agricultural or forestry holding where it is demonstrated that:

(a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;

The agent provided a supporting statement to justify the application, in which they confirmed that the shed is essential for the efficient functioning of drying timber as it will cut down on the vehicle movements to the site and make it easier for the client to harvest and dry the timber on his own land. I note that there is a significant area identified to be harvested and from this a small yard and shed may be necessary for the storage and drying of the harvested timber. I note that from the revised plans sent in that the level of harvesting has been significantly reduced and is now in line with DAERA's policy on woodland removal. In this case the proposed shed has been located away from the main holding and stands in isolation. However after discussions with the Principal Planner, it was agreed that in terms of Policy CTY 12 in relation to the 'siting beside' and 'need' tests relating to the proposal that the view that the these are satisfied.

(b) in terms of character and scale it is appropriate to its location;

It is noted that the proposed shed is quite large but it has been argued that this is needed given the level of harvesting along with the fact the shed needs to facilitate the length of the tree trunks that are drying, to also allow lorries reversing into the building to off-load and re-load the harvested timber. From this it has been accepted on balance with the level of landscaping around the site aids in reducing in any existing concerns.

(c) it visually integrates into the local landscape and additional landscaping is provided as necessary;

There were a number of concerns raised in terms of visual integration, given the size of the shed coupled with the level clearing for the yard and access arrangements. However after group discussions it was agreed that given the fact all existing trees along the roadside boundary with Glenarny Road are to be retained coupled with the proposed landscaping scheme, I am content on balance that the shed will be able to visually integrate in the landscape.

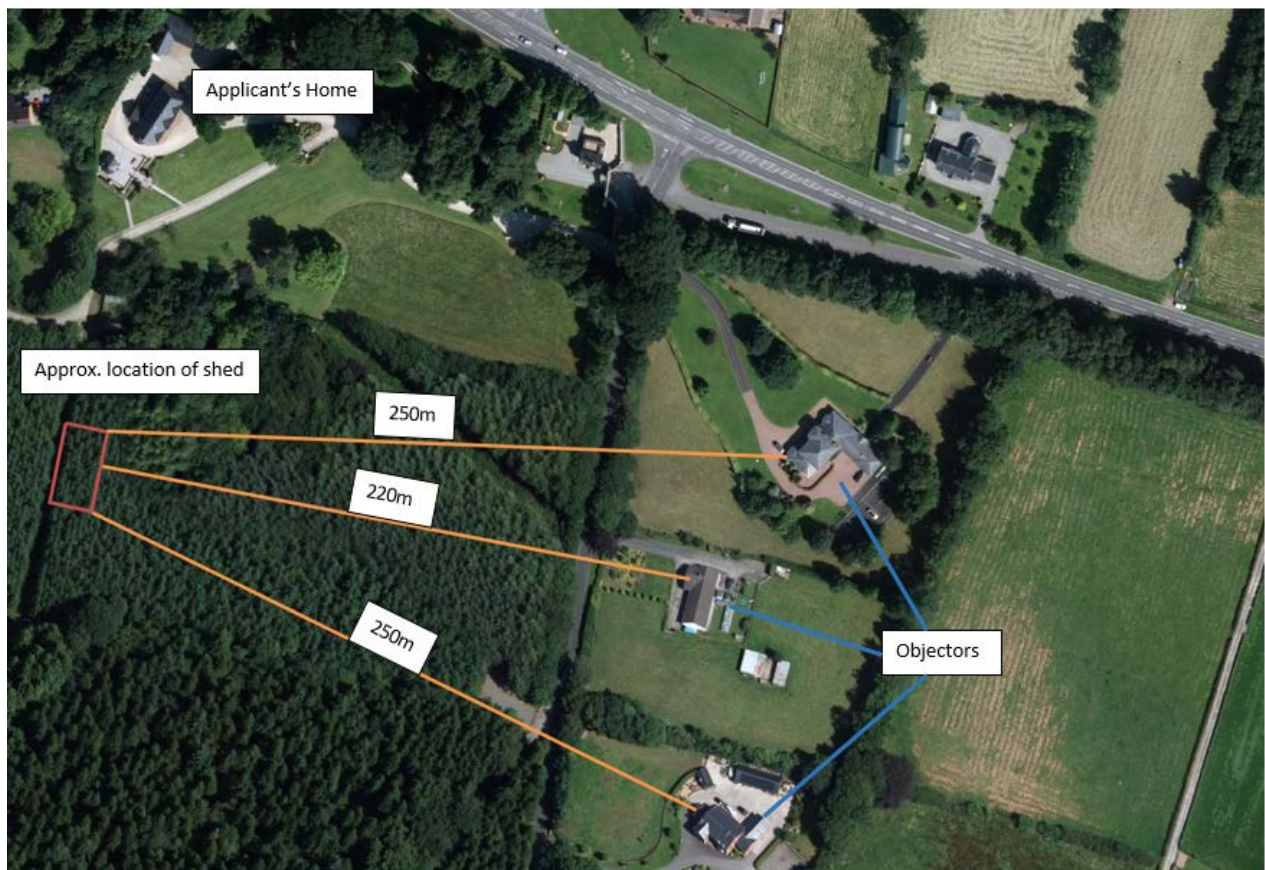
(d) The proposal will not have an adverse impact on the natural or built heritage.

There are no concerns over impact on the natural or built heritage. HED were consulted and had no concerns.

and

(e) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

In terms of any impacts on residential amenity, I note that a noise report was submitted with the application and a consultation was sent to Environmental Health. They responded to state that report submitted confirms that there is to be no mechanical services for ventilation or heating at the proposed store. The only source of noise considered is the arrival/departure of up to four lorries per day from the site. The potential impact of these lorries is deemed to be sufficiently quiet not to require any mitigation measures. Please see below a diagram that shows the existing separation distances between neighbouring objectors and the site.



I note that there was some confusion over one of the recommended conditions from Environmental Health 'No noisy working of the timber such as sawing, chopping etc. shall be undertaken on the site'; in which confirmed that Environmental Health would have no objection to the cutting down of trees to make a clearing for the shed. I note that after further conversations with the Principal Planner it was noted that any noise from the

harvesting of the remaining treed area cannot be considered material as the applicant does not need planning permission to remove these trees and as noted Forest Service have accepted the level of harvesting proposed. From such it has been agreed that the proposed shed is acceptable on balance of the information provided.

In cases where a new building is proposed applicants will also need to provide sufficient information to confirm all of the following:

- there are no suitable existing buildings on the holding or enterprise that can be used; From site inspection and from viewing the ortho photography it appears there are no buildings on the holding which could be used, I can appreciate the need for storage onsite.

- the design and materials to be used are sympathetic to the locality and adjacent buildings;

The materials to be used are typical for this type of building in the countryside and I note that an amended scheme was sent in and it was agreed that the latest drawings are now acceptable on balance.

and

- The proposal is sited beside existing farm or forestry buildings.

I note that the proposed shed is not located beside any existing farm and forestry buildings and will stand in isolation. However this location has been agreed with the Principal Planner in that the previous application LA09/2016/0370/F did not represent as acceptable 'sited beside' location whereas this location is only some 90m from the existing buildings associated with No.3a.

PPS 3 – Access, Movement and Parking

I note that there has been a number of consultations have been sent to DFI Roads throughout this application, however in their final response they noted that a site visit dated 18th November 2019 took place and that the 2.4 x 70 metre sightlines in both directions are now in place. On this basis the application can be approved subject to the relevant planning conditions.

A consultation was sent to SES who confirmed that having considered the nature, scale, and location of the project it is concluded that, provided the following mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site.

Environmental Health were consulted in relation to the application and responded to say that it is noted that there are a number of objections to this proposal. These have been considered in the making of their response. The proposal is similar in its nature to application ref: LA09/2016/0370/F which the Environmental Health Service also commented on. It is noted that there does not appear to be any significant change in the proposal other than the timber drying area being further removed from nearby residents than previously, a move which should lessen any noise impact to these residents. The report submitted confirms that there is to be no mechanical services for ventilation or heating at the proposed store. The only source of noise considered is the

arrival/departure of up to four lorries per day from the site. The potential impact of these lorries is deemed not to require any mitigation measures.

A consultation was sent to HED, in which their two departments Historic Buildings and Historic Monuments responded respectively. HED, Historic Buildings has considered the impact of the proposal on the listed buildings and on the basis of the information provided considers the proposal to have no greater demonstrable harm on the setting of Drum Manor Remains and Gate Lodge, and is therefore content the proposal satisfies the policy requirements of the SPPS and BH11, PPS6. HED Historic Monuments has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Finally, a consultation was sent to NIEA who in their initial response confirmed that there was insufficient information submitted to determine the likely impacts of the proposal on natural heritage interests, from this a preliminary ecological appraisal was requested. I note that this was subsequently submitted and another consultation was sent to NIEA, who responded to state that they have considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns, subject to conditions.

In response to the comments made by the objectors, to start, all comments raised over issues of the application in terms of failure under PPS 21 have been addressed in this report and it has been the group consensus that this proposal is able to comply on balance of the policy. With regards to the concerns over the level of trees being harvested, I note that the level has been reduced in line with DAERA's policy on woodland removal. In addition there is concern of the level of trees removed along the public road and would result in a difficulty to integrate from this, I note that the sightlines are now in place with minimal hedge/tree removal, this in turn clarifies the confusion in the submitted plans and previous DFI roads consultation.

With regards to the sweeping driveway creating a suburban emphasis, I note that this was agreed during group discussions, given the level of landscaping and has been seen as acceptable on balance. In terms of any issues raised over the size of the shed being larger than is required, in that it is identical to that previously applied for which was deemed to unacceptable in scale and character. I note that during group discussions it was agreed that the agent helped to justify the size of the shed and given that the building is set further into the site than that previously and that given the retention of landscaping alongside proposed landscaping that any concerns over sized were alleviated given the level of screening provided and has been accepted on balance.

In terms of the belief that the proposal would have an adverse impact on the amenity of neighbouring residents, I note that the Environmental Health were consulted and noted that there does not appear to be any significant change in the proposal other than the timber drying area being further removed from nearby residents than previously, a move which should lessen any noise impact to these residents. With this in mind and re-confirming the level of proposed and existing landscaping that it has been accepted that the visual impact is at an acceptable level. Following on from this, and answering the objectors request for further clarification. I can confirm that the shed will only be used for storage wherein no further working will take place within the shed and will not require the use of plant and machinery. I note that after discussions with Environmental Health and

the Principal Planner that they are satisfied in terms of noise over the lorry movements and tree removal for the clearing of the shed. In addition as noted the Principal Planner has stated that the cutting of trees is not constituted as development and that there has been no mention of plant and machinery to be used on site. The agent has also confirmed that the shed is to be used only for trees harvested on-site only.

Finally, there are concerns that a commercial business could operate at the site which is unacceptable. I note that appropriate conditions will be applied to ensure that this does not operate as a commercial business and if this occurred then enforcement action would be taken if deemed necessary.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Approval with conditions, objections fully considered.

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access including visibility splays of 2.4 x 70 metres shall be provided in accordance with Drawing No 02/1 bearing the date stamp 31 July 2019 prior to the commencement of any other development hereby permitted.

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

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays 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

4. A vegetated buffer of at least 10 m must be maintained between the location of all construction works including refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and all watercourses within or adjacent to the site.

Reason: To prevent polluting discharges entering and impacting on the site integrity of Upper Ballinderry River SAC.

5. Deliveries to and despatches from the site shall only be undertaken between the hours of 07:00 - 21:00hrs.

Reason: In the preservation of neighbouring amenity.

6. There shall be no mechanical services for ventilation attached to the proposed store.

Reason: In the preservation of neighbouring amenity.

7. The store hereby approved shall be used only be used for the storage of timber in conjunction with the Forestry enterprise and shall not be any commercial or industrial processes, including noise generation activities such as the milling of timber.

Reason: To ensure that the store does not become a separate planning unit from the Forestry enterprise and to protect neighbouring amenity and ensure proper planning control.

8. There shall be no works, including vegetation clearance, during the bird breeding season (1 March to 31 August inclusive), unless otherwise agreed in writing with the Planning Authority.

Reason: To protect breeding birds.

9. No site clearance or development activity shall commence until a Construction Method Statement has been submitted to and approved in writing by the Planning Authority. The Construction Method Statement shall be implemented in accordance with the approved details, unless otherwise approved by the Planning Authority. The Construction Method Statement shall include details of:

- a. The establishment and maintenance of a 10m vegetated buffer between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil/etc. and the Drum Burn;
- b. Any conifer trees within the 10m vegetated buffer which require removal shall be felled by hand only, using chain saws and to a height of no less than 1.5m above the ground;
- c. Velocity control measures, such as check dams, installed at regular intervals along the length of the dry ditch adjacent to the Drum Burn and along any furrows containing standing water.

Reason: To protect the designated sites.

10. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extension or enlargement (including alteration to roofs) shall be made to the store hereby permitted without the grant of a separate planning permission from the Council.

Reason: To protect the character and visual amenity of this area of open countryside.

Informatives

1.This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

2.This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

3.This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Department or other statutory authority. The developer's attention is expressly drawn to the Planning (Hazardous Substances) Regulations (Northern Ireland) 1993 which has application to the development hereby granted planning permission.

4. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

Notwithstanding the terms and conditions of the Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the DfI Roads consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is Loughrey Campus, 49 Tullywiggan Road, Cookstown, BT80 8SG. A monetary deposit will be required to cover works on the public road.

It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site. This planning approval does not give authority to discharge any drainage into a DfI Roads drainage system

5. The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985

(as amended) under which it is an offence to intentionally or recklessly:

- kill, injure or take any wild bird; or
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or
- obstruct or prevent any wild bird from using its nest; or
- take or destroy an egg of any wild bird; or
- disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturb dependent young of such a bird.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

It is therefore advised that any tree, hedge loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season including 1st March to 31st August, unless pre-clearance surveys show an absence of breeding birds.

Signature(s)

Date:

ANNEX

Date Valid	26th July 2017
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Date First Advertised	10th August 2017
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Date Last Advertised	
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Details of Neighbour Notification (all addresses)

P Rogers
 2 Glenarny Road, Cookstown, Tyrone, Northern Ireland, BT80 9DX
 The Owner/Occupier,
 2 Glenarny Road, Drum, Cookstown, Tyrone, BT80 9DX,
 The Owner/Occupier,
 3 Glenarny Road Oaklands Cookstown
 The Owner/Occupier,
 3A Glenarny Road, Oaklands, Cookstown, Tyrone, BT80 9DX,
 The Owner/Occupier,
 4 Glenarny Road, Drum, Cookstown, Tyrone, BT80 9DZ,
 Willoughby Erskine
 4, Glenarny Road, Cookstown, Tyrone, Northern Ireland, BT80 9DZ
 The Owner/Occupier,
 6 Glenarny Road, Drum, Cookstown, Tyrone, BT80 9DZ,
 Alan Badger
 6, Glenarny Road, Cookstown, Tyrone, Northern Ireland, BT80 9DZ
 The Owner/Occupier,
 Brookvale Lodge, Glenarny Road, Oaklands, Cookstown, Tyrone, BT80 9DX,
 The Owner/Occupier,
 Drum Gate Lodge, 1 Glenarny Road, Oaklands, Cookstown, Tyrone, BT80 9DX,
 The Owner/Occupier,
 Drum Gate Lodge, 1 Glenarny Road, Oaklands, Cookstown, Tyrone, BT80 9DX,
 The Owner/Occupier,
 Glenarny Road, Oaklands, Cookstown, Tyrone, BT80 9DX,
 P & U Rogers
 No Address Given

Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2017/1003/F Proposal: Proposed timber drying area and store Address: At lands approx. 140m South of 3A Glenarny Road, Drum, Cookstown, Decision: Decision Date: Ref ID: LA09/2016/0370/F Proposal: Timber drying area and store (amended details) Address: Lands at approx. 19m SE of 3A Glenarny Road, Drum, Cookstown, Decision: WITHDR Decision Date: 28.02.2017 Ref ID: I/1981/0305 Proposal: TEMPORARY YOUTH RECREATION CENTRE Address: OAKLANDS, DRUM MANOR, COOKSTOWN, CO TYRONE Decision: Decision Date:	
Summary of Consultee Responses	
Drawing Numbers and Title	
Drawing No. 01 Type: Site Location Plan Status: Submitted Drawing No. 04/2 Type: Concept Plan Status: Submitted Drawing No. 03 Type: Proposed Plans Status: Submitted Drawing No. 02/1 Type: Site Layout or Block Plan Status: Submitted	

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2017/1366/F	Target Date:
Proposal: Proposed residential development comprising of 84 units to supersede development approved under ref I/2006/1186/F	Location: 20 Dungannon Road, Cookstown
Referral Route: This is a Major planning application with objections.	
Recommendation: Approve	
Applicant Name and Address: McKernan Construction Ltd, Keenaghan Road, Cookstown	Agent Name and Address: Farran Architects, 447 Ballyquin Road, Dungiven, BT47 4LX
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	NI Water - Multi Units West - Planning Consultations	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	NI Water - Multi Units West - Planning Consultations	Advice
Statutory	DFI Roads - Enniskillen Office	No Response
Statutory	NI Water - Multi Units West - Planning Consultations	Advice
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received

Non Statutory	Shared Environmental Services	No Objection
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	Rivers Agency	Advice
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Statutory	DFI Roads - Enniskillen Office	Standing Advice

Representations:

Letters of Support	None Received
Letters of Objection	8
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

There have been a number of objection letters received to this application which have raised the following issues:

- Potential for noise impact from the car sales and repairs at Mid Ulster Cars and the applicant has not submitted a noise impact assessment;
- There is a lack of reports for consideration of the application;
- Possible land contamination on the application site;
- The proposal of 84 dwellings will not result in a quality residential environment;
- The visibility splays are blocked by the totem pole;
- The internal road layout for the 84 units is not acceptable;
- There are issues and concerns with the TA;
- There is a potential odour nuisance for the 84 dwellings;
- The applicant does not own all the land within the red line and the P2 certificate is wrong;
- 3rd party land owners will not permit any rights or easements over their lands to facilitate the visibility splays or to facilitate any other aspect of the planning application;
- The access off the Dungannon Road is not suitable for a development of the proposed size and nature. An alternative access is available to the applicant off the Castle Road;
- The applicant has not submitted a biodiversity study and the application sits next to the Ballinderry River;
- The proposed site is within a WWTW consultation zone and will give rise to issues of odour nuisance;
- There is a potential impact on the existing petrol filling station from future noise complaints from the owners of the new dwellings;
- The applicant claims to have made a lawful start on I/2006/1186/F, however the access has not been constructed in accordance with planning conditions and therefore there is no "fallback" position;

- The access as constructed interferes with an approved access for a residential development to the south west of the application site which was approved under planning reference I/2006/0760/F for Mr J Anderson;
- There is a potential impact on natural heritage interests with a lack of necessary information;
- There are concerns with the completed biodiversity checklist.

Characteristics of the Site and Area

The application site is within the development limits of Cookstown, as defined in the Cookstown Area Plan 2010. The site consists largely of agricultural fields with some old sheds still standing on the site. There is a mix of land uses around the site. To the northeast is Cookstown WWTW, to the north is Mid Ulster Cars. To the south is a petrol filling station, a builder's yard and agricultural fields. To the east lies the Ballinderry River and to the west is the Dungannon Road, with a mix of residential dwellings and businesses accessing off this road. The site falls away from the Dungannon Road.

Description of Proposal

This application is for a proposed residential development initially comprising of 84 units to supersede development approved under ref I/2006/1186/F. However, during the course of the application this has been reduced to 52 units and a significant reduction in the red line boundary of the site.

Planning Assessment of Policy and Other Material Considerations

Regional Development Strategy
Cookstown Area Plan 2010
Strategic Planning Policy Statement
Mid Ulster District Council Local Development Plan 2030 Draft Strategy
Planning Policy Statement 2 - Natural Heritage
Planning Policy Statement 3 - Access, Movement and Parking
Planning Policy Statement 6 - Archaeology and the Built Environment
Planning Policy Statement 7 - Quality Residential Environments
Planning Policy Statement 15 - Planning and Flood Risk
Creating Places.

The applicant has described the proposal as a residential development intended to supersede the approval under I/2006/1186/F for the demolition of existing dwelling and sheds and erection of a) 82 apartments b) 20 semi-detached dwellings and c) 47 terrace dwellings. The issue of whether this does indeed supersede the previous application needs to be considered as it implies that the previous development can still be erected on the basis that development has commenced. However, this has been challenged on the argument by an objector whose legal team has argued that for development to have commenced construction of the buildings should have taken place. An application for a Certificate of Lawful Development was submitted by the applicant to say that works required to comply with conditions 8, 9, 10 and 11 of LA09/2018/0305/LDE, which essentially comprised of engineering operations to provide the visibility splays and road

access into the approved development. A subsequent application for a Certificate of Lawful Development was submitted by a third party under LA09/2019/0707/LDE on 23 May 2019 for the discharge of condition 12 of I/2006/1186/F which prohibits this development from commencing until the works necessary for the improvement of a public road, including the provision of the right turning lane are in place. The Council has not decided this Certificate as it was appealed by the third party on the grounds of non-determination and it is a matter for the Planning Appeals Commission to hear and assess the evidence at an informal hearing on 12 February 2020. The Council has adopted the line, as it did not precisely accord with the approved plans and there were further matters to be considered, as a result, a Certificate of Lawfulness should not issue.

Case law suggests that an engineering operation may suffice, however this is based on English legislation and there is a difference in the wording compared to Section 63 of the Planning Act (NI) 2011 which states:

“development shall be taken to be begun on the earliest date on which any of the following operations comprised in the development begins to be carried out –

(a) Where the development consists of or includes the erection of a building, any work of construction in the course of the erection of the building”.

The objector has implied that an engineering operation is not construction in the course of the erection of a building. To date the courts in Northern Ireland have not ruled on this matter. Based on this we would advise the Planning Committee to consider the history but not to give it any determining weight to the argument that there is a fallback position for developing all of the approved houses on the site under I/2006/1186/F. The Committee should also note that at present to proceed with that development would, in itself, be unlawful because the access has not been constructed in accordance with the plans and the visibility splays having been formed have since been interrupted due to the erection of a totem pole at the neighbouring garage.

Since the application was initially submitted, there have been a number of revisions to the plans, which have involved a reduction in the size of the site, a change in the site layout and alterations to the access to the site. The primary driver in reducing the size of the site has been to keep development away from the WWTW in order to reduce the risks from odour.

The application was originally for 84 dwelling houses and this has been reduced to 52 dwelling houses together with a reduction in the red line of the proposed development.

There have been a number of issues requiring to be addressed throughout the course of this planning application, which I shall address in turn. Some of the issues have been overcome through the reduction in the size of the proposed development. There has also been a number of objections received to the proposed development, which I have outlined above, and I will address these later in this report.

In considering the proposed development, I am only considering the revised layout and reduced red line boundary of the site.

Quality Residential Environment:

All proposals for residential development will be expected to conform to all of the following criteria listed in PPS 7, Policy QD 1:

- a) The development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;**

The proposed site sits in an area comprised of a mixture of commercial and residential uses as well as agricultural. The land is not zoned in the area plan and is white land. The proposed development is for 52 two and three storey dwelling houses, including detached, semi-detached and terraced dwellings with an area of open space centrally located. The houses are to be finished in either red brick or with a natural stone finish. The development proposed is a much lower density than that approved under I/2006/1186/F, which encompassed the red line of this current planning application. Mid Ulster Cars abuts a northern and western boundary of the site. The drawings show a 1.8m high acoustic fence along this boundary as well as additional tree planting. The landscaped green area is centrally located with at least 17 houses fronting onto the area so there will be good surveillance over the area of open space. There is also a proposed kick about area in the northern part of the site, which will be directly overlooked by 6 dwellings.

The proposal satisfies PPS 15. The Strategic Flood Map (NI) indicates that the site does not lie within the 1 in 100 year fluvial flood plain. Consequently, DfI Rivers have confirmed they cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective.

- b) Features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;**

PPS 6 recognises archaeological remains as a limited, finite and non-renewable resource. Appropriate management is therefore essential to ensure that they survive in good condition. In particular, care must be taken to ensure that they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly damaged or destroyed.

The application site is located on the edge of Cookstown, on land next to the Ballinderry River. It is also located in the historic demesne of Killymoon. The Ballinderry River is one of the main rivers that run towards Lough Neagh and there are a large number of archaeological sites and historic monuments recorded along the river particularly close to Cookstown and this application site. These include a Neolithic court tomb (TYP 38:32) and prehistoric standing stone (TYR 38:18) located to the north-east of the application site.

A Bronze Age occupation site was uncovered within the townland of Killymoon Demesne (TYR 29:66) in advance of development associated with the Killymoon golf course. This included the remarkable find of gold dress fastenings that are now on display in the Ulster museum. These sites suggest that the Ballinderry River was important to prehistoric people and further occupation evidence could be uncovered as development occurs close to the river. As such, archaeological mitigation is required in advance of site works at this location.

Should approval be granted for the proposed development HED: Historic Monuments request the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in site, as per Policy BH 4 of PPS 6.

- c) Adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;**

As I previously referred to the drawings show an area of centrally located public open space and a kick about area in the northern part of the proposed development. The site area now measures 3.5 hectares of which 10% open space measures at a requirement of 3,500 square metres. When the areas of the centrally located area of open space (excluding the pond) and the kick about area are added together these measure c.9% of the total revised site area. Creating places requires 10% open space areas of the overall site area. In this current application the average garden size is well in excess of the required 70 square metres with no garden less than 70 square metres. In this context I am content to accept 9% open space in this application. The proposed site plan shows new landscape boundary planting along the majority of the boundaries to the site.

- d) Adequate provision is made for necessary local neighbourhood facilities to be provided by the developer as an integral part of the development;**

It is not considered necessary for a development of this size to make provision for local neighbourhood facilities. In the immediate vicinity of the application site is a large Asda supermarket, fast food restaurants and other local shops.

- e) A movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;**

It is my opinion the proposed development provides for a movement pattern that supports walking and cycling. There are no known public rights of way across the proposed application site. There are various pedestrian crossing points and traffic calming measures located throughout the site. There are two

bus stops within a very short walking distance to the north of the site on the Dungannon Road.

f) Adequate and appropriate provision is made for parking;

DfI Roads have assessed the proposed layout including parking provision and are content with the proposal subject to a number of conditions. This also addresses the requirements of PPS 3.

g) The design of the development draws upon the best local traditions of form, materials and detailing;

The proposed dwellings are designed at either 2 or 2.5 storey in height and finished in a mix of either red brick or local sandstone. There is a mix of both land uses in the area comprising commercial and residential. There is also a mix of house types, styles and finishes. It is my opinion that the design of the proposed dwellings is not out of character with the local area.

h) The design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;

With regards to a potential conflict with adjacent land uses I have no concerns with regards to overlooking, loss of light or overshadowing. There are some commercial uses abutting the proposed residential dwellings and the proposal has reduced in size to take account of the existing WWTW. A noise report was submitted by the applicant and EHD were consulted on this. Following an extensive exchange of reports and additional information, the agent was advised that concerns remained with the proximity of the WWTW and the possible undesirable environment for the future residents. Subsequently the applicant reduced the size of the proposed development to the current proposal.

NI Water has considered the revised housing layout and their previously held concerns regarding dis-amenity that might be experienced as a result of development in proximity to Cookstown WWTW are now largely removed. The revised housing layout complies with the limit of development encroachment upon the WWTW. This is confirmed through the accepted super-positioning of the agreed odour risk area upon the relevant development layout proposal.

i) The development is designed to deter crime and promote personal safety;

The proposed development provides a high level of surveillance for the areas of open space. I have no concerns with regards to crime and personal safety.

Access

In looking at the access into the site the Committee's attention is drawn to the fact that the access is marginally different to that approved historically under I/2006/1186/F. The primary reason for this is to overcome the issue of visibility splays in that this current proposal requires a smaller visibility splay of 2.4m x 90m as advised by DfI Roads. This in effect means that the totem pole placed by the neighbouring petrol filling station no longer interferes with the now required visibility splay.

In relation to the other issues of access, DfI Roads have advised it is acceptable. Mid Ulster Cars sent in a report detailing how access to the site in a report entitled "Review of Developer Traffic and Transport Submission" will be made much more difficult for customers and delivery of vehicles. However, DfI Roads have advised the access, as shown, is acceptable subject to a number of conditions. A Private Street Determination was submitted by the applicant and DfI Roads have confirmed that under The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992 the road will be adopted subject to the conditions listed below.

Natural Heritage

PPS 2 acknowledges that the public interest requires that all development is carried out in a way that would not cause demonstrable harm to interests of acknowledged importance, such as natural heritage.

Policy NH 1 of PPS 2 states that planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on a European Site or a listed or proposed Ramsar. The application site is in close proximity to Upper Ballinderry River Area of Special Scientific Interest (ASSI)/Special Area of Conservation (SAC) which is hydrologically connected to Lough Neagh Special Protection Area (SPA)/RAMSAR/ ASSI and Lough Beg SPA/RAMSAR (hereafter referred to as the designated sites) which are of international and national importance and are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002. Natural Environment Division (NED) has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.

Policy NH 5 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to:

- Priority habitats;
- Priority species;
- Active peatland;
- Ancient and long-established woodland;
- Features of earth science conservation importance;
- Features of the landscape which are of major importance for wild flora and fauna;
- Rare or threatened native species;

- Wetlands (includes river corridors); or
- Other natural heritage features worthy of protection.

Given the close proximity to the Ballinderry River and the presence of extensive riparian habitat, the site provides optimal habitat for bats to forage and commute. NED recommends that the applicant utilise bat sensitive lighting across the site to minimise the impact of the proposal on bats.

From the information available to NED, they are content that the site is unlikely to contain any habitats that are considered a Northern Irish Priority Habitat. The adjacent river and the associated riparian habitat NED would advise that the applicant utilise native species of trees and shrubs as part of the proposed planting.

Shared Environmental Services concluded that having considered the nature, scale, timing, duration and location of the project further assessment is not required because it would not have a likely significant effect on the selection features, conservation objectives or status of any European site. The potential impact of this proposal on Special Protection areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.

I outlined the objections at the top of this report and I advise the Members to consider all of these in light of my following observations on the issues raised as follows.

A number of the issues raised in the objection letters have been addressed through the submission of additional information and amended drawings. The site has been reduced in size which has seen a reduction in the number of proposed dwellings down from 84 to 52 units. The houses sited within the odour zone have been removed and there are no longer any odour concerns with the proposed 52 dwellings. I will address the remaining issues below:

Ownership of land:

The applicant has submitted an amended P2 certificate and has served the requisite notice on DfI Roads for lands required for the reduced visibility splays. Any other matter of land ownership is a civil matter that is outside the remit of this planning application.

Noise:

An acoustic report was submitted on 13 November 2019 and EHD were consulted on this report.

Access and roads:

The access to the site with the reduced visibility splays has been assessed by DfI Roads who find the proposal acceptable in its current form. DfI Roads recommends prior to any approval being provided for this development the stage 3 safety audit report is submitted to the Department for assessment/review. The totem pole is no longer in the line of the required visibility splays.

The layout and associated road improvement Works are subject to a Private Streets Determination. Conditions and informatives have been suggested for the

inclusion in any planning approval. DfI Roads recommends prior to the erection of the dwellings, the stage 3 safety audit report is submitted to the Department for assessment/review.

Biodiversity:

The issue of fall back has been discussed earlier in the report and members are advised that there planning history is a material consideration. However, there is no certainty that the development, as approved under I/2006/1186/F, could proceed.

Fallback position:

The right turn lane is not constructed as per the approved drawings of I/2006/1186/F. Given that no application was submitted for an amendment to the approved right turn lane, together with the fact that DfI Roads do not feel the condition can be discharged, the Council is of the view that it has not yet been demonstrated that the access is lawful and there is no fall back position.

Lack of information:

Where information was identified by either the Planning Department or any of the consultees the necessary reports were requested from and submitted by the applicant. I consider that all the required information has been submitted and assessed accordingly.

Contamination:

Environmental Health Department have not raised contamination as an area of concern.

Neighbour Notification Checked

Yes

Summary of Recommendation:

It is recommended to the Committee that this application be approved subject to the conditions listed below.

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The structure of the proposed dwellings should be as specified on P.24 of the acoustic report as a minimum standard.

Reason: In the interests of residential amenity.

3. Prior to the occupation of any of the dwellings hereby permitted a suitable 1.8m acoustic barrier should be erected to the rear of dwellings numbers 40 to 52 as highlighted in drawing 02/6. Prior to the construction of the acoustic fencing full details shall be submitted to, and approved by the Council.

Reason: In the interests of residential amenity.

4. Prior to the occupation of any of the dwellings hereby permitted a second barrier of 2m height should be fitted to the rear of houses 1 to 4 to mitigate the noise from the filling station at these locations. Prior to the construction of the acoustic fencing full details shall be submitted to, and approved by the Council.

Reason: In the interests of residential amenity.

5. Dwellings 1 to 4 inclusive should be fitted with a whole house ventilation system to be specified by the acoustic consultant and agreed with planning to enable future residents to keep their windows closed in hot weather while maintaining requisite airflow and ventilation.

Reason: In the interests of residential amenity.

6. No development, with the exception of those portions of roads as shown on drawing number A1 02 Rev 6 "Proposed Layout", shall encroach upon lands identified by NI Water and incorporated within NI Water's Cookstown Wastewater Treatment Works, Odour Assessment Based on On-site Monitoring, Feb 2018.

Reason: In the interests of residential amenity.

7. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Mid Ulster District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - The identification and evaluation of archaeological remains within the site;
 - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
 - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - Preparation of the digital, documentary and material archive for deposition.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

8. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 7.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

9. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be

undertaken in accordance with the programme of archaeological work approved under condition 7. These measures shall be implemented and a final archaeological report shall be submitted to Mid Ulster District Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Mid Ulster District Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

10. A suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery.

Reason: To minimise the impact of the proposal on natural habitat.

11. There shall be no direct discharge of untreated surface water run-off during the construction and operational phase to the Ballinderry River.

Reason: To minimise the impact of the proposal on natural habitat.

12. All proposed works either temporary or permanent including fencing, drainage, private utilities or third party provisions should be kept within the site boundary as shown on drawing 17/6 date stamped 06 December 2019 ensuring all lands required for the Cookstown By-Pass are not prejudiced by the proposed development.

Reason: To ensure protection of land required for the Cookstown By Pass as indicated on the area plan.

13. The vehicular access, including visibility splays of 2.4m x 90m at the junction of the proposed access road with the Dungannon Road, and any forward sight distance, shall be provided in accordance with Drawing No.17/6 bearing the date stamp 06 December 2019 prior to the commencement of any other development hereby permitted. 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 and such splays 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.

14. A stage 3 Safety Audit shall be carried out at the Right Turning Lane, 20 Dungannon Road, this should be completed to the approval of DFi Roads Authority in accordance with the Design Manual for Roads and Bridges, Standard GG119. Any recommendations/remedial works should be carried out prior to the erection of the dwellings hereby permitted.

Reason: In the interest of road safety.

15. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 17/6 bearing the date stamp 6 December 2019

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

16. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 17/6 bearing the date stamp 6 December 2019 The Council hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

17. The access gradient(s) to the dwelling(s) hereby permitted shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

18. The gradient(s) of the access road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

19. The vehicular access, including visibility splays of 2.4m x 33m at the access located at sites 30 and 31, and any forward sight distance, shall be provided in accordance with Drawing No. 17/6 bearing the date stamp 6 December 2019, prior to the commencement of any other development hereby permitted. 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 and such splays 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.

20.No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of (each phase / the development.)

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling

Signature(s)

Date:

ANNEX	
Date Valid	3rd October 2017
Date First Advertised	19th October 2017
Date Last Advertised	26 th November 2019
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Glenwood Crescent, Cookstown, BT80 8XU Michael G Rogers RIBA, 1, Mountsandel Road, Coleraine, Londonderry, Northern Ireland, BT52 1JB The Owner/Occupier, 12 Dungannon Road Cookstown Tyrone The Owner/Occupier, 14 Dungannon Road, Cookstown, Tyrone, BT80 8TL The Owner/Occupier, 15 Dungannon Road, Cookstown, Tyrone, BT80 8TL Inaltus Ltd, 15 Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HX The Owner/Occupier, 17-19 Dungannon Road, Cookstown, Tyrone, BT80 8TL The Owner/Occupier, 18 Dungannon Rd, Cookstown, Tyrone, BT80 8TL The Owner/Occupier, 2 Glenwood Crescent, Cookstown, BT80 8XU The Owner/Occupier, 22 Dungannon Road, Cookstown, Tyrone, BT80 8TL The Owner/Occupier, 3 Glenwood Crescent, Cookstown, BT80 8XU Mervyn Keegan, Director, AONA Environmental Consulting Ltd, Unit 8a, Northwest Business Park, Sligo Nigel McGurk EMAIL Mervyn Keegan, ENVEST, AONA Environmental Consulting Ltd, Unit 8A, Northwest Business Park, Sligo, Ireland Eamonn Loughrey, Inaltus Ltd, 15a Cleaver Park, Malone Road, Belfast, BT9 5HX The Owner/Occupier, Maxol Filling Station, Dungannon Road, Cookstown, Co. Tyrone Emma Quinn, McAleer Contracts Ltd, 130A Drum Road, Cookstown, BT80 9DN	
Date of Last Neighbour Notification	15 th November 2019
Date of EIA Determination	23/01/2020
ES Requested	No
Planning History Ref ID: LA09/2016/0643/NMC Proposal: Minor Alterations to Previously Approved Housing Development I/2008/0773/F Address: Adjacent to Castle Road and to the Rear of 1-13 Castle Road and 6-12 Dungannon Road, Cookstown, Decision: CG Decision Date: Ref ID: LA09/2017/0092/PAN Proposal: Residential Development Address: 20 Dungannon Road, Cookstown, Decision: PANACC	

Decision Date:

Ref ID: LA09/2017/0270/DC

Proposal: Removal of condition No.2 of Planning permission I/2006/1186/F

Address: Site at 20 Dungannon Road, (Brookmount House) Cookstown,

Decision: AL

Decision Date:

Ref ID: LA09/2016/1143/PAD

Proposal: Residential Development, with commercial, retail and office units and amended roads detail (amended description)

Address: Site at 20 Dungannon Road, Cookstown (Brookmount House) and adjacent Lands to the East,

Decision:

Decision Date:

Ref ID: LA09/2017/1366/F

Proposal: Proposed residential development comprising of 84 units to supersede development approved under ref I/2006/1186/F

Address: 20 Dungannon Road, Cookstown,

Decision:

Decision Date:

Ref ID: LA09/2016/0718/F

Proposal: Application to alter conditions No.7,8,9,10 and 14 of permission I/2008/0773/F

Address: Castle Road, Cookstown,

Decision: PG

Decision Date: 29.06.2016

Ref ID: LA09/2017/0255/NMC

Proposal: Minor change to site 1 dwelling and access moved to accommodate existing underground public storm water pipe

Address: Residential Development, adjacent to Castle Road and rear of 1-13 Castle Road and 6-12 Dungannon Road, Cookstown,

Decision: CG

Decision Date:

Ref ID: LA09/2017/1133/DC

Proposal: Discharge of condition 6 on I/2008/0773/F

Address: Site adjacent to Castle Road, Cookstown and to the rear of 1-13 Castle Road and 6-12 Dungannon Road,

Decision: AL

Decision Date:

Ref ID: I/2004/0781

Proposal: Housing development

Address: Land at Dungannon Road, Cookstown

Decision:

Decision Date:

Ref ID: I/2006/1186/F

Proposal: Demolition of existing dwelling and sheds and erection of a) 82 apartments b) 20 semi detached dwellings _ c) 47 terrace dwellings

Address: Site at 20 Dungannon Road, Cookstown (Brookmount House) and adjacent Lands to the East

Decision:

Decision Date: 18.05.2012

Ref ID: I/1999/0313

Proposal: Site for housing with provision of access road

Address: 20 Dungannon Road Cookstown

Decision:

Decision Date: 15.01.2001

Ref ID: I/2003/1165/CD

Proposal: Replacement Waste Water Treatment Works for Storm and Foul Sewage.

Address: Cookstown Wastewater Treatment Works, Castle Road, Cookstown.

Decision:

Decision Date: 04.05.2005

Ref ID: I/1997/0426

Proposal: Improvements to existing Sewage Disposal Works

Address: Cookstown Sewage Treatment Works, Castle Road, Cookstown

Decision:

Decision Date: 31.01.2001

Ref ID: I/2009/0417/F

Proposal: Construction of access road to link proposed housing development (Application Ref: I/2006/1186/F) with Castle Road and to include road improvements/road re-alignment across the Castle Road frontages of No's 2, 4, 6, 8, 10, 12, 13, 14, 16, 18, 20, 22, 24, 28, 28A, 30, 33, 35, 41, 41A, 51, 51A & 58 Castle Road. (Revised drawings and planning application form)

Address: Site at 20 Dungannon Road, Cookstown (Brookmount House) plus adjacent lands to the east and Castle Road, Cookstown.

Decision: PG

Decision Date: 06.06.2013

Ref ID: I/2008/0773/F

Proposal: Proposed residential development comprising detached dwellings, semi detached dwellings and townhouses, associated landscaping, site works and upgrading of Castle Road (as per previous approval I/2001/0862/F) (total 67 units).

Address: Site adjacent to Castle Road, Cookstown and to the rear of 1-13 Castle Road and 6-12 Dungannon Road

Decision: PG

Decision Date: 23.10.2014

Ref ID: I/2013/0170/F

Proposal: Proposed extension to car showroom

Address: 18 Dungannon Road, Cookstown,

Decision: PG

Decision Date: 20.08.2013

Ref ID: LA09/2015/1259/NMC

Proposal: Amendment to extent of area coloured red on private streets determination (PSD) drawing stamped approved drawing No98 (Lisbane consultants reference Dwg No 12-012-H10c)

Address: Site adjacent to Castle Road, Cookstown and to the rear of 1-13 Castle Road and 6-12 Dungannon Road, Cookstown,

Decision: CG

Decision Date:

Ref ID: LA09/2016/0266/O

Proposal: Bedroom and Ancillary Accommodation

Address: 26 Dungannon Road, Cookstown,

Decision: PG

Decision Date: 11.07.2016

Summary of Consultee Responses

HED Historic Monuments:

Has considered the impacts of the proposal and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in site, as per Policy BH 4 of PPS 6. They have attached conditions they wish to be included should approval be granted.

DAERA:

Natural Environment Division:

Has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to recommendations.

Rivers Agency:

The Drainage Assessment indicates the storm water system will be adopted by NIW, therefore NIW will be responsible for checking design calculations, adoption and maintenance of the system. Therefore DfI Rivers, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reasons to disagree with its conclusions. Consequently, DfI Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective. The Strategic Flood Map (NI) indicates that the site does not lie within the 1 in 100 year fluvial flood plain.

Shared Environmental Services:

Having considered the nature, scale, timing, duration and location of the project it is concluded that further assessment is not required because it would not have a likely significant effect on the selection features, conservation objectives or status of any European site. The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with

the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.

DfI Roads:

The layout and associated road improvement Works are subject to a Private Streets Determination. Conditions and informatives have been suggested for the inclusion in any planning approval

DfI Roads recommends prior to commencement of the development the stage 3 safety audit report is submitted to the Department for assessment/review.

NI Water:

NI Water has considered the revised housing layout and their previously held concerns regarding dis-amenity that might be experienced as a result of development in proximity to Cookstown WWTW are now largely removed. The revised housing layout complies with the limit of development encroachment upon the WWTW. This is confirmed through the accepted super-positioning of the agreed odour risk area upon the relevant development layout proposal.

NI Water is content to provide a qualified support to the application and is qualified on the following basis:

- The proposed layout of the dwellings is not amended;
- MUDC should satisfy itself as to the implications of the kick about space being located within the agreed odour risk areas;
- That all references, detailing or associations with previous proposal to develop within the agreed odour risk area have been expunged from all of the relevant approval documentation.

A condition has been suggested by NI Water as outlined in the conditions below. This is for the purpose of ensuring compatibility of the development with the operation of the existing and adjacent Cookstown Wastewater Treatment Works and its associated sludge processing activity. This is to ensure there is no detriment to residential amenity or constrain on public wastewater service provision.

Environmental Health Department:

A number of objections to this application were received relating to potential noise disturbance to occupants of the new dwellings. Since this date a noise assessment has been submitted in support of this application by Grainger Acoustics dated 13th November 2019.

Further to this report the Environmental Health Service would recommend the inclusion of a number of conditions.

Drawing Numbers and Title

Drawing No. 01/1

Type: Site Location Plan

Status: Submitted

Drawing No. 02/6

Type: Site Layout or Block Plan

Status: Submitted

Drawing No. 03/1

Type: Site Appraisal or Analysis

Status: Submitted

Drawing No. 04/1

Type: Housing Concept Plan

Status: Submitted

Drawing No. 05

Type: Proposed Plans

Status: Submitted

Drawing No. 06

Type: Proposed Plans

Status: Submitted

Drawing No. 07

Type: Proposed Plans

Status: Submitted

Drawing No. 08

Type: Proposed Plans

Status: Submitted

Drawing No. 09

Type: Proposed Plans

Status: Submitted

Drawing No. 10

Type: Proposed Plans

Status: Submitted

Drawing No. 11

Type: Proposed Plans

Status: Submitted

Drawing No. 12/5

Type: Landscaping Plan

Status: Submitted

Drawing No. 13
Type: Existing Plans
Status: Submitted

Drawing No. 14/4
Type: Road Access Plan
Status: Submitted

Drawing No. 15/1
Type: Cross Sections
Status: Submitted

Drawing No. 16/1
Type: Cross Sections
Status: Submitted

Drawing No. 17/6
Type: Roads Details
Status: Submitted

Drawing No. 18
Type: Technical Details
Status: Submitted

Drawing No. 19
Type: Cross Sections
Status: Submitted

Drawing No. 20
Type: Drainage Layout
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department: N/A
Response of Department: N/A



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Nov 2018	Item Number:
Application ID: LA09/2017/1426/F	Target Date:
Proposal: Proposed retention of boundary wall and the alteration of ground levels to provide concrete finish to hard cored yard.	Location: 55 Knockanroe Road Cookstown
Referral Route: recommendation to approval / objections received.	
Recommendation: Approval.	
Applicant Name and Address: Reid Engineering (Cookstown) Ltd 55 Knockanroe Road Cookstown	Agent Name and Address: Henry Marshall Brown Architectural Partnership 10 Union Street Cookstown BT80 8NN
Signature(s): M.Bowman	

Case Officer Report

Site Location Plan



Consultations: EHO

Consultation Type	Consultee	Response
		no objections

Representations:

Letters of Support	None Received
Letters of Objection	3
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area – part of SE boundary and rear yard of established Reid Engineering works. Neighbouring dwelling at No.53 Knockanroe Road (now owned by the

applicant) but still occupied by original owners shares this common boundary. Adjacent vacant dwelling has an extant permission for a replacement dwelling. Occupied dwelling houses are found along the access lane at No 57/59/ 59c which runs along the SE boundary of the larger site and yard and which are now separated for much of this boundary by a concrete sound wall.

Description of Proposal - Proposed retention of boundary wall and the alteration of ground levels to provide concrete finish to hard-cored yard.

Planning Assessment of Policy and Other Material Considerations

SPPS

CAP

PPS4

PPS21

General Permitted Development Order NI 2015.

It is important at the outset of this report to set the context for the site and in particular this retrospective application to retain the wall as constructed.

Mid-Ulster Council issued an approval for full planning permission under reference I/2014/0246/F for the "Proposed retention of engineering workshop to include store and ancillary accommodation and storage yard" on the 28th June 2017. After much detailed consideration of that application some very prescriptive conditions were attached to the permission primarily around the requirement to provide boundary walls / close up parts of the existing buildings with the aim of providing betterment and reducing nuisance from noise experienced by neighbouring dwellings.

In the course of complying with the various conditions attached to the 2014/0246 permission, in particular the following:

Within 60 days from the date of this permission a permanent 3m high solid acoustic wall shall be fully constructed along the boundary (in the location identified in blue on drawing No 04/1 dated 17.02.2017) between the site and No.53 Knockanroe Road. Prior to construction, finalised plans for this wall shall be submitted to Council for agreement.

Reason: In the interests of neighbouring amenity.

This condition related to 2 stretches of acoustic wall, one along the existing laneway at the NE boundary of the site and the other along the rear of No 53 Knockanroe Road. Whilst a plan was submitted by the applicant to comply with this condition, the details related only to the laneway wall to the NE boundary and not to the section of wall to the rear of No 53 in relation to its height or precise location. The applicant proceeded to construct a wall some 5m in height along the shared boundary with No 53.



As a result of an investigation into the wall which was constructed to the rear of No 53, and in addressing concerns from the occupant of that property, Dr Boomer determined that the wall did not benefit from permission and therefore in order to meet the condition a separate planning application was required to determine to retain the wall at what is now its reduced height from that originally constructed, but at a height still in excess of 3m (approx. 3.7m at its highest based on original ground levels within the yard). The Council's investigations of the wall height when measured from the yard side show the wall to be at 2 points measuring just over 3m, at 3.03m following infilling which has taken place on the yard side.



A recommendation to the March 2018 Planning Committee was not discussed but instead the Planning Manager withdrew the application to invite discussions with both parties. Office meetings took place on the 19th April 2018 with the objectors and applicant / agent side. At the objectors meeting the occupant of No 53 produced photographic evidence to show the current height of the wall on that properties side at its highest point (behind the garage) as being 4.12m from ground level. This tapers down towards the southern edge of the wall to a height closer to the 3m. Significant concerns were expressed about the applicant's intention given that his original decision to construct a wall at some 5m in height. In relation to levels within the yard to the rear of the wall, resident's views remain that these have already been raised from a level which was broadly similar to that of the rear garden of No 53. It was agreed that the Council would aim to seek some further amendments after the meeting with the applicant's side and to clarify drainage arrangements.

At the applicants meeting issues around historical and present day levels, seeking a reduction in the walls height as well as drainage were discussed. The 50m contour was stated as being the level on site now. It was argued that acoustically the higher the wall the better but that the applicant would consider looking at some further lowering. The direction of surface water discharge was stated as being into the yard as per the arrangements proposed on plans.

Following the office meeting plans were amended to reduce the wall from its present height by 300mm along its entire length.

Ownership Change.

A significant development which the Council were formally informed of in May 2019 has been the agreed sale of No 53 to Mr Alan Reid. A letter received from Mr and Mrs Fowley's Solicitor states that they wish to withdraw their objections to the application/s as well as any enforcement and other complaints.

As a result the proposal before members is now to permit the wall running along the rear of No 53 to remain at its present height as opposed to being reduced. Plans were formally amended on the 7th June to reflect this and neighbours re-notified. The alterations to the rear yard remain otherwise the same.

This development significantly alters the weighting I need to afford to the potential impact upon this property. All objections are now regarded as being withdrawn from No 53, objections do still remain on file from 57, 59, 59c which are located to the east via an existing laneway which is now separated from the engineering site by concrete sound walls.

Policy considerations.

The SPPS in considering the 'purpose of planning' recognises that there are competing interests and that it can be difficult to distinguish between public and private interests. Good neighbourliness and fairness are recognised at Par. 2.3 as being among the yardsticks against which development proposals will be measured. Whilst the presence and operation of Reid Engineering has caused issue for neighbouring residents the planning system must operate to achieve a balance between what is an established rural enterprise and how its day to day operations are carried out in the interests of rural amenity and neighbouring amenity. Par 6.91 of the SPPS requires that all applications for economic development must be assessed in accordance with normal planning criteria considering also impacts such as amenity.

As this is development associated with an established commercial enterprise, I feel that it should be assessed principally against Policy PPS4, and principally Policy PED9 as there is no obvious expansion of the site nor comprehensive re-development of the site which would engage Policy PED4.

Policy PED 9 General Criteria for Economic Development

A proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria:

(a) it is compatible with surrounding land uses;

The council have previously accepted the 'principle' of a sound wall at this location as required by a condition of the recent approval for the 0246/F application. Its compatibility for the purposes of this application is a judgement in terms of its height and position relative to adjoining properties.

Considering that the overall difference in height between the 'as constructed' wall and that approved is different when measured on both sides and measures 4.12m at its highest point on the objectors side, this must be carefully considered in determining its compatibility with adjoining property. It is notable that that part of the wall which currently measures 4.12m is not at

a point which is in a direct line of sight from No 53 and is also positioned to the rear of the garage which is located in the NE corner of the rear garden of this property.

In considering the proposal, height of existing leylandii hedge and sloping nature of the wall, and importantly that the dwelling is now in the ownership of the applicant and that objections have been withdrawn by Mrs Fowley I am of the view that Criteria (a) is met. I have considered in some detail the impact on amenity of the raising of ground levels and surfacing of the yard area.

(b) it does not harm the amenities of nearby residents;

It is my view that the dwelling most likely to have been detrimentally impacted upon by the retention of the wall is No 53. I will summarise objections from other occupied dwellings later in my report. As above, given the ownership change I find that criteria (b) is met. I have considered in some detail the impact on amenity of the raising of ground levels and surfacing of the yard area.

(c) it does not adversely affect features of the natural or built heritage;

None

(d) it is not located in an area at flood risk and will not cause or exacerbate flooding;

In examining the site I do not find there to be any clear reason why this should be the case. Any previous objections relating to this matter, which more specifically related to impacts on No 53 have been withdrawn. I will address remaining concerns later in this report. A means of storm water collection has now been shown on amended plans.

(e) it does not create a noise nuisance;

The purpose of the wall has always been to reduce noise and improve the amenity of adjoining residents. I have considered in some detail the impact on amenity of the raising of ground levels and surfacing of the yard area.

(f) it is capable of dealing satisfactorily with any emission or effluent;

N/A

(g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;

The addition of the wall and hard surfacing of the yard should not lead to any extra vehicular traffic.

(h) adequate access arrangements, parking and manoeuvring areas are provided;

Available area for vehicles within the yard appears to be unaffected.

(i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport; N/A

(j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;

N/A

(k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;

Whilst its primary purpose is as an acoustic wall, the wall also helps to screen any storage taking place within the yard area to its rear.

(l) is designed to deter crime and promote personal safety; and

N/A

(m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape.

The wall has a measurable but limited visual presence in the locality. This portion of wall being located primarily to the rear of No 53 reduces its visual appearance. In the context of the taller commercial shed and considering the presence of a tall leylandii hedge along the rear boundary of No 53 I do not consider the wall to have an unacceptable visual impact.

A secondary aim of this application is to raise /resurface the yard area to the rear of the wall by some 200mm. I note that the General Permitted Development Order 2015 permits under Part 9 class C as permitted development the:

- (a) 'provision of a hard surface within the curtilage of an industrial building or warehouse to be used for the purpose of the undertaking concerned; or, (b) the replacement in whole or part of such a surface'

On the whole matter of the yard levels, it is clear that the applicant in the course of constructing the unauthorised wall raised these on his side and the enforcement investigations on site would support this view. The approved block plan associated with I/2014/0246 did contain a 50m contour level across this part of the yard however. The Councils enforcement section have estimated that the yard levels are approx. 0.67m higher than what originally existed. In considering the totality of the impact of the wall and the yard I have also recognised that the increase in levels in the yard have resulted in a wall appearing taller than it should be when viewed from the rear of No 53 particularly at the point at which it abuts the existing Reid Engineering shed. An additional 75mm coping to be added to the top of the wall which I assume is to help to protect it from weathering has also been factored into this consideration.

On the 23rd Sept 2019 Ms Reid contacted me expressing concerns that Environmental Health had appeared only to be concerned about the retention of the wall at its present height and had not specifically commented or appear to have assessed any impacts on raising this part of yard and surfacing it.

On the 24th a formal written objection was submitted stating the following:

Application: LA09/2017/1426/f

ENV have only consulted on the wall being reduced by 300mm and not the raising of the levels as stated in the response dated 18/02/2019.

The application is confusing and has insufficient details, it does not give the levels prior 2015. It does not state anywhere that yard levels are proposed to be raised over 1m in height.

Lowering the ground to its original natural levels on one side would effectively make the barrier to protect our property higher.

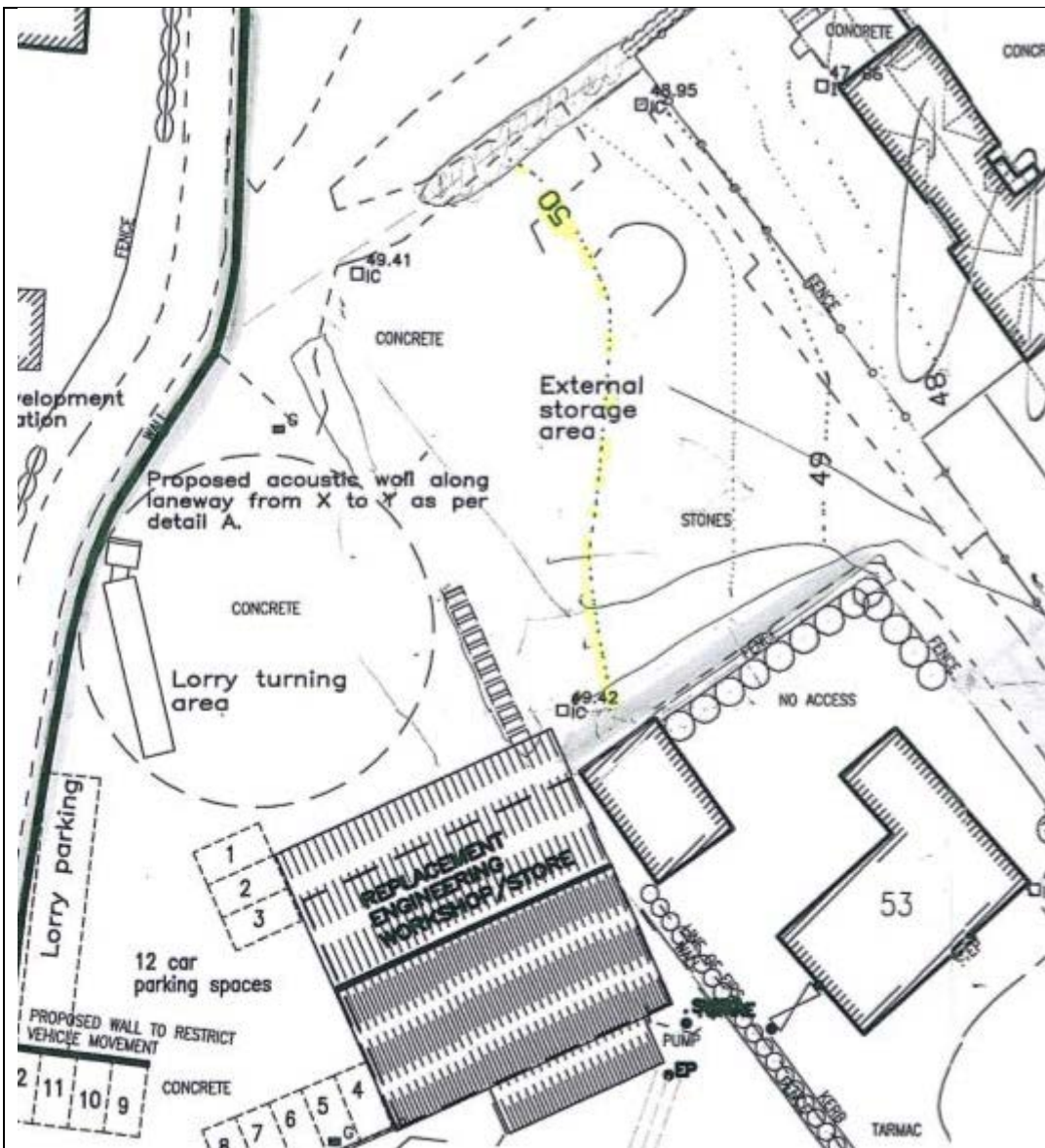
- Would it be the case that the higher the barrier in general, the more protection it will give and would create more shielding?
- Will raising levels reduce the barrier (as proposed in this application) in turn reduce its effects?

As well as submitting a copy of a plan showing the site sites existing levels I have included 2 of the images also attached (provided by J. Reid). These would largely appear to support the extent of raising of this part of the yard which I have alluded to previously.





Whilst the images show a clear difference between the upper and lower yard levels, I would draw members attention to the approved site plan associated with application I/2014/0246/F. This approved site plan has a 50m contour running across part of the area subject to this current application seeming to imply some raising of yard levels to this level. The image below identifies the contour in question highlighted in yellow.



In response to the above Env Health formally responded to this matter on the 27th Sept 2019 with the following:

It is understood that the premises at No. 53 has since been acquired by the applicant. However the owner of the property at No. 57 has raised an objection regarding the proposal in relation to the raising of the yard levels and how this may negatively affect the noise environment at No.57.

It would appear that the levels by which the ground has been raised is roughly 700mm for the area in question. The wall boundary wall adjacent to No.57 is located between approx. 20-40m from the raised area. There is approximately a further 20m to the dwelling itself on the other side of the wall. The complainant is correct to state that the raising of the ground levels will have the effect of 'reducing the height of the wall' for noise generated at these specific areas.

The applicant will point out that the act of raising and smoothing the ground level in this area will enable more efficient yard activity within this area including any transport movements. This will

enable him to work and transport goods in a quieter and more efficient manner.

Give the above considerations the Environmental Health Service recommends that the applicant submits an acoustic assessment showing the noise impact of raising the ground levels will be on the overall noise environment from the site.

The agent was advised of this and a Noise report sought. It was received on the 24th Oct 2019 and circulated to all parties for comment.

On the 11th Nov 2019 J Reid submitted the following further objection:

- Planning have a duty to protect the residential amenity of existing and any future occupant (noise sensitive receptor). Change of ownership does not equate to a change of use and therefore weighting which has been applied in the decision-making process as indicated in the DMOR (dated 16 September 2019) is erroneous.
- The submission from Lester Acoustics dated 18 October 2019 is incomplete and fails to provide the information requested from EHO in their consultation response dated 27th September 2019. EHO recommended that:

“the applicant submits an acoustic assessment showing the noise impact of raising the ground levels will be on the overall noise environment from the site”

The assessment which was revised on 21/01/2019 has been limited to the noise impact of raising the ground levels and is silent on the impact of this on the **overall noise environment from the site** as requested by EHO.

Furthermore, it appears that the ground levels used in the calculation matrix are not consistent with submitted plans or that of calculations investigated by Council's enforcement section (0.67m higher than what originally existed). Enforcement and EHO should be asked to comment on the validity of the data used in the assessment.

- Despite failing to consider the overall and cumulate noise environment from the site the acoustic assessment has concluded that “the resultant sound level will be very slightly higher at No 57 Knockanroe Road.” In DMOR dated 16 September 2019 M. Bowman in detailing his considered decision-making process notes:

“I do understand that the business does appear to be causing a nuisance to residential properties and this is being investigated by EHO within their powers. In determining this application, I haven't been presented with any convincing evidence that the retention of the wall and surfacing and raising of the yard will exacerbate this.”

Pause and careful consideration should now be given to the determination of the application:

- incomplete acoustic assessment;
- Despite being incomplete an acoustic assessment which concludes that resultant sound level will be very **slightly higher** at No 57 Knockanroe Road;
- Evidence that a decision to approve this application will exacerbate the overall noise nuisance experienced by adjacent residents, currently being investigated by EHO at the Reid Engineering site.

The planning application should not be determined until the noise abatement investigations being undertaken by EHO have concluded.

On the 25th Nov 2019 EHO responded as follows:

The Environmental Health Service previously recommended that the applicant submits an acoustic assessment showing the noise impact of raising the ground levels will be on the overall noise environment from the site.

The applicant has since submitted an acoustic report from Lester Acoustics dated 18th October 2019. The report provides a number of barrier height calculations for 3 positions on the affected area of yard. These positions relate to a level closest to the property at 57 Knockanroe Road, one in the centre of the yard area, and one to the far side of the yard 57 Knockanroe Road. Calculations are undertaken for 1st floor receiver positions and also for ground floor receiver positions. The noise source was taken to be at a height of 1m. It is noted that an objection letter has been received in relation to the report dated 11/11/19 and this has been considered in making this response.

The existing ground levels and the proposed ground levels at these locations are shown below:

Position	Existing Level	Proposed Level
1	50.52m	50.52m
2	49.97m	49.85m
3	49.005m	49.19m

From these positions it was calculated that the noise levels experienced at No.57 Knockanroe Road would remain unchanged for position 1 closest to the property, would remain largely unchanged or slightly less for position 2 in the middle of the yard, and would be slightly raised for the position 3 to the far end of the yard. Noise increases or reductions are + or -0.1dB at positions 2 and 3.

J Reid submitted a further objection on 8th Jan 2020.

'The ENV response dated 26th Nov 2019 appears incomplete it has not made any comment on or analysis of the information presented other than noting that an assessment has been carried out.

Will planning be re-consulting with ENV given that the response is incomplete? It fails to address the issues raised by planning and is silent on the previous levels used in the calculation investigated by the council's enforcement section. It appears to give no assessment or any guidance to planning to make an informed and robust decision on the application.

Is this ENV final substantive response? As previously stated, the application should not be determined until the noise abatement investigations being undertaken by EHO have concluded – can you please advise on this point in particular'

In responding to this it is my view that EHO have considered J Reid's requirement for a Noise assessment to model noise impact increase based on the sites originally lower levels. No request is made for such an analysis. It is reasonable to conclude that not requiring any such noise model is unnecessary given the acceptable conclusions reached above in the 25th Nov 2019 response from EHO which shows a + or -0.1dB at current raised levels and proposed finished concrete levels.

The Council do have an enforcement investigation open on the matter of the alleged unauthorised raised yard levels but as yet have not proceeded to a Notice. This application

represents an opportunity to regularise all levels on site and I have been able to assess any impacts on neighbouring amenity in the course of reaching a recommendation on it. Further, I do not share the view that the application before me cannot be determined if current investigations are still being carried out by EHO into wider noise issues associated with the current operations. The conclusions reached appear to show that the effectiveness of the current concrete noise mitigation wall along the boundary of the site with No. 57 Knockanroe Road is only lessened by some + or -0.1Db at 2 positions within the yard area.

Objections.

In addition to the above detailed objections 3 earlier objections received from the occupants of No 57 /59 Knockanroe Road state the following in relation to the original intention to retain the wall at its constructed height:

1. That site levels have been raised without permission.

The Council are now being asked to determine a retrospective application at this location. No beneficial weight is attached to my recommendation because of its retrospective nature.

2. That the wall will exacerbate noise echo

I have considered the raised yard above original levels and its effects on noise modelled from current levels and considered a top concrete 200mm surface are found not unacceptably increase noise echo / nuisance. The yard could have been resurfaced as Permitted Development. The operation of the yard is still bound by noise conditions attached to the 0246 permission.

3. The wall overshadows the garden and hedge and blocks out light from the window to the rear of the garage.

Whilst taller than that originally envisaged I don't consider the overall difference in height to be fatal to the application. The imposition of the wall as required by the original 0246 approval would have had a similar impact on the garage in my view. Mr Reid is now the owner of this property and all objections from No 53 have been removed.

4. It does not integrate with its surroundings

I have commented within my report on this matter.

5. That the increased levels of the yard will / have impacted on drainage.

The General Permitted Development Order permits yard resurfacing – this is caveated by the need to use porous materials OR to make provision to direct run-off from the hard surface to a permeable or porous area within the curtilage.

Amended plans were submitted to the Council detailing proposed gully locations and connection into an existing drainage network within the remainder of the yard area. Provision is also provided for dropped kerbs and an aco channel across the corner of the yard area to prevent water seepage onto the adjoining laneway. It is my understanding that the yard lawn area of No 53 slopes away from the new wall and I therefore do not feel that it is clear that the wall has introduced a drainage problem for the garden.

6. That any concreting of the yard will increase surface water run off

A concrete surface will undoubtedly lead to increase run-off, however I feel the drainage measures shown on amended plans should deal with this satisfactorily subject to any further necessary discharge consents which may be required.

7. That a public right of way is incorrectly declared on submitted plans

Plans were amended to remove this and neighbours re-notified.

Later objections received following notification of amended plans raised the following matters of concern:

8. Drainage system appears to be at a higher level than existing gully / is there capacity / will any runoff continue to detrimentally affect surrounding lands.

Connection is to an existing underground existing system which I have been provided with no evidence to show that it will not be able to deal with any additional run-off and the appropriate gully locations and aco channel proposed are intended to avoid any run-off to surrounding lands.

9. Potential contamination of run-off water due to yard activities.

The onus in my view remains with the developer to ensure compliance with any relevant legislation surrounding this matter.

Under the terms of the Water (Northern Ireland) Order 1999 for example, it is an offence to cause pollution of a waterway or groundwater. Where the source of pollution can be traced, it is the policy of the Northern Ireland Environment Agency (NIEA), where appropriate, to take action.

Article 7 (1) of the Order deals with the main pollution offence, which is:

'a person commits an offence if, whether knowingly or otherwise, that person discharges or deposits any poisonous, noxious or polluting matter so that it enters a waterway or water contained in an underground strata'

'A person guilty of an offence under this Article is liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20,000 or to both'

Since the application was amended to reduce the wall, and again amended to refer to its retention at its present height one further letter of objection has been received from and on behalf of occupants of Nos 57 – 59c, dated the 1st July 2019, it makes the following points:

1. Our meeting in April 2018 was thought to be for the purpose of finding a way forward where everyone could come to an agreement.
2. 3 families have had to move / how is planning protecting residential amenity if this is the case.
3. Can EHO ensure that they have considered all of the proposed development?
4. What has there never been a noise condition to protect No 57?

In response, whilst an offer to lower the wall did follow from the office meeting in April 2018, the purchase of No 53 has resulted in a further change to ask the Council to permit the wall to remain unaltered. I have set out my reasons as to why I find this acceptable above. I do

understand that the business does appear to be causing a potential nuisance to residential properties and that this is being investigated by EHO within their powers.

In determining this application I haven't been presented with any convincing evidence that the retention of the wall and surfacing and raising of the yard will exacerbate this. The Council did react to J Reid's specific concerns about the impact of raising and re-surfacing the tear and this has been modelled showing very minor changes to the effectiveness of the existing acoustic walls. EHO were consulted on the proposal as described and further upon receipt of the noise report and have given full consideration to all of its aspects.

In relation to noise conditions, these were previously determined on an earlier permission and a condition would have been stipulated for No 57 if this had of been deemed necessary by EHO. EHO have not stipulated any requirement to restrict noise levels at No 57 in response to the proposal now before the Council for a decision.

Summary of Recommendation: In light of compliance with Policy, and in considering the applicant's purchase of the property which is most likely to have been impacted upon by the proposal, as well as the consideration of any unacceptable increase in noise nuisance from this proposal on other surrounding properties I recommend Approval

Conditions

1. Retrospective permission condition (specific to retention of existing wall)
2. Commencement of concrete finished yard within 5 years.

Informatives:

Under the terms of the Water (Northern Ireland) Order 1999 for example, it is an offence to cause pollution of a waterway or groundwater. Where the source of pollution can be traced, it is the policy of the Northern Ireland Environment Agency (NIEA), where appropriate, to take action.

Article 7 (1) of the Order deals with the main pollution offence, which is:

'a person commits an offence if, whether knowingly or otherwise, that person discharges or deposits any poisonous, noxious or polluting matter so that it enters a waterway or water contained in an underground strata'

'A person guilty of an offence under this Article is liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20,000 or to both'

-Any Developers obligations in relation to additional storm water discharge which may / may not apply.

-Any Permission does not confer title.

Signature(s) M.Bowman

Date: 23rd Jan 2020.

ANNEX	
Date Valid	13th October 2017
Date First Advertised	26th October 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 53 Knockanroe Road Dungannon Tyrone Carla Fowley 53, Knockanroe Road, Dungannon, Tyrone, Northern Ireland, BT71 5LX Carla Fowley 53, Knockanroe Road, Dungannon, Tyrone, Northern Ireland, BT71 5LX The Owner/Occupier, 57 Knockanroe Road Dungannon Tyrone Julie Reid 57/59 Knockanroe Road,Dungannon,Co. Tyrone,BT71 5LX	
Date of Last Neighbour Notification	11th January 2018
Date of EIA Determination	
ES Requested	No
Planning History. Most recent permission granted under I/2014/0246/F.	
Summary of Consultee Responses N/A	
Drawing Numbers and Title	

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No. 02
Type: Proposed Plans
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2017/1653/F	Target Date:
Proposal: Lateral extension of existing Derraghadoan Shale Quarry over 4.7 hectares to secure additional reserves	Location: Derraghadoan Shale Quarry, Carland Road, Dungannon
Referral Route: This is a major planning application	
Recommendation: Approve	
Applicant Name and Address: Lafarge Ireland Cookstown Plant 29 Sandholes Road Cookstown	Agent Name and Address: SLR Consulting Suite 1 Potters Quay 5 Ravenhill Road Belfast BT6 8DN
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Content
Non Statutory	Environmental Health Mid Ulster Council	Add Info Requested
Statutory	NIEA	Extension Required
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	Historic Environment Division (HED)	Content
Statutory	NIEA	Advice
Statutory	NIEA	Advice
Statutory	NIEA	
Statutory	Environmental Health Mid Ulster Council	
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	NIEA	Advice

Non Statutory	Environmental Health Mid Ulster Council	
Statutory	NIEA	
Statutory	NIEA	Extension Required
Non Statutory	Environmental Health Mid Ulster Council	
Statutory	NIEA	Advice
Statutory	NIEA	Advice
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues No objections received.		
Characteristics of the Site and Area This site is immediately adjacent to the A29 Carland Road which runs along the eastern boundary of the quarry. The site itself rises and falls across the site. The surrounding area is predominantly rural with a mixture of mainly agricultural land and Dungannon Golf Course (to the west) and industrial and commercial uses, and scatter residential properties to the south-east and south.		
Description of Proposal This application is for a lateral extension of the existing Derraghadoan Shale Quarry over 4.7ha to secure additional reserves.		
Planning Assessment of Policy and Other Material Considerations Regional Development Strategy 2035 Strategic Planning Policy Statement Dungannon and South Tyrone Area Plan 2010 The Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy. A 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 Planning Policy Statement 15 - Planning and Flood Risk		

The Regional Development Strategy provides an overarching strategic planning framework to facilitate and guide the public and private sectors. There are eight revised aims within the RDS, one of which is “to take actions to reduce our carbon footprint and facilitate adaptation to climate change”. It also states that we need to reduce harmful greenhouse gas emissions to help reduce the threat of climate change and promote sustainable construction, consumption and production.

The proposed development is for a lateral extension of the existing Derraghadoan Shale Quarry over 4.7 ha to secure additional reserves. The existing quarry has been operational since 1967 and the shale material excavated at the site is used solely in the cement manufacturing process at the Cookstown Cement Works 12 km to the north where it is blended with limestone sourced at the Sandholes site which is opposite the cement works.

The existing quarry is in a Mineral Reserves Policy Area as designated in the Dungannon and South Tyrone Area Plan 2010 but the current application is partly within and partly outwith the Mineral Reserves Policy Area. Policy MIN 2 states that Mineral Reserves Policy Areas are designated to protect mineral reserves at locations including Derraghadoan. The purpose of this is to protect mineral reserves that are needed in the manufacture of cement.

The scheme proposes to work the quarry in four phases as follows:-

1. Phase 1 overburden will be stripped back 80 to 100m west of the current overburden crest. As a result of some instability this will be stripped as a series of 5m high faces and 10m wide benches. The overburden will be extracted using a tracked hydraulic excavator and articulated dumpers. The mineral faces will progressively advance in a westerly direction with access to the different working levels from existing roads along the northern boundary and the main haul road into the base of the void. During this phase 148,000 tonnes of mineral will be worked providing a life of 3.5 years at current outputs.
2. Phase 2 will see overburden progressively stripped in a westerly and south-westerly direction on a campaign basis every 1 to 3 years. In order to accommodate all the overburden from Phase 2 (307,000 m³) it will be necessary to backfill the current settlement lagoons to provide a platform for the existing quarry tip to be extended in height and to the north. A new temporary sump will be excavated at the base of the quarry void to ensure dry workings. During this phase 479,000 tonnes of mineral will be worked providing a life of c.11 years at current outputs.
3. Overburden will continue to be stripped on a campaign basis with final face positions reached along the northern and south west boundary at the end of the phase. To accommodate the 547,000 m³ of overburden stripped during the phase, it will be necessary to backfill the quarry to the 72m AOD level. The northern tip will advance westward and in height to a level of 83m AOD and the southern tip will also increase in height to 83mAOD, merging into previously restored slopes along the south east boundary. Temporary sumps will be created on the floor to ensure dry workings. During this phase 764,000 tonnes of mineral will be worked providing a life of approximately 17 years.
4. During phase 4 overburden will be stripped to the limit of quarry development in the south and south west. The 51,000m³ of overburden will be placed onto the northern tip raising the level to 88m AOD. Following overburden removal the

upper mineral faces are pushed back to the southern limit, allowing the quarry to be developed to the base of working in the north. During this phase 468,000 tonnes of mineral will be worked, as individual faces are combined around the perimeter of working, providing a life of approximately 10.5 years.

The life of the quarry with the proposed extension area will be approximately 42 years. Due to the nature of operation of the shale quarry it is not possible to undertake progressive restoration of the site, as the shale is worked in various areas of the quarry simultaneously. The chemical composition of the shale varies slightly across the site and to ensure a consistent product at the cement works, the shale is blended with the other feedstock at the Cookstown Cement Works. The applicant requires the flexibility to extract shale from various locations within the operational mineral area thus limiting the opportunity to undertake progressive restoration.

The Strategic Planning Policy Statement for Northern Ireland (SPPS, published in September 2015) sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the Council area. Paragraph 1.12 states that any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. It cites an example whereby the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy and states that in that instance the SPPS should be accorded greater weight in the assessment of individual planning applications. The SPPS retains certain existing planning policy statements and relevant provisions of "A Planning Strategy for Rural Northern Ireland" of which the relevant policies are the Mineral policies, which must be considered when assessing this planning application. The Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy launched on 22 February 2019. Policy GP 1 - General Principles Planning Policy and MIN 2 and MIN 5 are applicable to this application. This proposal is in keeping with these policies. As such, the development is in conformity with the Draft Plan Strategy even though it holds no determining weight as it is only at early consultation stage.

The SPPS recognises that minerals are an important natural resource and Government supports their responsible exploitation. Although minerals development delivers significant economic benefit, there are also a number of challenges and the planning system has a key role to play in facilitating a sustainable approach to minerals development, and ensuring the appropriate restoration of sites after working has ceased.

The regional strategic objectives for minerals development are to:

- 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.

A Planning Strategy for Rural Northern Ireland contains retained planning policies for Mineral developments. It is recognised that minerals can only be extracted from where they are found. While there will be a general presumption in favour of development, in

considering a particular application account will be taken of the value of the mineral to the economy, the environmental implications of the proposal and the degree to which adverse effects can be mitigated in relation to the character of the local area.

Need for the development

Policy MIN 1 is to assess the need for the mineral resource against the need to protect and conserve the environment. Extensions to existing mineral workings, which minimise environmental disturbance in the countryside, will normally be preferred to new workings on greenfield sites. The applicant has carried out an assessment to consider alternative locations for the development. The existing shale reserves within the operational quarry are almost exhausted and while there are approved shale reserves remaining under the historic consent, they are currently inaccessible due to the presence of Derraghadoan Road which bisects part of the site to the north. An area of the approved shale reserves within the existing quarry has an area of instability to the west of the existing quarry void. The agent asserts this area of instability is impeding further working of the existing quarry and maximising if the consent shale reserve. The proposed extension to the quarry will allow these consented shale reserves in the existing quarry to be worked and will also enable additional shale reserves immediately to the west of the existing quarry to be worked.

It is stated in the Environmental Assessment that in the event that no extension of the existing quarry workings is applied for, the quarry reserves of extractable shale within the approved 1967 footprint will work to exhaustion and Lafarge Cement will have to consider alternative quarries to identify suitable shale for the cement manufacturing process. A 'no action' approach from Lafarge Cement could result in a lack of suitable material or additional costs in procuring material from 3rd party sources which would have a negative impact upon the Cookstown Cement Works operation chain of supply. Policy MIN 1 states the Department, though in this case it is the Council, who need to balance the case for a particular mineral working proposal against the need to protect and conserve the environment, taking account of all relevant environmental, economic and other considerations. Alternative shale and limestone quarries are available elsewhere in NI, however given the close proximity to the existing Lafarge Cement Works this is an important site for the Cookstown Cement Works. Combined with the longevity of the existing operational quarries, and with the high cost of transport and the visual impact of quarries upon the landscape along with the relatively low value of crushed rock, the ES states it makes more sense economically and environmentally to continue using the local limestone and shale quarries.

Excavation of shale/mudstone is by ripping and no blasting is taking place at the site. There is no crushing/processing of material on site. Any stockpiles of material would take place within the quarry void before being moved off site and would not be visible from external views.

The extraction rate of shale from the quarry will continued to be at the same low intensity rate as existing and the proposal will not intensify staff numbers at the quarry or result in increased activity or vehicle movements on the public road.

Visual Appraisal

Policy MIN 2 is to have regard to the visual implications of minerals extraction. Visual intrusion is often the most significant environmental impact associated with mineral workings. Where possible workings should be located to take advantage of existing landforms and features to minimise their visual impact in the landscape. The application site is located with drumlin farmland north west of Dungannon. It sits next to an existing operational quarry which directly overlooks and is accessed from the A29. The topography of the quarry is varied and rises from the existing workings on the eastern side of the quarry site to the western side of the site. The more elevated lands currently have historic planning consent for mineral extraction. Dungannon Golf course is located to the west of the site. There are also commercial landuses in the immediate area of the site with the former Tyrone brickworks on the opposite side of the road.

Within the Regional Landscape Character Assessment 20165 the application site is located within area 45 where it is acknowledged that Outskirts of Dungannon have been affected by intrusive industrial, commercial and housing development.

The proposed development would occur in a landscape which features an existing shale quarry. The proposed extension to the existing facility would result in the loss of some farmland and hedgerows on the western side of the site and the introduction of new landforms as a result of proposed extraction activities. The proposed extension, however, would be located adjacent and south of an area of farmland with previous permission for extraction. The site is located within an area of any special landscape value. It is accepted there is an irreversible impact from the extraction of minerals on the local landscape. Having considered the viewpoints to the site and the information provided in the Landscape and Visual assessment of the ES this is considered to be acceptable in this case.

Safety and Amenity

Policy MIN 6 is to have particular regard to the safety and amenity of occupants of developments in close proximity to mineral workings. It is recognised the continuous and disruptive nature of mineral operations make them “bad neighbours” particularly of housing. A degree of separation between mineral workings and other developments will reduce the potential for conflict. The distance required will vary according to the nature of the mineral operations and neighbouring developments. There are a number of dwellings in the vicinity of the site, and although the application was advertised in the local press there are no objections to the proposed development.

Dust

The applicant carried out a dust assessment. The proposed phased working of the site would restrict the amount of dust available to become airborne during soil and overburden removal approximately every four years over a four week period. The potential for dust emissions from soil and overburden removal can be significant, but it is temporary and would vary considerably from day to day, depending on the level of activity, and the prevailing meteorological conditions. Shale would be extracted at the

face by plant. De-watering will be required prior to extraction, however the ES states that as with the current mineral workings the shale is likely to retain a moisture content that is likely to inhibit dust generation during mineral extraction and transfer. There is no processing of material on site. The transport of material has the potential to generate moderate to high levels of dust emission in the absence of mitigation.

The applicant has proposed mitigation measure both for day to day quarry operations and environmental design mitigation measures. The dust impact risk at all receptors is considered negligible and the overall magnitude of effect is therefore negligible. As such the ES concludes that effects on air quality are not significant. The Environmental Health Department have not raised any concerns on this matter.

Noise

With regards to noise a Noise Impact Assessment was carried out and it considered the worst-case noise impacts of the proposal and is detailed in the ES. I have previously outline the mix of landuses in the area including farm land, residential dwellings, a golf course and various commercial uses. The nearest of the dwellings is 120m to the existing consented quarry and 250m to the boundary of the proposed extension area. A new dwelling is located 90m to the existing consented quarry and 170m to the boundary of the proposed extension area. The existence of the quarry was noted in granted permission of the new dwelling.

The predicted noise levels during normal operations are relatively low as the plant would be operating at elevations below the receptor. The agent has detailed mitigation measures to be employed to minimise the operational impacts to include:

- Top soils would be stripped in cuts and placed into storage mounds around the periphery of the working area or placed directly as part of ongoing restoration works;
- Overburden would then be stripped to expose the rock head and again placed in store/used in restoration;
- Topsoil and overburden will be excavated using large backhoe loaders;
- The backhoe loaders will load into large dump truck which will transport material to the worked out part of the quarry where it will be deposited to infill the worked out void, or to storage mounds;
- Placement of material will be managed by an excavator;
- As the backfill advances haul roads will be constructed through/over the backfill material;
- Throughout all extraction operations there would be no processing of material on site.

The noise impact assessment concludes that considering the predicted noise levels in accordance with the guidance and noting that the assessment of noise impacts includes a number of worst case assumptions, it is considered that the predicted noise levels are unlikely to have a significant impact during both normal operations and temporary operations. The Environmental Health Department have not raised any concerns on this matter.

Traffic

Policy MIN 7 is to take account of the safety and convenience of road users and the amenity of persons living on roads close to the site of the proposed operations. The proposed site will continue to be via the existing point of access off the A29 Carland Road, located approx.. 60m north of the Carland Road/Rossmore Road junction. There will be no intensification of mineral operations or increase in vehicle movements generated by the application site and so the proposed development is not expected to have any discernible detrimental impact on the local environment. Therefore it is considered the development proposals would have an insignificant impact in terms of highways and transport. DfI Roads have not offered any objections on this matter.

Ecology

Policy NH 5 of PPS 2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to:

- Priority habitats;
- Priority species;
- Active peatland;
- Ancient and long-established woodland;
- Features of earth science conservation importance;
- Features of the landscape which are of major importance for wild flora and fauna;
- Rare or threatened native species;
- Wetlands (includes river corridors); or
- Other natural heritage features worthy of protection.

The ES details the application site extends across all, or parts, of ten agricultural fields of semi-improved grassland that are grazed by cattle and cut for silage. The fields are bounded by mature hedgerows/trees. Two further former fields along the south western edge of the application site have been encroached by scrub. The application site is not subject to any statutory nature conservation designations and there are no such sites within a 5km radius of the application site. There is one SLNCI lying within a 2km radius of the site, namely Torrent River SLNCI but within a different catchment area to the Derraghadoan Shale Quarry. Having carried out a habitats survey it has been discovered the statutory protected species with relevance to the proposed quarry extension are badgers, breeding birds, and smooth newt.

Having assessed the reports submitted by the applicant Natural Environment Division find the proposal acceptable. They welcome the decision to compensate for the loss of hedgerows. NED is content that this loss can be compensated for once the operational phased of the quarry finishes. NED is satisfied that a sufficient assessment of bat activity was carried out and that no roosts were identified during the survey effort. NED are content with the proposed development subject to a number of conditions requiring a Habitat Restoration Plan and the applicant obtaining a wildlife licence.

Effects on the water environment

A method statement was submitted to the Drainage and Water team of NIEA on 19 November 2019. It has been identified that the environmental risks most prevalent with the current works taking place at the site include

- Silt
- Cement and concrete
- Cleaning/renovation debris
- Fuel/oils, chemicals and solvents

Water management unit requires a detailed Method Statement/Environmental Management Plan specifying all mitigation measures necessary to prevent pollution of the water environment during the project. NIEA Water Management Unit is content to receive the detailed Construction Method Statement once a contractor has been appointed and at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.

Land, Soil and Air has considered the hydrogeological risks for the nearest private water supply. The risks identified are low, however groundwater monitoring should be required to ensure any impacts from the additional dewatering are noted and mitigation provided, if necessary. In their response RU Land and Groundwater Team have identified their priorities to consider the potential for groundwater resources or environmental receptors to be impacted including groundwater and surface water. The hydrogeological risks for the extension has been assessed for the nearest private water supply. There are risks identified but only if fracture/fissure groundwater pathways exist between the proposed extension and the abstraction. Groundwater monitoring should be required to ensure any impacts from the additional dewatering are noted and mitigation provided as necessary. Land, Soil and Air team have no objections to the development provided conditions and informatives are placed on any planning decision notice as recommended.

With regards to Rivers and PPS 15 the site located outside the identified strategic floodplain area and at the southern edge of the proposed extension, adjacent to the strategic flood plain, is approx.. 2-2.5m above the estimated strategic flood level and therefore the proposed quarry extension and development is not considered to be at risk of flooding as it lies outside the strategic flood plain and this is confirmed by Rivers Agency.

Rivers Agency, whilst not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.

Archaeology

There are no designated heritage assets within the area of the proposed quarry extension and Historic Environment Division has considered the impacts of the proposal. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to suggested conditions for the agreement and implementation of a developer funded programme of archaeological works.

Neighbour Notification Checked	Yes
Summary of Recommendation: It is recommended to the Committee that this application be approved subject to the conditions listed below.	
Conditions: 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. Within 48 months of the date of this decision notice, the applicant must submit a guarantee to cover all site restoration and aftercare liabilities for the written approval of Mid Ulster District Council. Such guarantee must, unless otherwise agreed in writing by the Council as the Planning Authority: <ul style="list-style-type: none"> i. Be granted by a bank or other institution which is of sound financial standing and capable of fulfilling the obligations under the guarantee; ii. Be for a specified amount which covers the value of all site restoration as agreed between the operator and Mid Ulster District Council at the commencement of development; iii. Either contain indexation provisions so that the specified amount of this consent by the same percentage increased on each anniversary of the date of this consent by the same percentage increase in the General Index of Retail Prices (all items) exclusive of mortgage interest published by or on behalf of HM Government or, in the event that the index is no longer appropriate or applicable, such other comparable index as the Planning Authority, acting reasonably, decide between the said date and such relevant anniversary. The amount shall be reviewable to ensure that the specified amount of the guarantee always cover the value of the site restoration and aftercare liabilities; iv. Come into effect once written approval has been issued by Mid Ulster District Council and expire no earlier than 12 months after the end of the aftercare period and a guarantee of aftercare for a period of not less than 5 years post restoration. Reason: To ensure the resources are made available for the future restoration of the land. 3. The applicant must obtain written approval of Mid Ulster District Council as the Planning Authority to the terms of such guarantee as submitted under Condition 2 above and (2) thereafter the validly executed guarantee be delivered to the Council as Planning Authority. Reason: To ensure the resources are made available for the future restoration of the land.	

4. In the event that the guarantee becomes invalid for any reason, no operations will be carried out on site until a replacement guarantee completed in accordance with the terms of this condition is lodged with the Council as the Planning Authority.

Reason: To ensure the resources are made available for the future restoration of the land.

5. In the event the value of the guarantee held by the Council is less than the calculated site restoration and aftercare liabilities (calculated through Condition 6 below) the operator shall, within four months of the submission of the annual progress plan required through Condition 6, deliver a further guarantee to cover all site restoration and aftercare liabilities. Such guarantee must, unless otherwise agreed in writing by Mid Ulster District Council, comply with parts i to iv of condition 2 above. If this further guarantee is not submitted within four months of the submission of the annual progress plan required through Condition 6, all extraction operations shall cease until Council confirms, in writing, receipt of an acceptable guarantee.

Reason: To ensure that provision is made for the restoration of the site.

6. That on the 31 March of each year following the commencement of development and for the duration of extraction and restoration operations approved through this permission, an annual progress plan shall be submitted to the Council as Planning Authority. The annual progress plan shall detail:
 - a. The extent of extraction operations undertaken that year;
 - b. Areas prepared for extraction, including any soil stripping and removal of vegetation etc;
 - c. The extent of restoration operations carried out;
 - d. Recent topographical site survey undertaken within 1 month prior to the submission of the annual progress plan;
 - e. Current and anticipated production figures;
 - f. Total tonnage of minerals dispatched from the site within the preceding year;
 - g. Estimation of remaining reserve of sand and gravel material (which are likely to be exported from the site);
 - h. A calculation of the costs of restoring the area of the site disturbed by the development and the associated area of the site to be enhanced at that time;
 - i. Progress on the implementation and success of the Habitat Management Plan;
 - j. Site complain log and actions taken;
 - k. Any incidents involving pollution of water courses.

Reason: To ensure the proper restoration of the site after extraction operations have ceased.

7. The developer shall notify the Council in writing of the date of commencement of works on site.

Reason: To ensure compliance with Condition 6.

8. Within 6 months of the cessation of the extraction as approved or within 2 years of the quarry becoming dormant restoration shall be carried out unless otherwise agreed in writing with Mid Ulster District Council. Full landscaping works should be completed within 9 months of commencement of said landscaping works.

Reason: To ensure restoration takes place in its entirety.

9. The applicant should submitted a Construction Method Statement once a contractor has been appointed and at least 8 weeks prior to the commencement of construction.

Reason: To ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.

10. Within 6 months of the date of this decision notice the applicant shall submit to the Planning Authority a Waste Management Plan for its written approval.

Reason: To ensure a sustainable management of waste arising from the approved development.

11. No development shall commence until the Planning Authority has received in writing and agreed a suitable environmental monitoring plan, including groundwater and surface water monitoring for the development to specify the monitoring points, frequency of monitoring and substances to be monitored including abstracted volumes.

Reason: Protection of groundwater resources and environmental receptors to ensure the site is suitable for use.

12. A Habitat Restoration Plan (HRP) must be submitted and approved in writing by the Planning Authority no later than 6 months prior to the end of all operations associated with the quarry. The approved HRP shall then be implemented in accordance with the approved details and all works on site shall conform to the approved plan, unless otherwise agreed in writing by the Planning Authority. The HMP shall include the following:

- Pre-construction baseline habitat surveys to National Vegetation Class (NVC) level;
- Appropriate maps, clearly identifying restoration areas;
- Detailed methodology and prescriptions of habitat management measures, including timescales and with defined criteria for the success of the measures;
- Details of monitoring of measures using fixed quadrat locations to assess and report the success or otherwise of the restoration measures;
- Details of the production of regular monitoring reports to be submitted to the Planning Authority at intervals to be agreed and to include details of contingency measures should monitoring reveal unfavourable results.

Reason: To compensate for the loss of and damage to Northern Ireland priority habitats.

13. A wildlife licence must be obtained from the NIEA Wildlife team prior to the closure of the historic sett. Any works conducted within 25m of the sett before the licence has been obtained can result in further penalties and prosecution.

Reason: To protect badgers, Natural Heritage & Conservation Areas

14. Within twenty four hours prior to any tree removal, the trees identified as having bat roost potential on the site shall be checked for bat presence by a competent ecologist and all tree removal shall be monitored by a competent ecologist.

Reason: To protect bats.

15. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Planning Authority. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation, recording or by preservation of remains, and for preparation of an archaeological report.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

16. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

Signature(s)

Date:

ANNEX	
Date Valid	28th November 2017
Date First Advertised	14th December 2017
Date Last Advertised	14 th December 2017
Details of Neighbour Notification (all addresses) The Owner/Occupier, Dungannon Golf Club 34 Springfield Lane Dungannon	
Date of Last Neighbour Notification	N/A
Date of EIA Determination	Voluntary statement submitted
ES Requested	No
Planning History Ref ID: LA09/2017/1653/F Proposal: Lateral extension of existing Derraghadoan Shale Quarry over 4.7 hectares to secure additional reserves Address: Derraghadoan Shale Quarry ,Carland Road, Dungannon, Decision: Decision Date: Ref ID: LA09/2017/0593/PAN Proposal: The Proposed scheme is to extend the existing Quarry Address: Derraghadoan Shale Quarry, Dungannon, Decision: PANACC Decision Date: Ref ID: LA09/2017/0360/PAD Proposal: Quarry Extension Address: Derraghadoan Shale Quarry, Derraghadoan Road, Dungannon, Decision: Decision Date: Ref ID: M/1976/0530 Proposal: 11KV O/H LINE Address: DERRAGHADOAN, DUNGANNON	

Decision:
Decision Date:

Ref ID: M/1979/0717
Proposal: SHALE MINERAL EXTRACTION
Address: DERRAGHADOAN, DUNGANNON
Decision:
Decision Date:

Ref ID: M/1981/0291
Proposal: QUARRY
Address: DERRAGHADOAN, DUNGANNON
Decision:
Decision Date:

Summary of Consultee Responses

NIEA:

Water Management Unit is content with the proposal subject to a condition the Construction Method Statement must be received at least 8 weeks prior to the commencement.

Land, Soil and Air has considered the hydrogeological risks for the nearest private water supply. The risks identified are low, however groundwater monitoring should be required to ensure any impacts from the additional dewatering are noted and mitigation provided, if necessary. Land, Soil and Air team have no objections to the development provided conditions and informatives are placed on any planning decision notice as recommended.

Natural Heritage has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.

EHO:

No objections subject to the inclusion of an informative.

HED:

HED has considered the impacts of the proposal and is content the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ as per Policy BH 4 of PPS 6.

Roads:

On the basis this is an extension of an existing operation without intensification of operations over current levels DfI Roads do not offer an objection to the proposal. The applicant should be made aware however, that growth of the road side hedge

boundaries are starting to impact on access sightlines. The facing/removal of roadside hedges should be carried out on a regular basis to maximise and maintain access site visibility splays.

Rivers:

The site located outside the identified strategic floodplain area and at the southern edge of the proposed extension, adjacent to the strategic flood plain, is approx.. 2-2.5m above the estimated strategic flood level and therefore the proposed quarry extension and development is not considered to be at risk of flooding as it lies outside the strategic flood plain and this is confirmed by Rivers Agency.

Rivers Agency, whilst not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.

Drawing Numbers and Title:

Drawing No. 01

Type: Site Location Plan

Status: Submitted

Drawing No. 02

Type: Block/Site Survey Plans

Status: Submitted

Drawing No. 03

Type: Existing Plans

Status: Submitted

Drawing No. 04

Type: Proposed Plans

Status: Submitted

Drawing No. 05

Type: Proposed Plans

Status: Submitted

Drawing No. 06

Type: Proposed Plans

Status: Submitted

Drawing No. 07

Type: Proposed Plans

Status: Submitted

Drawing No. 08

Type: Cross Sections

Status: Submitted

Drawing No. 09

Type: Cross Sections

Status: Submitted

Drawing No. 10

Type: Proposed Plans

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

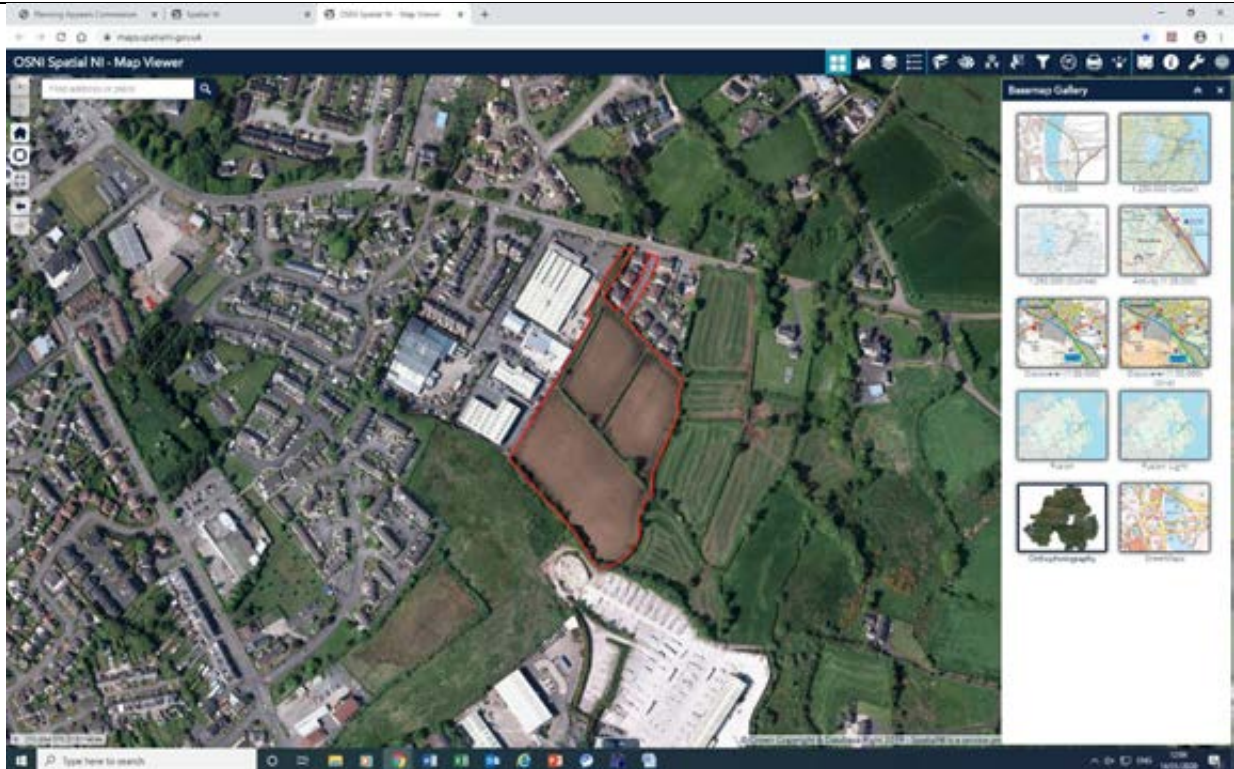


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2018/1101/F	Target Date: 3/12/18
Proposal: Proposed residential housing development comprising of 32no 2 storey semi detached dwellings and 22no detached dwellings with associative landscaping. (Amended description)	Location: Lands 92m South of 2 Laurel Brook Aughrim Road Magherafelt.
Referral Route: Major application	
Recommendation:	Approval
Applicant Name and Address: F P McCann 3 Drumard Road Magherafelt BT45 8QA	Agent Name and Address: Vision Design 31 Rainey Street Magherafelt BT45 5DA
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Advice and Guidance	Shared Environmental Services	Substantive Response Received
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	Rivers Agency	Advice
Statutory	NI Water - Multi Units West - Planning Consultations	Advice
Statutory	NIEA	Content
Statutory	DFI Roads - Enniskillen Office	Content

Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

Characteristics of the Site and Area

The site is located approximately 90 metres back from the Aughrim Road, approximately half a mile southeast of Magherafelt town centre. Access to the site is proposed from the Aughrim Road through Laurelbrook, a small residential estate of some 18 units. The site comprises 3no fields, which rise in a south-westerly direction from its common boundary with Laurelbrook.

Existing land use within the area is;

To the north: Laurelbrook, residential development.

To the southwest: agricultural lands, previous concrete manufacturing facility and Council recycling depot.

To the east: agricultural lands.

To the west: industrial estate. (Aughrim Road Industrial estate).

Good vegetation boundaries exist around most of the site boundaries apart from an area adjacent to the industrial estate in the southwest corner, where a chain-link fence defines the boundary. A laneway currently provides access to the fields from the Aughrim Road, between the industrial estate and Laurelbrook estate.

Relevant Site Histories:

No recent relevant site history identified.

Representations:

Representations received from press notice or neighbourhood notification. Consultation with Department for Infrastructure - Roads, Department for Infrastructure - Rivers, Environmental Health Department, Department for Agriculture Environment and Rural Affairs, Northern Ireland Water and Shared Environmental Services has raised no concerns subject to conditions and informatives. For assessment of representations see below.

Description of Proposal

Proposed residential housing development comprising of 34no 2 storey semi-detached dwellings and 20no detached dwellings with associative landscaping. (Amended description) in compliance with Planning Policy Statement 7 (PPS 7): Quality Residential Environments.

Planning Assessment of Policy and Other Material Considerations

The site is located within the limit of development for Magherafelt as defined by the Magherafelt Area Plan 2015 (MAP) where Planning Policy Statement 7 (PPS 7): Quality Residential Environments applies. The site is zoned for residential use within the said plain, zoning MT05. Key site requirement are stated within the Magherafelt Area Plan 2015, however these requirement related also to the remainder of the zoning which extended to the Ballyronan Road. It is my opinion that the proposal respects the key site requirements associated with this part of the zoning. In addition it is my opinion that, the proposal respects the surrounding context, character and topography in terms of layout, scale and proportions. No features of archaeological or built heritage have been identified, and identified landscape features have been protected and integrated in a suitable manner into the overall design and layout of the

development; adequate provision is made for public and private open space and landscaped areas. The movement pattern can support walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures; adequate and appropriate provision is made for parking; the design of the development draws upon the best local traditions of form, materials and detailing; the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and the layout is designed to deter crime and promote personal safety.

Other Policy and Material Considerations:

Planning Policy Statement 8 (PPS8): Open Space, Sport and Outdoor Recreation is a material consideration for this proposal. It is my opinion that the layout provides sufficient open space provision for the proposal as well as a means to achieve retention of same in the form of landscape management proposals.

Objections received included the following issues;

Existing and future parking problems within Laurelbrook.

Noise increase during construction, occupants' medical condition not compatible with such issue.

During the application, comment was received from Department for Infrastructure –Roads in relation to the proposed layout and no issue in respect of existing or future car parking was raised.

In relation to the issue of construction noise, as well as future traffic noise, specific noise legislation exists, which deals with construction noise as well as traffic noise issues, should they arise. I note that no specific information/report was submitted by the objector in respect of their claims.

This application being categorised as major has complied with the requirements of the Planning (Development Management) Regulations (Northern Ireland) 2015.

Shared Environmental Services having considered the nature, scale, timing, duration and location of the project concluded that, provided mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site, subject to condition. (See below).

The Department of the Environment has published its Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development. This policy is a consolidation of some twenty separate policies however the policy provisions of Planning Policy Statement 7: Quality Residential Environments is retained until such time as the Mid Ulster Council adopt a Plan Strategy for the Council area, no other issues have been identified.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Neighbour Notification Checked

Yes

Recommendation:

Approval with conditions.

Conditions

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

Reason: Time Limit.

2. During the first available planting season after the occupation of any more than 50% of any of the residential units hereby approved, the developer shall construct, layout and plant all landscaped and open space areas in accordance the submitted landscaping scheme in drawing no 16 (Proposed Landscape Plan).

All hard and soft landscaping works shown on the approved plans shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape to aid the integration of the development into the local landscape in a timely manner and to assist in the provision of a quality residential environment in accordance with PPS7 Quality Residential Development and PPS8 Open Space, Sport and Outdoor Recreation.

3. The open space and landscape areas as identified and agreed in accordance with condition no.2 shall be maintained in accordance with the submitted Landscape Management and Maintenance Plan, dated received 20/9/18.

Reason: To ensure that the public open space provided is managed and maintained in accordance with the Department's Planning Policy Statement 7 (PPS 7) - Quality Residential Environments, and Planning Policy Statement 8 (PPS 8) - Open Space, Sport and Outdoor Recreation.

4. No dwelling unit hereby approved shall be occupied until the Department agrees in writing that an acceptable Management and Maintenance agreement has been signed and put in place with an appropriate management company, for all areas of public open space and landscaping (excepting adopted road/footpath) and referred to in condition 2 above. These areas shall be permanently retained as landscape/open space. (See informative 2.)

Reason: To ensure that open space is provided, maintained and managed in accordance with the Departments Policy Statements, PPS 7 - Quality Residential Environments and PPS8 - Open Space, Sport and Outdoor Recreation and to ensure its retention in perpetuity.

5. An acoustic barrier 3.0 metres in height above ground level shall be erected along the whole of the Western and Southern boundary of the development site. The barrier shall be a solid continuous structure and shall have a minimum self weight of 15 kg/m2.

Reason: In the interests of the amenity of proposed residents.

6. Glazing capable of providing a sound reduction of at least 31 dB RW with respect to the transmission of noise from the exterior to the interior of the building, shall be provided to all habitable rooms.

Reason: In the interests of the amenity of proposed residents.

7. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. After completing all remediation works under Condition 4 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. A suitable buffer of at least 10 metres shall be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the watercourse adjacent to the site entrance.

Reason: to protect the local watercourse that connects to European Sites in Lough Neagh from polluting discharges at construction phase.

10. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No 11 Rev 5 bearing the date stamp 12 December 2019

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

11. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 11 Rev 5 bearing the date stamp 12 December 2019 The Council hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreements under Article 3 (4C) and Article 32.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

12. No dwelling(s) shall be occupied until that part of the service road, which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of (each phase / the development.)

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling

13. The internal residential road network shall be constructed in accordance with the approved Private Streets Determination drawings (Drawing no 11(rev 5) and the areas identified as providing access to adjoining zoned lands shall be retained to ensure that the road network does not prejudice vehicular linkage to the adjacent lands within the zoned MT05 and MT22 lands.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out and that comprehensive development of the Zoned lands is facilitated.

Informatives

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

2. Attention is drawn to conditions 2 and 4, which require a commitment in respect of the provision and maintenance of open space. Implementation of the work required and arrangements for the long term management of maintenance works may require the establishment of a resident's management company set up between the developer and future house-owners. Prospective purchasers should be aware of the implications of these matters and should seek legal advice.

3. Northern Ireland Environment Agency comment:

No unacceptable risks to environmental receptors have been identified. Regulation Unit (Land and Groundwater Team) have no objections to the development provided Conditions and Informatives are placed on any planning decision notice, as recommended.

The comments below are not exhaustive but serve to capture key points in support of the Regulation Unit (RU) Land and Groundwater Team position outlined above. These comments are made on consideration of:

- O'Sullivan Macfarlane Environmental Consulting (OSM) 'Phase 1 Preliminary Risk Assessment (PRA) dated 3 October 2018. Report No: P361.

- The priorities of the RU in assessing this planning application are to consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water. It should be noted that Mid Ulster District Council is the authoritative body with respect to environmental health matters and we would ask that you ensure they have an opportunity to comment on all relevant information.

- A Preliminary Risk Assessment (PRA) has been presented by OSM in support of the above application. No unacceptable risks to environmental receptors have been identified. OSM recommend that no further assessment is required.

- RU have considered the information provided and consider the application site to be a low risk to the water environment. RU note the absence of current or historical on-site potential contamination sources and are content that identified potential off-site sources present a low risk to the application site.

- RU have no objections to the development provided Conditions and Informatives are placed on any planning decision notice, as recommended.

- The purpose of the Conditions 4 and 5 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and endues of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

- The applicant should ensure that the management of all waste materials onto and off this site are suitably authorized through the Waste and contaminated Land (Northern Ireland) Order 1997, the Waste Management Licensing Regulations (Northern Ireland) 2003 and the Water Order (Northern Ireland) 1999. Further information can be obtained from:

<https://www.daera-ni.gov.uk/articles/waste-management-licensing>

<https://www.daera-ni.gov.uk/topics/waste/waste-management-licensing-exemptions>

<https://www.daera-ni.gov.uk/articles/regulating-water-discharges>

- RU recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.

- RU Land & Groundwater Team would recommend that the applicant considers the production of a Site Waste Management Plan (SWMP) for this proposed development.

SWMPs are promoted as an example of best practice in the construction industry and a SWMP is a document that describes, in detail, the amount and type of waste from a construction project and how it will be reused, recycled or disposed of. Following the SWMP procedure could help to reduce the amount of waste produced and will help manage waste more effectively. Further information can be obtained from:

<http://www.netregs.org.uk/environmental-topics/waste/more-storage-handling-transportof-waste/site-waste-management-plans/site-waste-management-plans-swmp/>

<https://www.nibusinessinfo.co.uk/content/what-site-waste-management-plan-shouldcontain>

4. DfI Roads Informatives:

The Private Streets (Northern Ireland) Order 1980 and The Private Streets (Amendment) (Northern Ireland) Order 1992.

Under the above Orders the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the DfI Roads to make the roads (including road drainage) in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001. Sewers require a separate bond from Northern Ireland Water to cover foul and storm sewers.

The developer, future purchasers and their successors in title should note that DfI Roads will not adopt any 'street' as defined in The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992 until such time an Article 161 agreement between the developer and NI Water for the construction of foul and storm sewers including any attenuation holding tanks and discharge pipes has been fully implemented and works upon completion approved by NI Water Service .

Separate approval must be received from DfI Roads in respect of detailed standards required for the construction of streets in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.

Under the terms of The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001, design for any Street Lighting schemes will require approval from DfI Roads Street Lighting Consultancy, Marlborough House, Central Way, Craigavon, BT64 1AD. The Applicant is advised to contact DfI Roads Street Lighting Section at an early stage. The Applicant/Developer is also responsible for the cost of supervision of all street works determined under the Private Streets Order (Northern Ireland) 1980.

The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Infrastructure for which separate permissions and arrangements are required

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc which is deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

It is a DfI Roads requirement that all structures which fall within the scope of the current version of BD 2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges shall require Technical Approval. Details shall be submitted to the Technical Approval Authority through the relevant Division.

Notwithstanding the terms and conditions of the Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the DfI Roads consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is Loughrey Campus, 49 Tullywiggan Road, Cookstown, BT80 8SG. A monetary deposit will be required to cover works on the public road. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site. This planning approval does not give authority to discharge any drainage into a DfI Roads drainage system

5. Environmental Health Department comment:

Full regard shall be given to all relevant and current guidance and standards during any additional investigation and monitoring works and the remediation and verification processes. Such detail shall be incorporated within any reports required to be submitted prior to approval by Planning Department in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency.

The applicant and their consultant are advised to have full regard to the Council Guide to Interested Parties, Development of Land Affected by Contamination (March 2006) (available from Mid Ulster District Council), which provides details of the information which the Council expects to be contained within reports submitted for approval (including checklist documentation for remediation and verification stages).

Building control approval is required to confirm, that given the ground conditions, they are satisfied that all necessary precautions have been taken to protect the occupants and properties from contamination risks.

Care should be exercised in the removal of contaminated sources from the site, during site clearance, to ensure that the existing contamination load within soil and ground water is not increased. All hazardous waste removed from the site should be removed to a waste facility licensed to receive hazardous waste.

Whilst Mid Ulster District Council Environmental Health Department has assessed the application based on the information provided, it ultimately is the responsibility of the developer, to ensure the development is safe and suitable for the purpose for which it is intended and that any unacceptable risks from contamination will be successfully addressed through remediation. He/she should recognise the importance of ensuring thorough and competent professional assistance supported by professional indemnity insurance.

6. DfI Rivers Informatives:

FLD1 - Development in Fluvial and coastal Flood.

The Flood Hazard Map (NI) indicates that the proposed development zone does not lie within the 1 in 100 year fluvial flood plain.

FLD2 - Protection of Flood Defence and Drainage Infrastructure.

The site outlined is unaffected by any watercourse known to DfI Rivers however if a watercourse is discovered during any development works then PPS 15 FLD2 will apply.

FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains.

DfI Rivers while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions. Consequently, DfI Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective.

It is brought to the attention of the applicant that the responsibility for the accuracy, acceptance of the Drainage Assessment and implementation of the proposed flood risk measures rests with the developer and their professional advisors. (refer to section 5.1 of PPS 15).

Please note that discharge consent has been approved by DfI Rivers area office under Schedule 6 of the Drainage (Northern Ireland) Order 1973.

FLD 4 – Artificial Modification of Watercourses.

The drawings within the submission do not indicate any proposal to modify any watercourses.

Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of DfI Rivers. This should be obtained from the local area office.

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.

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.

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.

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.

7. Northern Ireland Water comment

Public water supply within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.

Foul sewer within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.

No surface water sewer within 20m of your proposal, developer is required to consult with NIW and may wish to requisition a surface water sewer to serve the proposed development and / or obtain approval from Rivers Agency for discharge to a watercourse.

Available Capacity in receiving Waste Water Treatment Works.

To ensure compliance with the Water and Sewerage Service (NI) Order 2006 (as amended Water and Sewerage Services Act (Northern Ireland) 2016), consultation with NIW is essential at an early design stage with regard to the following matters;

The water requirements for your proposal may be eligible for the provision of a public watermain if it will serve more than 1 property (1 property if accessed directly from a public road / area) and each property will have an individual supply direct from the proposed public watermain under Article 76 of the above order;

From the 23rd May 2016 the Developer must enter into an Agreement for Adoption of the Sewers under Article 161 of the above order. They must be designed to meet the criteria as set out in the current Sewers for Adoptions specification. A connection to the public sewer will not be permitted until such times as the Article 161 Agreement has been authorised by NIW;

Existing sewer crossing site;

No construction to be made, trees planted or other obstruction made within • 3m (or 1.5 times the depth whichever is greater) of sewers, OR • 4m (or 1.5 times the depth whichever is greater) of watermain <350mm diameter or 8m of watermain of 350mm diameter or greater. A diversion may be necessary. Consultation with NIW is required at an early design stage. To prevent disturbance/ damage to existing sewers / watermain and in the interest of public safety.

The applicant is advised to contact NIW Waterline on 03457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

If during the course of developing the site the developer uncovers a pipe not previously evident, NIW 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. Notify NIW Waterline on 03458 770002.

Northern Ireland Water would make the following site specific comments

Although it has been determined above if NIW infrastructure is within 20m of your proposal, consultation with NIW is required at an early design stage by means of a Predevelopment Enquiry to obtain details of the availability of existing water and sewerage infrastructure and how their proposal may be serviced. **WATERMAIN ASSESSMENT:** There is a 12" Watermain which traverses Aughrim Road between Laurelbrook and the Factories, adjacent to the proposal, which is available and has the capacity to serve the Development. The Developer should be made aware that no building will be permitted within 12m of this Watermain. **FOUL SEWER ASSESSMENT:** There is a 300mm Diameter Public Foul Sewer located within Aughrim Road, which can serve this proposal. **STORM SEWER ASSESSMENT:** There is a 225mm Diameter Public Storm Sewer located within the Site. However, due to a Lack of Capacity is not available to serve this proposal. As such, the applicant should liaise with DFI Rivers Agency if Discharge would be possible to any local Watercourses. If this option is not deemed viable, the applicant may wish to Requisition NI Water to provide a Suitable Storm Outfall Sewer. **WWTW ASSESSMENT / STATUS:** Waste Water Treatment Facilities (Magherafelt WwTW) are presently available to serve this proposal.

No connection should be made to the public sewer from 23rd May 2016, in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 (as amended Water and Sewerage Services Act (Northern Ireland) 2016), until the mandatory Sewer Adoption Agreement has been authorised by NIW.

All services within the development should be laid underground. In the interests of visual amenity.

Development shall not be occupied until the onsite works have been completed in accordance with the drainage details submitted to and approved by the relevant authority. In the interest of public health.

Development shall not be occupied until surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority. To safeguard the site and adjacent land against flooding and standing water.

Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland). Applicants should contact NI Water's Water Fittings Regulations team via waterline@niwater.com if they have any queries.

Signature(s)
Date:

ANNEX	
Date Valid	17th August 2018
Date First Advertised	6th September 2018
Date Last Advertised	27th September 2018
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 10 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 12 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 14 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 16 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 18 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 2 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 20 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 22 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 24 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 26 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 3 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 4 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 41 Aughrim Road, Magherafelt,BT45 6NT The Owner/Occupier, 44 Aughrim Road Magherafelt Londonderry The Owner/Occupier, 45 Aughrim Road Magherafelt Londonderry The Owner/Occupier, 5 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 6 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 7 Laurelbrook Magherafelt Londonderry The Owner/Occupier, 8 Laurelbrook Magherafelt Londonderry	

The Owner/Occupier, 9 Laurelbrook Magherafelt Londonderry The Owner/Occupier, Opus Business Park 35 Aughrim Road Magherafelt	
Date of Last Neighbour Notification	
Date of EIA Determination	22nd August 2018
ES Requested	No
Planning History Ref ID: LA09/2018/0246/O Proposal: Outline Planning Permission for residential development, with open space, access, landscaping, new roundabout and associated site works. Address: Lands to the rear of 40 Ballyronan Road, adjoining Kilronan School and to the rear of No's 35-57 & 65-75 Killowen Drive, Magherafelt BT45 6EW., Decision: Decision Date: Ref ID: LA09/2018/0135/PAN Proposal: Proposed residential development comprising of 34No. 2 storey semi detached and 21No. detached dwellings with associative landscaping Address: Lands 92m South of 2 Laurel Brook, Aughrim Road, Magherafelt, Decision: Decision Date:	
Summary of Consultee Responses Proposal acceptable subject to conditions and informatives	
Drawing Numbers and Title	

Drawing No. 01
Type: Site Location Plan
Status: Approved

Drawing No. 02
Type: Existing Site Survey
Status: Submitted

Drawing No. 03(REV 5)
Type: Proposed Plans
Status: Approved

Drawing No. 04
Type: Proposed Plans
Status: Approved

Drawing No. 05
Type: Proposed Plans
Status: Approved

Drawing No. 06
Type: Proposed Plans
Status: Approved

Drawing No. 07
Type: Proposed Plans
Status: Approved

Drawing No. 08
Type: Proposed Plans
Status: Approved

Drawing No. 09
Type: Proposed Plans
Status: Approved

Drawing No. 10
Type: Proposed Plans
Status: Submitted

Drawing No. 11(REV 5)
Type: Roads Details
Status: Approved

Drawing No. 12
Type: Site Appraisal or Analysis
Status: Submitted

Drawing No. 13
Type: Site Appraisal or Analysis
Status: Submitted

Drawing No. 15
Type: Roads Details
Status: Approved

Drawing No. 16
Type: Landscaping Plan
Status: Approved

Drawing No. DOC 1
Type: Landscaping Schedule
Status: Submitted

Notification to Department (if relevant) : N/A

Date of Notification to Department:

Response of Department:



Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/0024/O	Target Date:
Proposal: Outline planning application to support future mixed use and enterprise centre/ business units which will be subject to Reserved Matters Planning Applications submitted by purchasers of plots from Mid Ulster District Council	Location: Former Maghera High School, Tobermore Road, Maghera
Referral Route: This is a major planning application.	
Recommendation: Approve	
Applicant Name and Address: Mid Ulster District Council 76-78 Burn Road Cookstown	Agent Name and Address: Teague and Sally 3A Killycolp Road Cookstown BT80 9AD
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	NI Water - Strategic Applications	Substantive Response Received
Statutory	NIEA	Advice
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	Historic Environment Division (HED)	Content
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Non Statutory	Rivers Agency	Substantive Response Received

Statutory	DFI Roads - Enniskillen Office	Standing Advice
Statutory	Historic Environment Division (HED)	Content
Statutory	NIEA	Advice
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	NIEA	Content
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Content
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	NIEA	

Representations:

Letters of Support	None Received
Letters of Objection	1295
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	1 Petition Received

Summary of Issues

When the application was first received and publicised the following issues of concern were raised by objectors:

- The majority of the site is greenfield and zoned as open space. It has been used as a recreation area by the local community prior to being fenced off and there will be a considerable loss of open space;
- There is a shortfall of open space provision in Maghera and this is the only significant area of green space remaining within walking distance to the residents of the town. The loss will affect both physical and mental health of the residents of the area;
- Industrial development at this site will seriously impact visual amenity, character and biodiversity of the Local Landscape Policy Area;
- The removal of mature woodland will have an adverse effect on wildlife habitat including protected species;

- The development encroaches on the Milltown Burn which is considered to be an important wildlife corridor, impacting on the environmental quality of the surrounding area;
- The site provides both open space and a central and neutral place in Maghera. The site has the potential to be developed as a fully inclusive civic space and the proposed development will result in the loss of existing shared space and the last viable site to deliver these benefits.
- The proposed development will impact on the future viability and vitality of Maghera town;
- A significant portion of the site is within the 1 in 100 year flood plain. The proposed development and alteration of ground levels will exacerbate the flood risk both of the application site and the surrounding area;
- The claims of business need, job creation and a shortage of development land are unsubstantiated. Much of the land currently zoned for industry in the current area plan remains undeveloped. There are four sites of existing industry within the Maghera settlement limit, two of which comprise business parks and both have vacancies with turnover of tenants remaining high. There are 21 acres of zoned industrial land in the private sector which do not require the loss of open space. The proposed plan does not provide strong evidence for job creation nor will it contribute to the regeneration and long-term sustainability of Maghera.
- Maghera suffers from traffic congestion and this is a constraint on the town. Additional traffic using the proposed development will have an adverse effect on existing business, housing and current amenities within the town. Industrial development in the town should be refused until an infrastructure resolution is found for the current congestion issues.
- There is a former refused site at Mullagh which was being considered as a potential commercial site by Magherafelt District Council back in 2002;
- Proposals seeking exemption from planning policy protections around areas of open space are expected to demonstrate both community benefit that would decisively outweigh the loss of open space and these plans are to be supported by the local community;
- There are concerns held by DfI Roads with regards to traffic impact;
- Developing a business park in the flood plain and the construction of storm water attenuation works in the floodplain are not consistent with planning policy;
- There are many schools in the area that could avail of this open space as part of their studies;
- The health and well being of residents should be considered more important than the collection of increased rates;
- There are no other opportunities in Maghera for families to spend the day and driving to other areas takes trade away from Maghera;
- To have the area as open space would provide an opportunity to have public events for the local community in this area;
- The emerging local plan identifies there is an adequate supply of industrial land in Maghera without the need to lose an area of open space to commercial development;
- Mid Ulster District Council have failed to engage with the community on the proposed development;
- A provisional TPO was requested by an objector to prevent the loss of the trees;

Following the submission of amended plans there have been 2 further letters of objection to the proposed development. All issues raised in the letters are detailed above and consideration of the issues will follow in this report.

The amended plans showed a reduction in the red line boundary of the site so that no development would be located within the flood plain. Amended plans were also submitted to reflect comments made by consultees particularly DfI Roads and the following reports were also submitted:

24.10.2019 - Flood Risk Assessment, Bat Survey, Ecological Surveys, Preliminary Ecological Appraisal Survey Report.

8.11.2019 - Supporting Statement from JPE Consulting

12.12.19 - Tree Survey Report and Tree Survey sheet

20.12.19 - Revised Tree Survey, Updated bat survey and Revised Preliminary Ecological Appraisal Survey Report.

Characteristics of the Site and Area

The application is on the grounds of the former Maghera High School, which is demolished. There are some associated, though somewhat overgrown hard surface playing areas. There is a considerably large area adjacent to the Glenshane Industrial Park. There is a tarmac area, which was partly used as a basketball court, and an overgrown tarmac area which is fenced off and it was apparent from my site visit it was used as a tennis court. There are two grass bank areas. The site is bounded by very mature vegetation on all boundaries. Glenshane Industrial Park bounds the site to the south. The A29 bounds the site to the west. To the east is a pathway that continues along to the north.

Description of Proposal

This is an outline planning application to support future mixed use and enterprise centre/ business units which will be subject to Reserved Matters Planning Applications submitted by purchasers of plots from Mid Ulster District Council

Planning Assessment of Policy and Other Material Considerations

Regional Development Strategy 2035

Strategic Planning Policy Statement

Magherafelt Area Plan 2015

MUDC Local Development Plan 2030 - Draft Plan Strategy

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 4: Planning and Economic Development

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

Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

Planning Policy Statement 15 (Revised) Flooding

A planning application was received 21 December 2018 for mixed use and enterprise centre/ business units on the application site. The application was advertised in the local press and neighbours were notified. Up to 21 January 20120 a total of 1,295 letters of objection and 1 petition of objection were received to the proposed development.

The application site was formerly used for educational purposes by Maghera High School. The site comprised of the school buildings and playing fields. The grounds are secured by a fence around the perimeter of the site and a locked gate entrance to prevent members of the public trespassing across the private grounds.

The site encompasses the former Maghera High School and its immediate environment. The site sits outside zoned land as identified within the Magherafelt Area Plan 2015 but it is located in a Local Landscape Policy Area (LLPA). A small part of the site comprises an area of Major Existing Open Space. The trees around the site primarily provide for the intrinsic character of the LLPA and these can be protected by way of planning conditions and a Tree Preservation Order (TPO). Most of the site it outside the area of open space and therefore a minimal amount of open space is affected by the proposed development, though consideration must be given to PPS 8 - Policy OS1.

The original proposed layout gave rise to issues including roads, flooding, and loss of public open space and issues of natural heritage. It should be noted the site is to be accessed from an existing access off a protected route. As such, Policy AMP 3 of PPS 3 must be considered. Policy AMP 3 - Access to Protected Routes states that planning permission will only be granted for a development proposal involving the intensification of the use of an existing access where access cannot reasonably be taken from an adjacent minor road and where the access from the protected route is within the settlement limit.

In order to consider issues of natural and built heritage PPS 2 and PPS 6 must be considered when assessing the proposed development. It should be also noted the site has been reduced in size to keep it out of the 1 in 100 year fluvial flood plain and therefore development within the fluvial flood plain is no longer an issue in the context of PPS 15.

I have set out the site is on largely unzoned land within the LLPA in the Area Plan. Consequently, there is a presumption in favour of development but subject to the criteria set out in PPS 4, which will be addressed later in the report. Policy CON 2 Local Landscape Policy Areas of the Area Plan provides that, within designated LLPA's, planning permission will not be granted to development proposals which would adversely affect their intrinsic environmental value and character, which includes those features set out in Part 4 of the Area Plan. Planning permission will also only be granted to development proposal which meet any additional key development requirements set out as appropriate in Part 4 of the Plan. Designation MA13 of the Area Plan lists the key features of the LLPA and most of these relate to features that are outside the site boundary. By appropriately siting the development the trees can mostly be protected and providing that protection be given the development is compatible with the LLPA. It is my opinion that the retention of the trees identified coupled with conditions for detailed proposals for landscaping in the area shaded green on drawing 02/1, this proposal can help assist to protect the LLPA and help soften the urban edge. Therefore providing the

appropriate conditions are applied I would advise the Committee the proposal does not conflict with Policy CON 2 of the Magherafelt Area Plan.

Consideration of whether additional protection by way of a TPO should be provided as requested by objectors is discussed in a separate report for Member's decision.

Members are advised to note that the decision on this application does not preclude or prejudice any decision on whether additional protections should be provided by a TPO.

Whilst most of the land is unzoned the Planning Committee's attention is drawn to a minor encroachment onto the open space which was formerly hardcourt surfaces used by the school. The map below is taken from the Magherafelt Area Plan and shows the site together with the area zoned as Major Area of Existing Open Space and the LLPA.



The applicant has stated the Largentogher Walkway and the link to the Walled Garden compensate for the loss of this open space. These have been opened up as areas of public open space. Although part of the application site is on an area of Major Existing Open Space, it was not publicly accessible. In considering the issue of loss of open space under PPS 8, Policy OS1 of PPS 8 states the Department will not permit development that would result in the loss of existing open space or land zoned for the provision of open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. However, it should be noted that Policy OS1 allows for an exception to the policy. This is where the loss of open

space will have no significant detrimental impact on the amenity, character of biodiversity of an area and in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least accessible and at least equivalent in terms of size, usefulness, attractiveness, safety and quality. It is my view the provision of Largantogher Walkway and its connection to the Walled Garden compensates for the loss of open space. As this was a school site access to the open space area was restricted. In contrast the Largantogher Walkway and link to the Walled Garden, which has already been constructed, has full public access.

The application was re-advertised and neighbours and objectors notified of the amended scheme and additional information. A further round of consultations was carried out with consultees. As of the time of writing the report, no further objections have been received.

The RDS 2035, whilst is not an operational policy, it does provide the overarching framework for NI, from which planning policies are derived. The vision of the RDS is supported by eight aims:

- Support strong, sustainable growth for the benefit of all parts of NI;
- Strengthen Belfast as the regional economic driver and Londonderry as the principal city of the North West;
- Support NI's towns, villages and rural communities to maximise their potential;
- Promote development which improves the health and well-being of communities;
- Improve connectivity to enhance the movement of people, goods, energy and information between places;
- Protect and enhance the environment for its own sake;
- Take actions to reduce Northern Ireland's carbon footprint and facilitate adaptation to climate change; and
- Strengthen links between north and south, east and west, with Europe and the rest of the world.

The SPPS is a statement of the Department's policy on important planning matters that should be addressed across Northern Ireland. The provisions of the SPPS are material to all decisions on individual planning applications and appeals. The SPPS states that objective of the planning system is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. The SPPS goes on to state the planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Para 2.2 of the SPPS identifies a key dimension of sustainable development for NI is economic growth. Para 4.19 states planning authorities should therefore take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Appropriate weight must also be given to both the public interest of local communities and the wider region when planning authorities are processing relevant planning applications.

Economic Development

The application is seeking outline permission for a future mixed-use and enterprise centre / business.

One of the key policy objectives of PPS 4 is to promote sustainable economic development in an environmentally sensitive manner. Policy PED 1 addresses proposed economic development in settlements.

A development proposal for Class B2 (light industrial use) will be permitted in an area specifically allocated for such purposes in a development plan or in an existing industrial/employment area provided it is of a scale, nature and form appropriate to the location. Elsewhere in towns, such proposals will be determined on their merits. Policy PED 1 does not state that the applicant must demonstrate a need.

Policy PED 9 states that a proposal for economic development use, in addition to the other policy provisions PPS 4, will be required to meet all the following criteria:

(a) It is compatible with surrounding land uses:-

Given the red line has been reduced the uses to the south of the application site are the areas of existing open space as identified in the area plan, beyond which is an industrial/commercial use in the form of Glenshane Business Park. To the east are agricultural fields. To the west is the A29 beyond which are agricultural fields and a couple of private residential dwellings. To the north, outline approval has been granted for a residential development in April 2019. Any future applications on the most northern plot, should planning permission be granted, should not conflict with a residential use.

(b) It does not harm the amenities of the nearby residents:-

There are no immediate residents adjoining the boundary of the application site. There is an outline approval for residential development to the north of the site. There is also outline approval for a small residential development of 6 dwellings on the opposite side of the road from the entrance to the current application site. This is a matter to be considered when any future application for the most northern plot on the current application site is received. As it currently stands there are no residential amenity concerns.

(c) It does not adversely affect features of the natural or built heritage:-

In considering this criteria consideration should also be given to PPS 2 and PPS6.

PPS 2 acknowledges that the public interest requires that all development is carried out in a way that would not cause demonstrable harm to interests of acknowledged importance, such as natural heritage.

There are 18 statutory designated sites within 10km of the site boundary. These include 6 ASSI's, 6 SAC's, 1 RAMSAR site and 1 National Nature Reserve. The closest is Ballynahone Bog ASSI/SAC/RAMSAR/NNR, located approximately 733m to the south, which does not have a direct hydrological connection to the application site. The site does not have any hydrological connections to any other designated site within 10km. As a result Policy NH 5 - Habitats, Species or Features of Natural Heritage Importance is the only relevant planning policy in PPS 2. Policy NH 5 states that planning permission will only be granted for a

development proposal which is not likely to result in the unacceptable adverse impact on, or damage to:

- Priority habitats;
- Priority species;
- Active peatland;
- Ancient and long-established woodland;
- Features of earth science conservation importance;
- Features of the landscape which are of major importance for wild flora and fauna;
- Rare or threatened native species;
- Wetlands (includes river corridors); or
- Other natural heritage features worthy of protection.

In terms of natural heritage the agent has submitted a number of reports including a Bat Roost Potential Survey, Badger Survey, Invasive Species Survey Report, Ecological Survey, Preliminary Ecological Appraisal Survey, Revised Bat Survey and Revised Preliminary Ecological Appraisal Survey. Natural Environment Division (NED) has considered the impacts of the proposal on natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions. There is no evidence of otters or their holts on the site. The ecologist has found no evidence of badgers on site or within 25m beyond the site boundary. While no badger setts were found on site or within 25m of the current site boundary, it is likely that badgers exist in the local area.

From the bat emergence/re-entry survey provided, NED are content that appropriate surveys were completed on all trees with *high* or *moderate* bat roosting potential as previously established. Although no bat roosts were identified or bat behaviours to suggest the presence of roosts, Natural Heritage features on site still have the potential to be utilised by foraging and commuting bats, therefore NED recommend a lighting plan be submitted to show bat friendly lighting on boundary vegetation.

Drawing No 04 (Site Mitigation Plan) shows compensatory and additional planning proposed along the site boundaries, consisting of strictly native species of vegetation, incorporated into existing trees on site that are to be retained.

NED are content that, subject to conditions, they have no concerns with the proposed development.

As required by Policy BH 3 of PPS 6 an Archaeological Impact Assessment was submitted with the planning application. Historic Environment Division were consulted and considered the impacts of the proposal. Paragraph 5.36 of the Justification and Amplification of Policy PED 9 seeks to minimise adverse effects on the amenities of adjacent properties, particularly dwellings, and on natural and built heritage resources. On the site there are no visible features of either archaeological or historic that need protected. However, as the land is close to a watercourse there may be some archaeological remains still to be discovered. HED is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their

preservation in situ. There are no built heritage interests within the red line boundary of the site.

I have previously addressed issues of natural heritage above in this report.

Japanese Knotweed and Himalayan Balsam have been recorded on site. These are highly invasive plant species and control measures must be taken to ensure that any works do not cause it to spread on or off the site. NED recommend that an Invasive Species Management Plan is submitted to and agreed in writing by the planning authority to prevent any further spread of the invasive species.

(d) It is not located in an area at flood risk and will not cause or exacerbate flooding:-

During the course of the planning application amended drawings have been submitted which show a reduction in the size of the red line. The proposed development is now outside the 1 in 100 year fluvial flood plain. A Flood Risk Assessment (FRA) was submitted for this application and Rivers Agency were consulted on the FRA.

A Drainage Assessment (DA) was submitted for the application, which Rivers Agency have stated is generic for the site as a whole and the proposed attenuation locations are within the 1 in 100 year pluvial flood plain. Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states that pluvial or surface water flooding occurs as a result of high intensity rainfall that overwhelms natural or man-made drainage systems resulting in water flowing overland and ponding in depressions in the ground.

The DA alludes to future piecemeal development of the application site and Rivers Agency acknowledge that due to the size and nature of the development that all the information required for a DA is not available to the applicant at this stage of the project. Consequently, they have requested a condition that if the Planning Authority accepts the principle of development the requirements of PPS 15 must be met for each subsequent application for each plot. They have requested this be ensured by the imposition of a negative condition, which should require that, regardless of site size, or development proposals, all future applications must comply with PPS 15.

A culvert is proposed and a Schedule 6 consent is required under the Drainage (NI) Order 1973.

(e) It does not create a noise nuisance:-

The proposed development is for mixed use and enterprise centre/ business units under Class B2, which by their nature do not usually generate a noise nuisance. There are no concerns raised on this matter. This matter will be reserved for consideration with any future application.

(f) It is capable of dealing satisfactorily with any emission or effluent:-

NIW have stated the receiving Waste Water Treatment facility at Maghera has sufficient capacity to serve this proposal. Any future developer of the site is encouraged to make contact with NI Water at the earliest opportunity to discuss all possible exceedance of the aforementioned discharge limit and / or the consenting of a proposed Trade Effluent Discharge to the public foul drainage network.

(g) The existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified:-

It is proposed to access the application site from the existing access point off the A29, which is a protected route. Policy AMP 2 - Access to Public Roads of PPS 3 states that planning permission will only be granted for a development proposal involving the intensification of an existing access onto a public road where:

- a) Such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- b) The proposal does not conflict with Policy AMP 3 Access to Protected Routes.

Policy AMP 3 - Access to Protected Routes states that planning permission will only be granted for a development proposal involving the intensification of the use of an existing access where access cannot reasonably be taken from an adjacent minor road and where the access from the protected route is within the settlement limit.

This access is within the settlement limit of Maghera and there are no adjacent minor roads from which access can be taken.

In their consultation response DfI note the applicant has stated in the supporting information that sufficient details will be submitted for each purchasers plot to ensure that no immediate or long term issues will arise. Each application to develop each plot shall be required to demonstrate adequate parking and servicing of the site, right turn lane access arrangements to facilitate the cumulative traffic from both existing and proposed movements, the impact on the surrounding road network and within Maghera town centre and any additional mitigating works required.

DfI Roads have stated the internal access roads and parking areas will remain private and not be subject to adoption by DfI Roads. Conditions have been suggested should approval be granted for the proposed development. No road safety risks have been posed at this stage.

(h) Adequate access arrangements, parking and manoeuvring areas are provided:-

DfI Roads states that each application to develop plots within the Business Park shall be required to demonstrate adequate parking and servicing of the site can be accommodated. The layout under the outline application is conceptual and this is a matter that will be reserved for further consideration under a reserved matters application.

- (i) A movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport:-**

A travel plan was submitted with the application which identifies the local and regional public transport links with the 212 Translink bus route c. 0.5 miles away by foot. The travel plan assumes, given the location on the edge of Maghera, that most people using the site will access it via private car and this is estimated to be in the region of 90-95%. The remainder will access via foot/bike/public transport. It must be noted the application site is close to the Largantogher Walkway which links across to the Church Street, Maghera.

- (j) The site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity:-**

This application is for an outline approval and as such we do not have the details of the proposed building design at this stage. This will be a matter for consideration at reserved matters stage.

The proposal will retain boundary landscaping which will be augmented to assist the promotion of sustainability and biodiversity. The proposed development will also be close to the now completed Largantogher walkway which links the Tobermore Road to the Walled Garden next to St Lurach's Church.

- (k) Appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view:-**

The perimeter fence around the site will be retained together with any existing perimeter walls. The site is well enclosed from the A29 with a strong belt of trees which will be augmented. Beyond the revised southern boundary of the site and within the blue land which is under the control of the applicant it is proposed to plant compensatory planting to create a connective woodland from the east to the west of the site.

- (l) Is designed to deter crime and promote personal safety:-**

The proposal is for an outline proposal and the more detailed aspect of these areas are not yet known. However, what is known is the fact there will be a perimeter fence around the entirety of the site which should deter any crime.

(m) In the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape.

This application is within the development limits of Maghera.

I outlined the objections at the top of this report and I advise the Members to consider all of these in light of my following observations on the issues raised as follows:

Loss of open space:-

This small area of open space has not been publicly accessible. I have detailed the Laragntogher Walkway and its connectivity to the Walled Garden and it is my opinion this compensates for the loss of open space.

Visual Impact:-

Although this site is in a LLPA the intrinsic character of the LLPA is primarily provided for by the trees around the site and these can be protected by way of planning conditions and a Tree Preservation Order (TPO) which will be considered by the Committee at the February meeting. I do not consider there to be a negative visual impact.

Impact on Biodiversity:-

NED are content that, subject to conditions, they have no concerns with the proposed development. I have gone into detail on this matter above.

Flooding:-

The site has been reduced in size so that no development is in an area of fluvial flooding. Rivers Agency have requested a condition that if the principle of development is accepted by the Planning Authority the requirements of PPS 15 must be met for each subsequent application for each plot.

No identified need for industrial land:-

PPS 4 does not require the applicant to demonstrate a need for industrial land. However, it has been demonstrated through a land availability appraisal there is only one unit available in Glenshane Industrial Park, with the units in Maghera Business Park, Main Street and Sperrin View Commercial Units are all 100% occupied. MUDC is working to ensure improved provision of open space and to promote development that will have economic benefits which brings jobs and economic expenditure which will enhance the future vitality and viability of Maghera.

Traffic:-

No issues of road safety have been raised through the TAF or by DfI Roads. Each application to develop each plot shall be required to demonstrate adequate parking and servicing of the site, right turn lane access arrangements to facilitate the cumulative traffic from both existing and proposed movements, the impact on the surrounding road network and within Maghera town centre and any additional mitigating works required.

Conclusion

In looking at the relevant policies and other material considerations, I do not see any conflict with any policies on Economic Development in PPS 4. I therefore recommend an approval of this planning application to the Planning Committee.

Neighbour Notification Checked**Yes****Summary of Recommendation:**

On 19 April 2019 the Department directed, under the provisions of Articles 17 and 18 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that they be notified when a recommendation is made by the Planning Committee before a final decision is made. This direction allows the Department the opportunity to consider whether the application should be called in. It is recommended that Committee approve the planning application subject to the below conditions and notification to the Department for their consideration. If the Department is minded not to call in the application or to impose any other action on the Council then the Planning Manager can proceed to issue the decision as per the conditions.

Conditions:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.

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

4. The use class of the proposed units shall be restricted to Class B2 of the Planning (Use Classes) Order (NI) 2015.

Reason: In the interests of residential amenity.

5. No development activity, including ground preparation or vegetation clearance, shall take place until a protection zone(s), clearly marked with posts joined with hazard warning tape, has been provided around each badger sett entrance (as identified within Figure 3.4: Badger Survey within the PEA) at a radius of 25 metres. No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zone(s) without the consent of the Planning Authority/unless an appropriate Wildlife Licence has been obtained from NIEA. The protection zone(s) shall be retained and maintained until all construction activity has been completed on site.

Reason: To protect badgers and their setts.

6. No development activity, vegetation clearance, disturbance by machinery, dumping or storage of materials (except for the hand planting of trees and shrubs) shall take place within the badger protection zone without the consent of the Planning Authority/unless an appropriate Wildlife Licence has been obtained from NIEA. Any proposed tree and hedgerow planting within the badger protection zone shall be carried out using hand tools only under the supervision of a competent ecologist.

Reason: To protect badgers and their setts.

7. A suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the watercourse present along the south-west aspect of the application site.

Reason: To minimise the impact of the proposal on priority habitat (watercourse).

8. No development activity shall commence on site until an Invasive Species Management Plan has been submitted to and approved in writing by the Planning Authority. The approved plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: To prevent the spread of an invasive plant species listed on Schedule 9 of the Wildlife (NI) Order 1985 (as amended) and to minimise the impact of the proposal on the biodiversity of the site, including protected species.

9. No retained tree/hedgerow vegetation as shown on drawing no 04 shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

10. There shall be no external lighting on the site until a Lighting Plan has been submitted to and approved in writing by the Planning Authority. The approved plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority. The plan shall include the following:
- Specifications of lighting to be used across the site
 - All measure to mitigate for the impacts of artificial lighting on bats and other wildlife, including low lighting levels to be used across the site.
 - A map showing predicted light spillage across the site (isolux drawing), which should clearly show less than 1.0 lux light spillage on vegetated boundaries.

Reason: To minimise the impact of the proposal on bats and other wildlife.

11. The development hereby permitted shall not commence until a Detailed Remediation Strategy to address all unacceptable risks identified. This strategy must be submitted in writing and agreed with the Planning Authority and should identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetabling of works, remedial criteria, monitoring program etc).

Reason: Protection of environmental receptors to ensure the site is suitable for use.

12. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR 11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

13. After completing the remediation works under Condition 9 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR 11).

The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

14. Prior to any site works taking place, a “Plan of Work” for the management of site asbestos containing materials (ACM) must be prepared by a suitably competent person and submitted to the Planning Authority within the Council for its agreement.

This plan of works needs to be submitted before any site work with ACM is carried out and should include details of the work and the actions to control risk and prevent harm. The Plan of Work must include the following:

- Nature and expected duration of the work
- Number of persons involved
- Address and location of where work is to be carried out
- Method for picking asbestos
- Methods used to prevent, control and reduce exposure to asbestos
- Air monitoring
- Arrangement for disposal of asbestos waste
- Type of equipment including personal protective equipment and

Works on site with asbestos containing materials must not take place unless a copy of this Plan of Work is readily available on site.

Reason: Protection of human health and ensure the development site is suitable for use.

15. The development shall not be occupied until remedial measures detailed in the Pentland MacDonald Ltd Report No PM18-1152 dated November 2018 have been fully implemented and validated to the satisfaction of the Planning Authority and the Northern Ireland Environment Agency.

Reason: Protection of human health and ensure the development site is suitable for use.

16. Validation documentation shall be submitted in the form of a validation report and agreed with the Planning Authority and the Northern Ireland Environment Agency. The report shall describe all the remediation and monitoring works undertaken and shall demonstrate the effectiveness of the works in managing and remediating all the risks posed by contamination.

Reason: Protection of human health and ensure the development site is suitable for use.

17. There shall be no amendments or deviations from the remediation and verification recommendations contained within the Pentland MacDonald Remediation Strategy (Ref: PM 18-1152) dated November 2018, without the prior written approval of Planners in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency.

Reason: Protection of human health and ensure the development site is suitable for use.

18. In the event that previously unknown contamination is discovered falling outside the scheme of the approved revised remediation scheme, development on the site shall cease pending submission and agreement of a written report, detailing the proposed investigation, risk assessment and remediation scheme, by the Planning Authority in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency. Development works shall not resume until the approved written report has been fully implemented to the satisfaction of the Planning Authority in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency.

Reason: Protection of human health and ensure the development site is suitable for use.

19. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

20. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities - Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

21. Prior to full planning approval, details of all drainage and SuDS systems shall be provided in a Drainage Assessment, demonstrating that the discharge rate for each individual plot is not exceeded as shown on the outline application Drainage Assessment Appendix G stamped by the Planning Authority 21 December 2018.

Reason: In order to manage and mitigate any increase in flood risk arising from future development.

22. As part of any reserved matters application a Transport Assessment Form shall be submitted for each plot hereby indicated. This should demonstrate the cumulative total of traffic using the proposed development and identify mitigation works to be carried out prior to that plot becoming operational.

Reason: To ensure there is no adverse traffic impact.

23. No retailing or other operation in or from any mixed use and enterprise/business units hereby permitted shall commence until hard surfaced areas at which details are to be submitted and approved at Reserved Matters have been constructed within the site and permanently marked to provide parking and servicing in accordance with the requirements of the Council's current published Parking Standards. No part of the hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

Signature(s)

Date:

ANNEX

Date Valid	21st December 2018
Date First Advertised	24th January 2019
Date Last Advertised	19th November 2019

Details of Neighbour Notification (all addresses)

Riaz Ashraf

1 MEADOWLANE SHOPPING CENTRE, UNIT 31, MONEYMORE ROAD,
MAGHERAFELT, LONDONDERRY, Northern Ireland, BT45 6PR

Jason McShane

1 Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AX

Patricia McAleese

1 Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX

Steven Nelson

1, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF

Wesley Nelson

1, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF

Michelle Nelson

1, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF

Aoife O'Hare

1, Beaver Avenue, Maghera, Londonderry, Northern Ireland, BT46 5RL

John Heaney

1, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG

Mary Heaney
 1, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Charles Heaney
 1, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Helen Averill
 1, Carricknakielt Lane, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PX
 Louise Gunn
 1, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
 Eamon Devlin
 1, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Erin Scullion
 1, Crewe Manor, Maghera, Londonderry, Northern Ireland, BT46 5GJ
 Darina Crossett
 1, Fireside Close, Knockcloghrim, Londonderry, Northern Ireland, BT45 8SD
 Selina Archibald
 1, Forest Road, Garvagh, Londonderry, Northern Ireland, BT51 5EF
 Bridget Leyden
 1, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS
 Dara Gallagher
 1, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AW
 Kathleen McShane
 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 G McShane
 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Kathleen McShane
 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 G McShane
 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Jacqueline Wright
 1, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
 Niamh Poole
 1, Lavey Park, Gulladuff, Londonderry, Northern Ireland, BT45 8PW
 Stephen Holmes
 1, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD
 Katie Hutchinson
 1, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Patricia McAleese
 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Clare McAleese
 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 R McAleese
 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Eunan McAleese
 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Terence McAleese
 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Caragh McAleese
 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Ann Selfridge

1, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
Michael Rodgers

1, Ravensdene Park, Belfast, Down, Northern Ireland, BT6 0DA
John J Convery

1, Seefin Hill, Maghera, Londonderry, Northern Ireland, BT46 5PQ
Bernice McMaster

1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
Aoife McMaster

1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
Terry McMaster

1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
Bee McMaster

1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
Terry McMaster

1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
Drew Allen

1, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
Edel Allen

1, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
Erin Reardon

10 Elizabeth Avenue, Exeter, EX4 7EL
Geraldine Leyden

10 McKenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Briege Stewart

10 Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Marleen Van Eck

10, Ballyknock Road, Maghera, Londonderry, Northern Ireland, BT46 5PH
J Robinson

10, Bank Square, Maghera, Londonderry, Northern Ireland, BT46 5AZ
TJ Lamont

10, Beagh Terrace, Maghera, Londonderry, Northern Ireland, BT46 5EP
Bernie Convery

10, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Paula Convery

10, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
Margaret Scullion

10, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
Geraldine McAleer

10, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
Janet McGrath

10, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
Felix O'Connell

10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
Clodagh O'Connell

10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
Brenda O'Connell

10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
Niamh O'Connell

10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
Roisin McGill

10, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
Sarah E Graham

10, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UF
Keira O'Kane

10, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
Chris O'Kane

10, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
Dillon Dunlop

10, Knocknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EH
Carol Dunlop

10, Knocknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EH
Carol Dunlop

10, Knocknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EH
James Bates

10, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Mark Espley

10, Loughinsholin Park, Castledawson, Londonderry, Northern Ireland, BT45 8DF
Geraldine Leyden

10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Paddy Leyden

10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Shea Leyden

10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
The Occupier

10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Clíodhna Leyden

10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Dean Graham

10, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
G FIELDS

10, Moneymore Road, Magherafelt, Londonderry, Northern Ireland, BT45 6AD
G FIELDS

10, Moneymore Road, Magherafelt, Londonderry, Northern Ireland, BT45 6AD
Ann Flanagan

10, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Kevin McGill

10, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
Lisa McGill

10, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
Evelyn Smyth

10, Oakvale Terrace, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TW
Sinead Bradley

10, Ranaghan Lane, Maghera, Londonderry, Northern Ireland, BT46 5JY
Grainne Cassidy

10, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
Robert Clarke

10, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Laura Wilson

10, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Ciara Kelly

10, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Katherine Peeples
 10, Thompson Gardens, Maghera, Londonderry, Northern Ireland, BT46 5HJ
 Kevin O'Kane
 10, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG
 Kathryn McGilligan
 10, Glen Gardens, Maghera, BT46 5GN
 Eunan McCusker
 100, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LH
 Charlotte Dawes
 102 Honiton Road, Exeter, EX1 3EQ
 T Gunning
 103a, Grove Road, Swatragh, Londonderry, Northern Ireland, BT46 5QZ
 Cliff Bennett
 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Amanda Bennett
 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Tanya Bennett
 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Stephanie Lennox
 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 John Bennett
 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Maria McKenna
 105 Ard Na Greine, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Anne McKenna
 105 Ard Na Greine, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Frank McKenna
 105 Ard Na Greine, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Sinead McKenna
 105 Glen Road, Maghera, BT46 5JG
 Indy Sian
 106 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Aoife Kearney
 106 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Martina Small
 106 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Michael Small
 106 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Susan Small
 106 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Liz Porter
 106, Tobermore Road, Desertmartin, Londonderry, Northern Ireland, BT45 5LF
 George Porter
 106, Tobermore Road, Desertmartin, Londonderry, Northern Ireland, BT45 5LF
 Patrick O'Kane
 108, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Mona O'Kane
 108, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Mona O'Kane

108, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Fiona Mallon

108, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NQ
Fergal Diamond

109, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Claire Diamond

109, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
The Owner/Occupier,

11 Tobermore Road, Maghera, Londonderry, BT46 5DS
Jennifer Young

11 Tobermore Road, Maghera, Londonderry, Northern Ireland, BT46 5DS
E Patterson

11, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Marcel Patterson

11, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
S O'Neill

11, Ballymacilcurr Road, Culnady, Londonderry, Northern Ireland, BT46 5HR
Eileen Marquess

11, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Cathal Moran

11, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Steven Johnston

11, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
Eamon Convery

11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Caolan Convery

11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Orlaith Convery

11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Peggy Convery

11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
P Qunn

11, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
B O'Connor

11, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Anne Gallagher

11, Glenshane Road, Maghera, Londonderry, Northern Ireland, BT46 5JZ
Agnes Brownlow

11, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
James Glasgow

11, Granaghan Park, Swatragh, Londonderry, Northern Ireland, BT46 5DY
Barbara Mulhern

11, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
Ciara Diffley

11, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FN
Alistair Megahey

11, Killysorrell Road, Dromore, Down, Northern Ireland, BT25 1LB
Kelly Campbell

11, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Elizabeth McCann

11, Moybeg Road, Tobermore, Londonderry, Northern Ireland, BT45 5QH
Sam Shiels

11, Mullagh Park, Maghera, Londonderry, Northern Ireland, BT46 5RJ
Joanne Flanagan

11, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
Alison Greer

11, Raphael Park, Ballymena, Galgorm, Antrim, Northern Ireland, BT42 1DY
Anne O'Kane

11, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Alma Curry

11, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Denver Curry

11, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Jennifer Young

11, Tobermore Road, Maghera, Londonderry, Northern Ireland, BT46 5DS
Vicky Seviourcrockett

110, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
Michelle Tang

110, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Trevor Tang

110, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Patrick Small

112, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
E J McQuillan

112, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Breda McDaid

113, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NQ
Deirig McDaid

113, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NQ
John McKenna

114 Glen Road, Maghera, Londonderry, BT46 5JG
John McKenna

114, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Derval Higgins

114a, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
Sean Walshe

116, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LS
Maria Boyd

118, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
Tina Jones

119, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
Janette O'Kane

11a, Laragh Road, Maghera, Londonderry, Northern Ireland, BT46 5NS
Brianna Casey

11c, Lough Road, Ballymena, Loughguile, Antrim, Northern Ireland, BT44 9JN
Justin McGrath

12 Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
Maisie Stewart

12, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Carly Stewart

12, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Eilis Maguire

12, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Joe Lagan

12, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Mary Murphy

12, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Frances McAtamney

12, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
John Stewart

12, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
Orlaleigh McAtamney

12, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
Bronagh McCoy

12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Aidan McCoy

12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Pauline McCoy

12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Ciara McCoy

12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Kieran McCoy

12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Orlaith McKenna

12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
Eamon McKenna

12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
Eamon McKenna

12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
Mary McKenna

12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
J Lennox

12, Desertmartin Road, Tobermore, Londonderry, Northern Ireland, BT45 5QY
Joan Lennox

12, Desertmartin Road, Tobermore, Londonderry, Northern Ireland, BT45 5QY
Lisa O'Kane

12, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Lisa O'Kane

12, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Olive Rafferty

12, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
Sueling Tang

12, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
Heather-Ann Peeples

12, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
Helen Mulholland

12, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
Emma Crothers

12, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Michael Mellon

12, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Claire Hasson
 12, Station Road, Dungiven, Londonderry, Northern Ireland, BT47 4LN
 Gerard McKelvey
 12, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Justine Quinn
 120a, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Mark McErlean
 121 Boveedy Road, Kilrea, Londonderry, Northern Ireland, BT51 5TZ
 Lisa McErlean
 121, Boveedy Road, Kilrea, Londonderry, Northern Ireland, BT51 5TZ
 Gillian McGlade
 121, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
 . The Occupier
 124, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Clare Leahy
 126 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Donal Leahy
 126, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Theresa O'Neill
 128, Ballinderry Bridge Road, Coagh, Londonderry, Northern Ireland, BT80 0AY
 Frances McAtamney
 12a, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Frances McAtamney
 12a, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Seamus Kearney
 12a, Keady Road, Upperlands, Londonderry, Northern Ireland, BT46 5SX
 Hannah McKenna
 13 Glenshane Road, Maghera, Londonderry, Northern Ireland, BT46 5JZ
 Cecilia Craig
 13 Tullyherron Road, Armagh, BT60 2FA
 James Glass
 13, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Mary B gLASS
 13, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 . The Occupier
 13, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Susan Speer
 13, Drumlamph Road, Castledawson, Londonderry, Northern Ireland, BT45 8EJ
 Terence Devlin
 13, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Noreen McCusket
 13, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Bronagh O'Hagan
 13, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Damien O'Hagan
 13, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 . The Occupier
 13, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Suzanne McGahon

13, Parker Avenue, Castledawson, Londonderry, Northern Ireland, BT45 8AR
Glenn Convery

13, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
Jennifer Mawhinney

130, Sixtowns Road, Draperstown, Londonderry, Northern Ireland, BT45 7BE
Julie Anne O'Kane

131C, Fivemilestraight, Maghera, BT46 5JP
Jolene Hutchinson

132A Glen Road, Maghera, BT46 5JG
Trevor McCombe

133, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
Ciaran McKeever

133, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
Briege Kelly

133, Mullaghboy Road, Bellaghy, Londonderry, Northern Ireland, BT45 8JL
Michelle Conway

136, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
B Gallagher

138, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Robert Clarke

14, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Linda Clarke

14, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Aniela Wons

14, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
. The Occupier

14, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
Paul Stockman

14, Boyne Row, Castledawson, Londonderry, Northern Ireland, BT45 8AE
Alison Stewart

14, Cranny Lane, Moneymore, Londonderry, Northern Ireland, BT45 7RQ
Niamh Coyle

14, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Rachel Bolt

14, Gibson Park Gardens, Belfast, Down, Northern Ireland, BT6 9GN
Robert Convery

14, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Danielle Donnelly

14, Mallon Villas, Draperstown, Londonderry, Northern Ireland, BT45 7LX
Siobhan Mallon

14, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Judith McGlade

14, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
Eugene McGlade

14, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
Kellie McDonald

14, St. Lurachs Gardens, Maghera, Londonderry, Northern Ireland, BT46 5JJ
Gerry McWilliams

141, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
Austin Convery

142a, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Deirdre Convery
 142a, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Mabel McEldowney
 143, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Denise Martin
 144, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Patricia McCorry
 146, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Michelle Kelly
 146, Shore Road, Magherafelt, Ballyronan, Londonderry, Northern Ireland, BT45 6LS
 Maureen Young
 147, Moneysharvan Road, Maghera, Londonderry, Northern Ireland, BT46 5HZ
 Tara Cassidy
 148, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Anne O'Neill
 149, Moneysharvan Road, Maghera, Londonderry, Northern Ireland, BT46 5HZ
 Jill Dawson
 14a, Glenmaquill Road, Magherafelt, Londonderry, Northern Ireland, BT45 5EW
 Preya Patel
 15 Rosthwaite Cl, West Bridgford, Nottingham, NG2 6RA
 Arlene McAfee
 15 Rowan Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FG
 Ruth Watterson
 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Karla Watterson
 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Jasmine Watterson
 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Michael Murphy
 15, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Lauren O'Connell
 15, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Donna O'Kane
 15, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Lorraine Johnston
 15, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Karen Young
 15, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
 Shauna McFall
 15, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Alana McFall
 15, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Maureen McErlean
 15, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Paul McErlean
 15, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Glenn White
 15, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Kelley Hann

15, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Orlagh Brady
 15, McGurks Villas, Gulladuff, Londonderry, Northern Ireland, BT45 8NY
 Niamh Hegarty
 15, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Sean O'Neill
 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Dunla O'Neill
 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Ava O'Neill
 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Brigeen Cassidy
 15, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Lorraine Cudden
 15, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Aisling Gribbon
 152, Creagh Road, Castledawson, Londonderry, Northern Ireland, BT45 8EY
 Eamonn Magee
 152, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Mary Magee
 152, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 James Bradley
 153, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Aislinn Bradley
 157 Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Aislinn Bradley
 157, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Joanne Kelly
 15a, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5EB
 Jimmy Miller
 15a, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5EB
 Megan McGarvey
 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Mary McGarvey
 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Mary McGarvey
 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Michael McGarvey
 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Sheena McKeown
 16 Glenview, Garvagh, Londonderry, Northern Ireland, BT51 5DZ
 Marie Molloy
 16, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Paula O'Kane
 16, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Davina Conway
 16, Derganagh Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PS
 Jennifer McConnell
 16, Drumard Park, Tamlaght O'Crilly, Londonderry, Northern Ireland, BT46 5XW
 Josephine Logue

16, FALLYLEA ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JT
Christine McErlean

16, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Patricia Coyle

16, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Roisin Hasson

16, GLENDALE MANOR, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GY
Ronan Hassan

16, GLENDALE MANOR, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GY
Leanne Scott-Kelly

16, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
Niall McNicholl

16, Riverbrook Drive, Moneymore, Londonderry, Northern Ireland, BT45 7GA
Kerry Neill

16, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
Joanne Scullion

16, Rocktown Lane, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QF
M Merron

16, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
Joseph Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Nicole Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Mark Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Alex Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Nicole Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Alex Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Mark Nelson

160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
Barney Bradley

162, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JN
Aideen Cushnahan

164C, MULLAGHBOY ROAD, PORTGLENONE, LONDONDERRY, Northern Ireland, BT44 8LY
Heather McEldowney

169 Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
Frankie McEldowney

169 Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
Heather McEldowney

169, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
Rosana Wilson

16a, Ballynacross Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PY
Katherine Dartnell

16a, Dreenan Road, Gulladuff, Londonderry, Northern Ireland, BT45 8PQ
The Owner/Occupier,

17 Cherry Hill, Maghera, Londonderry, BT46 5LS
 John R Jones
 17, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Adrian N Jones
 17, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Eunan Mulholland
 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Damian Mulholland
 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Cathal Mulholland
 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Ciara Mulholland
 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Caoimhe Mulholland
 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Bronagh Mulholland
 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Ann Clarke
 17, Carsonville Drive, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SQ
 Gary O'Brien
 17, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Patricia Boorman
 17, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
 Ciara McWilliams
 17, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Eileen Bradley
 17, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 John McKay
 17, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Shannon McLernon
 17, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Caoimhe Moran
 17, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Caoimhe Moran
 17, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Michael Kirkpatrick
 17, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Kieran Doherty
 17, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 John Keenan
 17, The Nursery, Killyleagh, Down, Northern Ireland, BT30 9UQ
 Kathleen McElkenny
 174, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JN
 Mick McElkenny
 174, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JN
 Claire Kearney
 179, Mayogall Road, Clady, Londonderry, Northern Ireland, BT44 8NW
 Paula McTaggart
 179, Mayogall Road, Clady, Londonderry, Northern Ireland, BT44 8NW
 Daniel McCreanor

18, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Rachel McCreanor
 18, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Christopher McCreanor
 18, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Katie McCloskey
 18, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Stephen McKeown
 18, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Samantha Scott
 18, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Martha Casey
 18, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Shaunine Gallagher
 18, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Paula McCusker
 18, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Mickey McCusker
 18, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 C McDonald
 18, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Miriam Turley
 18, Deramore Avenue, Belfast, Down, Northern Ireland, BT7 3ER
 Mervyn Dempsey
 18, Drummuck Road, Maghera, Londonderry, Northern Ireland, BT46 5ES
 Irene Dempsey
 18, Drummuck Road, Maghera, Londonderry, Northern Ireland, BT46 5ES
 David Graham
 18, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Bridget McNally
 18, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Roisin Bradley
 18, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Dominic Bradley
 18, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Roisin Bradley
 18, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Maria Moore
 18, Moor Park Drive, Belfast, Antrim, Northern Ireland, BT10 0QF
 Harry Moore
 18, Moor Park Drive, Belfast, Antrim, Northern Ireland, BT10 0QF
 Amie Woolley
 180 Hamlin Lane, Exeter, Devon, EX1 2SH
 L Broderick
 18a, Mayogall Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PD
 Sarah Bradley
 18b, Cavanreagh Road, Draperstown, Londonderry, Northern Ireland, BT45 7BS
 Siobhan Bradley
 18b, Cavanreagh Road, Draperstown, Londonderry, Northern Ireland, BT45 7BS

Margaret Clark
 19, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Norman Clark
 19, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Denise Glackin
 19, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
 Tracey Paul
 19, Curragh Road, Maghera, Londonderry, Northern Ireland, BT46 5ER
 Brian O'Doherty
 19, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Adrian Logue
 19, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Rhonda Reid
 19, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Nigel Reid
 19, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Thomas Reid
 19, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Nicola McGuigan
 19, Sixtowns Road, Draperstown, Londonderry, Northern Ireland, BT45 7BA
 Gerard McPeake
 19, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 John O'Kane
 199, GLEN ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JN
 Kegan O'Kane
 199, GLEN ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JN
 Kathleen Hegarty
 19a, Glenshane Road, Maghera, Londonderry, Northern Ireland, BT46 5JZ
 Michael O'Callaghan
 2 Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Angela Seaton
 2, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 H Finlay
 2, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Marian O'Connell
 2, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Kevin Donnelly
 2, Beechland Road, Magherafelt, Londonderry, Northern Ireland, BT45 6BG
 Ciarrai Convery
 2, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE
 Erin O'Kane
 2, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE
 Hugh Martin McAlary
 2, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Pamela McAlary
 2, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 P Sanderson
 2, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
 Bernadette McEldowney
 2, Corlacky Hill, Maghera, Londonderry, Northern Ireland, BT46 5NP

Margaret Murphy
 2, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Briege Doogan
 2, Crewe Manor, Maghera, Londonderry, Northern Ireland, BT46 5GJ
 Barry O'Hagan
 2, Crewe Manor, Maghera, Londonderry, Northern Ireland, BT46 5GJ
 B McGuckin
 2, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Francis Neeson
 2, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS
 Una Neeson
 2, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS
 Michael O'Callaghan
 2, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Dominic Carville
 2, Glenvale, Maghera, Londonderry, Northern Ireland, BT46 5JF
 S Carville
 2, Glenvale, Maghera, Londonderry, Northern Ireland, BT46 5JF
 C Carville
 2, Glenvale, Maghera, Londonderry, Northern Ireland, BT46 5JF
 Maureen McErlean
 2, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Stephen McErlean
 2, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 RA Smyth
 2, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Annie Smyth
 2, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Marguerite McKenna
 2, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Brigid McAllister
 2, Lisgorgan Lane, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TE
 Natasha Hutchinson
 2, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Marty Hutchinson
 2, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Janice Hutchinson
 2, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Ciara Nic Ruaidhri
 2, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
 Demelza Dinsmore
 2, Peace Haven Crescent, Bellaghy, Londonderry, Northern Ireland, BT45 8LR
 Jacqueline Moore
 2, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Robin Clark
 2, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Margaret Clarke
 2, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Eimear Johnston
 2, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU

Cindel Machin
 2, Tirruadh Road, Draperstown, Londonderry, Northern Ireland, BT45 7HB
 B Curry
 2, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Terence Regan
 20, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Celine Deery
 20, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Mary Nolan
 20, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
 Colleen Donoghue
 20, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Erin Walls
 20, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
 Kim Houston
 20, Leyland Crescent, Ballycastle, Antrim, Northern Ireland, BT54 6QW
 Fern Houston
 20, Leyland Crescent, Ballycastle, Antrim, Northern Ireland, BT54 6QW
 Jemma Curran
 20, Seacourt Road, Larne, Antrim, Northern Ireland, BT40 1TE
 Tom Quigg
 21, Agivey Road, Kilrea, Londonderry, Northern Ireland, BT51 5UT
 Mary Ann Jameson
 21, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Raymond Jameson
 21, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Millie McKay
 21, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Sean McKenna
 21, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Clare McKenna
 21, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Ronan McKenna
 21, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Catherine Paul
 21, Curragh Road, Maghera, Londonderry, Northern Ireland, BT46 5ER
 Daniel B Mullan
 21, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Catherine Ann Mullan
 21, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Conleth Moran
 21, GORTACLOGHAN ROAD, GARVAGH, LONDONDERRY, Northern Ireland, BT51 5PJ
 Johathan Woodward
 21, Grange Lane, Magherafelt, Londonderry, Northern Ireland, BT45 5EU
 Dymrna O'Kane
 21, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Dymrna O'Kane
 21, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Evelina Nelson

21, Lisnamuck Road, Tobermore, Londonderry, Northern Ireland, BT45 5QF
Brenda Grant

21, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Ryan Duffy

21, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Sarah Rainey

21a, Garrison Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8RD
Emma Scullion

22 Craigadick Park, Maghera, BT46 5DD
Paul Scullion

22 Craigadick Park, Maghera, BT46 5DD
Gemma Lamont

22, Calmore Park, Tobermore, Londonderry, Northern Ireland, BT45 5PQ
Emma Conlon

22, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
John O'Kane

22, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
John O'Kane

22, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
Natasha Porter

22, Kilcronaghan Road, Tobermore, Londonderry, Northern Ireland, BT45 5QR
Anne McCartney

22, Kilrea Road, Swatragh, Londonderry, Northern Ireland, BT46 5QF
Cailin O'Connor

22, Leyland Meadow, Ballycastle, Antrim, Northern Ireland, BT54 6JX
Steven O'Connor

22, Leyland Meadow, Ballycastle, Antrim, Northern Ireland, BT54 6JX
Cathy O'Connor

22, Leyland Meadow, Ballycastle, Antrim, Northern Ireland, BT54 6JX
Oliwia Wengler

22, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Ewelina Wengler

22, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Anne Birt

22, The Meadows, Bellaghy, Londonderry, Northern Ireland, BT45 8JT
Pat Whitsitt

22G, CRAIGADICK PARK, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5DD
Dominic McCloskey

22a, Ballyknock Road, Maghera, Londonderry, Northern Ireland, BT46 5PH
Catherine Molloy

22b, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE
Anna McCloskey

22b, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Diarmaid McCloskey

22b, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Padraigeen Whitsitt

22g, Craigadick Park, Maghera, Londonderry, Northern Ireland,
Maud Folliard

23, Auburn Drive, Magherafelt, Londonderry, Northern Ireland, BT45 5ED
Maud Folliard

23, Auburn Drive, Magherafelt, Londonderry, Northern Ireland, BT45 5ED
Leona Tsang

23, Clarke's Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
Roisin O'Neill

23, Dreenan Road, Gulladuff, Londonderry, Northern Ireland, BT45 8PQ
Laura Holloway

23, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
Dylan McEldowney

23, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Lisa McEldowney

23, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Michael McEldowney

23, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Julie Scullion

23, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FN
Olive Lennox

23, Killymuck Road, Kilrea, Londonderry, Northern Ireland, BT51 5UB
Henry Lennox

23, Killymuck Road, Kilrea, Londonderry, Northern Ireland, BT51 5UB
Margaret McGeary

23, Oak Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FD
Steven Hughes

23, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Patrick Hughes

23, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Monica Hughes

23, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Declan McNicholl

23, Killylagh Pk, Swatragh
Nadine Thompson-Kirkpatrick

233, Hillhead Road, Castledawson, Londonderry, Northern Ireland, BT45 8EE
Arlene McKee

23A, SCHOOL LANE, GULLADUFF, LONDONDERRY, Northern Ireland, BT45 8PE
Elizabeth Rainey

23a, Drummuck Road, Maghera, Londonderry, Northern Ireland, BT46 5ES
Mary C McEldowney

23a, Gortinure Road, Maghera, Londonderry, Northern Ireland, BT46 5RB
Tommy Heaney

23b, Gortinure Road, Maghera, Londonderry, Northern Ireland, BT46 5RB
Stephen Montgomery

24 Grove Road, Maghera, BT46 5QY
Sinead McGill

24 Rowan Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FG
Leanne Cassidy

24, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
Claire McKeown

24, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
Sharlene Deehan

24, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
Oran Kelly

24, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Francis Kelly

24, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Clare Kelly

24, DREENAN ROAD, GULLADUFF, LONDONDERRY, Northern Ireland, BT45 8PQ
Mary Glass

24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
Sarah Glass

24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
Francis Glass

24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
ANNE MARIE GLASS

24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
Emma Cunningham

24, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
Barry O'Doherty

24, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
Clare O'Kane

24, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
Sharon O'Kane

24, Macknagh Lane, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SL
Trevor Sloan

24, Main Street, Tobermore, Londonderry, Northern Ireland, BT45 5PN
Emma Scullion

24, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
Hugh Scullion

24, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
Alan Lamont

24, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Dalene Young

24, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PZ
Sinead McGill

24, Rowan Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FG
Desmond O'Kane

24, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Seamus Bradley

242 Gorticashel Road, Omagh, Tyrone, Northern Ireland, BT79 7SB
Rachel Baird

24a Craignageeragh Road, Cullybackey, BT42 1EL
Patricia Hughes

24a, Mayogall Road, Gulladuff, Londonderry, Northern Ireland, BT45 8PD
Nicola Neeson

25 Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Carmel Neeson

25 Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Lee Clarke

25, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
Jacqui McKay

25, Craigmores Road, Maghera, Londonderry, Northern Ireland, BT46 5AN
Eilis Scullion

25, DREENAN ROAD, GULLADUFF, LONDONDERRY, Northern Ireland, BT45 8PQ
Sam McKelvey

25, Derramore Park, Magherafelt, Londonderry, Northern Ireland, BT45 5RE
Harvey Dunster

25, Derramore Park, Magherafelt, Londonderry, Northern Ireland, BT45 5RE
Mark Dunster

25, Derramore Park, Magherafelt, Londonderry, Northern Ireland, BT45 5RE
Colm O'Doherty

25, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
David Anderson

25, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD
Colm Gallagher

25, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Clare Creaney

25, Oakman Street, Belfast, Antrim, Northern Ireland, BT12 7BP
Sharon McKinley

259, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8EF
Margaret O'Doherty

25B, Glenview, Maghera, BT46 5AR
A Kearney

25a, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Mary McErlean

26 Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Vincent McErlean

26, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Damian McErlean

26, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Christine Kearney

26, Grillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5RD
Ryan Lagan

26, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
William Boyce

26, Hazel Grove, Tobermore, Londonderry, Northern Ireland, BT45 5PS
M McKenna

26, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Brian McKenna

26, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
James Smyth

27 Deanfield, Londonderry, Londonderry, Northern Ireland, BT47 6HY
Julie Smyth

27 Deanfield, Londonderry, Londonderry, Northern Ireland, BT47 6HY
Meadhbh McCullagh

27, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
Meadhbh McCullagh

27, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
Meadhbh McCullagh

27, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
Kathleen Cassidy

27, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Roisin Kelly

27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Aidan Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 John Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Roisin Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 The Owner/Occupier,
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Michael Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Dan Kerr
 27, Meenagh Park, Coalisland, Tyrone, Northern Ireland, BT71 4NG
 Sam Forman
 27, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Eileen Gorman
 27, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Danielle Duggan
 27, School Lane, Gulladuff, Londonderry, Northern Ireland, BT45 8PE
 Colm McGuigan
 27, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Amanda Dallat
 278, Craigavole Terrace, Maghera, Londonderry, Northern Ireland, BT46 5QY
 Lilian Millar
 28 Garryduff Road, Ballymoney, BT53 7AP
 P McGuigan
 28, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Eamonn McGuigan
 28, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Ciara McSorley
 28, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Eamon McSorley
 28, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Stephanie Linton
 28, Fort Hill, Tobermore, Londonderry, Northern Ireland, BT45 5SE
 Ruby Hyndman
 28, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Hazel Nelson
 28, King William III Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Rhonda Allen
 28, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Gareth Patterson
 28, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Deborah Simmonds
 28, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Ryan Cudden
 28, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG
 Linda Palmer
 28, Tobermore Road, Maghera, Londonderry, Northern Ireland, BT46 5DR
 Louise O'Doherty

28, Weddell Bridge Road, Draperstown, Londonderry, Northern Ireland, BT45 7HR
Ciara Scullion

281, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8EF
Shauna McNicholl

29 Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
Martin Montague

29 Killimorrie Park, Dunloy, BT44 9FA
Kyla Bowman

29, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
Jonathan Bowman

29, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
Jenna Bowman

29, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
Shauna McNicholl

29, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
Lucy Kearney

29, Upperlands Road, Swatragh, Londonderry, Northern Ireland, BT46 5QQ
Aine McKenna

2A, RANAGHAN LANE, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JY
May Caskey

2a, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Ryan Skelly

3 Fallaghlool Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
Ceslova Suziedeliene

3, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Leanne Ennis

3, Ash Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FH
Mary O'Neill

3, Ash Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FH
Nuala Rea

3, Ashlea Park, Portglenone, Londonderry, Northern Ireland, BT44 8NF
John B Mellon

3, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Laura Mellon

3, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Bernie Flanagan

3, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
E Clarke

3, Bells Manor, Castledawson, Londonderry, Northern Ireland, BT45 8DY
Carmel Glass

3, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE
Orla Bryson

3, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Colum Bryson

3, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Pauline McKenna

3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Brian Anderson

3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Shona McKenna

3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Ryan McKenna

3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Ashling McKenna

3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Declan McErlean

3, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
Danielle McErlean

3, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
Danielle McErlean

3, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
Kevin McGrogan

3, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Claire McCusker

3, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
Helen Scullion

3, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
Dominic Scullion

3, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
Joe McCloskey

3, Craigmores Heights, Maghera, Londonderry, Northern Ireland, BT46 5LU
Raymond McNamee

3, Crew Road, Maghera, Londonderry, Northern Ireland, BT46 5HL
Louis Hatt

3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
Max Hatt

3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
Orla Watt

3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
Mark HATT

3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
Ryan Skelly

3, Fallaghlool Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
Ann McGirr

3, Glencree, Maghera, Londonderry, Northern Ireland, BT46 5JB
B Murray

3, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
J Murray

3, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
F Scott

3, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
Stewart Lennox

3, Grange Gardens, Magherafelt, Londonderry, Northern Ireland, BT45 5RS
Lisa Bell

3, Hawthorne Drive, Maghera, Londonderry, Northern Ireland, BT46 5FL
Dermot O'Kane

3, Hawthorne Mews, Maghera, Londonderry, Northern Ireland, BT46 5FS
Sinead O'Kane

3, Hawthorne Mews, Maghera, Londonderry, Northern Ireland, BT46 5FS
Trevor Smyth

3, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Anna Kearney

3, Macknagh Lane, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SL
Imelda Diamond

3, McKenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Orlagh Bradley

3, Millview, Castledawson, Londonderry, Northern Ireland, BT45 8EA
Thomas Colgan

3, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
Elizabeth Colgan

3, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
Anthony O'Hagan

3, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
Irene Moore

3, Porte Gardens, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QL
Marie-Claire Canavan

3, Ruthven Rise, Crossgar, Down, Northern Ireland, BT30 9HF
Gordon Newett

3, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
Joyce Newett

3, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
Julia McCreanor

3, St. Treas Villas, Magherafelt, Londonderry, Northern Ireland, BT45 6LG
Margaret Mullan

3, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Jeanette Palmer

3, Tamneymartin Road, Maghera, BT46 5ET
Maeve Duggan

30, Carnaman Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PN
Nadine Holloway

30, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
Siobhan McDermott

30, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
Orla Kelly

30, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
Kieran Graham

30, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
Doreen Smyth

30, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Doreen Smyth

30, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Anna O'Neill

30, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Anna Bradley

30, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Dylan McAleer

30, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
. The Occupier

30, The Olde Close, Cullybackey, Antrim, Northern Ireland, BT43 5AR

Kerri Chivers
 306, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
 Geraldine McEldowney
 31, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Irene McVey
 31, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Glenda Kerr
 31, Dreenan Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PQ
 Sarah Trainor
 31, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Sarah Trainor
 31, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Stephen Trainor
 31, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Mary Forbes
 31, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Kay McPeake
 318, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
 Surney Duggan
 31a, Carnaman Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PN
 Patrick Duggan
 31a, Carnaman Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PN
 Michael Moran
 32, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Rita Moran
 32, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Betty Porter
 32, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Hugh Porter
 32, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Michael Porter
 32, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Barry Smyth
 32, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
 Limin Ward
 32a, Abbeyview Road, Crossgar, Down, Northern Ireland, BT30 9JD
 Angela O'Kane
 32a, Main Street, Maghera, Londonderry, Northern Ireland, BT46 5AE
 Anita O'Kane
 33 Tamneyrankin Road, Maghera, BT46 5RA
 Julie Oliphant
 33, Ballynahone Road, Maghera, Londonderry, Northern Ireland, BT46 5DL
 Teresa McCullagh
 33, Bradley Park, Draperstown, Londonderry, Northern Ireland, BT45 7JP
 John McKay
 33, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 John McKay
 33, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Aisling Burke
 33, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ

Catriona McLean
 33, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Catriona McLean
 33, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Elaine McKenna
 33, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Sammy Porter
 33, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Aimee Toner
 33, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Sadie Moore
 333, Hillhead Road, Knockloughrim, Maghera, BT45 8QT
 Simon Finlay
 337, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
 Robert Peeples
 34, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Nicola Orr
 34, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Keith Quigley
 34, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD
 Fearghal O Caside
 34, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Barry Russell
 34a, Lisnamuck Road, Tobermore, Londonderry, Northern Ireland, BT45 5QF
 Sinead Regan
 34c, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LF
 Ryan O'Reilly
 35 Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Angela Conway
 35, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Angela Conway
 35, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Ryan O'Reilly
 35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Ryan O'Reilly
 35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Ryan O'Reilly
 35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Ryan O'Reilly
 35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Ryan O'Neill
 35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Ryan O'Reilly
 35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
 Louise Orr
 35, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Michelle Bell
 35, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Jade Deery
 35, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA

Darren Eastwood
 35, Mullaghboy Glen, Magherafelt, Londonderry, Northern Ireland, BT45 5GW
 Patrick O'Kane
 35, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Tony Kearney
 35f Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5NL
 Oliveen Bradley
 36 Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
 Paul O'Donnell
 36, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Mary O'Kane
 36, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Kathleen Taggart
 36a, Mullaghnamoyagh Road, Portglenone, Londonderry, Northern Ireland, BT44 8NP
 Pauline Taggart
 36a, Mullaghnamoyagh Road, Portglenone, Londonderry, Northern Ireland, BT44 8NP
 Gemma Laverty
 37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Gemma Laverty
 37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Michael Laverty
 37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Michael Laverty
 37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Paula Glasgow
 37, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Brendan Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Caoimhe Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Alicia Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Kevin Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Lauren Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Mary Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Conor Deighan
 37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Adele Campbell
 37c, Rocktown Road, Bellaghy, Londonderry, Northern Ireland, BT45 8QE
 Cherie Mulholland
 38, CHURCH STREET, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EA
 Amie Hunter
 38, CHURCH STREET, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EA
 Grainne Evans
 38, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Karen Knowles
 38, Recreation Road, Larne, Antrim, Northern Ireland, BT40 1EW

Sharon McPeake
 38, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 James McPeake
 38, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Charlene Kelly
 38, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Jean Getty
 39, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Bryan Douglas
 39, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Lynette Gilmour
 39, Davison Villas, Castledawson, Londonderry, Northern Ireland, BT45 8AH
 Darren Bradley
 39, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Darren Bradley
 39, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Lorraine Fullerton
 39, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
 Tracy Bradley
 39a, Draperstown Road, Tobermore, Londonderry, Northern Ireland, BT45 5QQ
 Gladys Dinsmore
 3a, Macknagh Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SG
 David Dinsmore
 3a, Macknagh Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SG
 Hilary McKenna
 4 Glenshane Manor, Maghera, Londonderry, Northern Ireland, BT46 5PW
 Jean Dunne
 4 St Lurachs Gardens, Maghera. BT46 5JH
 Stephen Dobbin
 4, Ballysillan Road, Belfast, Antrim, Northern Ireland, BT14 7QP
 Brenda Gunning
 4, Beech Lane, Maghera, Londonderry, Northern Ireland, BT46 5GG
 Ryan O'Connor
 4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Megan O'Connor
 4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Amanda O'Connor
 4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Mathew O'Connor
 4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Maria McEldowney
 4, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
 Leisa Convery
 4, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Danielle Steele
 4, Clareville Park, Ballyclare, Antrim, Northern Ireland, BT39 9DL
 E McGill
 4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Jude McGill
 4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN

Lisa McGill
 4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Terry McGill
 4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Jean Hazlett
 4, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
 Caolan Bradley
 4, Craigmores Road, Maghera, Londonderry, Northern Ireland, BT46 5AL
 Amanda Norton
 4, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Amanda Norton
 4, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Ryan Bradley
 4, Crew Road, Maghera, Londonderry, Northern Ireland, BT46 5HL
 Eamon Higgins
 4, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Anna Donnelly
 4, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS
 Sean McKenna
 4, Glencree, Maghera, Londonderry, Northern Ireland, BT46 5JB
 Ciara McGuigan
 4, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Shaun McCormick
 4, Glenville Terrace, Upperlands, Londonderry, Northern Ireland, BT46 5RR
 Christopher O'Kane
 4, Laragh Road, Maghera, Londonderry, Northern Ireland, BT46 5NS
 Sharon Evans
 4, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Celia Hutchinson
 4, Meadow Villas, Gulladuff, Londonderry, Northern Ireland, BT45 8NW
 Eunha Logue
 4, Millburn, Maghera, Londonderry, Northern Ireland, BT46 5DF
 Paul Logue
 4, Millburn, Maghera, Londonderry, Northern Ireland, BT46 5DF
 A Overend
 4, Millrace Mews, Moneymore, Londonderry, Northern Ireland, BT45 7WD
 Martina Loughran
 4, Moneysharvan Road, Maghera, Londonderry, Northern Ireland, BT46 5QA
 M Kearney
 4, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Megan Hutchinson
 4, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Linda Wilson
 4, Mullagh Park, Maghera, Londonderry, Northern Ireland, BT46 5RJ
 Joe Davidson
 4, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Jennifer Davidson
 4, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Oliver Dunne
 4, St. Lurachs Gardens, Maghera, Londonderry, Northern Ireland, BT46 5JJ

Oliver Dunne
 4, St. Lurachs Terrace, Maghera, Londonderry, Northern Ireland, BT46 5JH
 Noel O'Kane
 4, Stoney Park, Swatragh, Londonderry, Northern Ireland, BT46 5BE
 Paul Downey
 4, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Anne Devlin
 4, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Edna Svetlaviciene
 4, Tullykeeran Gardens, Maghera, Londonderry, Northern Ireland, BT46 5GH
 Orla McKenna
 4, Beaver Crescent, Maghera, BT46 5RG
 Frank McKenna
 4, Beaver Crescent, Maghera, BT46 5RG
 Henry Hampson
 4, Beaver Drive, Maghera, BT46 5RG
 Josephine Hampson
 4, Beaver Drive, Maghera, BT46 5RG
 Dorothy Dempsey
 40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
 Joey Dempsey
 40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
 Dorothy Dempsey
 40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
 Gary Dempsey
 40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
 Gary Dempsey
 40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
 Ellen McMath
 40, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Louise Trainer
 40a, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
 Kathleen McGinnis
 41 Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Maureen Hutchinson
 41, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Roisin Murray
 41, Glengomna Road, Draperstown, Londonderry, Northern Ireland, BT45 7JQ
 Catherine Walshe
 41, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FN
 Salena Rogers
 41, Macknagh Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SG
 Jolene McKelvey
 41, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Kayleigh McKelvey
 41, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 . Naiscoil Mhachaire Ratha
 41-43, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Aine Young
 42, Balmoral Avenue, Belfast, Antrim, Northern Ireland, BT9 6NX

Paul McFlynn
 42, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5DJ
 Aideen McFlynn
 42, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5DJ
 Aileen McErlean
 42, Carnaman Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PN
 Philip Cunningham
 42, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Aine McConomy
 43 Ballymacilcurr Road, Culnady, Londonderry, Northern Ireland, BT46 5HR
 Margaret Merron
 43, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Brian Merron
 43, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Moira Mhic Giolla Bhrighde
 43, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5PE
 George Eakin
 44, Ballymoghna Road, Magherafelt, Londonderry, Northern Ireland, BT45 6HN
 Cathy Doherty
 44, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5PE
 Joe Grant
 44, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
 Siobhan Gribben
 44, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Martin Burke
 44, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG
 Seamus McKenna
 44, Brackaghreilly Road, Maghera, BT46 5DJ
 Paul McManus
 45, Ballymacilcurr Road, Culnady, Londonderry, Northern Ireland, BT46 5HR
 Gloria Miniss
 45, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Eoin Devlin
 45, Glenshane Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QR
 Claire Hassan
 46, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
 Ciaran McFall
 46, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
 Denise Scott
 46, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
 Siobhan Gribben
 46, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Clare Vallelly
 46a, Tirgan Road, Moneymore, Londonderry, Northern Ireland, BT45 7RX
 John Lynd
 47, Barnside Road, Swatragh, Londonderry, Northern Ireland, BT46 5QS
 Una McCullagh
 47, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NR
 Una McErlean

47, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Ellen Morren

47, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Martina Kelly

47, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Danielle Scullion

47a, Glenshane Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QR
Katy McGlade

48 Meeting House Avenue, Maghera, Londonderry, BT46 5BB
Ruby Cunningham

48 Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
Siobhan McDaid

48, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Katy McGlade

48, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Eugene McGlade

48, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Aaron Cunningham

48, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
Colin Hegarty

49, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Maura McFaul

4B, Hall Street, Maghera
Sinead Mullan

4b, Liscall Road, Garvagh, Londonderry, Northern Ireland, BT51 5EP
Mary Hegarty

4b, Tonaght Road, Draperstown, Londonderry, Northern Ireland, BT45 7JD
Marian McKenna

4b, Urbalshinny Road, Maghera, Londonderry, Northern Ireland, BT46 5PD
Aidan Convery

5 Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
Connor Diamond

5 GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
Fiona McGill

5 Seefin Hill, Maghera, Londonderry, Northern Ireland, BT46 5PQ
Pearse McGill

5 Seefin Hill, Maghera, Londonderry, Northern Ireland, BT46 5PQ
Emer Quinn

5 The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
Eddie Watterson

5, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
M.D Dunn

5, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
Frances McNally

5, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
June Ramos

5, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Jose Ramos

5, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Gareth Ramos

5, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Noeleen Donnelly

5, Culglas, Maghera, Londonderry, Northern Ireland, BT46 5FZ
Ron Donelly

5, Culglas, Maghera, Londonderry, Northern Ireland, BT46 5FZ
James Johnstone

5, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
Bridget Johnstone

5, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
Laura Falkyte

5, Hawthorne Drive, Maghera, Londonderry, Northern Ireland, BT46 5FL
Danielle Grant

5, Hawthorne Green, Maghera, Londonderry, Northern Ireland, BT46 5FW
Hilary Brown

5, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Ashley Brown

5, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Karen O'Boyle

5, McMaster Crescent, Castledawson, Londonderry, Northern Ireland, BT45 8AQ
Jamie Watterson

5, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
James Armour

5, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Dianne Kissick

5, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Stuart Montgomery

5, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
Edward Smyth

5, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
Joe McCloskey

5, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Patrick Quinn

5, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
Geraldine McGuckin

50, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Geraldine McGuckin

50, Gortead Road, Swatragh, Upperlands, Londonderry, Northern Ireland, BT46 5QH
William Deery

50, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Eileen Deery

50, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Hayley Boyce

50, Lurganagoose Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QY
Donna Murphy

50, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
Rosemary Orr

50, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
David A Scott

51 Carricknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EJ

Jan Gorman
 51 Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
 Mary Bryson
 51, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
 Owen Moore
 51, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Lucinda Kearney
 51, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Sharon O'Kane
 51, Castle Oak, Castledawson
 Bernard Kielt
 51a, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
 Bernadette Kielt
 51a, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
 Dermot Bradley
 52 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Mary McGahon
 52, Eden Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PL
 Dermot Bradley
 52, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Sheena Bradley
 52, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 David Nelson
 52, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 David Nelson
 52, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Petrice Nelson
 52, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Hannah Downey
 52, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Louise Doherty
 52, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Martha Wallace
 52, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
 Michelle O'Neill
 53, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Paul McElhennon
 54 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Maggie McElhennon
 54 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Corina McElhennon
 54 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Bronagh McElhennon
 54 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Chris Cassidy
 54 Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Marc McElhennon
 54, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Michael Quinn
 54, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH

Anne Holloway
 54, Orby Drive, Belfast, Down, Northern Ireland, BT5 6AF
 Sinead Dillon
 55, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Kara Hughes
 56 Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Joanne McLaughlin
 56 Sunnyside Park, Maghera, BT46 5BG
 Shane Gribben
 56, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
 Roisin McAtamney
 56, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Kara Hughes
 56, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Ronan Bollard
 56, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 JoJo Moran
 56, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Frances Moran
 56, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Joe Moran
 56, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Jonathan Maguire
 56B, QUARRY ROAD, KNOCKCLOGHRIM, LONDONDERRY, Northern Ireland, BT45 8NS
 Mary Heaney
 57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Joseph Heaney
 57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Daniel Heaney
 57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Dan Reavey
 57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 AnneMarie O'Reilly
 57, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
 Rosemary McGill
 58 Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Sibrena Quigg
 58, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NN
 N Lamont
 58, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Rosemary McGill
 58, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Tracey Convery
 58, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Lindsay Gibson
 58, Tirgarvil Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UW
 Nigel Gibson
 58, Tirgarvil Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UW
 Paul McCloy

58b, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
Elaine McCloy

58b, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
Kylia Doole

59 Culnady Road, Maghera, Londonderry, Northern Ireland, BT46 5TN
Charlene McErlean

59, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Eoghan McErlean

59, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
B McCloskey

59, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Gavin O'Kane

59, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Anne O'Kane

59, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Helen Parke

59, Rocktown Lane, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QF
Mark Mellon

59a, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NN
John Scullion

5a, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Norah-Lee Hughes

5a, Mckennas Lane, Bellaghy, Londonderry, Northern Ireland, BT45 8JJ
Cara Murray

5b, Ballyhagan Road, Maghera, Londonderry, Northern Ireland, BT46 5LR
Michael Burke

6 Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
Annie Burke

6 Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
Mary Teresa Scullion

6, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Clare Brady

6, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Claire Brady

6, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Paul Brady

6, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Susan McCloy

6, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
Shane Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Clare Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Katelin Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Rosaleen Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Katelin Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL

Rosie Gribben
 6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
 Margaret Hasson
 6, Corlacky Hill, Maghera, Londonderry, Northern Ireland, BT46 5NP
 Eamon Hasson
 6, Corlacky Hill, Maghera, Londonderry, Northern Ireland, BT46 5NP
 A McGuckin
 6, Craigmores Road, Maghera, Londonderry, Northern Ireland, BT46 5AL
 Jennifer Evans
 6, Edmund Court, Tobermore, Londonderry, Northern Ireland, BT45 5QA
 Donna Turner
 6, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
 Donna Turner
 6, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
 Donna Turner
 6, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
 Fiona Loughlin
 6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Eugene Donnelly
 6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Fiona Loughlin
 6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Paul Loughlin
 6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Paul Loughlin
 6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Helen Bradley
 6, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
 Sarah Rainey
 6, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
 Michael Peden
 6, Grange Avenue, Magherafelt, Londonderry, Northern Ireland, BT45 5RP
 Steven Richardson
 6, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Margaret Richardson
 6, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Catherine Logue
 6, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Martina Scullion
 6, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Lisa Watters
 6, Hawthorne Avenue, Maghera, Londonderry, Northern Ireland, BT46 5FX
 Karen Donaghy
 6, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Helena McGlone
 6, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Brian Moore
 6, Loughill, Tobermore, Londonderry, Northern Ireland, BT45 5SB
 Shauna Kearney
 6, McKenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL

Shauna Kearney
 6, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Mark Montgomery
 6, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5EB
 Jennifer Reid
 6, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Pamela Overend
 6, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
 Denise Maxwell
 6, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Julianne Porter
 6, Tirkane Court, Maghera, Londonderry, Northern Ireland, BT46 5JD
 Chiarrai Gallagher
 6, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 . The Gallagher Family
 6, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Kevin O'Doherty
 60 Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Conrad Selfridge
 60, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Kelly Houston
 60, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UT
 Mervyn Hogg
 60, Highfield Road, Magherafelt, Londonderry, Northern Ireland, BT45 5BW
 Mervyn Hogg
 60, Highfield Road, Magherafelt, Londonderry, Northern Ireland, BT45 5BW
 Kathleen O'Doherty
 60, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Kathleen O'Doherty
 60, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Janice Orr
 61, BALLYMACILCURR ROAD, CULNADY, LONDONDERRY, Northern Ireland, BT46 5TT
 Elizabeth Whitaker
 61, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Stuart Whitaker
 61, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Elizabeth Ann Whitaker
 61, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Marian McAlary
 61, Culnady Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TN
 Davina Talbot
 61, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
 Joleen Ni ghruagain
 62, Glenelly Villas, Draperstown, Londonderry, Northern Ireland, BT45 7AX
 Anthony Bradley
 62, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Fiona Cassidy
 63, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Bernard Harte

63, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Carmel Harte

63, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Fiona Glass

64 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Fiona Glass

64 Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Mary Stewart

64, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Pauline Stewart

64, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Hannah McMullan

64, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Margaret McMullan

64, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
R Convery

65, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
. The Occupier

65, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
. The Occupier

65, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Ronan Crilly

65, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
Rosaleen Crilly

65, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
Sarah Crilly

65, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
James Crilly

65a, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
Emmett Rafferty

66, STATION ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EY
Niamh Gallagher

67a, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
M Scott

68, Clooney Road, Curran, Londonderry, Northern Ireland, BT45 8RF
Geraldine Eastwood

69, Prospect Road, Portstewart, Londonderry, Northern Ireland, BT55 7NQ
Teresa Bradley

69, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
David Brad

69, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
Ann Johnston

69, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BQ
Catriona Campbell

6a, Hillside Road, Upperlands, Londonderry, Northern Ireland, BT46 5SD
N Taylor

6a, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
J Taylor

6a, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Briege McEldowney

6b, Gortinure Road, Maghera, Londonderry, Northern Ireland, BT46 5RB
Meabh O'Reilly

7 Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
Jennifer McKenna

7 Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5ND
Paul McGinnis

7, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Helen McGinnis

7, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Teresa McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Sarah Connell

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Vincent McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Sarah Connell

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Vincent McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Julie Watson

7, Carsonville Drive, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SQ
Ciaran McCusker

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Ciaran McCusker

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Mary Jane McNally

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Sean McCusker

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Paddy McMullan

7, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Kelley Holleran

7, Drumard Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QA
Gwen Linton

7, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Nicola Regan

7, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
Freda Kerr

7, KNOCKNAKIELT ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EH
William G Kerr

7, KNOCKNAKIELT ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EH
Jane Patton

7, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
D Kearney

7, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
Sam Nelson

7, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Donna Elliott

7, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD

George Elliott
 7, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
 Niall McKenna
 7, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5ND
 Niall McKenna
 7, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5ND
 Rhonda Hawthorne
 7, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
 Harry Eppleston
 7, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 D Leacock
 7, Termoneeney Park, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QH
 Luke Simpson
 7, Willow Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FF
 Catriona McNally
 7, Cluain Ghlas Road, Maghera, BT46 5PL
 Anne Tohill
 70, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NN
 Gavin Kennedy
 70, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BQ
 Aaron Boyd
 72B Lismoyle Road, Swatragh, BT46 5QU
 Leanne McCourt
 73, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Louise McKeown
 73, Victoria Road, Holywood, Down, Northern Ireland, BT18 9BG
 Imelda McCormack
 74 Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Rodney Boyd
 74, Lismoyle Road, Swatragh, Londonderry, Northern Ireland, BT46 5QU
 Leighann Molloy
 74, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA
 Niall Regan
 74, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 K Gilmore
 75, Lisnagrot Road, Kilrea, Londonderry, Northern Ireland, BT51 5SG
 K Gilmore
 75, Lisnagrot Road, Kilrea, Londonderry, Northern Ireland, BT51 5SG
 Johnny Boyd
 76, Lismoyle Road, Swatragh, Londonderry, Northern Ireland, BT46 5QU
 Claire McCloy
 77, Dromdallagan, Draperstown, Londonderry, Northern Ireland, BT45 7EY
 Eugenie Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Laura Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Emily Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 David Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP

John J Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Siobhan Magee
 77, Rocktown Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LP
 Donna Porter
 77b, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
 Audrey Michael
 78, Coleraine Road, Maghera, Londonderry, Northern Ireland, BT46 5BP
 G McKenna
 78, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LQ
 Hannah Bolton
 79, Carricknakielt Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QG
 Donna Convery
 79, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DH
 Stacey Canning
 79, Learmount Road, Claudy, Park, Londonderry, Northern Ireland, BT47 4AL
 The Owner/Occupier,
 8 Brown Drive, Maghera, Londonderry, BT46 5HQ
 Aine Bradley
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Aine Bradley
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Emma McDaid
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Seamus Bradley
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Cody Shiels
 8, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Vanda Shiels
 8, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Vanda Shiels
 8, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Sandra Church
 8, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
 Sharon Montgomery
 8, Coronation Villas, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TR
 Ruairi Mallon
 8, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Eireann McKee
 8, Drumard Lane, Draperstown, Londonderry, Northern Ireland, BT45 7LF
 Julie Graham
 8, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Adam Graham
 8, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Niall Tumelty
 8, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
 Carol McCurdy
 8, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Damian A Convery
 8, Mullagh Court, Maghera, Londonderry, Northern Ireland, BT46 5RH

Damian Convery
 8, Mullagh Court, Maghera, Londonderry, Northern Ireland, BT46 5RH
 Damian Convery
 8, Mullagh Court, Maghera, Londonderry, Northern Ireland, BT46 5RH
 Aoife McCabe
 8, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Nuala McNicholl
 8, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Sarah O'Kane
 8, St. Lurachs Gardens, Maghera, Londonderry, Northern Ireland, BT46 5JJ
 Denise Daly
 8, TIRKANE ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5AG
 Paul Kelly
 8, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG
 Paul McVicker
 8, Victoria Street, Ballymoney, Antrim, Northern Ireland, BT53 6DW
 Adrienne Hutchinson
 8, Willow Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FF
 Anne Marie Dillion
 80, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8NT
 Janet Gregg
 81, Annaghmore Road, Castledawson, Londonderry, Northern Ireland, BT45 8DU
 MarMarie Kelly
 81, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LQ
 Jack McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Maresa McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Declan McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Sara McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Ben McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Erica Convery
 81, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Naomi Campbell
 81a Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Naomi Campbell
 81a, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Stephanie McFlynn
 82, Grove Road, Garvagh, Londonderry, Northern Ireland, BT51 5NY
 Gary Bradley
 83, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Emma Henry
 83, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BQ
 Claire Atherton
 84 Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8PA
 Tony Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP

Brendan Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Eleanor Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Lee Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Angela Hearty
 85a, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8PA
 Kirsty McCormick
 86, Gorran Road, Garvagh, Londonderry, Northern Ireland, BT51 5EL
 Maire McPeake
 86, Grove Road, Garvagh, Londonderry, Northern Ireland, BT51 5NY
 Serena Deery
 86, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Noeleen McHugh
 87, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Brian McGill
 87, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA
 Cora McGill
 87, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA
 Connor McCrystal
 88, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8PA
 Vincent Bradley
 9 Tamneymullan Lane, Maghera, Londonderry, Northern Ireland, BT46 5HS
 Andrew McKeown
 9, Beagh Terrace, Maghera, Londonderry, Northern Ireland, BT46 5EP
 Sarah McGrath
 9, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 John McGrath
 9, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Andrea McCloskey
 9, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Peter McCloskey
 9, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Martin O'Connor
 9, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Martin O'Connor
 9, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Helena O'Connor
 9, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Sian Henry
 9, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Philomena Bradley
 9, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Sally Glass
 9, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Bliadhan Glass
 9, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Sean McPeake
 9, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH

Sean McPeake
 9, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Iain Moor
 9, Lislainan, Ballycarry, Antrim, Northern Ireland, BT38 9GZ
 Karen McCrystal
 9, Loup Road, Moneymore, Londonderry, Northern Ireland, BT45 7SN
 JA Richardson
 9, Main Street, Tobermore, Londonderry, Northern Ireland, BT45 5PN
 Julie Gallagher
 9, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
 Christy O'Hagan
 9, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
 Jackie O'Hagan
 9, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
 Stephanie O'Connor
 9, Rectory Road, Tobermore, Londonderry, Northern Ireland, BT45 5QP
 Charlene Wilson
 9, Woodvale Crescent, Moneymore, Londonderry, Northern Ireland, BT45 7PT
 Wendy Houston
 92, Carricknakielt Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PU
 Nicola McGuckin
 94, Grove Road, Swatragh, Londonderry, Northern Ireland, BT46 5QZ
 Celine Adams
 98, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DH
 Louise Lagan
 99, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LH
 Tara Montgomery
 9a, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Gladys Leacock
 Beechland Drive, Magherafelt, BT45 6BH
 Mary Carland
 Convery Optometrists, 83 Main Street, Maghera, BT46 5AB
 Trevor Smyth
 Culnady Road, Maghera, BT46
 Kathryn Bolton
 Drumblog Road, Maghera
 Jennifer Young
 Email
 Conan Glass
 Falach Ghluin, Machaire Ratha, Co Dhoire
 Marie McKenna
 Glen Road, Maghera
 Michelle Murphy
 Glen Road, Maghera, BT46
 Joanne Neeson
 Hawthorne Crescent, Maghera, BT46
 John Lennox
 Killymuck Road, Kilrea, BT51 5UB
 Anne Lennox
 Killymuck Road, Kilrea, BT51 5UB

Barry McKenna
Kirley Road, Maghera, Londonderry, Northern Ireland, BT46 5LG
Diane Stewart
Leckagh Drive, Magherafelt, BT45 6JT
Marie McVicker
Shiels Court, Flat 23, Castle Street, Ballymoney, Antrim, Northern Ireland, BT53 6JT
The Owner/Occupier,
Unit 1, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 2, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 3, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 4, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 5, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 6, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 7, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
Thomas Keily

Jonny Eastwood

Michaela Mooney

Tracey Diamond

Bridin Henry

Kathryn Eastwood

Colette Johnstone

Martin Stewart

Lesley Stewart

Mary Lougue

Agata Sobieraj

Eleanor McGuckin

Karen Mills

Gregory McKenna

Tiffany Kang

Belinda Hamilton

Hannah McFadden

Lynsey Rock

Niamh Gallagher

Kim Convery

Mark Small

Aine McKenna

Una Quinn

Joanne Currie

CJ Donnelly

Ireen Nelson

Elaine Donaghy

Rita Glass

Paula Carson

Jackie Murray

Katie Doherty

Eoin Murphy

Sinead McGill

Jonathon Comac

Danielle Treharne

Hugh Turner

Martin McKenna

Mark Small

Elaine White

Noreen McPeake

Erwin Hamilton

Bernie O'Connor

Mel Gibson

Joseph Bradley

Charles McGuigan

Catherine Craig

Mary Harkin

Claire Flanagan

Aaron Smyth

David Jones

Abdul Haque

Eimear Smyth

Ryan O'Reilly

Siobhan McKenna

Stephanie Byrne

Aoibheann Doherty

Adrian Glass

Madeline McManus

Colin Harvey

Donna Mallon

Fiona McCloskey

Adrienne Hutchinson

Tiernan McKelvey
Amie Woolley
Marcelle Gibson
Siobhan Magee
Cathy Patterson
L Quinn
Grace McKenna
Nicola Harkin
Maria Kelly
Allie McAuley

Liz Porter
Abigail Hyndman
June McMullin
Maghera Park Action Group
Joseph McCullagh
Sharon Nansi
Jemma Mawhinney
Conall Kelly
Donna Mosie
Marie Lagan
Katie Doherty
Lauren Atkinson
Joan Scullion
Laura McWilliams
David Rollins
Mairead Harvey
Grace O'Donoghue
Mark Magee
Sharon Moran
Ashley Douglas
Norma Kirkpatrick
Laura Heron
Catherine Ball
Nicole Owens
Megan McGarvey
Aimee Marshall
Mairead McNally
Eamon Clery
Joanne Owens

Michelle Mitchell
 Amanda O'Connor
 Neil Hyndman
 Noeleen Hartley
 Jessica Geach
 Karl Quinn
 J Duncan
 Jane Kelly
 Paul Owens
 Jack Q
 Sharon Coyle
 Danielle McErlean
 Mary Bradley
 Gladys Selfridge
 Noreen McCauley
 Bronagh O'Hagan
 Jimmy Millar
 Nicola Donnelly
 Karen Doherty
 Sandra Flynn
 Clive Hamilton
 Jill Hudson
 Gemma Convery
 Deborah Madden
 Maeve O'Callaghan
 Diane McKeefry
 Siobhan Grose
 Wayne Harvey
 Naoimi Hughes
 Roisin McQuade
 Joanne O'Neill
 Eoin Hughes
 Clare Scullion
 Bridin Crilly
 Anne O'Doherty
 Kirsty McWilliams
 Georgie Gordon
 Orla Dempsey
 Caroline Birt
 Frances Bradley
 Joanne O'Kane

Date of Last Neighbour Notification	23.12.2019
Date of EIA Determination	22/01/2020
ES Requested	No

Planning History

Ref ID: LA09/2019/0025/F

Proposal: Proposed development of existing brown field site for development of new internal access road/footpaths, improved access include right hand turning lane, landscaped community walkway, alteration of existing levels to provide platforms for future development, installation of utilities, installation of site fencing, clearance of undergrowth vegetation and associated site works to support future mixed use and enterprise centre/business units

Address: Former Maghera High School, Tobermore Road, Maghera,

Decision:

Decision Date:

Ref ID: LA09/2019/0024/O

Proposal: Outline planning application to support future mixed use and enterprise centre/business units which will be subject to Reserved Matters Planning Applications submitted by purchasers of plots from Mid Ulster District Council

Address: Former Maghera High School, Tobermore Road, Maghera,

Decision:

Decision Date:

Ref ID: LA09/2018/0796/PAN

Proposal: Proposed development of existing brown field site for development of new access road and associated site works, to support future mixed - use and enterprise - centre units.

Address: Former Maghera High School, Tobermore Road, Maghera, BT46 5DR.,

Decision:

Decision Date:

Ref ID: LA09/2017/1783/PAD

Proposal: Proposed development of existing brown field site to industrial units with development of access road and associated works

Address: Former Maghera High School, Tobermore Road, Maghera,

Decision:

Decision Date:

Ref ID: LA09/2017/1303/O

Proposal: Housing Development (33 units)

Address: Land at Tobermore Road (north of the former Maghera High School site and south of Largentogher Park) Largentogher, Maghera,

Decision:

Decision Date: 17.04.2019

Ref ID: H/2004/1134/O

Proposal: 25 units with mix of detached, semi-detached and townhouse

Proposed mixed private housing development with alteration of existing entrance onto Tobermore Road.

Address: Lands East of Tobermore Road, Largentogher, Maghera

Decision:

Decision Date: 27.09.2006

Ref ID: H/1977/0235
Proposal: SWIMMING POOL/BOILER HOUSE
Address: MAGHERA CONTROLLED SECONDARY SCHOOL, 30 TOBERMORE ROAD, MAGHERA
Decision:
Decision Date:

Ref ID: H/1974/0145
Proposal: EXTENSION TO SECONDARY SCHOOL
Address: LARGANTOGHER, MAGHERA
Decision:
Decision Date:

Ref ID: H/2000/0051/F
Proposal: Proposed Industrial Unit For Use As Workshop/Warehouse
Address: Glenshane Industrial Park, Tobermore Road Maghera
Decision:
Decision Date: 15.05.2001

Ref ID: H/1994/0228
Proposal: INDUSTRIAL UNIT FOR MANUFACTURE OF TARPAULINS
Address: TOBERMORE ROAD MAGHERA
Decision:
Decision Date: 19.07.1994

Ref ID: H/1994/0005
Proposal: SITE OF INDUSTRIAL UNIT
Address: TOBERMORE ROAD MAGHERA
Decision:
Decision Date: 13.04.1994

Ref ID: H/2006/0630/F
Proposal: Provision of Hypochlorite Storage Area (detached, flat roofed store with roller shutter door)
Address: Maghera High School, 30 Tobermore Road, Maghera, Co. Londonderry
Decision:
Decision Date: 27.11.2006

Ref ID: H/2006/0206/F
Proposal: Proposed Installation of 3no.Solar Panels.
Address: Maghera High School, 30 Tobermore Road, Maghera, BT45 5DR.
Decision:
Decision Date: 26.06.2006

Ref ID: H/1991/0433
Proposal: LABORATORY EXTENSION TO SCHOOL
Address: MAGHERA HIGH SCHOOL 30 TOBERMORE ROAD MAGHERA
Decision:
Decision Date:

Ref ID: H/1988/0271

Proposal: MOBILE CLASSROOM

Address: MAGHERA HIGH SCHOOL 30 TOBERMORE RD MAGHERA

Decision:

Decision Date:

Ref ID: H/2009/0513/O

Proposal: Site of new housing development with alteration of existing entrance onto Tobermore Road (previously approved under H/2004/1134/O)

Address: Lands East of Tobermore Road, Largantogher, Maghera

Decision:

Decision Date: 15.12.2009

Summary of Consultee Responses

Northern Ireland Water

There is a public water main and public foul sewer which can serve the proposal. There is no public storm sewer available. The receiving Waste Water Treatment facility has sufficient capacity to serve the proposal. Any Trade Effluent Discharge will require the consent of NI Water.

Historic Environment Division: Historic Monuments

HED:HM has considered the impacts of the proposal and are content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

Environmental Health Department

The application has been considered in conjunction with the AMC Environmental "Preliminary Environmental Risk Assessment" dated June 2018 and Pentland MacDonald "Investigation of Crushed Demolition Rubble Potentially containing Asbestos" report dated November 2018. AMC report is a preliminary risk assessment and it concludes the risk from contamination is low to insignificant. The Pentland MacDonald report considers asbestos specifically and detected asbestos fibres in rubble samples retrieved from across the site. It identifies the need for remediation measures to address risks posed by asbestos to any future development. EHD state it is therefore imperative that a condition be attached to any planning permission granted.

Rivers Agency

The Flood Risk Assessment by Flood Risk Consulting stamped 24 October 2019, based on the updated site layout indicates that the proposed development (including footpaths etc) is now outside the 1 in 100 year fluvial flood plain. The FRA indicates a suitable maintenance strip will be provided for the culverted watercourse located south of the proposed development.

A Drainage Assessment (DA) was submitted for the application, which Rivers Agency have stated is generic for the site as a whole and the proposed attenuation locations are

within the 1 in 100 year pluvial flood plain. Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains states that pluvial or surface water flooding occurs as a result of high intensity rainfall which overwhelms natural or man-made drainage systems resulting in water flowing overland and ponding in depressions in the ground.

The DA alludes to future piecemeal development of the application site and Rivers Agency acknowledge that due to the size and nature of the development that all the information required for a DA is not available to the applicant at this stage of the project. Consequently, they have requested a condition that If the principle of development is accepted by the Planning Authority the requirements of PPS 15 must be met for each subsequent application for each plot. They have requested this is ensured by the imposition of a negative condition which should require that, regardless of site size or development proposals, all future applications must comply with PPS 15.

Dfl Roads

It is noted that the applicant has stated in the supporting information that sufficient details will be submitted for each purchasers plot to allow proper assessment by both Mid Ulster Council Planning Office and Business Section to ensure that no immediate or long term issues will arise in reference to the points below.

Subject to satisfactory access arrangements as referred to in LA09/2019/0025/F, as detailed travel characteristics are unknown at this stage, each application to develop plots within the Business Park shall be required to demonstrate that:

- Adequate parking and servicing of the site can be accommodated within the application plot;
- The right turn lane access arrangements can facilitate the cumulative traffic generated from existing vehicular movements plus the traffic generated from each subsequent application (this is primarily in relation to ensuring the queuing length within the right turn lane is adequate);
- Impact on surrounding road network and within Maghera town centre and any additional mitigating works required. This will require the submission of a Transport Assessment Form taking into account the cumulative development impact as the business park is developed.

The developer should not that the internal access roads and parking areas will remain private and not be subject to adoption by Dfl Roads.

Suggested conditions have been included in the consultation response.

NIEA

Natural Environment Division has considered the impacts of the proposal on natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.

Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal.

The Regulation Unit of Land and Groundwater Team stated that AMC Environmental have provided a Preliminary Risk Assessment report and Pentland MacDonald Limited have provided an Investigation of Crushed Demolition Rubble Potentially Containing Asbestos report in support of this application. The Pentland MacDonald report is informed by intrusive investigations and it is concluded that occurrences of asbestos are widespread within the crushed demolition rubble at the site. A Detailed Remediation Strategy is not presented and is required. Regulation Unit do not offer any objections to the development provided conditions and informatives are placed on any planning decision notice as recommended.

Drawing Numbers and Title

Drawing No. 01/1
Type: Site Location Plan
Status: Submitted

Drawing No. 02/1
Type: Site Layout or Block Plan
Status: Submitted

Drawing No. 03
Type: Site Appraisal or Analysis
Status: Submitted

Drawing No. 04/1
Type: Proposed Plans
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/0025/F	Target Date:
Proposal: Proposed development of existing brown field site for development of new internal access road/footpaths, improved access include right hand turning lane, alteration of existing levels to provide platforms for future development, installation of utilities, installation of site fencing, clearance of undergrowth vegetation and associated site works to support future mixed use and enterprise centre/business units	Location: Former Maghera High School, Tobermore Road, Maghera
Referral Route: This is a major planning application	
Recommendation: Approve	
Applicant Name and Address: Mid Ulster District Council, 76-78 Burn Road, Cookstown	Agent Name and Address: Teague and Sally, 3A Killycolp Road, Cookstown, BT80 9AD
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	Historic Environment Division (HED)	Content
Statutory	NIEA	Advice
Non Statutory	Environmental Health Mid Ulster Council	
Non Statutory	Rivers Agency	
Statutory	Historic Environment Division (HED)	
Statutory	NIEA	

Statutory	DFI Roads - Enniskillen Office	
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Statutory	NIEA	Advice
Statutory	DFI Roads - Enniskillen Office	Content
Statutory	NIEA	Content

Representations:

Letters of Support	None Received
Letters of Objection	1334
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	1 Petition Received

Summary of Issues

When the application was first received and publicised the following issues of concern were raised by objectors:

- The majority of the site is greenfield and zoned as open space. It has been used as a recreation area by the local community prior to being fenced off and there will be a considerable loss of open space;
- There is a shortfall of open space provision in Maghera and this is the only significant area of green space remaining within walking distance to the residents of the town. The loss will affect both physical and mental health of the residents of the area;
- Industrial development at this site will seriously impact visual amenity, character and biodiversity of the Local Landscape Policy Area;
- The removal of mature woodland will have an adverse effect on wildlife habitat including protected species;
- The development encroaches on the Milltown Burn which is considered to be an important wildlife corridor, impacting on the environmental quality of the surrounding area;
- The site provides both open space and a central and neutral place in Maghera. The site has the potential to be developed as a fully inclusive civic space and the proposed development will result in the loss of existing shared space and the last viable site to deliver these benefits.
- The proposed development will impact on the future viability and vitality of Maghera town;
- A significant portion of the site is within the 1 in 100 year flood plain. The proposed development and alteration of ground levels will exacerbate the flood risk both of the application site and the surrounding area;

- The claims of business need, job creation and a shortage of development land are unsubstantiated. Much of the land currently zoned for industry in the current area plan remains undeveloped. There are four sites of existing industry within the Maghera settlement limit, two of which comprise business parks and both have vacancies with turnover of tenants remaining high. There are 21 acres of zoned industrial land in the private sector which do not require the loss of open space. The proposed plan does not provide strong evidence for job creation nor will it contribute to the regeneration and long-term sustainability of Maghera.
- Maghera suffers from traffic congestion and this is a constraint on the town. Additional traffic using the proposed development will have an adverse effect on existing business, housing and current amenities within the town. Industrial development in the town should be refused until an infrastructure resolution is found for the current congestion issues.
- There is a former refused site at Mullagh which was being considered as a potential commercial site by Magherafelt District Council back in 2002;
- Proposals seeking exemption from planning policy protections around areas of open space are expected to demonstrate both community benefit that would decisively outweigh the loss of open space and these plans are to be supported by the local community;
- There are concerns held by DfI Roads with regards to traffic impact;
- Developing a business park in the flood plain and the construction of storm water attenuation works in the floodplain are not consistent with planning policy;
- There are many schools in the area that could avail of this open space as part of their studies;
- The health and well being of residents should be considered more important than the collection of increased rates;
- There are no other opportunities in Maghera for families to spend the day and driving to other areas takes trade away from Maghera;
- To have the area as open space would provide an opportunity to have public events for the local community in this area;
- The emerging local plan identifies there is an adequate supply of industrial land in Maghera without the need to lose an area of open space to commercial development;
- Mid Ulster District Council have failed to engage with the community on the proposed development;
- A provisional TPO was requested by an objector to prevent the loss of the trees;

Following the submission of amended plans there have been 2 further letters of objection to the proposed development. All issues raised in the letters are detailed above and consideration of the issues will follow in this report.

The amended plans showed a reduction in the red line boundary of the site so that no development would be located within the flood plain. Amended plans were also submitted to reflect comments made by consultees with the following reports also submitted:

24.10.2019 - Amended P1 form to show a change in the description of the development, Flood Risk Assessment, Bat Survey, Ecological Surveys, Preliminary Ecological Appraisal Survey Report.

29.11.19 - Updated Bat survey

12.12.19 - Tree Survey Report and Tree Survey sheet

13.12.19 - Road Safety Audit
 19.12.19 - Revised Tree Survey, Updated bat survey, Revised Preliminary Ecological Appraisal Survey Report and RSA Designer's Response.

Characteristics of the Site and Area

The application is on the grounds of the former Maghera High School, which is demolished. There are some associated, though somewhat overgrown hard surface playing areas. There is a considerably large area adjacent to the Glenshane Industrial Park. There is a tarmac area, which was partly used as a basketball court, and an overgrown tarmac area which is fenced off and it was apparent from my site visit it was used as a tennis court. There are two grass bank areas. The site is bounded by very mature vegetation on all boundaries. Glenshane Industrial Park bounds the site to the south. The A29 bounds the site to the west. To the east is a pathway that continues along to the north.

Description of Proposal

Proposed development of existing brown field site for development of new internal access road/footpaths, improved access include right hand turning lane, alteration of existing levels to provide platforms for future development, installation of utilities, installation of site fencing, clearance of undergrowth vegetation and associated site works to support future mixed use and enterprise centre/business units

Planning Assessment of Policy and Other Material Considerations

Regional Development Strategy 2035
 Strategic Planning Policy Statement
 Magherafelt Area Plan 2015
 MUDC Local Development Plan 2030 - Draft Plan Strategy
 Planning Policy Statement 2: Natural Heritage
 Planning Policy Statement 3: Access, Movement and Parking
 Planning Policy Statement 15 (Revised) Flooding

A planning application was received 21 December 2018 for the proposed development of existing brown field site for development of new internal access road/footpaths, improved access include right hand turning lane, alteration of existing levels to provide platforms for future development, installation of utilities, installation of site fencing, clearance of undergrowth vegetation and associated site works to support future mixed use and enterprise centre/business units in conjunction with LA09/2019/0024/O. The application was advertised in the local press and neighbours were notified. Up to 21 January 2019 a total of 1,334 letters of objection were received to the proposed development.

The application site was formerly used for educational purposes by Maghera High School. The site comprised of the school buildings and playing fields. The grounds are

secured by a fence around the perimeter of the site and a locked gate entrance to prevent members of the public trespassing across the private grounds.

The site encompasses the former Maghera High School and its immediate environment. The site sits outside zoned land as identified within the Magherafelt Area Plan 2015 but it is located in a Local Landscape Policy Area (LLPA). A small part of the site comprises an area of Major Existing Open Space. The trees around the site primarily provide for the intrinsic character of the LLPA and these can be protected by way of planning conditions and a Tree Preservation Order (TPO). Most of the site is outside the area of open space and therefore a minimal amount of open space is affected by the proposed development, though consideration must be given to PPS 8 - Policy OS1.

The original proposed layout gave rise to issues including roads, flooding, and loss of public open space and issues of natural heritage. It should be noted the site is to be accessed from an existing access off a protected route. As such, Policy AMP 3 of PPS 3 must be considered. Policy AMP 3 - Access to Protected Routes states that planning permission will only be granted for a development proposal involving the intensification of the use of an existing access where access cannot reasonably be taken from an adjacent minor road and where the access from the protected route is within the settlement limit.

In order to consider issues of natural and built heritage PPS 2 and PPS 6 must be considered when assessing the proposed development. It should be also noted the site has been reduced in size to keep it out of the 1 in 100 year fluvial flood plain and therefore development within the fluvial flood plain is no longer an issue in the context of PPS 15.

I have set out the site is on largely unzoned land within the LLPA in the Area Plan. Consequently, there is a presumption in favour of development but subject to the criteria set out in PPS 4, which will be addressed later in the report. Policy CON 2 Local Landscape Policy Areas of the Area Plan provides that, within designated LLPA's, planning permission will not be granted to development proposals which would adversely affect their intrinsic environmental value and character, which includes those features set out in Part 4 of the Area Plan. Planning permission will also only be granted to development proposal which meet any additional key development requirements set out as appropriate in Part 4 of the Plan. Designation MA13 of the Area Plan lists the key features of the LLPA and most of these relate to features that are outside the site boundary. By appropriately siting the development the trees can mostly be protected and providing that protection be given the development is compatible with the LLPA. It is my opinion that the retention of the trees identified coupled with conditions for detailed proposals for landscaping in the area shaded green on drawing 02/1, this proposal can help assist to protect the LLPA and help soften the urban edge. Therefore providing the appropriate conditions are applied I would advise the Committee the proposal does not conflict with Policy CON 2 of the Magherafelt Area Plan.

Consideration of whether additional protection by way of a TPO should be provided as requested by objectors is discussed in a separate report for Member's decision. Members are advised to note that the decision on this application does not preclude or prejudice any decision on whether additional protections should be provided by a TPO.

Whilst most of the land is unzoned the Planning Committee's attention is drawn to a minor encroachment onto the open space which was formerly hardcourt surfaces used by the school. The map below is taken from the Magherafelt Area Plan and shows the site together with the area zoned as Major Area of Existing Open Space and the LLPA.



The applicant has stated the Largantogher Walkway and the link to the Walled Garden compensate for the loss of this open space. These have been opened up as areas of public open space. Although part of the application site is on an area of Major Existing Open Space, it was not publicly accessible. In considering the issue of loss of open space under PPS 8, Policy OS1 of PPS 8 states the Department will not permit development that would result in the loss of existing open space or land zoned for the provision of open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. However, it should be noted that Policy OS1 allows for an exception to the policy. This is where the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area and in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least accessible and at least equivalent in terms of size, usefulness, attractiveness, safety and quality. It is my view the provision of Largantogher Walkway and its connection to the Walled Garden compensates for the loss of open space. As this was a school site access to the open space area was restricted. In contrast the Largantogher Walkway and link to the Walled Garden, which has already been constructed, has full public access.

The application was re-advertised and neighbours and objectors notified of the amended scheme and additional information. A further round of consultations was carried out with consultees. As of the time of writing the report, no further objections have been received.

The RDS 2035, whilst is not an operational policy, it does provide the overarching framework for NI, from which planning policies are derived. The vision of the RDS is supported by eight aims:

- Support strong, sustainable growth for the benefit of all parts of NI;
- Strengthen Belfast as the regional economic driver and Londonderry as the principal city of the North West;
- Support NI's towns, villages and rural communities to maximise their potential;
- Promote development which improves the health and well-being of communities;
- Improve connectivity to enhance the movement of people, goods, energy and information between places;
- Protect and enhance the environment for its own sake;
- Take actions to reduce Northern Ireland's carbon footprint and facilitate adaptation to climate change; and
- Strengthen links between north and south, east and west, with Europe and the rest of the world.

The SPPS is a statement of the Department's policy on important planning matters that should be addressed across Northern Ireland. The provisions of the SPPS are material to all decisions on individual planning applications and appeals. The SPPS states that objective of the planning system is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. The SPPS goes on to state the planning system should positively and proactively facilitate development that contributes to a more socially economically and environmentally sustainable Northern Ireland. Para 2.2 of the SPPS identifies a key dimension of sustainable development for NI is economic growth. Para 4.19 states planning authorities should therefore take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Appropriate weight must also be given to both the public interest of local communities and the wider region when planning authorities are processing relevant planning applications.

Flooding

During the course of the planning application amended drawings have been submitted which show a reduction in the size of the red line. The proposed development is now outside the 1 in 100 year fluvial flood plain. A Flood Risk Assessment (FRA) was submitted for this application and Rivers Agency were consulted on the FRA.

The Drainage Assessment (DA) indicates that the road related storm runoff will discharge unrestricted to the designated watercourse to the south of the site. An attenuated discharge consent has been approved by DfI Rivers under Schedule 6 of the Drainage (NI) Order 1973 for the whole site. Therefore, although the unrestricted road discharge is unacceptable the future development proposals should have measures in place to ensure the approved attenuated discharge for the whole site is adhered to.

Natural Heritage

PPS 2 acknowledges that the public interest requires that all development is carried out in a way that would not cause demonstrable harm to interests of acknowledged importance, such as natural heritage.

In terms of natural heritage the agent has submitted a number of reports including a Tree Survey Report, Bat Roost Potential Survey, Badger Survey, Invasive Species Survey Report, Ecological Survey, Preliminary Ecological Appraisal Survey, Revised Bat Survey and Revised Preliminary Ecological Appraisal Survey. Natural Environment Division (NED) has considered the impacts of the proposal on natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.

NED notes that no bats were recorded using the trees to be removed, therefore NED is content that the trees do not currently support roosting bats. NED advises that a final check for bats 24 hours prior to the removal should be undertaken.

Roads

It is proposed to access the application site from the existing access point off the A29, which is a protected route. Policy AMP 2 - Access to Public Roads of PPS 3 states that planning permission will only be granted for a development proposal involving the intensification of an existing access onto a public road where:

- a) Such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- b) The proposal does not conflict with Policy AMP 3 Access to Protected Routes.

Policy AMP 3 - Access to Protected Routes states that planning permission will only be granted for a development proposal involving the intensification of the use of an existing access where access cannot reasonably be taken from an adjacent minor road and where the access from the protected route is within the settlement limit.

This access is within the settlement limit of Maghera and there are no adjacent minor roads from which access can be taken.

A Stage 1 / 2 Safety Audit was submitted for the application which has been signed off and recommendations actioned upon in accordance with DMRN GG 19.

Objections

I outlined the objections at the top of this report and I advise the Members to consider all of these in light of my following observations on the issues raised as follows:

Loss of open space:-

This small area of open space has not been publicly accessible. I have detailed the Laragntogher Walkway and its connectivity to the Walled Garden and it is my opinion this compensates for the loss of open space.

Visual Impact:-

Although this site is in a LLPA the intrinsic character of the LLPA is primarily provided for by the trees around the site and these can be protected by way of planning conditions and a Tree Preservation Order (TPO) which will be considered by the Committee at the February meeting. I do not consider there to be a negative visual impact.

Impact on Biodiversity:-

NED are content that, subject to conditions, they have no concerns with the proposed development. I have gone into detail on this matter above.

Flooding:-

The site has been reduced in size so that no development is in an area of fluvial flooding. Rivers Agency have requested a condition that if the principle of development is accepted by the Planning Authority the requirements of PPS 15 must be met for each subsequent application for each plot.

No identified need for industrial land:-

PPS 4 does not require the applicant to demonstrate a need for industrial land. However, it has been demonstrated through a land availability appraisal there is only one unit available in Glenshane Industrial Park, with the units in Maghera Business Park, Main Street and Sperrin View Commercial Units are all 100% occupied. MUDC is working to ensure improved provision of open space and to promote development that will have economic benefits which brings jobs and economic expenditure which will enhance the future vitality and viability of Maghera.

Traffic:-

No issues of road safety have been raised through the TAF or by DfI Roads. Each application to develop each plot shall be required to demonstrate adequate parking and servicing of the site, right turn lane access arrangements to facilitate the cumulative traffic from both existing and proposed movements, the impact on the surrounding road network and within Maghera town centre and any additional mitigating works required.

Conclusion

In looking at the relevant policies and other material considerations, I do not see any conflict with planning policy. I therefore recommend an approval of this planning application to the Planning Committee.

Neighbour Notification Checked	Yes
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Summary of Recommendation:

On 19 April 2019 the Department directed, under the provisions of Articles 17 and 18 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that they be notified when a recommendation is made by the Planning Committee before a final decision is made. This direction allows the Department the opportunity to consider whether the application should be called in. It is recommended that Committee approve the planning application subject to the below conditions and notification to the

Department for their consideration. If the Department is minded not to call in the application or to impose any other action on the Council then the Planning Manager can proceed to issue the decision as per the conditions.

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development shall not be occupied until remedial measures detailed in the Pentland MacDonald Ltd Report No PM18-1152 dated November 2018 have been fully implemented and validated to the satisfaction of the Planning Authority and the Northern Ireland Environment Agency.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

3. Validation documentation shall be submitted in the form of a validation report and agreed with the Planning Authority and the Northern Ireland Environment Agency. The report shall describe all the remediation and monitoring works undertaken and shall demonstrate the effectiveness of the works in managing and remediating all the risks posed by contamination.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

4. There shall be no amendments or deviations from the remediation and verification recommendations contained within the Pentland MacDonald Remediation Strategy (Ref: PM 18-1152) dated November 2018, without the prior written approval of Planners in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

5. In the event that previously unknown contamination is discovered falling outside the scheme of the approved revised remediation scheme, development on the site shall cease pending submission and agreement of a written report, detailing the proposed investigation, risk assessment and remediation scheme, by the Planning Authority in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency. Development works shall not resume until the approved written report has been fully implemented to the satisfaction of the Planning Authority in consultation with Mid Ulster District Council and the Northern Ireland Environment Agency.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

6. The development hereby permitted shall not commence until a Detailed Remediation Strategy to address all unacceptable risks identified. This strategy must be submitted in writing and agreed with the Planning Authority and should identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetabling of works, remedial criteria, monitoring program etc).

Reason: Protection of environmental receptors to ensure the site is suitable for use.

7. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR 11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. After completing the remediation works under Condition 9 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR 11).

The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. Prior to any site works taking place, a "Plan of Work" for the management of site asbestos containing materials (ACM) must be prepared by a suitably competent person and submitted to the Planning Authority within the Council for its agreement.

This plan of works needs to be submitted before any site work with ACM is carried out and should include details of the work and the actions to control risk and prevent harm. The Plan of Work must include the following:

- Nature and expected duration of the work
- Number of persons involved
- Address and location of where work is to be carried out
- Method for picking asbestos
- Methods used to prevent, control and reduce exposure to asbestos
- Air monitoring
- Arrangement for disposal of asbestos waste

- Type of equipment including personal protective equipment and

Works on site with asbestos containing materials must not take place unless a copy of this Plan of Work is readily available on site.

Reason: Protection of human health and ensure the development site is suitable for use.

10. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

11. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities - Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

12. The vehicular access including visibility splays shall be provided in accordance with drawing no 08/2 bearing the date stamp 19 December 2019 prior to the commencement of any other development hereby permitted. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays 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.

13. No other development hereby permitted shall be commenced until the road works indicated on drawing no 08/2 bearing the date stamp 19 December 2019 have been fully completed in accordance with the approved plans.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out at the appropriate time.

14. The gradient of the access road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary.

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

15. Gates or security barriers at the access shall be located at a distance from the edge of the public road that will allow the largest expected vehicle to stop clear of the public road when the gates or barriers are closed.

Reason: To ensure waiting vehicles do not encroach onto the carriageway.

16. On completion of the highway works the applicant shall, within the required time, submit and conclude stage 3 and stage 4 road safety audits as required in accordance with DMRB GG 199.

Reason: In the interests of road safety.

Signature(s)

Date:

ANNEX	
Date Valid	21st December 2018
Date First Advertised	24th January 2019
Date Last Advertised	19th November 2019
Details of Neighbour Notification (all addresses) Riaz Ashraf 1 MEADOWLANE SHOPPING CENTRE, UNIT 31, MONEYMORE ROAD, MAGHERAFELT, LONDONDERRY, Northern Ireland, BT45 6PR Wesley Nelson, 1, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF Steven Nelson, 1, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF Michelle Nelson, 1, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF Aoife O'Hare, 1, Beaver Avenue, Maghera, Londonderry, Northern Ireland, BT46 5RL Charles Heaney, 1, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG John Heaney, 1, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG Mary Heaney, 1, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG Helen Averill, 1, Carricknakielt Lane, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PX Ann McKay, 1, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA Louise Gunn, 1, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR Eamon Unknown, 1, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH Erin Scullion, 1, Crewe Manor, Maghera, Londonderry, Northern Ireland, BT46 5GJ Jason McShane, 1, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AX Darina Crossett, 1, Fireside Close, Knockcloghrim, Londonderry, Northern Ireland, BT45 8SD Selina Archibald, 1, Forest Road, Garvagh, Londonderry, Northern Ireland, BT51 5EF Bridget Leyden, 1, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS Anne McKenna, 1, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AW G McShane, 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY Kathleen McShane, 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY Kathleen McShane, 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY G McShane, 1, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY Jacqueline Wright, 1, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG Niamh Poole, 1, Lavey Park, Gulladuff, Londonderry, Northern Ireland, BT45 8PW Stephen Holmes, 1, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD Stephen Holmes, 1, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD Katie Hutchinson, 1, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA Eunan McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX Terence McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX	

Clare McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Patricia McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Caragh McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Patricia McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Ruedhri McAleese, 1, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Anne Selfridge, 1, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 John J Convery, 1, Seefin Hill, Maghera, Londonderry, Northern Ireland, BT46 5PQ
 Terry McMaster, 1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
 Bernice McMaster, 1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
 Aoife McMaster, 1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
 Terry McMaster, 1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
 Bee McMaster, 1, Silverhill, Maghera, Londonderry, Northern Ireland, BT46 5GB
 Drew Allen, 1, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Edel Allen, 1, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Erin Reardon, 10 Elizabeth Avenue, Exeter, EX4 7EL
 Keira O'Kane, 10 Glendale Manor, Maghera, BT46
 Grainne Cassidy, 10 Slaughneil Road, Maghera, BT46
 Marleen Van Eck, 10, Ballyknock Road, Maghera, Londonderry, Northern Ireland, BT46 5PH
 J Robinson, 10, Bank Square, Maghera, Londonderry, Northern Ireland, BT46 5AZ
 T J Lamont, 10, Beagh Terrace, Maghera, Londonderry, Northern Ireland, BT46 5EP
 Margaret Scullion, 10, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Paula Convery, 10, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 Bernie Convery, 10, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 Geraldine McAleer, 10, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Janet McGrath, 10, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
 Felix O'Connell, 10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
 Niamh O'Connell, 10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
 Clodagh O'Connell, 10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
 Brenda O'Connell, 10, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
 Roisin McGill, 10, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Sarah Graham, 10, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UF
 Chris O'Kane, 10, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Agata Sobieraj, 10, Grange Avenue, Magherafelt, Londonderry, Northern Ireland, BT45 5RP
 Carol Dunlop, 10, Knocknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EH
 Carol Dunlop, 10, Knocknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EH
 Dillon Dunlop, 10, Knocknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EH
 James Bates, 10, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH

Mark Espley, 10, Loughinsholin Park, Castledawson, Londonderry, Northern Ireland, BT45 8DF
 Geraldine Leyden, 10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Paddy Leyden, 10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Cliodhna Leyden, 10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Patrick Leyden, 10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Geraldine Leyden, 10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Shea Leyden, 10, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Breige Stewart, 10, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Dean Graham, 10, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 G Fields, 10, Moneymore Road, Magherafelt, Londonderry, Northern Ireland, BT45 6AD
 Ann Flanagan, 10, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Lisa McGill, 10, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
 Kevin McGill, 10, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
 Evelyn Smyth, 10, Oakvale Terrace, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TW
 Sinead Bradley, 10, Ranaghan Lane, Maghera, Londonderry, Northern Ireland, BT46 5JY
 Robert Clarke, 10, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Laura Wilson, 10, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 K O'Kane, 10, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
 Ciara Kelly, 10, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Katherine Peebles, 10, Thompson Gardens, Maghera, Londonderry, Northern Ireland, BT46 5HJ
 Kathryn McGilligan, 10, Glen Gardens, Maghera, BT46 5GN
 Eunan McCusker, 100, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LH
 Charlotte Dawes, 102 Honiton Road, Exeter, EX1 3EQ
 Justine Quinn, 102A, GLEN ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JG
 T Gunning, 103a, Grove Road, Swatragh, Londonderry, Northern Ireland, BT46 5QZ
 Sinead McKenna, 104, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Amanda Bennett, 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Cliff Bennett, 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 John Bennett, 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Stephanie Lennox, 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Tanya Bennett, 104, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5DW
 Maria McKenna, 105, Glen Road, Maghera, Co Derry, BT46 5JG
 Frank McKenna, 105, Glen Road, Maghera, Co Londonderry, BT46 5JG
 Indy Sian, 106, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Aoife Kearney, 106, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG

Susan Small, 106, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Martina Small, 106, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Liz Porter, 106, Tobermore Road, Desertmartin, Londonderry, Northern Ireland, BT45 5LF
 George Porter, 106, Tobermore Road, Desertmartin, Londonderry, Northern Ireland, BT45 5LF
 Liz Porter, 106, Tobermore Road, Desertmartin, Londonderry, Northern Ireland, BT45 5LF
 Mona O'Kane, 108 Glen Road, Maghera, BT46
 Patrick O'Kane, 108, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Mona O'Kane, 108, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Fiona Mallon, 108, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NQ
 Fergal Diamond, 109 Glen Road, Maghera
 Claire Diamond, 109, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 The Owner/Occupier, 11 Tobermore Road, Maghera, Londonderry, BT46 5DS
 B Patterson, 11, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 M Patterson, 11, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 S O'Neill, 11, Ballymacilcurr Road, Culnady, Londonderry, Northern Ireland, BT46 5HR
 Eileen Marquess, 11, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Cathal Moran, 11, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Steven Johnston, 11, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
 Eamon Convery, 11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Caolan Convery, 11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Orlaigh Convery, 11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Peggy Convery, 11, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 B O'Connor, 11, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 P Quinn, 11, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Anne Gallagher, 11, Glenshane Road, Maghera, Londonderry, Northern Ireland, BT46 5JZ
 Agnes Brownlow, 11, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
 James Glasgow, 11, Granaghan Park, Swatragh, Londonderry, Northern Ireland, BT46 5DY
 Barbara Mulhern, 11, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Ciara Diffley, 11, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FN
 Alistar Megahey, 11, Killysorrell Road, Dromore, Down, Northern Ireland, BT25 1LB
 Kelly Campbell, 11, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Elizabeth McCann, 11, Moybeg Road, Tobermore, Londonderry, Northern Ireland, BT45 5QH
 Elizabeth McCann, 11, Moybeg Road, Tobermore, Londonderry, Northern Ireland, BT45 5QH
 Sam Shiels, 11, Mullagh Park, Maghera, Londonderry, Northern Ireland, BT46 5RJ

Joanne Finaghan, 11, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
 Alison Greer, 11, Raphael Park, Ballymena, Galgorm, Antrim, Northern Ireland, BT42 1DY
 Anne O'Kane, 11, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Alma Curry, 11, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Denver Curry, 11, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Jennifer Young, 11, Tobermore Road, Maghera, Londonderry, Northern Ireland, BT46 5DS
 Vicky Seviourfcrockett, 110, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
 Michelle Tang, 110, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Trevor Tang, 110, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Patrick Small, 112, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 E J McQuillan, 112, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Deirig McDaid, 113, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NQ
 Breda McDaid, 113, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NQ
 John McKenna, 114 Glen Road, Maghera, Londonderry, BT46 5JG
 John McKenna, 114, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Derval Higgins, 114a, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Sean Walshe, 116, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LS
 Maria Boyd, 118, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Tina Jones, 119, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
 Janette O'Kane, 11a, Laragh Road, Maghera, Londonderry, Northern Ireland, BT46 5NS
 Brianna Casey, 11c, Lough Road, Ballymena, Loughguile, Antrim, Northern Ireland, BT44 9JN
 John Stewart, 12 Clarke Avenue, Maghera
 Carly Stewart, 12, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Maisie Stewart, 12, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Eilis Maguire, 12, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Joe Lagan, 12, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
 Mary Murphy, 12, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
 Orlaleigh McAtamney, 12, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Frances McAtamney, 12, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Aiden McCoy, 12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
 Ciara McCoy, 12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
 Kieran McCoy, 12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
 Bronagh McCloy, 12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
 Pauline McCoy, 12, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL

Mary McKenna, 12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Eamon McKenna, 12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Eamon McKenna, 12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Urlaith McKenna, 12, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 J Lennox, 12, Desertmartin Road, Tobermore, Londonderry, Northern Ireland, BT45 5QY
 Joan Lennox, 12, Desertmartin Road, Tobermore, Londonderry, Northern Ireland, BT45 5QY
 Lisa O'Kane, 12, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Lisa O'Kane, 12, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Justin McGrath, 12, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Olive Rafferty, 12, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
 Sue Ling Tang, 12, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 Heather Ann Peeples, 12, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Helen Mullholland, 12, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
 Emma Crothers, 12, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Michael Mellon, 12, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Claire Hassan, 12, Station Road, Dungiven, Londonderry, Northern Ireland, BT47 4LN
 Gerrard McKelvey, 12, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Lisa McErlean, 121, BOVEEDY ROAD, KILREA, LONDONDERRY, Northern Ireland, BT51 5TZ
 Mark McErlean, 121, Boveedy Road, Kilrea, Londonderry, Northern Ireland, BT51 5TZ
 Gillian McGlade, 121, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
 Katrina Unknown, 124, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Donal Leahy, 126, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Clare Leahy, 126, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Theresa O'Neill, 128, Ballinderry Bridge Road, Coagh, Londonderry, Northern Ireland, BT80 0AY
 Frances McAtamney, 12A Clarke Avenue, Maghera, BT46 5DB
 Francis McAtamney, 12a, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Seamus Kearney, 12a, Keady Road, Upperlands, Londonderry, Northern Ireland, BT46 5SX
 Cecilia Craig, 13 Tullyherron Road, Armagh, BT60 2FA
 James Glassm 13, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 Mary Glass, 13, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 K Unknown, 13, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ

Susan Speer, 13, Drumlamph Road, Castledawson, Londonderry, Northern Ireland, BT45 8EJ
 Terence Devlin, 13, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Noreen McCusker, 13, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Hannah McKenna, 13, Glenshane Road, Maghera, Londonderry, Northern Ireland, BT46 5JZ
 Damion O'Hagan, 13, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Bronagh O'Hagan, 13, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Bronagh O'Hagan, 13, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Eileen Taggart, 13, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Suzanne McGahon, 13, Parker Avenue, Castledawson, Londonderry, Northern Ireland, BT45 8AR
 Glenn Convery, 13, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
 Jennifer Mawhinney, 130, Sixtowns Road, Draperstown, Londonderry, Northern Ireland, BT45 7BE
 Julie Ann O'Kane, 131, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Jolene Hutchinson, 132A, Glen Road, Maghera, BT46 5JG
 Ciaran McKee, 133 Fivemile Straight, Maghera
 Trevor McCombe, 133, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UX
 Briege Kelly, 133, Mullaghboy Road, Bellaghy, Londonderry, Northern Ireland, BT45 8JL
 Michelle Convery, 136, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 B Gallagher, 138, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
 Linda Clarke, 14, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Robert Clarke, 14, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Aniela Wons, 14, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 Unknown, 14, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 Paul Stockman, 14, Boyne Row, Castledawson, Londonderry, Northern Ireland, BT45 8AE
 Alison Stewart, 14, Cranny Lane, Moneymore, Londonderry, Northern Ireland, BT45 7RQ
 Niamh Coyle, 14, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Patricia Coyle, 14, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Rachel Bolt, 14, Gibson Park Gardens, Belfast, Down, Northern Ireland, BT6 9GN
 Robert Convery, 14, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Danielle Donnelly, 14, Mallon Villas, Draperstown, Londonderry, Northern Ireland, BT45 7LX
 Siobhan Mallon, 14, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Eugene McGlade, 14, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Judith McGlade, 14, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Kellie McDonald, 14, St. Lurachs Gardens, Maghera, Londonderry, Northern Ireland, BT46 5JJ

Gerry McWilliams, 141, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Deirdre Convery, 142A Five Mile Straight, Maghera
 Austin Convery, 142a, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Mabel McEldowney, 143 Five Mile Straight, Maghera
 Denise Martin, 144, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Patricia McCorry, 146, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Michelle Kelly, 146, Shore Road, Magherafelt, Ballyronan, Londonderry, Northern Ireland, BT45 6LS
 Maureen Young, 147, Moneysharvan Road, Maghera, Londonderry, Northern Ireland, BT46 5HZ
 Tara Cassidy, 148, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 Anne O'Neill, 149, Moneysharvan Road, Maghera, Londonderry, Northern Ireland, BT46 5HZ
 Jill Dawson, 14a, Glenmaquill Road, Magherafelt, Londonderry, Northern Ireland, BT45 5EW
 Jill Dawson, 14a, Glenmaquill Road, Magherafelt, Londonderry, Northern Ireland, BT45 5EW
 Maria Kelly, 15 Easterbrook Place, Wattle Grove, Western Australia
 Alana McFarlane, 15 Fairhill Park, Maghera
 Preya Patel, 15 Rossthwaite Close, West Bridgford, Nottingham, NG2 UK
 Joanne O'Neill, 15 Slaughneil Road, Maghera
 Ruth Watterson, 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Karla Watterson, 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Jasmine Watterson, 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Eddie Watterson, 15, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Michael Murphy, 15, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Lauren O'Connell, 15, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Donna O'Kane, 15, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Lorraine Johnston, 15, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Karen Young, 15, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DB
 Shauna McFall, 15, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Paul McErlean, 15, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Maureen McErlean, 15, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Kelley Hann, 15, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Glenn White, 15, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Orlath Brady, 15, McGurks Villas, Gulladuff, Londonderry, Northern Ireland, BT45 8NY
 Niamh Hegarty, 15, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Arlene McAfee, 15, Rowan Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FG
 Ana O'Neill, 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Sean O'Neill, 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Patrick O'Kane, 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
 Dunla O'Neill, 15, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ

Breigean Cassidy, 15, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Lorraine Cudden, 15, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Eamonn Magee, 152 Gulladuff Road, Magherafelt, BT45 8LU
 Aisling Gribbin, 152, Creagh Road, Castledawson, Londonderry, Northern Ireland, BT45 8EY
 Mary Magee, 152, Gulladuff Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LW
 James Bradley, 153, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Aislinn Bradley, 157, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Aislinn Bradley, 157, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Jimmy Millar, 15a, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5EB
 Joanne Kelly, 15a, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5EB
 Megan McGarvey, 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Michael McGarvey, 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 McGarvey Mary, 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Mary McGarvey, 15a, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Marie Molloy, 16, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Paula O'Kane, 16, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
 Davina Conway, 16, Derganagh Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PS
 Jennifer McConnell, 16, Drumard Park, Tamlaght O'Crilly, Londonderry, Northern Ireland, BT46 5XW
 Josephine Logue, 16, FALLYLEA ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JT
 Christine McErlean, 16, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Roisin Hasson, 16, GLENDALE MANOR, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GY
 Ronan Hasson, 16, GLENDALE MANOR, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GY
 Sheena McKeown, 16, Glenview, Garvagh, Londonderry, Northern Ireland, BT51 5DZ
 Leanne Scott-Kelly, 16, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 N McNicholl, 16, Riverbrook Drive, Moneymore, Londonderry, Northern Ireland, BT45 7GA
 Kerry Neill, 16, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
 Kerry Neill, 16, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
 Joanne Scullion, 16, Rocktown Lane, Magherafelt, Londonderry, Northern Ireland, BT45 8QF
 M Merron, 16, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU

Nicole Nelson, 160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
 Mark Nelson, 160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
 Alex Nelson, 160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
 Joseph Nelson, 160a, Kilrea Road, Upperlands, Londonderry, Northern Ireland, BT46 5TB
 Barney Bradley, 162, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JN
 Aideen Cushnahan, 164C, MULLAGHBOY ROAD, PORTGLENONE, LONDONDERRY, Northern Ireland, BT44 8LY
 Heather McEldowney, 168 Five Mile Straight, Maghera, BT46 5JP
 Heather McEldowney, 169, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Frankie McEldowney, 169, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5JP
 Rosanna Wilson, 16a, Ballynacross Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PY
 Rosanna Wilson, 16a, Ballynacross Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PY
 Katherine Dartnell, 16a, Dreenan Road, Gulladuff, Londonderry, Northern Ireland, BT45 8PQ
 The Owner/Occupier, 17 Cherry Hill, Maghera, Londonderry, BT46 5LS
 John R Jones, 17, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Adrian N Jones, 17, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Caoimhe Mullholland, 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Ciara Mullholland, 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Eunan Mullholland, 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Bronagh Mullholland, 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Damian Mullholland, 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Cathal Mullholland, 17, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Ann Clarke, 17, Carsonville Drive, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SQ
 Gary O'Brien, 17, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Patricia Boorman, 17, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
 Ciara McWilliams, 17, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Eileen Bradley, 17, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 John McKay, 17, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Caoimhe Moran, 17, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Caoimhe Moran, 17, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Michael Kirkpatrick, 17, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Kieran Doherty, 17, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ

John Keenan, 17, The Nursery, Killyleagh, Down, Northern Ireland, BT30 9UQ
 Kathleen McKenna, 174, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JN
 Mick McKenna, 174, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JN
 Claire Kearney, 179, Mayogall Road, Clady, Londonderry, Northern Ireland, BT44 8NW
 Paula McTaggart, 179, Mayogall Road, Clady, Londonderry, Northern Ireland, BT44 8NW
 Christopher McCreanor, 18, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Rachel McCreanor, 18, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Daniel McCreanor, 18, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Katie McCloskey, 18, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Samantha Scott, 18, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Stephen McKeown, 18, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Shaunine Gallagher, 18, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Martha Casey, 18, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 M McCusker, 18, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Pauline McCusker, 18, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Con McDonald, 18, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Miriam Turley, 18, Deramore Avenue, Belfast, Down, Northern Ireland, BT7 3ER
 Irene Dempsey, 18, Drummuck Road, Maghera, Londonderry, Northern Ireland, BT46 5ES
 Mervyn Dempsey, 18, Drummuck Road, Maghera, Londonderry, Northern Ireland, BT46 5ES
 David Graham, 18, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 David Graham, 18, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Bridget McNally, 18, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Dominic Bradley, 18, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Roisin Bradley, 18, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Roisin Bradley, 18, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Harry Moore, 18, Moor Park Drive, Belfast, Antrim, Northern Ireland, BT10 0QF
 Maria Moore, 18, Moor Park Drive, Belfast, Antrim, Northern Ireland, BT10 0QF
 Amie Woolley, 180 Hamlin Lane, Exeter, Devon, EX1 2SH
 L Broderick, 18a, Mayogall Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PD
 Sarah Bradley, 18b, Cavanreagh Road, Draperstown, Londonderry, Northern Ireland, BT45 7BS
 Siobhan Bradley
 18b, Cavanreagh Road, Draperstown, Londonderry, Northern Ireland, BT45 7BS
 Norman Clarke, 19, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Margaret Clark, 19, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF

Denise Glackin, 19, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ

Tracey Paul, 19, Curragh Road, Maghera, Londonderry, Northern Ireland, BT46 5ER

Tracey Paul, 19, Curragh Road, Maghera, Londonderry, Northern Ireland, BT46 5ER

Brian O'Doherty, 19, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY

Adrian Logue, 19, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU

Nigel Reid, 19, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX

Rhonda Reid, 19, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX

Thomas Reid, 19, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX

Nicola McGuigan, 19, Sixtowns Road, Draperstown, Londonderry, Northern Ireland, BT45 7BA

Gerard McPeake, 19, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ

John O'Kane, 199, GLEN ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JN

Kathleen Hegarty, 19a, Glenshane Road, Maghera, Londonderry, Northern Ireland, BT46 5JZ

Angela Seaton, 2, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF

Marian O'Connell, 2, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG

H Finlay, 2, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG

Kevin Donnelly, 2, Beechland Road, Magherafelt, Londonderry, Northern Ireland, BT45 6BG

Ciarrai Convery, 2, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE

Erin O'Kane, 2, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE

Elaine White, 2, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD

Hugh Martin McAlary, 2, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ

Pamela McAlary, 2, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ

Pamela Sanderson, 2, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH

Bernadette McEldowney, 2, Corlacky Hill, Maghera, Londonderry, Northern Ireland, BT46 5NP

Margaret Murphy, 2, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD

Briege Doogan, 2, Crewe Manor, Maghera, Londonderry, Northern Ireland, BT46 5GJ

B McGuckin, 2, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU

Una Neeson, 2, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS

Francis Neeson, 2, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS

Michael O'Callaghan, 2, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY

Michael O'Callaghan, 2, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY

S Carville, 2, Glenvale, Maghera, Londonderry, Northern Ireland, BT46 5JF

L Carville, 2, Glenvale, Maghera, Londonderry, Northern Ireland, BT46 5JF

Dominic Carville, 2, Glenvale, Maghera, Londonderry, Northern Ireland, BT46 5JF

Stephen McErlean, 2, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR

Maureen McErlean
 2, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 R A Smyth
 2, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Anne Smyth
 2, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Marguerite McKenna
 2, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
 Brigid McAllister
 2, Lisgorgan Lane, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TE
 Janice Hutchinson
 2, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Natasha Hutchinson
 2, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Marty Hutchinson
 2, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
 Demelza Dinsmore
 2, Peace Haven Crescent, Bellaghy, Londonderry, Northern Ireland, BT45 8LR
 Jacqueline Morrow
 2, Sprucefield Drive, Coleraine, Londonderry, Northern Ireland, BT52 2QY
 Margaret Clarke
 2, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Robin Clark
 2, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Jeanette Palmer
 2, Tamney Martin Road, Maghera, Londonderry, Northern Ireland, BT46 5ET
 Jeanette Palmer
 2, Tamney Martin Road, Maghera, Londonderry, Northern Ireland, BT46 5ET
 Eimear Johnston
 2, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Cindel Machin
 2, Tirruadh Road, Draperstown, Londonderry, Northern Ireland, BT45 7HB
 Cindel Machin
 2, Tirruadh Road, Draperstown, Londonderry, Northern Ireland, BT45 7HB
 B Curry
 2, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
 Ciara Nic Ruaidhri
 2, Corran Doire, Guala Dhubh, BT45 8PR
 Terence Regan
 20, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Celine Deery
 20, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Mary Nolan
 20, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
 Colleen Donaghue
 20, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
 Erin Walls
 20, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
 Kim Houston
 20, Leyland Crescent, Ballycastle, Antrim, Northern Ireland, BT54 6QW

Fern Houston
 20, Leyland Crescent, Ballycastle, Antrim, Northern Ireland, BT54 6QW
 Jemma Curran
 20, Seacourt Road, Larne, Antrim, Northern Ireland, BT40 1TE
 Conleth Moran
 21 Gortacloughan Road, Garvagh
 Allie McAuley
 21 Hartley Hall Green
 Tom Quigg
 21, Agivey Road, Kilrea, Londonderry, Northern Ireland, BT51 5UT
 Millie McKay
 21, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Raymond Jameson
 21, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Ann Mary Jameson
 21, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Sean McKenna
 21, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Clare McKenna
 21, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Abigail Hyndman
 21, Castle Oak, Castledawson, Londonderry, Northern Ireland, BT45 8RX
 Ronan McKenna
 21, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Catherine Paul
 21, Curragh Road, Maghera, Londonderry, Northern Ireland, BT46 5ER
 Catherine Paul
 21, Curragh Road, Maghera, Londonderry, Northern Ireland, BT46 5ER
 Daniel B Mullan
 21, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Catherine Ann Mullan
 21, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Jonathan Woodward
 21, Grange Lane, Magherafelt, Londonderry, Northern Ireland, BT45 5EU
 Dymphna O'Kane
 21, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Brenda Grant
 21, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Ryan Duffy
 21, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Sarah Rainey
 21a, Garrison Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8RD
 Sarah Rainey
 21a, Garrison Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8RD
 Emma Scullion
 22 Craigadick Park, Maghera, BT46 5DD
 David Jones
 22 Edmund Court, Maghera
 Gemma Lamont
 22, Calmore Park, Tobermore, Londonderry, Northern Ireland, BT45 5PQ

Gemma Lamont
 22, Calmore Park, Tobermore, Londonderry, Northern Ireland, BT45 5PQ
 Emma Conlon
 22, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
 John O'Kane
 22, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5JW
 Natasha Porter
 22, Kilcronaghan Road, Tobermore, Londonderry, Northern Ireland, BT45 5QR
 Natasha Porter
 22, Kilcronaghan Road, Tobermore, Londonderry, Northern Ireland, BT45 5QR
 Anne McCartney
 22, Kilrea Road, Swatragh, Londonderry, Northern Ireland, BT46 5QF
 Cailin O'Connor
 22, Leyland Meadow, Ballycastle, Antrim, Northern Ireland, BT54 6JX
 Steven O'Connor
 22, Leyland Meadow, Ballycastle, Antrim, Northern Ireland, BT54 6JX
 Cathy O'Connor
 22, Leyland Meadow, Ballycastle, Antrim, Northern Ireland, BT54 6JX
 Evelina Nelson
 22, Lisnamuck Road, Tobermore, Londonderry, Northern Ireland, BT45 5QF
 Oliwia Weneler
 22, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Ewelina Weneler
 22, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Anne Birt
 22, The Meadows, Bellaghy, Londonderry, Northern Ireland, BT45 8JT
 Pat Whitsitt
 22G, CRAIGADICK PARK, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5DD
 Padraigeen Whitsitt
 22G, CRAIGADICK PARK, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5DD
 Dominic McCloskey
 22a, Ballyknock Road, Maghera, Londonderry, Northern Ireland, BT46 5PH
 Paul Scullion
 22a, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Catherine Molloy
 22b, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE
 Anna McCloskey
 22b, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Diarmaid McCloskey
 22b, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Declan McNicholl
 23 Killylagh Pk, Swatragh
 Maud Folliard
 23, Auburn Drive, Magherafelt, Londonderry, Northern Ireland, BT45 5ED
 Leona Tsang
 23, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
 Roisin O'Neill
 23, Dreenan Road, Gulladuff, Londonderry, Northern Ireland, BT45 8PQ
 Brian Holloway
 23, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW

Laura Holloway
 23, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
 Brian Holloway
 23, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
 Anne Holloway
 23, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
 Anne Holloway
 23, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
 Lisa McEldowney
 23, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Michael McEldowney
 23, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Dylan McEldowney
 23, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Julie Scullion
 23, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FN
 Henry Lennox
 23, Killymuck Road, Kilrea, Londonderry, Northern Ireland, BT51 5UB
 Olive Lennox
 23, Killymuck Road, Kilrea, Londonderry, Northern Ireland, BT51 5UB
 Margaret McGeagh
 23, Oak Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FD
 Patrick Hughes
 23, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Monica Hughes
 23, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Stephen Hughes
 23, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Nadine Thompson -Kirkpatrick
 233, Hillhead Road, Castledawson, Londonderry, Northern Ireland, BT45 8EE
 Arlene McKee
 23A, SCHOOL LANE, GULLADUFF, LONDONDERRY, Northern Ireland, BT45 8PE
 Elizabeth Rainey
 23a, Drummuck Road, Maghera, Londonderry, Northern Ireland, BT46 5ES
 Mary McEldowney
 23a, Gortinure Road, Maghera, Londonderry, Northern Ireland, BT46 5RB
 Tommy Heaney
 23b, Gortinure Road, Maghera, Londonderry, Northern Ireland, BT46 5RB
 Stephen Montgomery
 24 Grove Road, Maghera, BT46 5QY
 Sinead McGill
 24 Rowan Glynn, Maghera
 Leanne Cassidy
 24, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Claire McKeown
 24, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Sharlene Deehan
 24, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Francis Kelly
 24, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD

Oran Kelly
 24, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Clare Kelly
 24, DREENAN ROAD, GULLADUFF, LONDONDERRY, Northern Ireland, BT45 8PQ
 Anne Marie Glass
 24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Mary Glass
 24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Sarah Glass
 24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Francis Glass
 24, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Emma Cunningham
 24, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
 Barry O'Doherty
 24, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
 Clare O'Kane
 24, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
 Sharon O'Kane
 24, Macknagh Lane, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SL
 Trevor Sloan
 24, Main Street, Tobermore, Londonderry, Northern Ireland, BT45 5PN
 Emma Scullion
 24, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Hugh Scullion
 24, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Alan Lamont
 24, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Dalene Young
 24, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PZ
 Desmond O'Kane
 24, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Seamus Bradley
 242, Gorticashel Road, Omagh, Tyrone, Northern Ireland, BT79 7SB
 Rachel Baird
 24a, Cragnageeragh Road, Ahoghill, Antrim, Northern Ireland, BT42 1EL
 Patricia Hughes
 24a, Mayogall Road, Gulladuff, Londonderry, Northern Ireland, BT45 8PD
 Lee Clarke
 25, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
 Jacqui McKay
 25, Craigmore Road, Maghera, Londonderry, Northern Ireland, BT46 5AN
 Nicola Neeson
 25, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Carmel Neeson
 25, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Eilis Scullion
 25, DREENAN ROAD, GULLADUFF, LONDONDERRY, Northern Ireland, BT45 8PQ
 Mark Dunster
 25, Derramore Park, Magherafelt, Londonderry, Northern Ireland, BT45 5RE

Sam McKelvey
 25, Derramore Park, Magherafelt, Londonderry, Northern Ireland, BT45 5RE
 Harvey Dunster
 25, Derramore Park, Magherafelt, Londonderry, Northern Ireland, BT45 5RE
 Margaret O'Doherty
 25, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Colm O'Doherty
 25, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 David Anderson
 25, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD
 Colm Gallagher
 25, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
 Clare Creaney
 25, Oakman Street, Belfast, Antrim, Northern Ireland, BT12 7BP
 Sharon McKinley
 259, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8EF
 A Kearney
 25a, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 The Owner/Occupier,
 26 Largentogher Park, Maghera, Londonderry, BT46 5BH
 Damien McErlean
 26, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Vincent McErlean
 26, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Mary McErlean
 26, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
 Ryan Lagan
 26, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
 William Boyce
 26, Hazel Grove, Tobermore, Londonderry, Northern Ireland, BT45 5PS
 William Boyce
 26, Hazel Grove, Tobermore, Londonderry, Northern Ireland, BT45 5PS
 M McKenna
 26, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Brian McKenna
 26, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Jessica Geach
 27 Corn Park, South Brent, TQ10 UK
 Meadhbh McCullagh
 27, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Meadhbh McCullagh
 27, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Meadhbh McCullagh
 27, Coolnasillagh Road, Maghera, Londonderry, Northern Ireland, BT46 5LJ
 Julie Smyth
 27, Deanfield, Londonderry, Londonderry, Northern Ireland, BT47 6HY
 Kathleen Cassidy
 27, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 John Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF

Roisin Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Michael Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Roisin Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Roisin Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Aiden Kelly
 27, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
 Dan Kerr
 27, Meenagh Park, Coalisland, Tyrone, Northern Ireland, BT71 4NG
 Eileen Gorman
 27, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Sam Gorman
 27, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Danielle Duggan
 27, School Lane, Gulladuff, Londonderry, Northern Ireland, BT45 8PE
 Colm McGuigan
 27, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
 Amanda Dallat
 278 Craigavole Terrace, Swatragh, Maghera
 Louise O'Doherty
 28 Carnamoney Lane, Magherafelt, BT45 7HR
 The Owner/Occupier,
 28 Largentogher Park, Maghera, Londonderry, BT46 5BH
 Eamonn McGuigan
 28, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Philomena McGuigan
 28, Clarke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BD
 Eamon McSorley
 28, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Ciara McSorley
 28, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
 Stephanie Linton
 28, Fort Hill, Tobermore, Londonderry, Northern Ireland, BT45 5SE
 Lilann Millar
 28, Garryduff Road, Dunloy, Antrim, Northern Ireland, BT53 7AP
 Ruby Hyndman
 28, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Hazel Nelson
 28, King William III Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Rhonda Allen
 28, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Gareth Patterson
 28, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Deborah Simmonds
 28, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Ryan Cudden
 28, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG

Linda Palmer
 28, Tobermore Road, Desertmartin, Londonderry, Northern Ireland, BT45 5LE
 Ciara Scullion
 281, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8EF
 Martin Montague
 29 Killimorrie Park, Dunloy, BT44 9FA
 Kyla Bowman
 29, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
 Jenna Bowman
 29, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
 Jonathan Bowman
 29, Clooney Road, Tobermore, Londonderry, Northern Ireland, BT45 5RA
 Shauna McNicholl
 29, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
 Shauna McNicholl
 29, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
 Lulu Kearney
 29, Upperlands Road, Swatragh, Londonderry, Northern Ireland, BT46 5QQ
 Aine McKenna
 2A, RANAGHAN LANE, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5JY
 May Caskey
 2a, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Kevin McGrogan
 3 Cluain Ghlas Road, Maghera, BT46 5PN
 Ceslova Suziedeliene
 3, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
 Mary O'Neill
 3, Ash Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FH
 Leanne Ennis
 3, Ash Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FH
 Nuala Rea
 3, Ashlea Park, Portglenone, Londonderry, Northern Ireland, BT44 8NF
 John B Mellon
 3, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Laura Mellon
 3, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Bernie Flanagan
 3, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 E Clarke
 3, Bells Manor, Castledawson, Londonderry, Northern Ireland, BT45 8DY
 Carmel Glass
 3, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LE
 Orla Bryson
 3, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
 Colum Bryson
 3, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
 Ryan McKenna
 3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Shona McKenna
 3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS

Pauline McKenna
 3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Ashling McKenna
 3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Brian Anderson
 3, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
 Declan McErlean
 3, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
 Danielle McErlean
 3, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
 Danielle McErlean
 3, Cloneen Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FR
 Claire McCusker
 3, Coolagh Road, Maghera, Londonderry, Northern Ireland, BT46 5JR
 Dominic Scullion
 3, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Helen Scullion
 3, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Joe McCloskey
 3, Craigmores Heights, Maghera, Londonderry, Northern Ireland, BT46 5LU
 Raymond McNamee
 3, Crew Road, Maghera, Londonderry, Northern Ireland, BT46 5HL
 Barry O'Hagan
 3, Crewe Manor, Maghera, Londonderry, Northern Ireland, BT46 5GJ
 Mark Watt
 3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Louis Watt
 3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Max Watt
 3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Orla Watt
 3, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Ryan Skelly
 3, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Ryan Skelly
 3, Fallaghloon Road, Maghera, Londonderry, Northern Ireland, BT46 5JS
 Ann McGirr
 3, Glencree, Maghera, Londonderry, Northern Ireland, BT46 5JB
 B Murray
 3, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 J Murray
 3, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
 F Scott
 3, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
 Stewart Lennox
 3, Grange Gardens, Magherafelt, Londonderry, Northern Ireland, BT45 5RS
 Lisa Bell
 3, Hawthorne Drive, Maghera, Londonderry, Northern Ireland, BT46 5FL
 Sinead O'Kane
 3, Hawthorne Mews, Maghera, Londonderry, Northern Ireland, BT46 5FS

Dermot O'Kane
 3, Hawthorne Mews, Maghera, Londonderry, Northern Ireland, BT46 5FS
 Trevor Smyth
 3, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Anna Kearney
 3, Macknagh Lane, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SL
 Imelda Diamond
 3, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
 Orlagh Bradley
 3, Millview, Castledawson, Londonderry, Northern Ireland, BT45 8EA
 Elizabeth Colgan
 3, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Thomas Colgan
 3, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Anthony O'Hagan
 3, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
 Irene Moore
 3, Porte Gardens, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QL
 Marie-Claire Canavan
 3, Ruthven Rise, Crossgar, Down, Northern Ireland, BT30 9HF
 Joyce Newett
 3, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Gordon Newett
 3, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Julia McCreanor
 3, St. Treas Villas, Magherafelt, Londonderry, Northern Ireland, BT45 6LG
 Margaret Mullan
 3, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Maeve Duggan
 30, Carnaman Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PN
 Nadine Holloway
 30, Drumconready Road, Maghera, Londonderry, Northern Ireland, BT46 5LW
 Orla Kelly
 30, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
 Siobhan McDermott
 30, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
 Kieran Graham
 30, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FP
 Anna O'Neill
 30, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
 Anna Bradley
 30, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
 Dylan McAleer
 30, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
 Colin Cosh
 30, The Olde Close, Cullybackey, Antrim, Northern Ireland, BT43 5AR
 Kerri Chivers
 306, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
 Geraldine McEldowney

31, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
Irene McVey

31, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Glenda Kerr

31, Dreenan Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PQ
Stephen Trainor

31, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Sarah Trainor

31, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Sarah Trainor

31, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Mary Forbes

31, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
Kay McPeake

318, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
Patrick Duggan

31a, Carnaman Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PN
Surney Duggan

31a, Carnaman Road, Magherafelt, Londonderry, Northern Ireland, BT45 8PN
Rita Moran

32, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
Michael Moran

32, Fair Hill, Maghera, Londonderry, Northern Ireland, BT46 5AY
Michael Porter

32, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
Betty Porter

32, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
Hugh Porter

32, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
Doreen Smyth

32, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Barry Smyth

32, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Limin Ward

32a, Abbeyview Road, Crossgar, Down, Northern Ireland, BT30 9JD
Angela O'Kane

32a, Main Street, Maghera, Londonderry, Northern Ireland, BT46 5AE
Anita O'Kane

33 Tamneyrankin Road, Maghera, BT46 5RA
Julie Oliphant

33, Ballynahone Road, Maghera, Londonderry, Northern Ireland, BT46 5DL
Teresa McCullagh

33, Bradley Park, Draperstown, Londonderry, Northern Ireland, BT45 7JP
John McKay

33, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Aisling Burke

33, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
Catriona McLean

33, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
Catriona McLean

33, Cloneen Manor, Maghera, Londonderry, Northern Ireland, BT46 5FQ
Elaine McKenna

33, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
Sammy Porter

33, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Aimee Toner

33, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Sadie Moore

333, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
Simon Finlay

337, Hillhead Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QT
Robert Peebles

34, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Nicola Orr

34, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Keith Quigley

34, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD
Fearghal O Caside

34, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
Barry Russell

34a, Lisnamuck Road, Tobermore, Londonderry, Northern Ireland, BT45 5QF
Sinead Regan

34c, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5LF
Angela Conway

35, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Angela Conway

35, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Ryan O'Reilly

35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
Ryan O'Reilly

35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
Ryan O'Reilly

35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
Ryan O'Neill

35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
Ryan O'Reilly

35, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
Louise Orr

35, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
Jade Deery

35, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Darren Eastwood

35, Mullaghboy Glen, Magherafelt, Londonderry, Northern Ireland, BT45 5GW
Mary O'Kane

35, Slaghtneill Road, Maghera, Londonderry, Northern Ireland, BT46 5NJ
Tony Kearney

35F Halgayne Road, Maghera
Paul O'Donnell

36, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Oliveen Bradley

36, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
Kathleen Taggart

36a, Mullaghnamosyagh Road, Portglenone, Londonderry, Northern Ireland, BT44 8NP
Pauline Taggart

36a, Mullaghnamosyagh Road, Portglenone, Londonderry, Northern Ireland, BT44 8NP
Gemma Laverty

37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Gemma Laverty

37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Michael Laverty

37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Michael Laverty

37, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Paula Glasgow

37, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Mary Deighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Caoimhe Deighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Conor Deighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Alicia Feighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Kevin Deighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Brendan Deighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Lauren Deighan

37, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BA
Adele Campbell

37c, Rocktown Road, Bellaghy, Londonderry, Northern Ireland, BT45 8QE
Amie Hunter

38, CHURCH STREET, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EA
Cherie Mullholland

38, CHURCH STREET, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EA
Grainne Evans

38, Crawfordsburn, Maghera, Londonderry, Northern Ireland, BT46 5AH
Karen Knowles

38, Recreation Road, Larne, Antrim, Northern Ireland, BT40 1EW
James McPeake

38, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Sharon McPeake

38, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Charlene Kelly

38, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Bryan Douglas

39, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Jean Getty

39, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Darren Bradley

39, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
Darren Bradley

39, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
Lorraine Fullerton

39, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
Ashley Douglas

39, Lyttlesdale, Garvagh, Londonderry, Northern Ireland, BT51 5EA
Tracy Bradley

39a, Draperstown Road, Tobermore, Londonderry, Northern Ireland, BT45 5QQ
Gladys Dinsmore

3a, Macknagh Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SG
David Dinsmore

3a, Macknagh Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SG
Eunha Logue

4 Millburn, Maghera, BT46
Stephen Dobbin

4, Ballysillan Road, Belfast, Antrim, Northern Ireland, BT14 7QP
Josephine Hampson

4, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
Henry Hampson

4, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
Brenda Gunning

4, Beech Lane, Maghera, Londonderry, Northern Ireland, BT46 5GG
Matthew O'Connor

4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
Megan O'Connor

4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
Amanda O'Connor

4, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
Leisa Convery

4, Cherry Hill, Maghera, Londonderry, Northern Ireland, BT46 5LS
Danielle Steele

4, Clareville Park, Ballyclare, Antrim, Northern Ireland, BT39 9DL
Terry McGill

4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Lisa McGill

4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Erikkit McGill

4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Jude McGill

4, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Jean Hazlett

4, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
Ryan Bradley

4, Craigmores Road, Maghera, Londonderry, Northern Ireland, BT46 5AL
Caolan Bradley

4, Craigmores Road, Maghera, Londonderry, Northern Ireland, BT46 5AL
Amanda Norton

4, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
Amanda Norton

4, Crawfordsburn Drive, Maghera, Londonderry, Northern Ireland, BT46 5AJ
Eamonn Higgins

4, Fallylea Lane, Maghera, Londonderry, Northern Ireland, BT46 5JU
Anna Downey

4, Glen Close, Maghera, Londonderry, Northern Ireland, BT46 5AS
Sean McKenna

4, Glencree, Maghera, Londonderry, Northern Ireland, BT46 5JB
Ciara McGuigan

4, Glendale Manor, Maghera, Londonderry, Northern Ireland, BT46 5GY
Hilary McKenna

4, Glenshane Manor, Maghera, Londonderry, Northern Ireland, BT46 5PW
Shaun McCormick

4, Glenville Terrace, Upperlands, Londonderry, Northern Ireland, BT46 5RR
Maura McFaul

4, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
Ciaran McFaul

4, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
Christopher O'Kane

4, Laragh Road, Maghera, Londonderry, Northern Ireland, BT46 5NS
Sharon Evans

4, Martinvale Park, Maghera, Londonderry, Northern Ireland, BT46 5BF
Celia Hutchinson

4, Meadow Villas, Gulladuff, Londonderry, Northern Ireland, BT45 8NW
Paul Logue

4, Millburn, Maghera, Londonderry, Northern Ireland, BT46 5DF
Alec Overend

4, Millrace Mews, Moneymore, Londonderry, Northern Ireland, BT45 7WD
Martina Loughran

4, Moneysharvan Road, Maghera, Londonderry, Northern Ireland, BT46 5QA
M Kearney

4, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
D Kearney

4, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
Megan Hutchinson

4, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
Linda Wilson

4, Mullagh Park, Maghera, Londonderry, Northern Ireland, BT46 5RJ
Maria McEldowney

4, Rowan Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FG
Joe Davidson

4, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
Jennifer Davidson

4, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
Oliver Dunne

4, St. Lurachs Gardens, Maghera, Londonderry, Northern Ireland, BT46 5JJ
Jean Dunne

4, St. Lurachs Terrace, Maghera, Londonderry, Northern Ireland, BT46 5JH
Oliver Dunne

4, St. Lurachs Terrace, Maghera, Londonderry, Northern Ireland, BT46 5JH
Noel O'Kane

4, Stoney Park, Swatragh, Londonderry, Northern Ireland, BT46 5BE
Anne Devlin

4, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Paul Downey

4, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Edith Svetlaviciene

4, Tullykeeran Gardens, Maghera, Londonderry, Northern Ireland, BT46 5GH
Orla McKenna

4, Beaver Crescent, Maghera, BT46 5RG
Joey Dempsey

40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
Dorothy Dempsey

40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
Gary Dempsey

40, Gulladuff Road, Maghera, Londonderry, Northern Ireland, BT46 5EN
Ellen McMath

40, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Jolene McKelvey

40, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
Louise Trainer

40a, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
Tiernan McKelvey

41 Sunnyside Road, Droylsden, Manchester, M43 7WD
Maureen Hutchinson

41, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
Roisin Murray

41, Glengomna Road, Draperstown, Londonderry, Northern Ireland, BT45 7JQ
Catherine Walsh

41, Hawthorne Road, Maghera, Londonderry, Northern Ireland, BT46 5FN
Salena Rogers

41, Macknagh Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SG
Kayleigh McKelvey

41, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
Naiscoil Mhachaire Ratha

41-43, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Aine Young

42, Balmoral Avenue, Belfast, Antrim, Northern Ireland, BT9 6NX
Aideen McFlynn

42, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5DJ
Paul McFlynn

42, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5DJ
Aileen McErlean

42, Carnaman Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PN
Philip Cunningham

42, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
Aine McConomy

43, Ballymacilcurr Road, Culnady, Londonderry, Northern Ireland, BT46 5HR
Margaret Merron

43, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR

Brian Merron
 43, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Moira MhicGiolla Bhrigh de
 43, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5PE
 George Eakin
 44, Ballymoghgan Road, Magherafelt, Londonderry, Northern Ireland, BT45 6HN
 Seamus McKenna
 44, Brackaghreilly Road, Maghera, Londonderry, Northern Ireland, BT46 5DJ
 Gary Kennedy
 44, Carmean Road, Magherafelt, Londonderry, Northern Ireland, BT45 5HU
 Gary Kennedy
 44, Carmean Road, Magherafelt, Londonderry, Northern Ireland, BT45 5HU
 Cathy Doherty
 44, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5PE
 Joe Grant
 44, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
 Siobhan Gribben
 44, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Martin Burke
 44, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG
 Paul McManus
 45, Ballymacilcurr Road, Culnady, Londonderry, Northern Ireland, BT46 5HR
 Gloria Miniss
 45, Church Street, Maghera, Londonderry, Northern Ireland, BT46 5EA
 Eoin Devlin
 45, Glenshane Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QR
 Claire Hassan
 46, Hall Street, Maghera, Londonderry, Northern Ireland, BT46 5DA
 Sinead Mullan
 46, LISCALL ROAD, GARVAGH, LONDONDERRY, Northern Ireland, BT51 5ER
 Denise Scott
 46, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
 Denise Scott
 46, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
 Siobhan Gribben
 46, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Claire Vallely
 46a, Tirgan Road, Moneymore, Londonderry, Northern Ireland, BT45 7RX
 John Lynd
 47 Barnside Road, Maghera, BT46
 Una McCullagh
 47, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NR
 Una McErlean
 47, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
 Ellen Morren
 47, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Martina Kelly
 47, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Danielle Scullion
 47a, Glenshane Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QR

Katy McGlade
 48 Meeting House Avenue, Maghera, Londonderry, BT46 5BB
 Siobhan McDaid
 48, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Eugene McGlade
 48, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Katy McGlade
 48, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Ruby Cunningham
 48, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
 Aaron Cunningham
 48, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
 Colin Hegarty
 49, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Marian McKenna
 4b Urbalshinney Road, Maghera
 Mary Hegarty
 4b, Tonaght Road, Draperstown, Londonderry, Northern Ireland, BT45 7JD
 Aidan Convery
 5 Fallalea Lane, Maghera, BT46
 Frank McKenna
 5, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 D Dunn
 5, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Francis McNally
 5, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
 Jose Ramos
 5, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Gareth Ramos
 5, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 June Ramos
 5, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Noeleen Donnelly
 5, Culglas, Maghera, Londonderry, Northern Ireland, BT46 5FZ
 Ron Donnelly
 5, Culglas, Maghera, Londonderry, Northern Ireland, BT46 5FZ
 James Johnstone
 5, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Bridget Johnstone
 5, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Conor Diamond
 5, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Laura Falkyte
 5, Hawthorne Drive, Maghera, Londonderry, Northern Ireland, BT46 5FL
 Danielle Grant
 5, Hawthorne Green, Maghera, Londonderry, Northern Ireland, BT46 5FW
 Hillary Brown
 5, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
 Ashley Brown
 5, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA

James Armour
 5, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Diane Kissick
 5, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Jamie Watterson
 5, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Stuart Montgomery
 5, O'Hara Road, Maghera, Londonderry, Northern Ireland, BT46 5HG
 Edward Smyth
 5, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
 Fiona McGill
 5, Seefin Hill, Maghera, Londonderry, Northern Ireland, BT46 5PQ
 Pearse McGill
 5, Seefin Hill, Maghera, Londonderry, Northern Ireland, BT46 5PQ
 Joe McCloskey
 5, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
 Emer Quinn
 5, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Patrick Quinn
 5, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
 Donna Murphy
 50 Slaughneil Road, Maghera
 Geraldine McGuckin
 50, Gortead Road, Swatragh, Upperlands, Londonderry, Northern Ireland, BT46 5QH
 Geraldine McGuckin
 50, Gortead Road, Swatragh, Upperlands, Londonderry, Northern Ireland, BT46 5QH
 Eileen Deery
 50, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 William Deery
 50, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Hayley Boyce
 50, Lurganagoose Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland,
 BT45 8QY
 Rosemary Orr
 50, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 David A Scott
 51, Carricknakielt Road, Maghera, Londonderry, Northern Ireland, BT46 5EJ
 Mary McGahon
 51, Eden Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PL
 Mary Bryson
 51, Forgetown Road, Maghera, Londonderry, Northern Ireland, BT46 5LN
 Jan Gorman
 51, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
 Owen Moore
 51, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Lucinda Kearney
 51, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
 Bernadette Kielt
 51a, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
 Bernard Kielt

51a, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
Sheena Bradley

52, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Dermot Bradley

52, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Dermot Bradley

52, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Petrice Nelson

52, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
David Nelson

52, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
David Nelson

52, King William Iii Crescent, Maghera, Londonderry, Northern Ireland, BT46 5HA
Hannah Downey

52, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Louise Doherty

52, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
Martha Wallace

52, Tamney Crescent, Maghera, Londonderry, Northern Ireland, BT46 5AQ
Michelle O'Neill

53, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BG
Paul Mc Elhennon

54 Glen Road Maghera Londonderry
Michael Quinn

54 Largantogher, Maghera
Chris Cassidy

54 Meeting House Avenue, Maghera, Bt46 5BB
Maggie McElhennon

54, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Paul McElhennon

54, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Bronagh McElhennon

54, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Corina McElhennon

54, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Marc McElhennon

54, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Chris Cassidy

54, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Anne Holloway

54, Orby Drive, Belfast, Down, Northern Ireland, BT5 6AF
Sinead Dillon

55, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Shane Gribben

56, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
Roisin McAtamney

56, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
Kara Hughes

56, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Kara Hughes

56, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Ronan Pollard

56, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Frances Moran

56, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Jojo Moran

56, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Joe Moran

56, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Jonathan Maguire

56B, QUARRY ROAD, KNOCKCLOGHRIM, LONDONDERRY, Northern Ireland, BT45
8NS
Daniel Heaney

57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Dan Heaney

57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Joseph Heaney

57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Mary Heaney

57, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Anne Marie O'Reilly

57, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LD
Sibrena Quigg

58, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NN
N Lamont

58, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Rosemary McGill

58, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Rosemary McGill

58, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Tracey Convery

58, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
Nigel Gibson

58, Tirgarvil Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UW
Lindsay Gibson

58, Tirgarvil Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UW
Paul McCloy

58b, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
Elaine McCloy

58b, Dreenan Road, Upperlands, Londonderry, Northern Ireland, BT46 5TZ
B McCloskey

59, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Anne O'Kane

59, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Gavin O'Kane

59, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Helen Parke

59, Rocktown Lane, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45
8QF
Mark Mellon

59a, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NN
John Scullion

5a, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Norah-Lee Hughes

5a, Mckennas Lane, Bellaghy, Londonderry, Northern Ireland, BT45 8JJ
Cara Murray

5b, Ballyhagan Road, Maghera, Londonderry, Northern Ireland, BT46 5LR
Mary Teresa Scullion

6, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Mary Teresa Scullion

6, Carnamoney Lane, Draperstown, Londonderry, Northern Ireland, BT45 7HX
Claire Brady

6, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Claire Brady

6, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Paul Brady

6, Cherry Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FE
Susan McCloy

6, Clarkes Square, Gulladuff, Londonderry, Northern Ireland, BT45 8RJ
Katelin Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Rosie Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Katelin Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Claire Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Rosaleen Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Shane Gribbon

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Claire Gribben

6, Cluain Ghlas Crescent, Maghera, Londonderry, Northern Ireland, BT46 5PL
Margaret Hasson

6, Corlacky Hill, Maghera, Londonderry, Northern Ireland, BT46 5NP
Eamon Hasson

6, Corlacky Hill, Maghera, Londonderry, Northern Ireland, BT46 5NP
A McGuckin

6, Craigmore Road, Maghera, Londonderry, Northern Ireland, BT46 5AL
Annie Burke

6, Crew Road, Maghera, Londonderry, Northern Ireland, BT46 5HL
Michael Burke

6, Crew Road, Maghera, Londonderry, Northern Ireland, BT46 5HL
Jennifer Evans

6, Edmund Court, Tobermore, Londonderry, Northern Ireland, BT45 5QA
Donna Turner

6, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
Donna Turner

6, Fallylea Road, Maghera, Londonderry, Northern Ireland, BT46 5JT
Paul Loughlin

6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Fiona Loughlin

6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Paul Loughlin

6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Eugene Donnelly

6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Fiona Loughlin

6, Glenview, Maghera, Londonderry, Northern Ireland, BT46 5AR
Helen Bradley

6, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
Sarah Rainey

6, Gortmore, Maghera, Londonderry, Northern Ireland, BT46 5EG
Michael Peden

6, Grange Avenue, Magherafelt, Londonderry, Northern Ireland, BT45 5RP
Stephen Richardson

6, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
Margaret Richardson

6, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
Catherine Logue

6, Halfgayne Road, Maghera, Londonderry, Northern Ireland, BT46 5PB
Martina Scullion

6, Hall Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DT
Lisa Watters

6, Hawthorne Avenue, Maghera, Londonderry, Northern Ireland, BT46 5FX
Karen Donaghy

6, Hawthorne Crescent, Maghera, Londonderry, Northern Ireland, BT46 5FT
Helena McGlone

6, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
Brian Moore

6, Loughill Park, Tobermore, Londonderry, Northern Ireland, BT45 5SD
Shauna Kearney

6, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Shauna Kearney

6, Mckenna Rise, Maghera, Londonderry, Northern Ireland, BT46 5BL
Mark Montgomery

6, Mullagh Road, Maghera, Londonderry, Northern Ireland, BT46 5EB
Jennifer Reid

6, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Pamela Overend

6, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
W Taylor

6, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
J Taylor

6, Sycamore Drive, Maghera, Londonderry, Northern Ireland, BT46 5HE
Denise Maxwell

6, The Fort, Maghera, Londonderry, Northern Ireland, BT46 5BU
Julianne Porter

6, Tirkane Court, Maghera, Londonderry, Northern Ireland, BT46 5JD
Chiarrai Gallagher

6, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
Dara Gallagher

6, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
Chiarrai Gallagher

6, Tullyheran Road, Maghera, Londonderry, Northern Ireland, BT46 5JQ
Conrad Selfridge

60, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DH
Kelly Houston

60, Drumbolg Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5UT
Mervyn Hogg

60, Highfield Road, Magherafelt, Londonderry, Northern Ireland, BT45 5BW
Kathleen O'Doherty

60, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Kevin O'Doherty

60, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Kathleen O'Doherty

60, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Janice Orr

61 Ballymacilcurr Road, Maghera, BT46 5HP
Elizabeth Whitaker

61, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Stuart Whitaker

61, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Elizabeth Ann Whitaker

61, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Marian McAlary

61, Culnady Road, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TN
Davina Talbot

61, Station Road, Maghera, Londonderry, Northern Ireland, BT46 5EY
Jolene Ni Ghruagain

62, Glenelly Villas, Draperstown, Londonderry, Northern Ireland, BT45 7AX
Anthony Bradley

62, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Bernard Harte

63, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Carmel Harte

63, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Fiona Cassidy

63, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Pauline Stewart

64, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Mary Stewart

64, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Fiona Glass

64, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Fiona Glass

64, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
Margaret McMullan

64, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
Hannah McMullan

64, Quarry Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8NS
R Convery

65, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
E Corcoin

65, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
P Coriceran

65, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
Rosaleen Crilly

65, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
Sarah Crilly

65, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
Sarah Crilly

65, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
James Crilly

65a, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
Katie Doherty

66 Meeting House Lane, Maghera, BT46
Emmett Rafferty

66, Station Road, Maghera
Niamh Gallagher

67a, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
M Scott

68, Clooney Road, Curran, Londonderry, Northern Ireland, BT45 8RF
Geraldine Eastwood

69, Prospect Road, Portstewart, Londonderry, Northern Ireland, BT55 7NQ
Teresa Bradley

69, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
David Brad

69, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
Ann Johnston

69, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BQ
Catriona Campbell

6a, Hillside Road, Upperlands, Londonderry, Northern Ireland, BT46 5SD
Briege McElowney

6b, Gortinure Road, Maghera, Londonderry, Northern Ireland, BT46 5RB
Paul McGinnis

7, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Helen McGinnis

7, Ash Drive, Maghera, Londonderry, Northern Ireland, BT46 5HF
Vincent McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Teresa McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Sarah Connell

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Vincent McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Vincent McCusker

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Sarah Connell

7, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
Julie Watson

7, Carsonville Drive, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5SQ
Mary Jo McNally

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Catriona McNally

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Ciaran McCusker

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Sean McCusker

7, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
Paddy McMullan

7, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
Meabh O'Reilly

7, Crew Road, Maghera, Londonderry, Northern Ireland, BT46 5HL
Kelley Holleran

7, Drumard Road, Magherafelt, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QA
Gwen Linton

7, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Ivor Linton

7, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
Nicola Regan

7, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
Freda Kerr

7, KNOCKNAKIelt ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EH
William Kerr

7, KNOCKNAKIelt ROAD, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5EH
Jane Patton

7, Mullagh Close, Maghera, Londonderry, Northern Ireland, BT46 5GA
Sam Mellon

7, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
Donna Elliot

7, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
Donna Elliot

7, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
George Elliot

7, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
Niall McKenna

7, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5ND
Jennifer McKenna

7, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5ND
Niall McKenna

7, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5ND
Rhonda Hawthorne

7, Rock Villas, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QW
Harry Eppleston

7, Sunnyside Drive, Maghera, Londonderry, Northern Ireland, BT46 5BJ
D Leacock

7, Termoneeney Park, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QH

D Leacock
 7, Termoneeney Park, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QH
 Naomi Hughes
 7, Willow Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FF
 Luke Simpson
 7, Willow Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FF
 Anne Tohill
 70, Drumbane Road, Maghera, Londonderry, Northern Ireland, BT46 5NN
 Gavin Kennedy
 70, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BQ
 Aaron Boyd
 72, Lismoyle Road, Swatragh, Londonderry, Northern Ireland, BT46 5QU
 Leanne McCourt
 73, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 K Gilmore
 73, Lisnagrot Road, Kilrea, Londonderry, Northern Ireland, BT51 5SG
 Rodney Boyd
 74, Lismoyle Road, Swatragh, Londonderry, Northern Ireland, BT46 5QU
 Leighann Molloy
 74, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA
 Naill Regan
 74, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB
 Imelda McCormack
 74, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Johnny Boyd
 76, Lismoyle Road, Swatragh, Londonderry, Northern Ireland, BT46 5QU
 Claire McCloy
 77, Dromdallagan, Draperstown, Londonderry, Northern Ireland, BT45 7EY
 Emily Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 David Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 John J Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Eugenie Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Laura Murphy
 77, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Siobhan Magee
 77, Rocktown Road, Bellaghy, Londonderry, Northern Ireland, BT45 8LP
 Donna Porter
 77b, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5NA
 Audrey Michael
 78, Coleraine Road, Maghera, Londonderry, Northern Ireland, BT46 5BP
 G McKenna
 78, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LQ
 Hannah Bolton
 79, Carricknakielt Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QG
 Hannah Bolton
 79, Carricknakielt Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8QG

Donna Convery
 79, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DH
 Stacey Canning
 79, Learmount Road, Claudy, Park, Londonderry, Northern Ireland, BT47 4AL
 The Owner/Occupier,
 8 Brown Drive, Maghera, Londonderry, BT46 5HQ
 Seamus Bradley
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Aine Bradley
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Aine Bradley
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Emma McDaid
 8, Beaver Crescent, Maghera, Londonderry, Northern Ireland, BT46 5RG
 Cody Shiels
 8, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Vanda Shiels
 8, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Vanda Shiels
 8, Brown Drive, Maghera, Londonderry, Northern Ireland, BT46 5HQ
 Sandra Church
 8, Cooke Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HH
 Sharon Montgomery
 8, Coronation Villas, Maghera, Upperlands, Londonderry, Northern Ireland, BT46 5TR
 Ruairi Mallon
 8, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Eireann McKee
 8, Drumard Lane, Draperstown, Londonderry, Northern Ireland, BT45 7LF
 Julie Graham
 8, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Adam Graham
 8, Grove Terrace, Maghera, Londonderry, Northern Ireland, BT46 5BW
 Carol McCurdy
 8, Largentogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Damian Convery
 8, Mullagh Court, Maghera, Londonderry, Northern Ireland, BT46 5RH
 Damien Convery
 8, Mullagh Court, Maghera, Londonderry, Northern Ireland, BT46 5RH
 Aoife McCabe
 8, Mullaghmore, Maghera, Londonderry, Northern Ireland, BT46 5DX
 Niall Tumelty
 8, OAK GLYNN, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5FD
 Nuala McNicholl
 8, Sprucefield Drive, Maghera, Londonderry, Northern Ireland, BT46 5HB
 Sarah O'Kane
 8, St. Lurachs Gardens, Maghera, Londonderry, Northern Ireland, BT46 5JJ
 Denise Kelly
 8, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG
 Paul Kelly
 8, Tirkane Road, Maghera, Londonderry, Northern Ireland, BT46 5AG

Paul McVicker
 8, Victoria Street, Ballymoney, Antrim, Northern Ireland, BT53 6DW
 Adrienne Hutchinson
 8, Willow Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FF
 Anne Marie Dillon
 80, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8NT
 Janet Gregg
 81, Annaghmore Road, Castledawson, Londonderry, Northern Ireland, BT45 8DU
 MarMarie Kelly
 81, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LQ
 Sara McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Maresa McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Declan McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Ben McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Jack McAlary
 81, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Erica Convery
 81, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Niaomi Campbell
 81a, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Naomi Campbell
 81a, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Stephanie McFlynn
 82, Grove Road, Garvagh, Londonderry, Northern Ireland, BT51 5NY
 Gary Bradley
 83, Ranaghan Road, Maghera, Londonderry, Northern Ireland, BT46 5JX
 Emma Henry
 83, Sunnyside Park, Maghera, Londonderry, Northern Ireland, BT46 5BQ
 Claire Atherton
 84 Gulladuff Hill, Knockloughrim
 Brendan Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Eleanor Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Tony Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Lee Bradley
 85, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Angela Hearty
 85a, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8PA
 Kirsty McCormick
 86, Gorran Road, Garvagh, Londonderry, Northern Ireland, BT51 5EL
 Maire McPeake
 86, Grove Road, Garvagh, Londonderry, Northern Ireland, BT51 5NY
 Serena Deery
 86, Meeting House Avenue, Maghera, Londonderry, Northern Ireland, BT46 5BB

Noeleen McHugh
 87, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5AP
 Cora McGill
 87, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA
 Brian McGill
 87, Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA
 Connor McCrystal
 88, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8PA
 Connor McCrystal
 88, Gulladuff Hill, Gulladuff, Londonderry, Northern Ireland, BT45 8PA
 Andrew McKeown
 9, Beagh Terrace, Maghera, Londonderry, Northern Ireland, BT46 5EP
 Sarah McGrath
 9, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 John McGrath
 9, Beaver Drive, Maghera, Londonderry, Northern Ireland, BT46 5RQ
 Andrea McCloskey
 9, Cluaín Ghlas Road, Maghera, Londonderry, Northern Ireland, BT46 5PN
 Peter McCloskey
 9, Craigadick Crescent, Maghera, Londonderry, Northern Ireland, BT46 5DU
 Martin O'Connor
 9, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Martin O'Connor
 9, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Helena O'Connor
 9, Craigadick Park, Maghera, Londonderry, Northern Ireland, BT46 5DD
 Sian Henry
 9, Crewe Drive, Maghera, Londonderry, Northern Ireland, BT46 5EZ
 Philomena Bradley
 9, Fairhill Park, Maghera, Londonderry, Northern Ireland, BT46 5PJ
 Bliadhan Glass
 9, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Sally Glass
 9, GLEN GARDENS, MAGHERA, LONDONDERRY, Northern Ireland, BT46 5GN
 Sean McPeake
 9, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Sean McPeake
 9, Largantogher Park, Maghera, Londonderry, Northern Ireland, BT46 5BH
 Iain Orr
 9, Lislaynan, Ballycarry, Antrim, Northern Ireland, BT38 9GZ
 Karen McCrystal
 9, Loup Road, Moneymore, Londonderry, Northern Ireland, BT45 7SN
 J A Richardson
 9, Main Street, Tobermore, Londonderry, Northern Ireland, BT45 5PN
 Julie Gallagher
 9, Oakland Crescent, Gulladuff, Londonderry, Northern Ireland, BT45 8PR
 Christy O'Hagan
 9, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD
 Jackie O'Hagan
 9, Pinehill Avenue, Maghera, Londonderry, Northern Ireland, BT46 5HD

Stephanie O'Connor
 9, Rectory Road, Tobermore, Londonderry, Northern Ireland, BT45 5QP
 Stephanie O'Connor
 9, Rectory Road, Tobermore, Londonderry, Northern Ireland, BT45 5QP
 Charlene Wilson
 9, Woodvale Crescent, Moneymore, Londonderry, Northern Ireland, BT45 7PT
 Wendy Houston
 92, Carricknakielt Road, Knockcloghrim, Londonderry, Northern Ireland, BT45 8PU
 Nicola McGuckin
 94, Grove Road, Swatragh, Londonderry, Northern Ireland, BT46 5QZ
 Celine Adams
 98, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DH
 Louise Lagan
 99, Five Mile Straight, Maghera, Londonderry, Northern Ireland, BT46 5LH
 Tara Montgomery
 9a, Falgortrevy Road, Maghera, Londonderry, Northern Ireland, BT46 5DG
 Grace O'Donoghue
 Ballinode Close,Cheltenham,GL50 UK
 J Duncan
 Ballynahone Road,Maghera
 Jemma Mawhinney
 Beatrice Villas,Bellaghy,Magherafelt,BT45 UK
 Gladys Leacock
 Beechland Drive,Magherafelt
 Paula Carson
 Boveedy Road,Coleraine,BT51
 Amanda O'Connor
 Brown Drive,Maghera,BT46 UK
 Catherine Ball
 Bushfield Mill,Claudy,Londonderry,BT47 UK
 Donna Mallon
 Cloneen Drive,Maghera
 Kim Convery
 Cloneen Manor,Maghera,BT46
 Michelle Mitchell
 Clooney Road,Magherafelt,BT45
 Mary Carland
 Convery Optometrists,83 Main Street,Maghera,BT46 5AB
 Conall Kelly
 Craigadick Park,Maghera,BT46
 Bridin Henry
 Craigmores Road,Maghera,BT46 UK
 Frances Bradley
 Crawfordsburn,Maghera,BT46
 Trevor Smyth
 Culnady Road,Maghera,BT46
 Deborah Madden
 Drumard Hill,Gulladuff,Magherafelt,BT45
 Kathryn Bolton
 Drumblog Road,Maghera

Gareth Campbell
Email
Naomi Campbell
Email
Jennifer Young
Email
Gary O'Brien
Email
Mary Nolan
Email
Conan Glass
Falach Ghluin, Machaire Ratha, Co Dhoire
Karen Doherty
Fallylea Road, Maghera, BT46
Tracey Diamond
Glen Gardens, Maghera, BT46
Maeve O'Callaghan
Glen Road, Maghera, BT46
Michelle Murphy
Glen Road, Maghera, BT46
Claire Flanagan
Glen Road, Maghera, BT46
Sharon Moran
Glenview, Maghera, BT46
Jackie Q
Gortade Road, maghera, BT46 UK
Agata Sobieraj
Grange Avenue
Siobhan Magee
Gulladuff Road, Magherafelt, BT45
Sinead McGill
Gulladuff Road, Magherafelt, BT45 UK
Siobhan McKenna
Hall Crescent, Maghera, BT46 5BA
Joanne Neeson
Hawthorne Crescent, Maghera, BT46
Anne Lennox
Killymuck Road, Kilrea, Londonderry, Northern Ireland, BT46 5SY
John Lennox
Killymuck Road, Kilrea, Co. Londonderry
Abdul Haque
Kings Road, Hitchin, SG5 UK
Eoin Hughes
Largantogher Park, maghera, BT46
Diane Stewart
Leckagh Drive, Magherafelt
Stephanie Byrne
Limavady Road, Londonderry, BT47 UK
Rita Glass
Lisnamuck Road, Maghera, Londonderry, Northern Ireland, BT46 5LA

Mark Small
 London Bridge Street,London,SE1 UK
 Michael Small
 M106, Glen Road, Maghera, Londonderry, Northern Ireland, BT46 5JG
 Jennifer Young
 M11, Tobermore Road, Maghera, Londonderry, Northern Ireland, BT46 5DS
 Sinead McGill
 M24, Rowan Glynn, Maghera, Londonderry, Northern Ireland, BT46 5FG
 Kyla Doole
 M59, Culnady Road, Maghera, Londonderry, Northern Ireland, BT46 5TN
 Geraldine O'Kane
 MEmail
 Jackie Murray
 Maghera Road,Magherafelt,BT45
 Joanne Currie
 Main Street,Maghera
 Roisin McQuade
 Martinvale Park,Maghera,BT46
 Karl Quinn
 Martinvale Park,Maghera,BT46
 Fiona McCloskey
 Martinvale Park,Maghera,BT46 UK
 Thomas Kiely
 Meeting House Avenue,Maghera,BT46
 Katie Doherty
 Meeting House Avenue,Maghera,BT46
 Aine McKenna
 Meeting House Avenue,Maghera,BT46
 Lauren Atkinson
 Meeting House Avenue,Maghera,BT46 UK
 Mairead Harvey
 Monaghan Road,Armagh,BT60 UK
 Colin Harvey
 Monaghan Street,Newry,BT35 UK
 Jonny Eastwood
 Orritor Road,Cookstown,BT80
 Geoff Smyth
 Parkmore House, Parkmore Heights, Ballymena, Antrim, Northern Ireland, BT43 5DB
 Mary Bradley
 Ranaghan Road,Maghera,BT46 UK
 Andrew Ryan
 River House,48-60 High Street,Belfast,BT1 2BE
 Aoibheann Doherty
 Seefin Hill,Maghera,BT46 UK
 Marie McVicker
 Shiels Court, Flat 23, Castle Street, Ballymoney, Antrim, Northern Ireland, BT53 6JT
 Colette Johnstone
 Slaughtneil Road,Maghera,BT46
 Norma Kirkpatrick
 Station Road,Maghera

Danielle McErlean
Sunnyside Park, Maghera, BT46
Charles McGuigan
Sunnyside Park, Maghera, BT46 5BG
Sharon Nansi
The Firs, Syston, Leicester, LE7 2FT
June McMullin
Tirgarvil Road, Maghera, BT46
Aimee Marshall
Tirkane Road, Maghera, BT46
Megan McGarvey
Tullyheran Road, Maghera, BT46
The Owner/Occupier,
Unit 1, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 2, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 3, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 4, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 5, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 6, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
The Owner/Occupier,
Unit 7, 42 Tobermore Road, Glenshane Industrial Park, Maghera, Londonderry, BT46 5DR
Martin McKenna
Willow Glynn, Maghera, BT46
Adrienne Hutchinson
Willow Glynn, Maghera, BT46
Naomi Hughes
Willow Glynn, Maghera, BT46
Ryan O'Reilly
5, Craigadick Road, Maghera, Londonderry, Northern Ireland, BT46 5DE
Emma Scullion

Michael O'Callaghan

Patricia McAleese

Hannah McFadden

Eamonn Clery

Catherine Craig
Kevin O'Doherty
Marcelle Gibson
Siobhan Grose
Nicola Harkin
Barry McKenna
Nicole Owens
Clare Scullion
Gladys Selfridge
Maria McEldowney
Marguerite Campbell
Mark McErlean
Martin O'Doherty
Pauline Young
Mary Logue
C J Donnelly
Vanda Shiels
Cody Shiels
Katy Shiels
Cathy Patterson
Eleanor McGuckin
Cathy Patterson
Noreen McPeake
Mary O'Neill
Una Quinn
Laura McWilliams

Lesley Stewart
Ryan Skelly
David Rollins
Mark Magee
Wayne Harvey
Kathryn Eastwood
Joseph Bradley
Lindsay Gibson
Katy Shiels
Shaun McCormick
Georgina Gordon
I Nelson
Eliz. J Bolton
Marie Lagan
Orla Dempsey
Belinda Hamilton
Jill Hudson
Mary Dunn
Lindsay Gibson
Marie McKenna
Karen Mills
Gregory McKenna
Sandra Flynn
Michelle Bell
Tiffany Kang
Lynsey Rock

Christina Kearney

Martin Stewart

Paul Logue

Mary Carland

Sharon Coyle

Michaela Mooney

Grace McKenna

Mae McCready

Jimmy Millar

Diane McKeefry

Neil Hyndman

Noreen McCauley

Paul Scullion

Danielle Treharne

Ryan O'Reilly

Jennifer Young

Jonathon Comac

Jane Kelly

The Owner/Occupier,

Mary Harkin

Caroline Birt

L Quinn

Imelda Bradley

James Smyth

Rhonda Bigger

Nicola Donnelly

Joseph McCullagh

Joanne Owens

Donna Hosie

Clive Hamilton

Gemma Convery

Michael Small

Aaron Smyth

Lisa McGill

Hugh Turner

Mel Gibson

Eoin Murphy

Bridin Crilly

Bernie O'Connor

Erwin Hamilton

Katy McGlade

Ryan O'Reilly

Joanne O'Kane

Julie Duggan

Mairead McNally

Joan Scullion

Nicola Neeson

Aine Young

Claire Quinn

Madeline McManus

Niamh Gallagher

Shannon McLean

Paul Owens

Noleen Hartley

Shaun McCormick

Adrian Glass

Elaine Donaghy

Laura Heron

Rhonda Hutchinson

Joanne Monaghan

Date of Last Neighbour Notification	23.12.2019
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Date of EIA Determination	
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ES Requested	No
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Planning History

Ref ID: LA09/2019/0025/F

Proposal: Proposed development of existing brown field site for development of new internal access road/footpaths, improved access include right hand turning lane, landscaped community walkway, alteration of existing levels to provide platforms for future development, installation of utilities, installation of site fencing, clearance of undergrowth vegetation and associated site works to support future mixed use and enterprise centre/business units

Address: Former Maghera High School, Tobermore Road, Maghera,

Decision:

Decision Date:

Ref ID: LA09/2019/0024/O

Proposal: Outline planning application to support future mixed use and enterprise centre/business units which will be subject to Reserved Matters Planning Applications submitted by purchasers of plots from Mid Ulster District Council

Address: Former Maghera High School, Tobermore Road, Maghera,

Decision:

Decision Date:

Ref ID: LA09/2018/0796/PAN

Proposal: Proposed development of existing brown field site for development of new access road and associated site works, to support future mixed - use and enterprise - centre units.

Address: Former Maghera High School, Tobermore Road, Maghera, BT46 5DR.,

Decision:

Decision Date:

Ref ID: LA09/2017/1783/PAD

Proposal: Proposed development of existing brown field site to industrial units with development of access road and associated works

Address: Former Maghera High School, Tobermore Road, Maghera,

Decision:

Decision Date:

Ref ID: LA09/2017/1303/O

Proposal: Housing Development (33 units)

Address: Land at Tobermore Road (north of the former Maghera High School site and south of Largentogher Park) Largentogher, Maghera,

Decision:

Decision Date:

Ref ID: H/2004/1134/O

Proposal: 25 units with mix of detached, semi-detached and townhouse

Proposed mixed private housing development with alteration of existing entrance onto Tobermore Road.

Address: Lands East of Tobermore Road, Largentogher, Maghera

Decision:

Decision Date: 27.09.2006

Ref ID: H/1977/0235

Proposal: SWIMMING POOL/BOILER HOUSE

Address: MAGHERA CONTROLLED SECONDARY SCHOOL, 30 TOBERMORE ROAD, MAGHERA

Decision:

Decision Date:

Ref ID: H/1974/0145

Proposal: EXTENSION TO SECONDARY SCHOOL

Address: LARGANTOGHER, MAGHERA

Decision:

Decision Date:

Ref ID: H/2000/0051/F

Proposal: Proposed Industrial Unit For Use As Workshop/Warehouse

Address: Glenshane Industrial Park, Tobermore Road Maghera

Decision:

Decision Date: 15.05.2001

Ref ID: H/1994/0228

Proposal: INDUSTRIAL UNIT FOR MANUFACTURE OF TARPAULINS

Address: TOBERMORE ROAD MAGHERA

Decision:

Decision Date:

Ref ID: H/1994/0005

Proposal: SITE OF INDUSTRIAL UNIT

Address: TOBERMORE ROAD MAGHERA

Decision:

Decision Date:

Ref ID: H/2006/0630/F

Proposal: Provision of Hypochlorite Storage Area (detached, flat roofed store with roller shutter door)

Address: Maghera High School, 30 Tobermore Road, Maghera, Co. Londonderry

Decision:

Decision Date: 27.11.2006

Ref ID: H/2006/0206/F

Proposal: Proposed Installation of 3no.Solar Panels.

Address: Maghera High School, 30 Tobermore Road, Maghera, BT45 5DR.

Decision:

Decision Date: 26.06.2006

Ref ID: H/1991/0433

Proposal: LABORATORY EXTENSION TO SCHOOL

Address: MAGHERA HIGH SCHOOL 30 TOBERMORE ROAD MAGHERA

Decision:

Decision Date:

Ref ID: H/1988/0271

Proposal: MOBILE CLASSROOM

Address: MAGHERA HIGH SCHOOL 30 TOBERMORE RD MAGHERA

Decision:

Decision Date:

Ref ID: H/2009/0513/O

Proposal: Site of new housing development with alteration of existing entrance onto Tobermore Road (previously approved under H/2004/1134/O)

Address: Lands East of Tobermore Road, Largantogher, Maghera

Decision:

Decision Date: 15.12.2009

Summary of Consultee Responses

NIEA

Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests, and, on the basis of the information provided, has no concerns subject to conditions.

Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal subject to conditions, the applicant noting the advice in the Explanatory Note and adhering to Standing Advice.

The Regulation Unit of Land and Groundwater Team stated that AMC Environmental have provided a Preliminary Risk Assessment report and Pentland MacDonald Limited

have provided an Investigation of Crushed Demolition Rubble Potentially Containing Asbestos report in support of this application. The Pentland MacDonald report is informed by intrusive investigations and it is concluded that occurrences of asbestos are widespread within the crushed demolition rubble at the site. A Detailed Remediation Strategy is not presented and is required. Regulation Unit do not offer any objections to the development provided conditions and informatives are placed on any planning decision notice as recommended.

DfI Roads

The combined Stage 1 / 2 Road Safety Audit has now been signed off and recommendations actioned upon in accordance with DMRB GG 119. DfI Roads therefore do not offer an objections subject to conditions.

DfI Rivers Agency

The Flood Risk Assessment, based upon the updated site layout, indicates that the proposed development (including footpaths etc) is now outside 1 in 100 year fluvial flood plain. A suitable maintenance strip will be provided for the culverted watercourse located south of the proposed development.

The Drainage Assessment indicates that the road related storm run-off will discharge unrestricted to the designated watercourse to the south of the site. The attenuated discharge consent has been approved by DfI Rivers area office under Schedule 6 of the Drainage (NI) Order 1973, for the whole site. Therefore, although the unrestricted road discharge is acceptable the future development proposals should have measures in place to ensure the approved attenuated discharge for the whole site is adhered to; please see LA09/2019/0024/O.

Environmental Health Department

The application has been considered in conjunction with the AMC Environmental "Preliminary Environmental Risk Assessment" dated June 2018 and Pentland MacDonald "Investigation of Crushed Demolition Rubble Potentially containing Asbestos" report dated November 2018. AMC report is a preliminary risk assessment and it concludes the risk from contamination is low to insignificant. The Pentland MacDonald report considers asbestos specifically and detected asbestos fibres in rubble samples retrieved from across the site. It identifies the need for remediation measures to address risks posed by asbestos to any future development. EHD state it is therefore imperative that a condition be attached to any planning permission granted.

Archaeology and Built Heritage

HED Historic Monuments has considered the impacts of the proposal. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

Drawing Numbers and Title

Drawing No. 01/1

Type: Site Location Plan

Status: Submitted

Drawing No. 02/3

Type: Existing Plans

Status: Submitted

Drawing No. 03/2

Type: Site Layout or Block Plan

Status: Submitted

Drawing No. 04/2

Type: Site Layout or Block Plan

Status: Submitted

Drawing No. 05/1

Type: Cross Sections

Status: Submitted

Drawing No. 06/1

Type: Cross Sections

Status: Submitted

Drawing No. 07/1

Type: Cross Sections

Status: Submitted

Drawing No. 08/2

Type: Road Access Plan

Status: Submitted

Drawing No. 09

Type: Road Access Plan

Status: Submitted

Drawing No. 10/2

Type: Road Access Plan

Status: Submitted

Drawing No. 11

Type: Existing Plans

Status: Submitted

Drawing No. 12/2

Type: Landscaping Plan

Status: Submitted

Drawing No. 13

Type: Proposed Elevations

Status: Submitted

Drawing No. 14/1

Type: Detailed Drawing Plans

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

**Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN**

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/0232/F	Target Date:
Proposal: Proposed 8 No. semi detached dwellings	Location: Land to the rear of 65 - 69 Oldtown Street Cookstown
Referral Route: Objections received	
Recommendation: Approval	
Applicant Name and Address: Mr Malcolm Thom 8 Drumearn Road Cookstown BT80 9JY	Agent Name and Address: Henry Marshall Brown Architectural Partnership 10 Union Street Cookstown BT80 8NN
Executive Summary:	
Signature(s): Lorraine Moon	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Advice
Non Statutory	NI Water - Multi Units West - Planning Consultations	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Content
Statutory	DFI Roads - Enniskillen Office	Advice

Representations:

Letters of Support	None Received
Letters of Objection	2

Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Summary of Issues Objections received. Approval recommended.	
Characteristics of the Site and Area The site is located within the settlement of Cookstown. The site incorporates three units within the street scene. Two of the units are vacant and one still inhabited. One unit was previously used as a shop with living accommodation and the other as a residential unit. An arched entry links two of the properties. The site extends a significant distance to the rear as it includes the rear yards and gardens of the properties. The yards to the rear are accessed currently via the small archway. The yards are concreted and run a relatively short distance while beyond this there are a number of steeply rising linear fields. The buildings at the entrance to the site are within an Area of Townscape Character and outside Town Centre limits.	
Description of Proposal Full application for 'Proposed 8 No. Semi-detached dwellings at sites 1-8 at development to rear of 65-69 Oldtown Street, Cookstown'.	
Planning Assessment of Policy and Other Material Considerations I have assessed this proposal under the following: SPSS Cookstown Area Plan 2010. Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 7 - Quality, Residential Developments Planning Policy Statement 8 - Open Space, Sport and Outdoor Recreation. Planning Policy Statement 12 - Housing in Settlements Creating Places Consultees: - Environmental Health were asked to comment and responded on 10.05.2019 with no objections subject to conditions and advice. NI Water were asked to comment and responded on 19.07.2019 with no objections subject to advice. DfI were asked to comment and responded on 04.11.2019 with their final comments offering no objections subject to conditions and advice. In line with legislation the proposal was advertised in the local press on 07.03.2019. Owners/Occupiers of Nos. 1 Millburn Street, 59 Oldtown Street, 61 Oldtown Street, 63 Oldtown Street, 65 Oldtown Street, 67 OldtoWn Street & 69 Oldtown Street Cookstown were notified of the proposal on 28.02.2019.	

One objection has been received from Mr Robert Greer who is representing the residents of Nos 61 _ 63 Oldtown Street. The main points raised within this objection are:

- The site address is inaccurate and should include all properties in the site address that the proposal flanks.
- On application form it has been stated that the proposal makes use of an existing unaltered access to a public road however the objector feels the applicant should have stated that the proposal involves both vehicular and pedestrian accesses.
- Ownership dispute - the objector has queried that the applicant is the owner of all lands required for the proposal.

Following the submission of the objection, additional information has been sought from the agent. No further objections have been received to date.

In response to the points raised in the submitted objections I would comment that the address for the proposal is the same as that approved on site under I/2013/0194/F and also that all notifiable properties have been notified and as such interested parties made aware of the proposal. In addition in line with legislation the proposal was advertised in the local press on 07.03.2019 so all avenues for notification have been utilised. It should be pointed out that planning permission does not distinguish rights of way. Following the submission of objections clarification was sought as to land ownership, the agent stated that 'Mr Greer has a ROW on the proposed adopted road which is passed by roads service, although this ROW is not registered by Land Registry it is legally done by solicitors'. Following this information it would appear that the issues raised are that of a civil matter. It should be noted that the access referred to by Mr Greer is the same as that within approval I/2013/0194/F.

Site History - Approval granted 8.06.2017 under I/2013/0194/F for 5 dwellings on the eastern portion of the proposal site while showing 'phase 2' on the southern portion of the site. This current proposal corresponds with that 'Phase 2' of the previously approved. The house types are similar in design to that approved previously under I/2013/0194/F.

As in line with previous assessment the scheme presented in this current scheme is acceptable in terms of design and layout and complies with the requirements of Planning Policy Statement 7 and Creating places. Due to the varying densities surrounding the site it would allow for this housing layout. The finishes are all acceptable and full and detailed planting details have been included which are acceptable. All consultees have offered a favourable response to the proposal.

Taking into consideration the site history and given the consultees favourable responses I would recommend an approval be granted for this proposal.

Neighbour Notification Checked	Yes
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Summary of Recommendation:	
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Approval recommended

Conditions:	
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1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. THE PRIVATE STREETS (NORTHERN IRELAND) ORDER 1980 AS AMENDED BY THE PRIVATE STREETS (AMENDMENT) (NORTHERN IRELAND) ORDER 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be indicated on Drawing No 05/1 dated 23.10.2019.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

3. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No part of the development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outline blue on Drawing No: 05/1 dated 23.10.2019. The Department hereby attaches to the determination a requirement under Article 3 (4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

4. No other development hereby permitted shall be commenced until the road works indicated on Drawing No 05/1 dated 23.10.2019 have been fully completed in accordance with the approved plans.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out at the appropriate time.

5. The visibility splays of 2.4m x 60m in both directions at the junction of the proposed access with the public road, shall be provided in accordance with Drawing No 05/1 dated 23.10.2019 prior to the commencement of other works or development.

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

6. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges, nor formal rows of trees grown in (verges) determined for adoption.

Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.

7. The vehicular access, including visibility splays and any forward sight line shall be provided in accordance with the approved plans, prior to the commencement/occupation/operation of any works or other development hereby permitted. 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 levels of the adjoining carriageway and such splays 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.

8. The (gradient of the access/gradients of the accesses) shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses footway, the access

gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

9.The gradient of the access shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

10. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to case course; the final wearing course shall be applied on the completion of the development.

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

11.If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

Reason: To ensure the continuity of amenity afforded by existing trees.

12.If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

Informatives

1.Private Streets Order (Northern Ireland) 1980 Under the above Order the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the Department to make the roads and sewers in accordance with the Private Streets Construction Regulations.

2.Separate approval must be received from Roads Service in respect of detailed standards required for the construction of streets in accordance with the Private Streets Construction Regulation.

3. In order to ensure that the laying of ducts and the erection of columns for street lighting is co-ordinated with the construction of the streets, the applicant should contact the DfI Roads Street

Lighting Section at Marlborough House, Central Way, Craigavon BT64 1AD before any construction work commences.

4. It is a DfI Roads requirement that all structures which fall within the scope of the current version of BD 2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges shall require Technical Approval. Details shall be submitted to the Technical Approval Authority through the relevant Division.

5. Geotechnical activities which require Geotechnical Certification shall be submitted to Engineering Policy Unit through the relevant Division. Geotechnical Certification shall be in accordance with the DRD's Geotechnical Certification procedures as laid down in the current version of HD 22 Managing Geotechnical Risk: Volume 4: Design Manual for Roads and Bridges.

6. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

7. All construction plant and materials shall be stored within the curtilage of the site.

8. 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].

9. The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

If during the course of developing the site the developer uncovers a pipe not previously evident, NIW 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. Notify NIW Customer Relations Centre on 08458 770002.

Details of existing water and sewerage services may be obtained by submitting a Records Request application RR1-A257/A258 available at www.niwater.com/servicesfordevelopers.asp. No connection should be made to the public sewer from 23rd May 2016, in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 (as amended Water and Sewerage Services Act (Northern Ireland) 2016), until the mandatory Sewer Adoption Agreement has been authorised by NIW.

A formal water/sewer connection application must be made for all developments, including those where it is proposed to re-use existing connections.

All services within the development should be laid underground.

Development shall not be occupied until the onsite works have been completed in accordance with the drainage details submitted to and approved by the relevant authority.

Development shall not be occupied until surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority.

Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland). Applicants should contact NI Water's Water Fittings Regulations team via waterline@niwater.com if they have any queries.

10. A consent to discharge sewage effluent being obtained from Water Management unit, the Northern Ireland Environment Agency, as required by the Water (Northern Ireland) Order 1999. Any new or existing septic tank unit being a minimum of 15metres from the proposed development or any other habitable dwelling/building such as an office or such dwelling/building in the course of construction or the subject of a planning approval.

A legal agreement being obtained in relation to lands used in connection with any septic tank/drainage arrangement where such lands are outside the ownership of the applicant or outside the area marked in red which is the subject of this application. This agreement must ensure that the lands in question will always be available for the intended purpose and also that any occupier/owner of the proposed development will have access to these lands for maintenance/improvement works as required. Such legal agreement should be included in any planning approval as a planning condition.

The applicant ensuring that the proposal does not compromise any existing drainage arrangements serving existing neighbouring premises or developments not completed/commenced which are the subject of a planning approval.

Planning Service receiving confirmation from Northern Ireland Water that a mains water supply is available and that it is feasible for the proposed development to be connected to same. Where mains water supply is not available, the applicant/agent is strongly advised to contact this department before any detailed plans are prepared. (The District Council cannot approve plans for housing development unless a satisfactory water supply is available).

The above comment is dependent upon permission being granted to allow connection into the neighbouring system, and the capacity of the system being sufficient to cope with the extra demand.

11.This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

12.This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	21st February 2019
Date First Advertised	7th March 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Millburn Street Cookstown Tyrone Robert Greer 15 Limekiln Lane, Cookstown, BT80 8TS Robert Greer 15 Limekiln Lane, Cookstown, Tyrone, Northern Ireland, BT80 8NL The Owner/Occupier, 59 Oldtown Street, Cookstown The Owner/Occupier, 61 Oldtown Street, Cookstown The Owner/Occupier, 63 Oldtown Street Cookstown Tyrone The Owner/Occupier, 63 Oldtown Street, Cookstown The Owner/Occupier, 65 Oldtown Street Cookstown Tyrone The Owner/Occupier, 67 Oldtown Street Cookstown Tyrone The Owner/Occupier, 69 Oldtown Street Cookstown Tyrone Robert Greer Email	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA09/2018/1152/F Proposal: Proposed 2 Apartments in lieu of previously approved dwelling (reference: LA09/2017/1542/F) Address: Approx 7m NW of 6 Ferguy Heights, Cookstown, Decision: AL Decision Date:	

Ref ID: LA09/2017/0752/F

Proposal: Change of use from domestic dwelling to H.M.O. accommodation

Address: 61 Oldtown Street, Cookstown,

Decision: PG

Decision Date: 24.08.2017

Ref ID: LA09/2019/0232/F

Proposal: Proposed 8 No. semi detached dwellings

Address: Land to the rear of 65 - 69 Oldtown Street, Cookstown,

Decision:

Decision Date:

Ref ID: I/2012/0161/F

Proposal: NIHE Disabled facilities grant - 2 storey rear extension including level access shower and ramped access

Address: 63 Oldtown Street, Cookstown,

Decision:

Decision Date: 18.07.2012

Ref ID: I/2011/0099/F

Proposal: Alterations to dwelling and two storey extension

Address: 69, Oldtown Street, Cookstown,

Decision:

Decision Date: 10.03.2011

Ref ID: I/1987/0503

Proposal: 2 NO FLATS

Address: 45 AND 47 OLDTOWN STREET, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1990/0510

Proposal: Change of use from Dwelling to Dental Surgery

Address: 41 OLDTOWN STREET COOKSTOWN

Decision:

Decision Date:

Ref ID: I/2006/1219/F

Proposal: Proposed development of Unit A (3 no. retails), Unit B (4no. retail units) and unit C (3 no. retail units) and associated car parking and formation of new access road linking to Oldtown Street.

Address: Unit A - Lands adjacent to 47 Orritor Road, Cookstown (OS1 Zoning), Unit B - Lands adjacent to Tesco Store, Orritor Road, Cookstown (OS1 Zoning), Unit C - Lands to the rear of 52-74 Oldtown Street (Part of OS2 Zoning)

Decision:

Decision Date: 27.07.2007

Ref ID: I/2013/0194/F

Proposal: Proposed 4no. semi detached dwellings and 1 no. detached dwelling and widening of approved archway under I/2013/0193/F at Oldtown Street. (amended description)

Address: To the rear of 65-69 Oldtown Street, Cookstown,

Decision: PG

Decision Date: 12.06.2017

Ref ID: I/2005/0582/F

Proposal: Proposed replacement shop with 2 no first floor domestic apartments.

Address: 65 and 67 Oldtown Street, Cookstown

Decision:

Decision Date: 16.12.2008

Ref ID: I/2013/0139/F

Proposal: Proposed alterations to Planning Approval I/2005/0582/F to provide 3 no. apartments

Address: 65 and 67 Oldtown Street, Cookstown,

Decision: PG

Decision Date: 20.11.2013

Ref ID: I/1980/0201

Proposal: IMPROVEMENTS TO DWELLING

Address: 61 OLDTOWN STREET, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1998/0073

Proposal: Two Number Dwellings and Estate Road

Address: SITE NOS. 26 AND 28 FERGUY HEIGHTS COOKSTOWN

Decision:

Decision Date:

Ref ID: I/2001/0666/F

Proposal: 2 No Semi-Detached Dwellings

Address: 22 & 24 Ferguy Heights, Cookstown

Decision:

Decision Date: 12.06.2002

Ref ID: I/1978/0049

Proposal: EXTENSIONS TO DWELLING

Address: 57 OLDTOWN STREET, COOKSTOWN

Decision:
Decision Date:

Ref ID: I/1988/0084
Proposal: CONVERSION OF DWELLING TO 2 NO FLATS
Address: 57 OLDTOWN STREET, COOKSTOWN
Decision:
Decision Date:

Ref ID: I/1999/0658/F
Proposal: 4 No Semi - Detached Dwellings and Estate Road
Address: 30 & 32 & 37 & 39 Ferguy Heights Cookstown
Decision:
Decision Date: 22.11.2001

Ref ID: I/2001/0637/F
Proposal: 65 No Dwellings and Estate Layout
Address: Off Ferguy Heights Cookstown
Decision:
Decision Date: 06.04.2007

Ref ID: I/1994/0187
Proposal: 1 pair of Semi-Detached Houses
Address: FERGUY HEIGHTS OLDTOWN STREET COOKSTOWN
Decision:
Decision Date:

Ref ID: I/1998/0554
Proposal: CONSTRUCTION OF 2 DWELLINGS AND ESTATE ROAD
Address: 26 & 28 FERGUY HEIGHTS, COOKSTOWN
Decision:
Decision Date:

Ref ID: I/1995/0229
Proposal: 1 Pair Semi-Detached Houses
Address: FERGUY HEIGHTS OLDTOWN STREET COOKSTOWN
Decision:
Decision Date:

Ref ID: I/1993/0033
Proposal: 3 No Dwellings
Address: FERGUY HEIGHTS OLDTOWN STREET COOKSTOWN
Decision:
Decision Date:

Ref ID: I/1995/6021

Proposal: Proposed Dwellings Ferguy Heights, Cookstown

Address: Ferguy Heights, Cookstown

Decision:

Decision Date:

Ref ID: I/1981/0194

Proposal: PRIVATE HOUSING DEVELOPMENT

Address: 43-47 OLDTOWN STREET, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1988/0095

Proposal: ALTERATIONS TO APPROVED HOUSING ESTATE AND SERVICE ROAD

Address: FERGUY HEIGHTS, OLDTOWN STREET, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1995/0386

Proposal: 1 pair of semi-detached dwellings

Address: FERGUY HEIGHTS COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1996/0241

Proposal: 4 No Dwellings and garages

Address: 29,31,33, & 35 FERGUY HEIGHTS COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1978/0025

Proposal: EXTENSION AND IMPROVEMENTS TO TERRACE HOUSE

Address: 3 MILBURN STREET, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/2000/0857/F

Proposal: Extention and alterations to dwelling

Address: 3 Milburn Street Cookstown

Decision:

Decision Date: 23.01.2001

Ref ID: I/1974/012501

Proposal: SITE FOR RESIDENTIAL DEVELOPMENT (AREA SHADED BLUE ON SITE PLAN, SCALE

Address: OFF DUNMORE CRESCENT, MONEYMORE ROAD, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/1974/0125

Proposal: SITE FOR RESIDENTIAL DEVELOPMENT

Address: OFF DUNMORE CRESCENT, MONEYMORE ROAD, COOKSTOWN

Decision:

Decision Date:

Ref ID: I/2014/0251/F

Proposal: Public realm improvements comprising re-surfacing and new paving to pedestrian footpaths and public spaces, new street furniture, replacement street lighting, new tree planting, and formalisation of existing on-street parking arrangement

Address: Lands at 1-53 Milburn Street 1-69 Oldtown Street 1-64 William Street 1-73 James Street 1-22 Loy Street 1-73 Molesworth Street 1-74 Coagh Street 1-46 Orritor Street and 1-36 Fairhill Road Cookstown,

Decision: PG

Decision Date: 25.11.2014

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 02

Type: Site Layout or Block Plan

Status: Submitted

Drawing No. 03

Type: Proposed Plans

Status: Submitted

Drawing No. 01

Type: Site Location Plan

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

**Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN**

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/0467/F	Target Date:
Proposal: Refurbishment and alteration of existing workshop	Location: (Amended address) 20B Station Road Glebe Industrial Estate Magherafelt BT45 5DN
Referral Route: Objection received from Ms Roisin Cassidy of 10 Mullaghboy Park querying the proposal address given on P1 form.	
Recommendation: Approval	
Applicant Name and Address: Coolhaven Developments Ltd 56 Coolshinney Road Magherafelt	Agent Name and Address: Vision Design 31 Rainey Street Magherafelt BT45 5DA
Executive Summary:	
Signature(s): Lorraine Moon	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	Historic Environment Division (HED)	Content
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Non Statutory	Environmental Health Mid Ulster Council	
Non Statutory	Environmental Health Mid Ulster Council	
Non Statutory	Environmental Health Mid Ulster Council	

Representations:

Letters of Support	None Received
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Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Summary of Issues One objection received.	
Characteristics of the Site and Area The proposal site is located within The Glebe Industrial Estate, Station Road, Magherafelt. The small industrial estate is located within the settlement limits of Magherafelt as defined by Magherafelt Area Plan 2015. The industrial estate has several other units within it currently being used for mechanics and other light industrial style developments. The building proposed to be refurbished is currently not in use and appears to not have been used for several years however it is clear that it was last used as a workshop/light industrial use. There are no views of the proposal site from the public road due to the existing mature trees and boundary walls. Immediately adjacent the proposal site on the northern boundary is further light industrial land currently being used for 'Bloc Blinds' while west is open farm land in association with a church. There are three existing residential properties located SE of the proposal site.	
Description of Proposal Full application for refurbishment and alteration of existing workshop.	
Planning Assessment of Policy and Other Material Considerations I have assessed this proposal under the following: SPSS Magherafelt Area Plan 2015 Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 - Planning _ Economic Development. The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time. Neighbours: - Owners/Occupiers of Nos. 10, 11, 12 The Spires, 16, 18, 20, 22, 24 & 26b Station Road were notified of the proposal on 08.05.2019 _ 03.09.2019. An objection has been received from Ms Roisin Cassidy of 10 Mullaghboy Park, Magherafelt. The objectors concerns are that the proposal address is incorrect. The address has been checked and amended and the objector reconsulted. No further objections have been received. Consultees: - As the site is within the limits of an archaeological site and monument (LDY042:016) Historic Environment Division were asked to comment and responded on 29th May 2019 stating that on the basis of the information provided they are content that the proposal is satisfactory to SPSS and PPS6 Archaeological policy requirements.	

Environmental Health were asked to comment and their final response was received on 19.12.2019 whereby they commented that the proposed development is located where there is a mix of residential accommodation and commercial properties in close proximity therefore it should be noted that complaints about noise from premises of this nature can occur if business operates late evening/early morning. Therefore they have included conditions in order to minimise possible disturbances.

As the proposal involves the use of an existing unaltered access to a public road it was not considered necessary for DfI to be consulted.

The proposal involves the alteration and refurbishment of an existing workshop. The current workshop does not appear to be in use.

The proposal does not involve the creation of any additional floor space. The refurbishment involves the following:

- New UPVC Facia, gutters and RWP's
- Removal of existing roof sheeting, new trapazoidal roof cladding & translucent roof light panels
- new paint finish to external walls
- New UPVC window frames
- removal of 3 existing window openings on the rear elevation and one door opening on the front elevation
- enlarge existing opening on the front elevation for the offices and enlarge the existing opening for new roller shutter for the workshop on the front elevation.

According to relevant policy a development proposal for a Class B2 light Industrial use or Class B3 general industrial use will be permitted in an area specifically allocated for such purposes in a development plan or in an existing industrial/employment area provided it is of scale, nature and form appropriate to the location. This proposal is for the refurbishment of an existing workshop within an existing small industrial estate. The property is adjacent to existing workshops being used for mechanics and other similar uses, there are also residential properties within close proximity to the proposal site. The scale, nature and form are not to be altered by this proposal and as such the proposal adheres to PED 1 of PPS4. In addition the proposal should be considered against the requirements of PED 9 of PPS 4 whereby it states that a proposal for economic development use will be required to meet all of the following criteria:

- a) it is compatible with surrounding land uses;
- b) it does not harm the amenities of nearby residents;
- c) it does not adversely affect features of the natural or built heritage;
- d) it is not located in an area of flood risk and will not cause or exacerbate flooding;
- e) it does not create a noise nuisance;
- f) it is capable of dealing satisfactorily with any emission or effluent;
- g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;
- h) adequate access arrangements, parking and manoeuvring areas are provided;
- i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;
- j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;
- k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;
- l) is designed to deter crime and promote personal safety; and
- m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape.

As previously discussed the proposal site is located within an existing industrial estate and the previous use of the building was that of a workshop. With the use of careful conditions it is my consideration that this proposal will not harm the amenities of nearby residents. HED were asked

to comment as the proposal site is within boundaries of an archaeological site and monument LDY042:016, they responded on 29.05.2019 commenting they were content that the proposal is satisfactory to SPSS and PPS6 archaeological policy requirements as such the proposal adheres to criteria b) of PED 9.

Following a GIS database search it was determined that the proposal site is not within an area of flood risk and due to the nature of the proposal there will not be potential for flooding to be exacerbated and as such the proposal adheres to criteria d).

With the use of conditions given by Mid Ulster District Council's Environmental Health Department the probability of noise nuisance occurring has been reduced as the working hours has been conditioned and roller doors are to be kept closed thus adhering to criteria e.

The source of the water supply is mains, surface water is to be disposed of via a public storm and the foul sewage is to be disposed of through the mains thus the proposal is capable of dealing satisfactorily with any emission or effluent. The proposal is to make use of an existing unaltered access to a public road and there is to be no increase in numbers of vehicles at the premises daily thus the proposal adheres to criteria g, h _ i of PED 9.

As previously stated the proposal is sited within an existing industrial building within an established industrial estate and as such the existing boundaries are not to be altered at all. Having considered all of the above it has been demonstrated that the proposal adheres to all criteria of PPS4 and as such I would recommend an approval be granted.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Approval recommended

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. There shall be no deliveries and/or external activity outside the hours of 08:00 hours and 18:00 hours Monday to Saturday. There shall be no site activity on Sunday or bank holidays.

Reason: In order to protect the amenities of neighbouring residents.

3. All roller shutter doors should remain in the closed position except when used for access and egress.

Reason: In order to protect the amenities of nearby residents

4. The premises shall be used only for Light Industrial and for no other purpose in Use Class B2 of the Schedule to the Planning (Use Classes) Order (NI) 2015.

Reason: To prohibit a change to an unacceptable use within this Use Class.

Informatives

1.This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

2.This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	8th April 2019
Date First Advertised	25th April 2019
Date Last Advertised	17th September 2019
Details of Neighbour Notification (all addresses) Roisin Cassidy 10 Mullaghboy Park Magherafelt Londonderry The Owner/Occupier, 10 The Spires Magherafelt Londonderry The Owner/Occupier, 11 The Spires Magherafelt Londonderry The Owner/Occupier, 12 The Spires Magherafelt Londonderry The Owner/Occupier, 16 Station Road Magherafelt Londonderry The Owner/Occupier, 18 Station Road Magherafelt Londonderry The Owner/Occupier, 20 Station Road Magherafelt Londonderry The Owner/Occupier, 22 Station Road Magherafelt Londonderry The Owner/Occupier, 24 Station Road Magherafelt Londonderry The Owner/Occupier, 26b Station Road Magherafelt	
Date of Last Neighbour Notification	3rd September 2019
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA09/2019/0467/F Proposal: Refurbishment and alteration of existing workshop Address: 20B Station Road, Magherafelt, Decision: Decision Date: Ref ID: LA09/2018/1194/F Proposal: Widening of access to facilitate articulated lorries Address: 26B Station Road, Magherafelt,	

Decision: PG
Decision Date: 14.11.2018

Ref ID: H/2008/0212/Q
Proposal: Development of a small section of their land to provide dwelling for a family member
Address: 21 Union Road, Magherafelt
Decision:
Decision Date:

Ref ID: H/2001/0802/Q
Proposal: Site of housing development
Address: Glebelands, Station Road, Magherafelt
Decision:
Decision Date:

Ref ID: H/1992/0658
Proposal: ALTS AND ADDS TO MAINTENANCE DEPOT
Address: DOE WATER SERVICE DEPOT STATION RD MAGHERAFELT
Decision:
Decision Date: 15.12.1992

Ref ID: H/1992/0377
Proposal: VEHICLE MAINTENANCE DEPOT
Address: DOE WATER SERVICE STATION RD MAGHERAFELT
Decision:
Decision Date: 15.10.1992

Ref ID: H/1997/0136%
Proposal: 2 NEW LIGHT INDUSTRIAL WORKSHOPS
Address: OLD COUNCIL YARD STATION ROAD MAGHERAFELT
Decision:
Decision Date:

Ref ID: H/1995/0452
Proposal: PACKAGING AND DISTRIBUTION CENTRE
Address: OLD COUNCIL YARD STATION ROAD MAGHERAFELT
Decision:
Decision Date:

Ref ID: H/2001/0348/F
Proposal: Replacement of Existing Industrial Units with 2 No Light Industrial Workshop
Address: Old Council Yard, 20B Station Road, Magherafelt
Decision:

Decision Date: 25.06.2001

Ref ID: H/1984/0157

Proposal: WORKSHOP AND OFFICE EXTENSION TO EXISTING PREMISES

Address: COUNCIL YARD, STATION ROAD, MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/1974/0122

Proposal: EXTENSION TO GARAGE

Address: STATION ROAD, MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/1974/0162

Proposal: LOADING CANOPY

Address: STATION ROAD, MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/1986/0489

Proposal: ALTERATIONS AND ADDITIONS TO FACTORY AND OFFICES

Address: 4 STATION ROAD MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/2002/0663/F

Proposal: Proposed ammendment to agreed adopted road, 4 No Townhouses and 4 No Duplex Apartments with associated hard and soft landscaping

Address: The Spires, Station Road, Magherafelt

Decision:

Decision Date: 06.03.2003

Ref ID: H/1999/0173

Proposal: 9 NO TERRACED TOWNHOUSES

Address: 4 STATION ROAD,MAGHERAFELT

Decision:

Decision Date: 18.04.2000

Ref ID: H/2010/0236/F

Proposal: Provision of 2200 litre/1000kg underground LPG (propane) tank to provide central heating facilities to 5 No Apartments located on site.

Address: 22 Station Road,Magherafelt

Decision:

Decision Date: 23.07.2010

Ref ID: H/1989/0150

Proposal: SITE OF HOUSING DEVELOPMENT

Address: BETWEEN NOS 14-20 STATION ROAD MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/2005/0101/F

Proposal: Proposed 5 no apartments and parking

Address: 22 Station Road, Magherafelt

Decision:

Decision Date: 10.11.2006

Ref ID: H/1985/0118

Proposal: EXTENSION TO COUNCIL DEPOT

Address: COUNCIL DEPOT, STATION ROAD, MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/1975/0032

Proposal: HOUSE

Address: STATION ROAD, MAGHERAFELT

Decision:

Decision Date:

Ref ID: H/2014/0299/F

Proposal: Change of use and extension of existing maintenance depot to provide new factory unit for manufacturing purposes (skylight and window blinds)

Address: 26B to 28C Station Road Magherafelt (5m North of 22 Station Road Magherafelt),

Decision: PG

Decision Date: 10.03.2015

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 03
Type: Proposed Plans
Status: Submitted

Drawing No. 02
Type: Site Layout or Block Plan
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 04
Type: Existing Plans
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 4/2/2020	Item Number:
Application ID: LA09/2019/0475/O	Target Date: 23/7/2019
Proposal: Phase 1 Housing Development	Location: Lands opposite 2 Lisnamuck Road Tobermore
Referral Route: Refusal recommended	
Recommendation: Refuse	
Applicant Name and Address: Tobermore Concrete 2 Lisnanuck Road Tobermore	Agent Name and Address: CMI Planners 38 Airfield Road Toomebridge
<p>Executive Summary:</p> <p>Despite requests on the 9th August 2019, 9th October 2019, 10th December 2019 and 13th January 2020 the applicant has failed to provide sufficient information to enable Mid Ulster District Council to determine this proposal in line with the SPPS, PPS 7 and PPS 15. This is in respect of a Noise Impact Assessment, an Air Quality Report and a Revised Drainage Assessment</p> <p>Refusal is therefore recommended under Section 40 of the Planning Act (Northern Ireland) 2011, the SPPS, Policy QD 1 of PPS7 and Policy FLD 3 of PPS 15.</p>	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Content
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Non Statutory	NI Water - Multi Units West - Planning Consultations	Substantive Response Received
Non Statutory	Rivers Agency	Substantive Response Received
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

This application has been advertised in Local Press in line with statutory consultation duties as part of the General Development Procedure Order (GDPO) 2015. All relevant neighbouring properties have been notified of the proposal. To date there have been no objections.

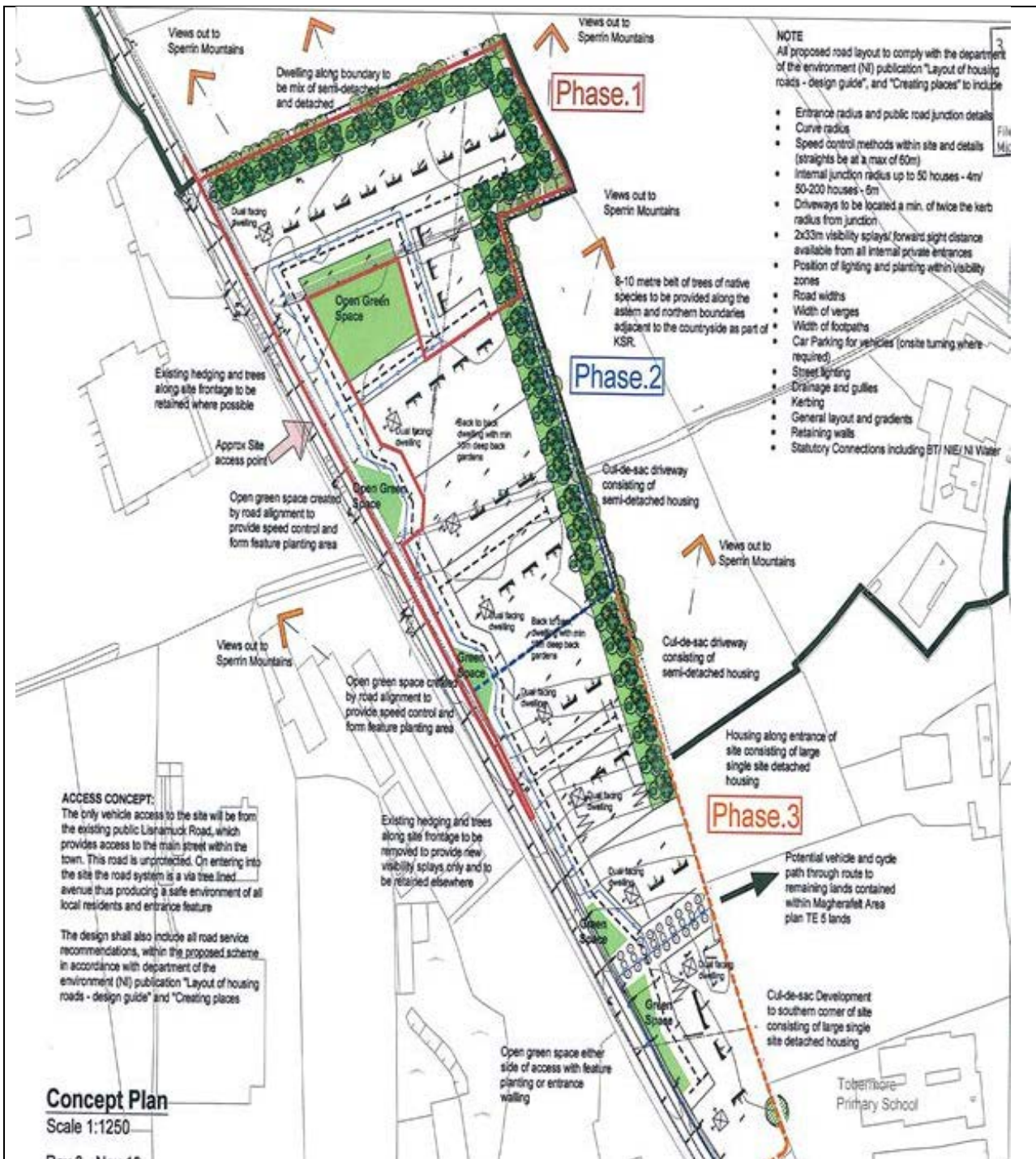
Characteristics of the Site and Area

The application site is a 0.97 hectare parcel of land located opposite Tobermore Concrete Works at 2 Lisnamuck Road, Tobermore. It is located within the development limits of Tobermore as defined in the Magherafelt Area Plan 2015 and is designated as Housing Policy Area (TE03/3). The site takes in one field and a small section of two additional fields. The Western boundary of the site abuts the Lisnamuck Road and is defined by semi mature hedgerow. The Northern boundary is also defined by semi mature hedgerow. The remaining boundaries are undefined on the ground.

This area is dominated by the concrete works, which is located adjacent to the site. To the North of the site is agricultural land and several detached dwellings and outbuildings. To the East and South of the site are agricultural fields and several more detached dwellings and outbuildings.

Description of Proposal

This is an outline application for Phase 1 of a Housing Development. A concept plan has been submitted which indicates that Phase 1 is for 13 dwelling units. The remainder of the site will be developed in 2 phases and will bring the overall total number of units to 40. One large area of open space is being provided, most of which sits outside the red line of this application. Four smaller areas are being also being provided, 3 of which are outside the red line of this application. Access to the site comes directly off the Lisnamuck Road. A 12m wide section of buffer planting is being provided along the boundaries which form the edge of Tobermore settlement.



Planning Assessment of Policy and Other Material Considerations

Relevant Planning History

H/2005/1174/RM - 37 Unit Housing Development. Lisnamuck Road, Tobermore, Magherafelt. Approved 01.08.2007

H/2003/0458/O - Site of housing development. Lands at Lisnamuck Road, Tobermore. PLANNING APPEAL UPHOLD (2003/A128)

The following policies will be considered in this assessment:

- Strategic Planning Policy Statement (SPPS)
- Magherafelt Area Plan 2015
- Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy
- Planning Policy Statement 3 - Access, Movement and Parking.
- Planning Policy Statement 7 - Quality Residential Environments.
- Planning Policy Statement 15 – Planning and Flood Risk
- Creating Places

Strategic Planning Policy Statement (SPPS)

The SPPS has superseded PPS 1 (General Principles). The SPPS advises that planning authorities should simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society. Its guiding principle is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

My main concern with this application is that I am unable to determine the impact from the adjacent concrete works on residential amenity. This relates to both Noise and Air Quality. Consultation has been carried out with Environmental Health and they have requested the submission of a Noise Impact Assessment and an Air Quality Report. I have requested this information from the agent on the 9th August 2019, 9th October 2019, 10th December 2019 and 13th January 2020. To date this has not been forthcoming.

The SPPS gives specific provision for Housing in Settlements subject to a number policy provisions. It does not present any change in policy direction with regards to residential development in settlements. As such, existing policy will be applied, primarily PPS 7, Quality Residential Environments.

Magherafelt Area Plan 2015

This site is located on a committed Housing Site (Designation TE 03). The Plan does not stipulate key design requirements for these sites as future development will be subject to the conditions attached to planning permission. In the event that such planning permissions lapse, existing conditions can be altered or new conditions can be attached to any subsequent approval to take account of prevailing policy and plan proposals. There was a permission on this site for 37 units (H/2005/1174/RM) but this has since lapsed. The site is not subject to any other Plan designation.

Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy

The Draft Plan Strategy was launched on Friday 22nd February 2019. The relevant Draft Plan Strategy Policies in this assessment are (ie) GP1 – General Principles Policy and HOU 2 – Quality Residential Development. These do not present any change in policy direction from that contained within PPS 7. As such, this proposal is in conflict with both Policy GP 1 and HOU 2 in that I am unable to determine whether or not residential amenity will be impacted upon by noise and dust from the adjacent cement works.

It is however acknowledged that no determining weight can be given to this document at present.

Planning Policy Statement 3 - Access, Movement and Parking.

Policy AMP 2 of PPS 3 permits direct access onto a public road where it does not prejudice road safety or inconvenience the flow of traffic. According to the concept plan, the proposal involves the construction of two new accesses onto the Lisnamuck Road, one being within the red line of this application and one not. DFI Roads have been consulted and they have advised that the proposed road alignment does not appear to be a creating places standard however they are content that this is reviewed at Reserved Matters stage. They have recommended conditions to be attached to any approval.

Planning Policy Statement 7 - Quality Residential Environments.

PPS 7 is a material planning policy for this type of development. All proposals for residential development will be expected to conform to a number of criteria laid out in Policy QD 1 of PPS 7. I will deal with these as they appear in the policy.

The development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas -

The proposed development is residential in nature and is on a committed housing site within the development limits of Tobermore. I am content that it will not impact negatively on the character of the area. Whilst the application is only an outline application, the general layout as defined in the concept is acceptable. The number of units proposed only represents an increase of 3 from that approved under H/2005/1174/RM.

Features of the archaeological and built heritage, and landscape features should be identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development – The site is not in an area of archaeological importance and there are no Listed Buildings nearby. There are no TPO trees or important landscape features within the site to be retained or protected.

Adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area – From the concept it would appear that each dwelling will have their own private amenity space. Public Open space is being provided as part of the overall scheme.

Adequate provision shall be made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development - The site is within the development limits of Tobermore and there are existing neighbourhood facilities already available in the locality (eg) shops etc

A movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures - As the site is within an urban settlement there is an existing

movement pattern (eg) foot paths and bus routes. The level of traffic travelling through the settlement would be fairly high and would be travelling at a low speed. DFI Roads have been consulted and have no objections to the proposal.

Adequate and appropriate provision is made for parking – As this is an outline application this level of detail has not been provided and can be a matter reserved.

The design of the development must draw upon the best local traditions of form, materials and detailing – The design and finishes will be a reserved matters consideration.

The design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance – This site is directly opposite Tobermore Concrete, a large concrete works. It has the potential to create high levels of noise and generate high levels of dust and fumes. EH have been consulted and have requested the submission of a Noise Impact Assessment and an Air Quality Report. These have been requested on several occasions and to date, have not been forthcoming. As such, I am unable to consider any impacts on residential amenity.

The development is designed to deter crime and promote personal safety - I am satisfied that the overall development is considered to be designed to deter crime and promote personal safety. In-curtilage parking will be provided and street lighting exists along the adjacent public roads.

Planning Policy Statement 15 – Planning and Flood Risk

A Drainage Assessment was submitted with this application as the proposal is for more than 10 dwelling units. Rivers Agency have been consulted with this DA and have advised that it does not provide details of how surface water runoff will be controlled and safely discharged. The applicant has failed to provide any additional information to deal with this concern from Rivers Agency.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Refuse

Refusal Reasons

1.As provided for within Section 40 of the Planning Act (Northern Ireland) 2011, the applicant has failed to provide sufficient information to enable Mid Ulster District Council to determine this proposal in line with the SPPS, PPS 7 and PPS 15. This is in respect of a Noise Impact Assessment, an Air Quality Report and a Revised Drainage Assessment.

2.This proposal fails to comply with paragraph 4.11 of the SPPS in that the applicant has failed to submit adequate Noise and Air Quality Information in order for Mid Ulster District

Council to fully consider the impacts from the adjacent concrete works on future residential amenity.

3.This proposal fails to comply with Policy QD1 of PPS 7 Quality Residential Environments, criteria (H) in that the applicant has failed to submit adequate Noise and Air Quality Information in order for Mid Ulster District Council to fully consider the impacts from the adjacent concrete works on future residential amenity.

4.This proposal fails to comply with Policy FLD 3 of PPS 15 Planning and Flood Risk, in that the Drainage Assessment does not provide details of how surface water runoff will be controlled and safely discharged.

Signature(s)

Date:

ANNEX	
Date Valid	9th April 2019
Date First Advertised	25th April 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Fortwilliam Road Tobermore Londonderry The Owner/Occupier, 14 Fortwilliam Road Tobermore Londonderry The Owner/Occupier, 35 Main Street Tobermore Londonderry BT45 5PP The Owner/Occupier, 37 Main Street Tobermore Londonderry BT45 5PP The Owner/Occupier, 8 Fortwilliam Road Tobermore Londonderry The Owner/Occupier, 8a Fortwilliam Road Tobermore	
Date of Last Neighbour Notification	
Date of EIA Determination	Not carried out as application is being recommended for Refusal
ES Requested	
Planning History Ref ID: LA09/2019/0475/O Proposal: Phase 1 Housing Development Address: Lands opposite 2 Lisnamuck Road, Tobermore, Decision: Decision Date: Ref ID: H/2005/1174/RM Proposal: 37 Unit Housing Development. Address: Lisnamuck Road, Tobermore, Magherafelt. Decision: Decision Date: 01.08.2007 Ref ID: H/2003/0458/O Proposal: Site of housing development. Address: Lands at Lisnamuck Road, Tobermore. Decision:	

Decision Date:

Ref ID: H/1974/0319

Proposal: SITE OF HOUSING DEVELOPMENT

Address: TOBERMORE, CO LONDONDERRY, TOBERMORE

Decision:

Decision Date:

Ref ID: H/2004/0008/O

Proposal: Site of Housing Development.

Address: Lands adjacent to No. 8 Fortwilliam Road, Tobermore.

Decision:

Decision Date:

Ref ID: H/2002/0048/F

Proposal: Housing Development (31 Dwellings)

Address: Between 6 & 8 Fortwilliam Road, Tobermore

Decision:

Decision Date: 18.01.2006

Ref ID: H/1975/0194

Proposal: SITE FOR HEAVY INDUSTRIAL, CIVIL ENGINEERING AND CONSTRUCTIONAL PLANT

Address: DUNGIVEN ROAD, TOBERMORE

Decision:

Decision Date:

Ref ID: H/1978/0451

Proposal: HV O/H LINE (BM 2456)

Address: TOBERMORE AND DRUMBALLYHAGAN, MAGHERAFELT

Decision:

Decision Date:

Summary of Consultee Responses

Rivers – Request FLD 3 amendments

DFI Roads – No objections. Conditions recommended

EH – Request additional information

NIW - No objections

Drawing Numbers and Title

Drawing No. 03
Type: Site Appraisal or Analysis
Status: Submitted

Drawing No. 02 rev 1
Type: Landscaping Plan
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/0489/F	Target Date:
Proposal: Retention of the existing curtilage for the purposes of parking trailers associated with Evergreen Peat. (Amended description and site location plan.)	Location: Lands 140 metres south of 215 Washingbay Road Coalisland
Referral Route: Contrary to Policy	
Recommendation:	Refusal
Applicant Name and Address: Evergreen Peat 10A Ferry Road Coalisland BT71 4QT	Agent Name and Address: 38 Airfield Road Toomebridge
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Standing Advice

Representations:

Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

None

Characteristics of the Site and Area

The red line of the site is a rectangular section taken out of a larger agricultural field which is located along the Washingbay Road, the site is located to the rear of the field and is at the lowest part of the field. The boundaries to the field are standard trimmed thorn hedges with intermittent trees and bushes. The building is a large semi-agricultural / commercial in appearance shed and occupies much of the site and at the time of my site visit a number of lorry trailers were parked within the hardstanding area. It is located to the rear of 2 no. dwellings and a number of polytunnels. This particular area of the site is laid in stones and rock fill and the access along the Western boundary has been laid in the same material. The eastern boundary of the site falls away steeply at the end of the stone fill.

The area is open, typical of the Loughshore area. Single dwellings are the dominant built form. There has been an approval for 2 dwellings on the front of the host field under application M/2011/0310/O and an approval for a farm dwelling, adjacent to the current proposal, under M/2012/0166/O. There is an approval under ref LA09/2016/1428/F for the relocation of laneway to service a farm shed approved under M/2012/0590/F with the shed relocated within the approved curtilage 35 m west of the approved location due to ground levels and amended site design.

Description of Proposal

The proposal seeks full planning permission for the retention of the existing curtilage for the purposes of parking trailers associated with Evergreen Peat. (Amended description and site location plan.)

Planning Assessment of Policy and Other Material Considerations

SPPS - Strategic Planning Policy Statement for Northern Ireland
Cookstown Area Plan 2010
Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy
PPS 21 - Sustainable development in the countryside

This is a rural location as defined by the Cookstown Area Plan.

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS.

The Dungannon Area Plan 2010 (CAP) operates as the local development plan of the area the application site lies within. The site sits in a rural location outside any defined settlement limits. The CAP offers no specific policy or guidance in respect of this application. There is no conflict or change in policy direction between the provisions of the Strategic Planning Policy Statement

for N Ireland (SPPS) and those of Planning Policy Statement 21 (PPS21) in respect of this application thereby the policy provisions of PPS 21 remain applicable.

History

M/2012/0590/F - Proposed farm building - PERMISSION GRANTED

LA09/2016/0102/CA - Unauthorised storage of trailers and unauthorised use of land and building for storage of peat products and plant. Unauthorised completion works regarding fabrication of trailers. - NEGOTIATE TO RESOLVE

LA09/2016/1428/F - Relocation of laneway to service a farm shed approved under M/2012/0590/F with the shed relocated within approved curtilage 35 m west of the approved location - PERMISSION GRANTED

LA09/2018/0167/CA - Unauthorised Development - ENFORCEMENT CASE CLOSED

LA09/2017/0897/F - Part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business (Evergreen Peat) - DEFERRED

One objection was received and the main concerns included;

- the shed has never been used for any agricultural purpose
- this is really a relocation / expansion of evergreen peat and is contrary to pps4
- That the applicant does not partake in any farming activities.
- It is contrary to sty 11

The SPPS, in relation to development in the countryside, aims to maintain and enhance the attractiveness of it as a place to invest, live and work and which requires a sustainable approach to new development. As this case is dependant on the existing planning application

LA09/2017/0897/F, for part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business, it is reasonable to consider the same policy will apply, namely PPS 21, CTY 11. In relation to farm diversification projects the SPPS specifically states that provision should be made for such proposals where the farm is currently active and established for a minimum of 6 years and the proposal is to be run in conjunction with the agricultural operations of the farm. Proposals must involve the re-use or adaption of existing buildings with new buildings only being accepted in exceptional circumstances.

In light of the fact that the council are progressing a recommendation to refuse planning application LA09/2017/0897/F, it would appear that an extension to the curtilage for the parking of lorries and trailer would not be necessary. The description of this application makes it clear that the proposed trailers are directly linked and necessary for the operations of Evergreen Peat.

Policy CTY 14 (rural character) is relevant in the consideration of this application. Criteria (e) deals with ancillary works such as those proposed and in this respect I felt that a large trailer park would be out of keeping with the character of this rural area, impacting significantly on the visual amenity. Any landscaping will take a significant time to achieve any benefit.

Recommendation refusal.

Neighbour Notification Checked

Yes

Refusal Reasons

1. The proposal is contrary to the SPPS and Policy CTY11 of PPS21 in that it has not been demonstrated that the proposal is to be run in conjunction with any agricultural operations on the farm and that the farm business is currently active.
2. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the development if approved would damage the rural character of the countryside.

Signature(s)**Date:**

ANNEX	
Date Valid	9th April 2019
Date First Advertised	25th April 2019
Date Last Advertised	17th December 2019
Details of Neighbour Notification (all addresses) The Owner/Occupier, 210 Washingbay Road, Coalisland, Tyrone, BT71 5EG The Owner/Occupier, 211a , Washingbay Road, Coalisland, Tyrone, BT71 5EG The Owner/Occupier, 211c , Washingbay Road, Coalisland, Tyrone, BT71 4QE The Owner/Occupier, 211d , Washingbay Road, Coalisland, Tyrone, BT71 4QE The Owner/Occupier, 211e , Washingbay Road, Coalisland, Tyrone, BT71 4QE The Owner/Occupier, 212 Washingbay Road, Coalisland, Tyrone, BT71 5EG The Owner/Occupier, 213 Washingbay Road, Coalisland, Tyrone, BT71 5EG The Owner/Occupier, 214 Washingbay Road, Coalisland, Tyrone, BT71 5EG The Owner/Occupier, 215 Washingbay Road Coalisland Tyrone Brian Donnelly 215, Washingbay Road, Coalisland, Tyrone, Northern Ireland, BT71 5EG Brian Donnelly 215, Washingbay Road, Coalisland, Tyrone, Northern Ireland, BT71 5EG The Owner/Occupier, 217 Washingbay Road, Coalisland, Tyrone, BT71 5EG The Owner/Occupier, 217a , Washingbay Road, Coalisland, Tyrone, BT71 5EG	
Date of Last Neighbour Notification	5th December 2019
Date of EIA Determination	
ES Requested	No

Planning History

Ref ID: LA09/2019/0489/F

Proposal: Expansion outside the existing curtilage of Evergreen Peat for the external parking of company trailers. Existing Business location is too restricted to safely park within the curtilage

Address: Lands 140 metres south of 215 Washingbay Road, Coalisland,

Decision:

Decision Date:

Ref ID: LA09/2016/1428/F

Proposal: Relocation of laneway to service a farm shed approved under M/2012/0590/F with the shed relocated within the approved curtilage 35 m west of the approved location due to ground levels and amended site design.

Address: 85m SE of 211A Washingbay Road, Coalisland,

Decision: PG

Decision Date: 14.02.2017

Ref ID: LA09/2017/0897/F

Proposal: Part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business (Evergreen Peat)

Address: 100m North West of 213 Washingbay Road, Coalisland,

Decision: DEF

Decision Date:

Ref ID: M/2014/0471/F

Proposal: Site for 2 no dwellings (Infilling gap site)

Address: Site between 211a and 215 Washingbay Road Aughamullan,

Decision: PG

Decision Date: 30.09.2015

Ref ID: M/2011/0310/O

Proposal: Site for 2 no. dwellings (Infilling gap site)

Address: Site between 211a and 215 Washingbay Road, Aughamullan,

Decision:

Decision Date: 24.10.2011

Ref ID: M/1999/0235

Proposal: Proposed domestic dwelling

Address: Approx. 80m West of 217 Washingbay Road Coalisland

Decision:

Decision Date: 10.12.1999

Ref ID: M/2007/1513/O

Proposal: New single detached dwelling

Address: Land 100m North West of 217 Washingbay Road, Coalisland (Amended Address)

Decision:

Decision Date: 19.04.2011

Ref ID: M/1991/4097
Proposal: Domestic Garage
Address: 217 WASHINGBAY ROAD COALISLAND
Decision:
Decision Date:

Ref ID: M/1988/0339
Proposal: DWELLING
Address: ADJACENT TO 217 WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/1987/0223
Proposal: DWELLING
Address: ADJACENT TO 217 WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/2011/0453/F
Proposal: New double garage
Address: 211a Washingbay Road, Coalisland, BT71 5EG,
Decision:
Decision Date: 18.08.2011

Ref ID: M/1996/0708
Proposal: Site for Dwelling
Address: NO. 211A WASHINGBAY ROAD COALISLAND
Decision:
Decision Date:

Ref ID: M/2007/0095/F
Proposal: 15KW wind turbine with 18m Mast
Address: 211A Washingbay Road, Coalisland
Decision:
Decision Date: 24.05.2007

Ref ID: M/2005/2006/F
Proposal: General purpose shed for 4 No vehicles (commercial), caravan, lawn mower two cars and other domestic items including bicycles, quads, ladders.
Address: Rear of 211A Washingbay Road, Aughamullan, Coalisland
Decision:
Decision Date: 14.09.2006

Ref ID: M/1987/0495
Proposal: RETIREMENT BUNGALOW
Address: ADJOINING 211 WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/1988/0242

Proposal: RETIREMENT DWELLING
 Address: ADJOINING 211 WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
 Decision:
 Decision Date:

Ref ID: M/2007/1522/O
 Proposal: New single detached dwelling
 Address: Land 250m South of 214 Washingbay Road, Coalisland
 Decision:
 Decision Date: 19.04.2011

Ref ID: M/1987/0016
 Proposal: BUNGALOW
 Address: WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
 Decision:
 Decision Date:

Ref ID: M/2012/0590/F
 Proposal: Proposed farm building 150m south east of 211a Washingbay Road, Aughamullan, Coalisland, BT71 4QE
 Address: 150m south east of 211a Washingbay Road, Aughamullan, Coalisland,
 Decision: PG
 Decision Date: 24.06.2013

Drawing Numbers and Title

Drawing No. 01A
 Type: Site Location Plan
 Status: Submitted

Drawing No. 02
 Type: Site Layout or Block Plan
 Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
 Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 4/2/2020	Item Number:
Application ID: LA09/2019/0784/F	Target Date: 20/9/2020
Proposal: Proposed farm shed to include feeding & shelter area, storage area and underground slurry tanks - new access to be taken from Drumlamph Lane	Location: Approx 130m South East of 9 Drumlamph Lane Castledawson
Referral Route: Refusal recommended	
Recommendation: Refuse	
Applicant Name and Address: Mr Cathal Shivers 33 Drumlamph Road Castleawson BT45 8EJ	Agent Name and Address: CMI Planners 38b Airfiled Road Toomebridge BT41 3SG
Executive Summary: Despite requests on the 13th November 2019, 10th December 2019 and the 13th January 2020, the applicant has failed to submit adequate information so that the Council can make an informed recommendation in line with Policy CTY 12 of PPS 21. Refusal is therefore recommended under Section 40 of the Planning Act (Northern Ireland) 2011 and under Policy CTY 12 of PPS 21.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DAERA - Coleraine	Advice
Statutory	Historic Environment Division (HED)	Content
Statutory	DFI Roads - Enniskillen Office	Content
Non Statutory	Environmental Health Mid Ulster Council	No Objection

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

This application has been advertised in Local Press in line with statutory consultation duties as part of the General Development Procedure Order (GDPO) 2015. All relevant neighbouring properties have been notified of the proposal. To date there has been no objections.

Characteristics of the Site and Area

The application site is a 0.53 hectare plot of agricultural land located approximately 130m SE of a dwelling located at 9 Drumlamph Lane, Castledawson. It is outside the development limits of any settlement defined in the Magherafelt Area Plan 2015. The site

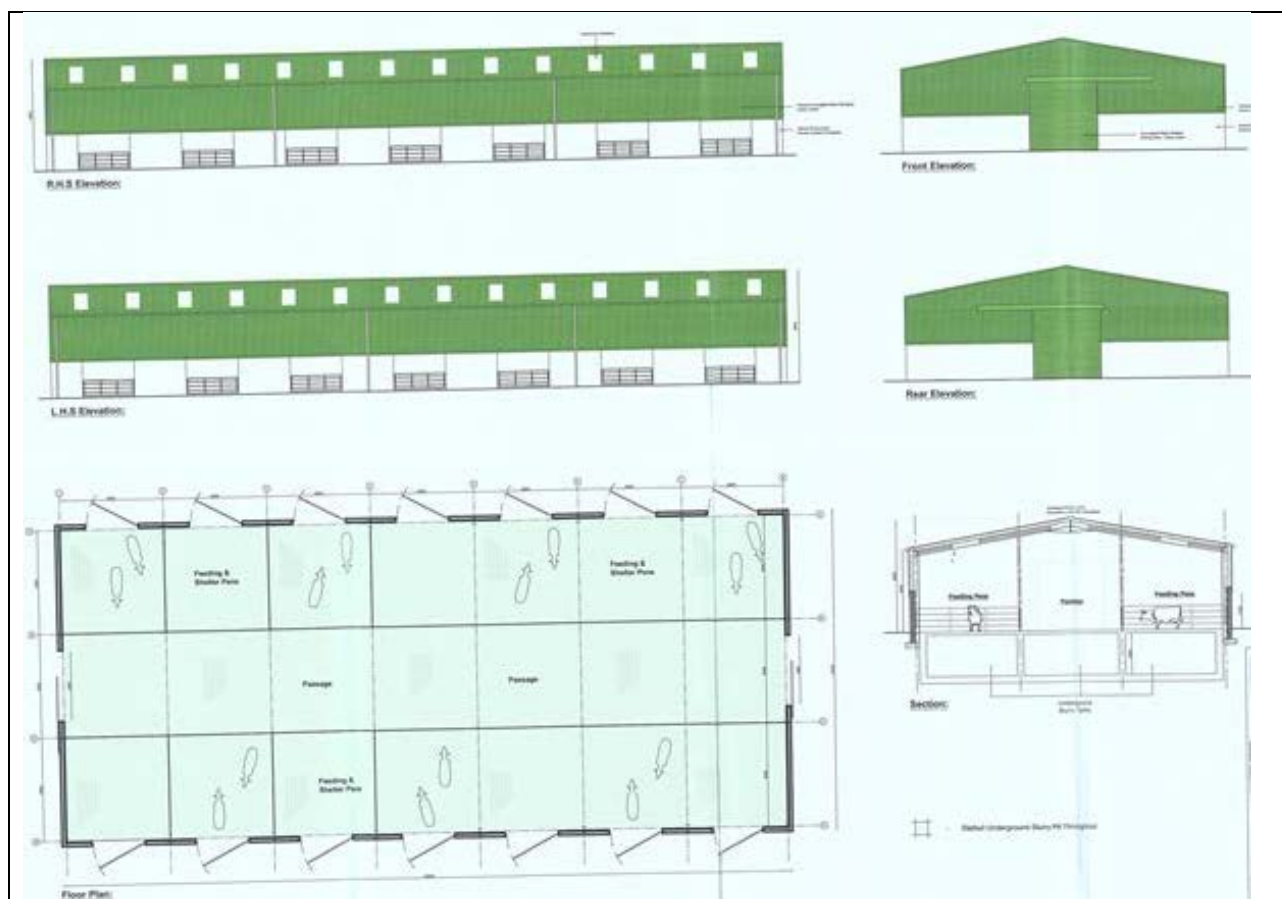
is set back off Drumlamph lane, with access to the site coming via a laneway which connects the site to a dwelling at number 33 and farms buildings to the West of the site. The site is flat and has a semi mature Southern and Western Boundary. The Northern and Eastern boundaries are void of any mature vegetation.

This area is rural in character with a dispersed settlement pattern. To the SE of the site is a large detached dwelling and garage which is shown to be in the applicants control. To the West of the site are several dwellings and outbuildings. This area is recognised as being an area of archaeological importance (LDY 037:042, LDY 037:043, LDY 037:044).

Description of Proposal

This is a full application for a proposed farm shed to include feeding & shelter area, storage area and underground slurry tanks. It also involves the creation of a new access to be taken from Drumlamph Lane. The shed measures 6.6m in height x 42.2m in length x 18.7m in width and will be finished in a mix of green corrugated metal sheeting and cement plastered unpainted walls.





Planning Assessment of Policy and Other Material Considerations

The following policies will be considered in this assessment:

- SPPS – Strategic Planning Policy Statement for Northern Ireland
- Magherafelt Area Plan 2015
- Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy
- PPS 2 – Natural Heritage
- PPS 3 – Access, Movement and Parking
- PPS 6 – Planning, Archaeology and the Built Heritage
- PPS 21 – Sustainable Development in the Countryside

SPPS – Strategic Planning Policy Statement for Northern Ireland

The SPPS gives provision for Agriculture and Forestry Development subject to a number of policy provisions. It does not present any change in policy direction with regards to this type of development in the Countryside. As such, existing rural policy will be applied (ie) CTY 12 of PPS 21

Magherafelt Area Plan 2015

This site is located outside any settlement defined in the Magherafelt Area Plan 2015. It is not subject to any area plan designations or constraints. As such, existing planning policy will be applied.

Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy was launched on 22nd Feb 2019. Policy GP1 - General Principles Planning Policy and Policy AFR1 –Agriculture and Forestry Development and Development Ancillary to Commercial Fishing are applicable to this application.

Policy AFR 1 has provision for agricultural buildings on an active and established agricultural holding. These must be located next to existing farm buildings on the holding and where they do not appear incongruous to the rural setting. They can be sited away from existing buildings in exceptional circumstance. This does not present any change in policy direction from current policy. This proposal would therefore be in conflict with Policy AFR 1 due to the lack of supporting information submitted. The proposal is in compliance with all parts of Policy GP1.

It is however acknowledged that no weight can be given to this document as it is only at early public consultation stage.

PPS 2 – Natural Heritage

This site is within 7.5km of Lough Neagh/Lough Beg RAMSAR, Ballynahone Bog, Curran Bog and Moneystaghan Bog. Given the fact that the proposed development includes an underground slurry tank, it has the potential to produce ammonia emissions which may impact on these designated sites. A consultation has yet to be carried out with NIEA until the principle of this development is deemed acceptable.

PPS 3 – Access, Movement and Parking

Policy AMP 2 of PPS 3 permits direct access onto a public road where it does not prejudice road safety or inconvenience the flow of traffic. This proposal involves the construction of a new access onto Drumlamph Lane. DFI Roads have been consulted have no objections to the proposal subject to standard conditions being attached to any approval.

PPS 6 – Planning, Archaeology and the Built Heritage

This site is located in an area of archaeological importance. Consultation has been carried out with HED who have advised they have no objections to the proposal from an archaeological perspective.

PPS 21 – Sustainable Development in the Countryside

Policy CTY 12 of PPS 21 states that planning permission will only be granted for development on an active and established agricultural holding subject to certain criteria. Paragraph 5.56 of the policy advises that for the purposes of CTY 12 the determining criteria for an active and established business will be that set out under policy CTY 10 (ie) is currently active and is established for a period of at least 6 years. DAERA have been consulted with the applicant's farm details. They have confirmed that the farm business ID provided has been in existence for more than 6 years and that claims have been made in the last 6 years. On the basis of this response from DAERA I would contend that the farm business is currently active and has been established for the required period of time.

CTY 12 goes on to list several other criteria that must be adhered to for this type of development. I am content that the proposal does comply with criteria (b) in that its character and scale is appropriate to the rural location (c) the development will visually integrate in the local landscape and (e) the proposal will not have a detrimental impact on residential amenity. This has been confirmed following consultation with EH. Furthermore I am satisfied that the design of the building and materials proposed are sympathetic to the locality and adjacent buildings.

The applicant has submitted a supporting statement to demonstrate compliance with policy CTY 12. It has however not been adequately demonstrated in this statement that a new shed is necessary and why existing sheds cannot be utilised. There is also clarification needed in relation to whether or not 5 Drumlamph Lane is part of this holding and whether farm buildings adjacent to number 7 Drumlamph Lane are in the applicants control. This information is necessary in order to carry out a full and proper assessment under CYY 12. It has been requested on the 13th November 2019, 10th December 2019 and the 13th January 2020 but to date has not been forthcoming.

Neighbour Notification Checked**Yes****Summary of Recommendation:**

As provided for within Section 40 of the Planning Act (Northern Ireland) 2011, the applicant has failed to provide sufficient information to enable Mid Ulster District Council to determine this proposal. This is in respect of an adequate statement showing compliance with Policy CTY 12 of PPS 21.

Refusal is therefore recommended

Refusal Reasons

1.As provided for within Section 40 of the Planning Act (Northern Ireland) 2011, the applicant has failed to provide sufficient information to enable Mid Ulster District Council

to determine this proposal. This is in respect of an adequate statement showing compliance with all criteria contained within Policy CTY 12 of PPS 21.

2. The proposal is contrary to Policy CTY12 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not been adequately demonstrated that the proposed development is:

- necessary for the efficient use of the active and established agricultural holding

Additionally in cases where a new building is proposed

- The proposal is contrary to policy CTY12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that there are no suitable existing buildings on the holding or enterprise that can be used

Signature(s)

Date:

ANNEX	
Date Valid	7th June 2019
Date First Advertised	20th June 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 9 Drumlamph Lane Castledawson Londonderry	
Date of Last Neighbour Notification	18th June 2019
Date of EIA Determination	
ES Requested	n/a
Planning History Ref ID: LA09/2019/0784/F Proposal: Proposed farm shed to include feeding & shelter area, storage area and underground slurry tanks - new access to be taken from Drumlamph Lane Address: Approx 130m South East of 9 Drumlamph Lane Castledawson, Decision: Decision Date:	
Ref ID: H/2005/1173/RM Proposal: Single storey dwelling with attic conversion and single garage. Address: 200m East of 15 Drumlamph Lane, Knockloughrim Decision: Decision Date: 11.05.2006	
Ref ID: H/2004/1212/O Proposal: Site Of Dwelling & Garage Address: 200 Metres East Of 15 Drumlamph Lane Knockloughrim Decision: Decision Date: 15.05.2005	
Ref ID: H/2007/0888/O Proposal: Site for dwelling and garage Address: 280m East of 10 Drumlamph Lane, Castledawson Decision:	

Decision Date: 16.09.2010

Summary of Consultee Responses

EH – No objections
DFI Roads – No objections
DAERA – No Objections
HED – No objections

Drawing Numbers and Title

Drawing No. 02
Type: Site Layout or Block Plan
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 03
Type: Proposed Plans
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/0810/F	Target Date: 18/09/2019
Proposal: Proposed 5 tonne modular pelletizing plant for research and development use only (not for commercial production of materials)	Location: 11 Aughnagar Road Ballygawley BT70 2HW (Acheson & Glover Precast Yard)
Referral Route: Planning Department to override need for full drainage assessment/plan which is sought by NIEA.	
Recommendation:	Approve
Applicant Name and Address: Brian Fox Silform Technologies Forsyth House Cromac Street Belfast BT2 8LA	Agent Name and Address: Paul McMahon Cottage Studios Gortrush Great Northern Road OMAGH BT78 5EJ
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Representations: None Received

Description of proposal

This is a full planning application for a proposed 5 tonne modular pelletizing plant for research and development use only (not for commercial production of materials).

The agent has provided additional information describing the proposal. It is proposed to produce bio-fuel pellets at this site for testing purposes only and will not be operated at a commercial scale. The applicant, Silform Technologies Ltd specialise in the development of bio-fuel pellets for the overseas market, primarily the USA and Australia. In full scale, a commercial plant will produce between 50-100 Tonnes of bio-fuel per hour. This proposed plant however is only for test purposes and will only produce a maximum of 5 tonne per hour. In reality, it is proposed to produce 500 tonne per year which is equivalent to 260kg per hour. The applicant states that the line will only be required for up to two years with an option to extend. It is also stated that there will be no hazardous materials or chemicals used, no waste will be produced, the plant will be modular and easily removed, will use a gen-set for power and the noise level when running should not exceed 60db at source.

Characteristics of Site and Area

The site is located adjacent to an existing building located within the existing expansive yard of the old Acheson and Glover (A_G) site which has recently been vacated. A_G produced, stored and distributed concrete products from this site. Boundaries to the site are not clearly defined and are open to the surrounding yard. Siting of the proposed plant is close to where the overhead crane is located on site, approx 250m from the entrance to the site. It is proposed to use existing access to the site which was the main access point for A_G vehicles, including articulated lorries.

Further south is Sandvik, a quarry machine production company. Opposite the site to the west is a factory and yard which also produces concrete products, Northstone. The closest dwelling to the site is located approx. 380m SW of the application site. North of the site is an In Vessel Composting Facility (IVCF) comprising a reception building, enclosed tunnels, office, weighbridge/wheel wash, storage compound, access and ancillary site works which was granted under M/2014/0567/F.

Planning Assessment of Policy and Other Material Considerations

Planning Act 2011

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Area Plan

Dungannon and South Tyrone Area Plan 2010- The site is located in the open countryside on land that is not zoned.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019.

The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan.

In light of this, the Draft Plan cannot be given any determining weight at this time.

Relevant Planning Policies

PPS21- Sustainable development in the Countryside

PPS4- Economic Development in the Countryside

PPS3- Access, Movement and Parking

3rd Party Objections

No objections received on this proposal

Planning History

In 1980, permission was granted for a sand and gravel pit on the wider site. No other planning histories are recorded on this site.

Consideration of proposal

This site and plant's sole purpose is to carry out research and development for the production of coal pellets and bio pellets using old coal fines. According to the agent this is a 5 Tonne per hour plant, the reason it is small is because it is only proposed to produce a limited amounts of pellets that will go on to be tested by overseas clients primarily in the USA. The agent does not envisage producing in excess of 10 Tonne per week in fact it is more likely to only produce 1-3 tonne per week. This plant will not be selling these pellets into the local market, anything produced is for testing only, and will be tested off site. Material is locally sourced from Hayes Fuels which is less than 10 mile away from the proposed site.

Policy CTY 1 of PPS21 allows for a number of types of development in the countryside, including economic development uses where they are in accordance with policies contained within PPS4.

Policy PED 2- Economic Development in the Countryside sets out the circumstances where proposals for economic development use/business use are considered to be acceptable in the countryside which are;

- the expansion of an existing economic development use in the countryside-policy PED3;
- the redevelopment of an established economic development use-policy PED4;
- Major industrial development-policy PED5;
- Small rural project-policy PED 6.

An economic use has been established on this site, where precast concrete products were made, stored and distributed by A_G. A_G have now vacated this site which is mostly lying empty. The subject proposal, as described under the description above, is very similar to the current established use on this site in that it involves the use of raw materials (Coal Fines) that are then manufactured to create a new product (biofuel pellets), which will then be stored and transported from the site. The proposal will be located within a small fraction of the overall vacated site. So it is arguable that no change of use is really occurring on this site.

It is difficult to pin point which policy of PPS4 this proposal should be considered under as it does not involve an expansion of an established use, there is no redevelopment as the use is very similar to what has been established on the wider site, it is not classed as a major industrial development or a small rural project.

In my view, as the proposed use is broadly similar to the previous established use, that only the General Criteria for Economic Development be applied in this case which is contained within policy PED9 of PPS4.

General Criteria for all Economic Development have to be met in all cases. 13 criteria is listed in policy PED9 that have to be met;

Under this policy account is taken of factors such as accessibility, connectivity with the transportation system, availability of adequate infrastructure, potential impacts on the natural and built environment, compatibility with nearby land uses including residential and visual amenity, flood risk, boundary treatments and crime deterrent.

The proposal is not located within or beside any archaeological monuments or historic buildings. The site is located within a wider site with an established general industrial use and will not have a detrimental impact on the built environment.

Environmental Impacts- NIEA were consulted on this proposal. Natural Heritage and Conservation Areas has reviewed information submitted with the proposal and notes that the site appears to be over 16km from the Slieve Beagh-Mullaghfad-Lisnaskea SPA and therefore the development site is unlikely to have any adverse impacts on the designated site features. NNEW is content that the proposed development is unlikely to significantly impact other natural heritage impacts.

NIEA Drainage and Water requested further information on site drainage. However, on discussion with senior colleagues, it was felt that this proposal would use existing site drainage that exists on site. The agent has indicated that materials used in this production process would not be hazardous, and no additional runoff or harm would be caused by this proposal, so it was difficult to see how a drainage assessment would be beneficial in this instance. The Group decision was to proceed without a Drainage Assessment/Plan in this instance, against the advice of NIEA. Members are advised that the existing drainage network on site will be used and that

the proposal will not make the current drainage situation worse. I advise Members that NIEA requirement for a Drainage Assessment for the wider site not be requested in this case. It would be unreasonable to seek any further Drainage information for this proposal. Plus, the area of hardstand to less than 1000m² (site is already hardstand and this is not changing) therefore Drainage Assessment is not required under the provisions of Policy FLD3 of PPS15 Planning and Flood Risk.

Accessibility to the site; DfI Roads state that splays to the south of the access where it meets the public road are not in place. However, this access is existing and given the traffic that would have used this access when A_G were on site means that vehicular movements in and out of the site will not be intensified. I advise members that the existing access arrangements to the site are acceptable given the established nature of the use on site, and proposed vehicular movements to and from the site. Again it would be unreasonable to insist on access improvements in this case.

The site is not subject to flooding.

The impacts of the proposal on visual amenity and rural character have been considered and are found to be acceptable. Environmental Health recommend no objection to this proposal, however state that the applicant contact them as this proposal may require a permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.

Given the separation distance to the nearest sensitive receptor it is my view that the proposed development will not have a detrimental impact to existing or proposed private amenity space. Environmental Health raise no concern in this respect. The nearest dwelling impacted by this proposal is located approx 380m to the SW.

In terms of overlooking or overshadowing of residential development, the proposal is of a size, scale and distance from residential property for there to be any overlooking or overshadowing concerns of private residential, or other, amenity.

The wider boundary of the site is surrounded by security fencing which will deter crime.

In my view this site is acceptable for this site and locality and will not have a detrimental impact on rural character, the natural or built environment, amenity, or human health and should be granted permission based on current information.

Other Considerations

There is no tree loss proposed. Land Contamination issues have not been raised by either EHD or NIEA and no risk to human health have been highlighted by any consultee.

Neighbour Notification Checked

Yes

Summary of Recommendation:

That permission is granted subject to the following condition;

Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

Informatives

1.This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

2.This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	12th June 2019
Date First Advertised	27th June 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier,	
Date of Last Neighbour Notification	
Date of EIA Determination	N/A
ES Requested	No



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1008/F	Target Date:
Proposal: Retention of dwelling under construction .	Location: 7 Tobermesson Road Dungannon Co Tyrone.
Referral Route: Contrary to policy	
Recommendation:	Refusal
Applicant Name and Address: Conor Curran 1 Lisgobbin Road Dungannon BT71 7PT	Agent Name and Address: J.Aidan Kelly Ltd 50 Tullycullion Road Dungannon BT70 3LY
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice

Representations:

Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

One objection has been received, the concerns raised include;
the dwelling was approved as a replacement, however, the applicant does not own the replacement dwelling and therefore cannot demolish this building.
no right of way or means of access to the land.

Characteristics of the Site and Area

The site contains a large two storey dwelling under construction at number 7 Tobermesson Road, Dungannon. The red line includes a gravel lane and a small irregular shaped plot of land which includes a small rear garden and a larger space to the front. At time of site visit the main body of the building was constructed including the roof, and there was on going stonework finish to the front elevation. The site is relatively open and can be viewed clearly in both directions along the Tobermesson road, however, the topography of the land and the large amount of tall trees to the rear act as a back drop.

The site lies within the open countryside outside all other areas of constraint. It is a short distance to the north of the settlement limits of Benburb in a predominantly rural area. There are a scattering of single dwellings and farm holdings located along the roadside.

Description of Proposal

The proposal seeks planning permission for the retention of a dwelling under construction.

Planning Assessment of Policy and Other Material Considerations

Relevant Planning/Enforcement History

M/2003/0300/O - Site for replacement dwelling & detached garage - PERMISSION GRANTED - 18.06.2003

M/2006/1472/RM - Site for replacement dwelling - PERMISSION GRANTED - 15.02.2007

M/2007/0607/F - Proposed change of house type from previously approved no. M/2006/1472 - PERMISSION GRANTED - 17.09.2007

LA09/2019/0083/CA - Development allegedly not in accordance with Planning Approval M/2007/0607/F.

The applicant was required to submit a planning application to deal with the following breaches of planning-

- Development allegedly not in accordance with Planning Approval M/2007/0607/F

This application has been submitted to deal with the above breach. He has also applied to regularise the dwelling as it was not built in accordance with the most recent planning approval (M/2007/0607/F).

The previous approval was for a small dwelling with a 6 metre ridge height and a 170m² footprint. This application seeks retention of a much larger dwelling with a 9.5 metre ridge height and a sandstone front elevation.



Our ortho mapping would indicate that the construction of the dwelling at this location began some time between 2007 and 2010.

Key facts

The three previous permissions were granted for a different applicant.

The current applicant purchased the portion of the site 40 metres from the roadside, a small area which covers the footprint of the dwelling and the curtilage only. This does not include the dwelling to be replaced to the rear which is still in the previous owners ownership.

The approval M/2006/1472/RM was for off site replacement and included the condition 'The existing building coloured yellow on the approved 1: 2500 scale site location plan, bearing the Planning Service date stamp received 03-MAR-2003, is to be demolished within 6 weeks of the occupation of the new dwelling and all rubble and foundations removed from the site.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.'

The applicant does not own the old dwelling and cant gain permission to demolish the old building therefore cannot comply with the above condition.

The dwelling at time of last site visit was nearing completion however, the applicant cannot occupy the dwelling for more than 6 weeks without breaching planning.

The most recent approval for a change of house type does not however, repeat the conditions but merely the time condition only.

The dwelling to be replaced is approx. 240 metres from the roadside and the approved siting is only 40 metres from the roadside.



The principle of a dwelling at this location was on the basis of the removal of the existing dwelling.

There is no exception in terms of the policy considerations of PPS 21 CTY 3 to allow both dwellings to remain.

The following policies will be considered in this assessment:

SPPS - Strategic Planning Policy Statement for Northern Ireland
 Dungannon Area Plan 2010
 Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy
 PPS 21 - Sustainable development in the countryside

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS.

The Dungannon Area Plan 2010 (CAP) operates as the local development plan of the area the application site lies within. The site sits in a rural location outside any defined settlement limits. The CAP offers no specific policy or guidance in respect of this application. There is no conflict or change in policy direction between the provisions of the Strategic Planning Policy Statement for N Ireland (SPPS) and those of Planning Policy Statement 21 (PPS21) in respect of this application thereby the policy provisions of PPS 21 remain applicable.

Key Planning issues;
 Planning Policy Statement 21
 Policy CTY 1 - Development in the Countryside
 Policy CTY 3 - Replacement Dwellings
 Policy CTY 13 - Integration and Design
 Policy CTY 14 - Rural character

Objections / comment received from 3rd Parties;
 One objection has been received, the concerns raised include;
 the dwelling was approved as a replacement, however, the applicant does not own the replacement dwelling and therefore cannot demolish this building.
 no right of way or means of access to the land.

In this case the principle of a dwelling has been approved through the previous replacement case. I would have some design concerns with the proposed dwelling as built due to its size and massing, however, given the buildings in the surrounding area these concerns would not be overly significant. The applicant cannot comply with the pre commencement condition and therefore the dwelling cannot be occupied, the retention of the dwelling can also not be approved as this would involve the demolishing of a dwelling not within the applicants control and the owner has made clear that they do not intend to.

There is no other policy to approve the retention of the dwelling under the provisions of PPS 21. The council will also not be in a position to convert the existing dwelling as it will be contrary to policy in any case.

In addition the council would not be in a position to permit the old dwelling itself to be replaced again, which was queried by the owner in his objection letter.

Recommendation Refusal.

Neighbour Notification Checked

Yes

Refusal Reasons

1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the applicant is unable to demolish the original replacement dwelling resulting in the creation of two dwellings in this rural location.

Signature(s)**Date:**

ANNEX	
Date Valid	25th July 2019
Date First Advertised	8th August 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) Bernard Hughes 34, Artasooly Road, Dungannon, Armagh, Northern Ireland, BT71 7LP J Madden 63, Artasooly Road, Dungannon, Armagh, Northern Ireland, BT71 7LP	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA09/2019/1008/F Proposal: Retention of dwelling under construction . Address: 7 Tobermesson Road, Dungannon, Co Tyrone. Decision: Decision Date: Ref ID: M/2007/0607/F Proposal: Proposed change of house type from previously approved application no. M/2006/1472 Address: 400m North west of 15 Tobermesson Road, Benburb Decision: Decision Date: 17.09.2007 Ref ID: M/2002/1071/F Proposal: Proposed replacement dwelling and domestic garage Address: 400 Metres West of 15 Tobermesson Road, Benburb Decision: Decision Date: 03.11.2003 Ref ID: M/2003/0300/O Proposal: Site for replacement dwelling & detached garage Address: 400 metres North West of 15 Tobermesson Road, Benburb Decision: Decision Date: 18.06.2003 Ref ID: M/2006/1472/RM	

Proposal: Site for replacement dwelling
 Address: 400m Northwest of 15 Tobermesson Road, Benburb, Co.Tyrone
 Decision:
 Decision Date: 15.02.2007

Ref ID: M/2002/1029/F
 Proposal: Proposed dwelling and domestic garage
 Address: 400 Metres south west of junction of Derryfubble/Tobermesson Road, Dungannon
 Decision:
 Decision Date: 21.10.2002

Drawing Numbers and Title

Drawing No. 03
 Type: Proposed Plans
 Status: Submitted

Drawing No. 02
 Type: Site Layout or Block Plan
 Status: Submitted

Drawing No. 01
 Type: Site Location Plan
 Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
 Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1045/O	Target Date:
Proposal: Dwelling & domestic garage/store. Based on Policy CTY10 - dwelling on a farm	Location: 130m NW of 27 Tirnaskea Road Pomeroy
Referral Route: Refusal.	
Recommendation:	REFUSE
Applicant Name and Address: Mr Mick Mallon 27 Tirnaskea Road Pomeroy BT70 3EF	Agent Name and Address: CMI Planners 38B Airfield Road The Creagh Toomebridge BT41 3SQ
Executive Summary: This proposal fails to comply with CTY 1 and CTY 10 of PPS 21 in that it has not been demonstrated that the farm business has been established for the required 6 year period	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	DAERA - Omagh	Advice

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

There have been no objections from any third party or from any consultee.

Characteristics of the Site and Area

The application site is an agricultural field located approx. 130m NW of number 27 Tirnaskea Road, Pomeroy. The site lies outside the development limits of any settlement as designated within the Cookstown Area Plan 2010. The site occupies a roadside position and slopes gently in a south westerly direction from the level of the Tirnaskea Road. The site boundaries are defined by semi mature gorse hedgerow. At the opposite side of the Tirnaskea Road is a clustering of dwellings and outbuildings.

This area is rural in character, has an undulating topography and a dispersed settlement pattern. There is no evidence of flooding in the area.

Description of Proposal

The applicant is seeking an outline application for a dwelling & domestic garage/store based on policy CTY 10 - Dwelling on a Farm.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk.

Planning Assessment of Policy and Other Material Considerations

Representations.

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty as set down in Article 8 (2) of the Planning GDPO Regulations (NI) 2015. At the time of writing no objections or representations were received. This application was initially advertised in the local press on w/c 26 August 2019 (publication 27 August 2019). Five (5) neighbouring properties were notified on 12 August 2019; all processes were in accordance with the Development Management Practice Note 14 (April 2015).

EIA Determination. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015; the proposal has been considered and does not fit within any categories or threshold identified in Schedule 2 of Environment Impact Assessment.

HRA Determination - (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015, there is no watercourse directly abutting this site, therefore it is unlikely that there will be any adverse effects from development works on integrity of any National or European site or any water stream by way of a hydrological link to the site.

Constraints:

DFI Roads no objection - standard conditions;
DAERA

Relevant Site Histories:

LA09/2019/0380/O - 130m NW of 27 Tirnaskea Road, Pomeroy for proposed dwelling on a farm. Planning permission refused.

The draft Mid Ulster District Council Local Development Plan 2030.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

The main policy considerations in the assessment of this application are:

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Magherafelt Area Plan 2015 does not contain any specific policies relevant to the application. The principal planning policies are therefore provided by PPS 21 and the SPPS.

- Cookstown Area Plan 2010
- SPPS – Strategic Planning Policy Statement for Northern Ireland
- PPS 3 – Access, Movement and Parking
- PPS 21 – Sustainable Development in the Countryside.

The Cookstown Area Plan 2010 (CAP) operates as the statutory local development plan for the area the site lies in. The CAP 2010 offers no other specific policy or guidance in respect of the

proposed development. The site lies outside any settlement limit defined in the Cookstown Area Plan 2010. It is not subject to any Area Plan designations. As such, existing rural planning policy will be applied (i.e.) PPS 21.

SPPS – Strategic Planning Policy Statement for Northern Ireland

The SPPS gives provision for development in the countryside subject to a number policy provisions, including policy for dwellings on Farms. It does not present any change in policy direction therefore existing rural policy applies (i.e.) CTY 10 of PPS 21

PPS 3 – Access, Movement and Parking.

Policy AMP 2 of PPS 3 permits direct access onto a public road where it does not prejudice road safety or inconvenience the flow of traffic. This proposal involves the construction of a new access onto the Tirnaskea Road. DFI Roads have been consulted and have no concerns regarding road safety or traffic flow resulting from this proposal subject to provision of 2.4m x 45m splays in both directions. This will involve the removal of hedgerow.

PPS21 – Sustainable Development in the Countryside.

Policy CTY 10 – Dwellings on Farms.

The farm business is currently active and established for at least 6 years.

The applicant has completed Certificate C of the P1 form as being the personal representative of Claire Quinn. The P1C goes further to state that the applicant is Mickey Mallon of 27 Tirnaskea Road. The P1C states Claire Quinn (Deceased) of 27 Tirnaskea Road is the registered land owner. The PIC did not provide a business number and states that no claims have been submitted.

DAERA have been consulted on this application and have confirmed that a business ID was found through an application reference but that it was closed in 2005. The only remaining member of the business formed a new business in 2005, however this was also closed.

No grants or subsidies were claimed prior to that year. On the basis of this response it has not been demonstrated in line with paragraph 5.38 that the farm business has been established for at least 6 years.

The case officer has emailed the agent on several occasions requesting information in order to determine the application (dates 5/09/2019, 19/09/2019, 11/12/2019, and 13/01/2020). The agent emailed the case officer on 10/12/2019 to say he would get information in – to date no information has been received.

It is noted that under a previous application LA09/2019/0380/O; the applicant submitted the following evidence in support of farming involvement;

16/02/2013 - hedge trimming; 10/03/2014 – hedge cutting; 24/04/2014 – fertilizers and slurry on land; 27/02/2015 – general maintenance; 20/08/2015 – purchase 2 gate posts; 31/03/2016 – slurry put on land; 08/08/2017 – Repairs to cattle crush; 23/03/2018 – hedge trimming; 28/04/2017 - general maintenance; 30/05/2018 hedge cutting; and 31/05/2018 silage baling.

In my opinion there is not adequate to prove farming activity however similar examples have been accepted under other applications so I do not object to this proposal in terms of activity.

No dwellings/development opportunities have been sold off the holding within 10 years of the date of application.

The proposed dwelling is visually linked or sited to cluster with an established group of buildings on the farm.

The address of the farm business is 27 Tirnaskea Road, which is at the opposite side of the road from the application site. It includes a dwelling and outbuilding. Number 25, which includes a dwelling and outbuildings is also shown to be in the applicant's control. A dwelling located close to the roadside boundary of the application will cluster and be visually linked to these dwellings and outbuildings.

Policy CTY 13 – Integration and Design

When travelling in a Southern direction along the Tirnaskea Road, this site appears elevated due to the topography of the land. A single storey dwelling however would not appear overly prominent but the site definitely could not take a dwelling with a ridge height in excess of 5.5m.

All boundaries of the site are defined with semi mature hedgerow which will aid integration but new planting will be required along the roadside boundary which will have to be removed to provide adequate splays. Design is not under consideration as this is an outline application.

Policy CTY 14 – Rural Character.

I am of the view that a single storey dwelling on this site would not be unduly prominent. I have no concerns with build-up. If a dwelling was approved on this site it would create a potential infill opportunity between the site and number 28 Tirnaskea Road. This should be avoided however there is no specific policy provision to use to refuse an application in this instance.

Neighbour Notification Checked

Yes

Summary of Recommendation:

This proposal fails to comply with CTY 1 and CTY 10 of PPS 21 in that it has not been demonstrated that the farm business has been established for the required 6 year period

Reasons for Refusal:

1. The proposal is contrary to policies CTY1 and CTY10 of Planning Policy Statement, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the farm business has been established for at least six years.

Signature(s)

Date:

ANNEX	
Date Valid	5th August 2019
Date First Advertised	27th August 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 25 Tinaskea Road,Pomeroy,Tyrone,BT70 3EF The Owner/Occupier, 27 Tinaskea Road,Pomeroy,Tyrone,BT70 3EF The Owner/Occupier, 28 Tinaskea Road Pomeroy Tyrone The Owner/Occupier, 29 Tinaskea Road,Pomeroy,Tyrone,BT70 3EF The Owner/Occupier, 31 Tinaskea Road,Pomeroy,Tyrone,BT70 3EF	
Date of Last Neighbour Notification	12th August 2019
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA09/2019/1045/O Proposal: Dwelling & domestic garage/store. Based on Policy CTY10 - dwelling on a farm Address: 130m NW of 27 Tinaskea Road, Pomeroy, Decision: Decision Date: Ref ID: I/2002/0168/RM Proposal: Proposed Single Storey Dwelling & Garage Address: Approximately 30 Metres South East of 25 Tinaskea Road, Pomeroy Decision: Decision Date: 31.10.2002 Ref ID: LA10/2018/1475/PAD Proposal: Heart of Ancient Ulster Landscape Partnership 2019-2024 Address: Lands on Carrickmore Plateau and the Pomeroy Hills, Co Tyrone, Decision: Decision Date:	

Summary of Consultee Responses DFI Roads – no objection DAERA – advice issued
Drawing Numbers and Title
Drawing No. 01 Type: Site Location Plan Status: Submitted
Notification to Department (if relevant) N/A Date of Notification to Department: Response of Department:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1081/O	Target Date:
Proposal: Site for dwelling under PPS21 CTY2A	Location: Site 40m South of 117 Cavanakeeran Road Pomeroy
Referral Route: Refusal: Contrary to policy	
Recommendation:	REFUSE
Applicant Name and Address: Catherine McAleer 156 Loughmallon Road Pomeroy BT71 2SY	Agent Name and Address:
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Non Statutory	NI Water - Single Units West - Planning Consultations	No Objection
Statutory	DFI Roads - Enniskillen Office	

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

None

Characteristics of the Site and Area

The application site is sited within a scattering of buildings located in a rural area as defined within the Cookstown Area Plan 2010. The site comprises a small paddock to the south of No 117. The site gently slopes downwards in southerly direction towards the Cavanakeeran Road.

There is an existing shared access onto Cavanakeeran Road which it is proposed be modified to serve the new dwelling. The frontage along Cavanakeeran Road on the western side comprises a grassed bank with a line of mature trees and hedgerow. The eastern boundary is defined by a concrete lane bordered and a post and wire fence. A post and wire fence provides the norther

boundary; the western boundary is comprised of mature trees and thick hedge; whilst the southern is undefined.

No. 222 Cavanakeeran Road located to the south bisected by Cavanakeeran Road consists of a modern single storey dwelling, and Nos. 170 and 180 Cavanakeeran Road are detached dwellings, lie adjacent and west of the application site. To the north lies No. 117 Cavanakeeran Road, chalet bungalow belonging to the applicant's father.

Description of Proposal

The applicant is seeking outline planning permission for a site for dwelling under PPS21 CTY2A located 40m South of 117 Cavanakeeran Road, Pomeroy in County Tyrone.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk.

Representations

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty as set down in Article 8 (2) of the Planning GDPO Regulations (NI) 2015. At the time of writing no objections or representations were received. This application was initially advertised in the local press on w/c 26th August 2019 (publication 27th August 2019. Three (3) neighbouring properties were notified on 20th November 2019; all processes were in accordance with the Development Management Practice Note 14 (April 2015).

EIA Determination. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015; the proposal has been considered and does not fit within any categories or threshold identified in Schedule 2 of Environment Impact Assessment.

HRA Determination - (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015, there is no watercourse directly abutting this site, therefore it is unlikely that there will be any adverse effects from development works on integrity of any National or European site or any water stream by way of a hydrological link to the site.

Relevant planning history

MUDC records show no known planning history associated with the site.

Planning Assessment of Policy and Other Material Considerations

Consultations:

NI Water was consulted in relation to the proposal and they have responded with a standard response offering no objections.

DFI Roads were also consulted and responded with standard conditions offering no objections.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

The following policy documents provide the primary policy context for the determination of this application:

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Cookstown Area Plan 2010 does not contain provisions provided by PPS 21 and the SPPS.

1. Strategic Planning Policy Statement (SPPS).
2. Cookstown Area Plan 2010.
3. PPS 21 – Sustainable Development in the Countryside.
4. PPS 3 – Access, Movement and Parking.
5. Building on Tradition – A sustainable design guide for rural NI.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) introduced in September 2015 is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within identified policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS.

The Cookstown Area Plan 2010 is the statutory local development plan for the proposal. In it, the site lies in the countryside. There are no policies or proposals in the CAP of relevance to the application. In respect of the application proposal there is no conflict or change in policy direction between the provisions of the Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) and those of PPS21. PPS21 remains the applicable policy context to consider the proposed development under.

Key Policy Consideration:

Policy CTY1 of PPS21 states that there are a range of types of development which are considered to be acceptable in principle in the countryside and that will contribute to the aims of sustainable development. It goes on to state that planning permission will be granted for an individual dwelling house in the countryside in six cases. One of these is a dwelling sited within an existing cluster of buildings in accordance with Policy CTY2a. It follows that if the development complies with Policy CTY2a it will also comply with Policy CTY1 of PPS21.

Consideration and Assessment:

Policy CTY1 of PPS21 states that there are a range of types of development which are considered to be acceptable in principle in the countryside and that will contribute to the aims of sustainable development. It goes on to state that planning permission will be granted for an individual dwelling house in the countryside in six cases. One of these is a dwelling sited within

an existing cluster of buildings in accordance with Policy CTY2a. It follows that if the development complies with Policy CTY2a it will also comply with Policy CTY1 of PPS21.

The application is considered against CTY 2A – New Dwellings in Existing Clusters, which states that planning permission will be granted for a dwelling at an existing cluster of development provided the following criteria are met.

1. The cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings;
2. The cluster appears as a visual entity in the local landscape;
3. The cluster is associated with a focal point such as a social / community building/facility, or is located at a cross-roads,
4. The identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;
5. Development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside; and
6. Development would not adversely impact on residential amenity.

I am content that the proposed site is located outside any farm. I am also content that the grouping of development consists of four or more buildings, three of which are dwellings (Nos 117, 180, 170, 222 are in close proximity to the site).

Furthermore, I am of the opinion that the grouping does appear as a visual entity in the local landscape, this aspect of policy criteria 1 & 2 is met.

The fourth criteria requires the proposed development to be able provide suitable degree of enclosure and to be bounded on at least two sides with other development in the cluster. In addition the policy states that the site is able to be absorbed into the existing cluster through rounding off.

In addition, given the level of existing mature vegetation I am of the opinion a dwelling could integrate on the site subject to siting and ridge height conditions. I am not content that the development is bound on two sides 117 to the north and 180 to the west boundaries. This aspect of policy has been met.

The final criteria requires the development not to have an adverse impact on residential amenity.

Upon a site visit I am of the opinion that an appropriately designed dwelling would not have an adverse impact on residential amenity.

The site has development on north and west boundaries Nos 117 to the north; and 180 to the west therefore I am content there suitable degree of enclosure and development on at two sides with other development in the cluster. In terms of policy criteria 4 has been met.

In terms of criteria 6 development would not adversely impact on residential amenity.

However, in terms of criteria 3 it is noted that the site **is not** associated with a focal point or cross-roads.

The agent has submitted evidence in support of the application and wishes it to be considered on the basis the application is an exception to policy based on the following decisions approval by local council & and PAC.

- LA09/2018/1022/O, site granted approval by MUDC where the site met the spirit of policy & did not have a focal point;
- 2017/A0222, site granted approval by Planning Appeals Commission where site met the spirit of policy CTY2a & did not have a focal point and;
- 2016/A0095, again granted without focal point.

In terms of the above I fully agree and I do not have any issues with any of the above decisions. However, my assessment must reflect policy in that the application must be in full compliance with all the criteria set down under CTY2A of PPS 21.

For the above reasons it is evident that the proposed development fails under policy CTY 2a.

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

As this an outline application no design details have been submitted however an appropriately designed dwelling would not be prominent in the landscape.

I am of the option given the level of integration the site could accommodate a dwelling subject a ridge height not exceeding 5.5m and sitting location to the western section of the site.

Policy CTY 14 deals with rural character and states that planning permission will be granted where the building it does not cause detrimental change to, or further erode the rural character of the area. As stated I am content that an appropriately designed dwelling will not be prominent feature nor will it result in a suburban style build-up of development.

There is no history of flooding on this site.

Access

The application proposes to use an existing access to the site. DFI Roads were consulted and responded on this application and have confirmed that they have no objection to the proposal put forward. With this in mind I consider the proposed access arrangements to be acceptable and in accordance with the provisions of PPS 3 – Access, Movement and Parking.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Refuse

Reasons for Refusal:

1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to Policy CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that the cluster is not associated with a focal point or is not located at a cross-roads.

Signature(s)

Date:

ANNEX	
Date Valid	15th August 2019
Date First Advertised	27th August 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 117 Loughmallon Road Pomeroy Tyrone 170 Loughmallon Road Pomeroy Tyrone The Owner/Occupier, 180 Loughmallon Road,Pomeroy,Tyrone,BT70 2SY The Owner/Occupier, 222 Cavanakeeran Road, Pomeroy, Dungannon, BT70 2TB	
Date of Last Neighbour Notification	20th November 2019
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2019/1081/O Proposal: Site for dwelling under PPS21 CTY2A Address: Site 40m South of 117 Cavanakeeran Road, Pomeroy, Decision: Decision Date: Ref ID: I/2003/0651/O Proposal: Proposed replacement two-storey dwelling and domestic garage Address: 160 Loughmallon Road,Pomeroy, BT70 2SY Decision: Decision Date: 11.09.2003 Ref ID: I/1985/0338 Proposal: DWELLING Address: CAVANAKEERAN, POMEROY Decision: Decision Date: Ref ID: I/1986/0338 Proposal: BUNGALOW	

Address: CAVANKEERAN, POMEROY

Decision:

Decision Date:

Ref ID: I/1999/0413/O

Proposal: Dwelling House (Replacement) Store and Garage to House Classic Cars/Tractors - Garage and Store 80' x 25' approx - Domestic Use Only.

Address: 117 Termon Road, Pomeroy, County Tyrone

Decision:

Decision Date: 29.10.1999

Ref ID: I/2000/0718/RM

Proposal: Single Storey replacement dwelling

Address: 117 Termon Road, Pomeroy

Decision:

Decision Date: 13.12.2000

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 01

Type: Site Location Plan

Status: Submitted

Drawing No. 02

Type: Site Layout or Block Plan

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 4/2/2020	Item Number:
Application ID: LA09/2019/1090/F	Target Date: 28/11/2019
Proposal: Proposed isolation shed for animals and storage of machinery	Location: Approx 165m NW of 81 Kinturk Road, Lower Mullan Cookstown, adjacent to existing farm buildings
Referral Route: Refusal is recommended	
Recommendation: Refuse	
Applicant Name and Address: Eamonn Maynes 1 Killykergan Road Garvagh BT51 4AE	Agent Name and Address: CMI Planners Ltd 38b Airfield Road Toomebridge Magherafelt BT41 3SG
<p>Executive Summary: Despite requests on the 9th October 2019, 10th December 2019, 17th December 2019 and 13th January 2020, the applicant has failed to submit the following information so that the Council can make an informed recommendation:</p> <ul style="list-style-type: none"> Detailed site layout showing sight splays Bio-diversity Checklist Supporting Statement showing compliance with Policy CTY 12 of PPS 21. <p>Refusal is therefore recommended under Section 40 of the Planning Act (Northern Ireland) 2011, PPS2 (Natural Heritage), PPS 3 (Access, Movement and Parking) and PPS21 (Sustainable Development in the Countryside)</p>	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	DAERA - Omagh	Advice
Statutory	NIEA	Advice

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

This application has been advertised in Local Press in line with statutory consultation duties as part of the General Development Procedure Order (GDPO) 2015. All relevant neighbouring properties have been notified of the proposal. To date there has been no objections.

Characteristics of the Site and Area

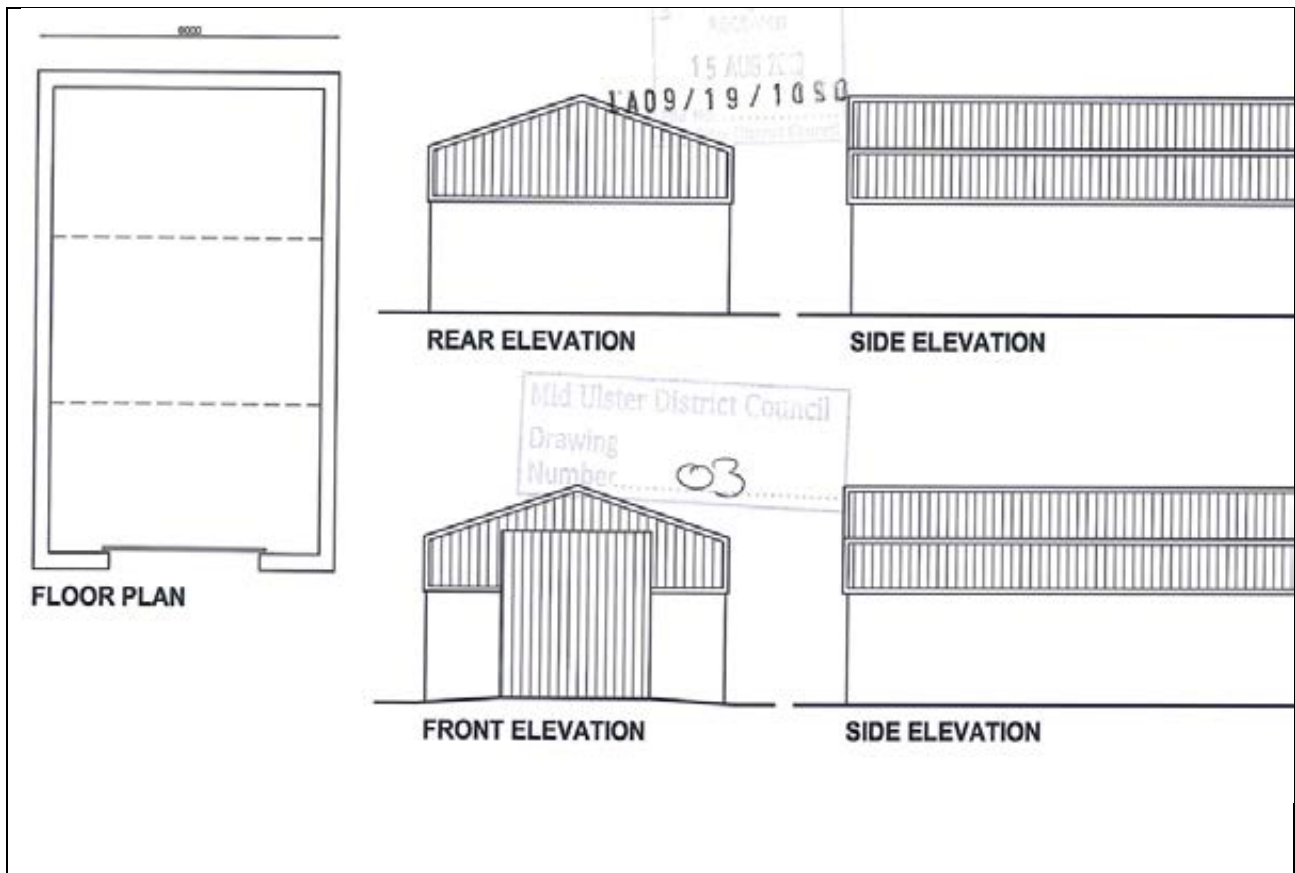
The application site is a 0.37 hectare elongated roadside plot of agricultural land located approximately 165m NW of 81 Kinturk Road, Lower Mullan, Cookstown. It is outside the development limits of any settlement defined in the Cookstown Area Plan 2010. The site sits at a similar level to the public road and its boundaries are defined by semi mature vegetation. There is an existing agricultural access located where the Kinturk Road meets the Mulla Road.

This area is a rural in character with a low and dispersed settlement pattern. To the East of the site are a row of detached dwellings. To the immediate NW of the site are a cluster of farm buildings which are in the applicants control. Further to the NW is a detached dwelling and outbuildings. Lough Neagh, a European Designated site, is located approx. 875m to the NE of the site. The National Cycle Route runs along the SW and NW boundaries of the site

Description of Proposal

This is a full application for a proposed isolation shed for animals and the storage of machinery. The shed will be located in the NW portion of the host field. It will measure 9m x 6m x 4m.





Planning Assessment of Policy and Other Material Considerations

The following policies will be considered in this assessment:

- SPPS – Strategic Planning Policy Statement for Northern Ireland
- Cookstown Area Plan 2010
- Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy
- PPS 2 – Natural Heritage
- PPS 3 – Access, Movement and Parking
- PPS 21 – Sustainable Development in the Countryside

SPPS – Strategic Planning Policy Statement for Northern Ireland

The SPPS gives provision for Agriculture and Forestry Development subject to a number of policy provisions. It does not present any change in policy direction with regards to this type of development in the Countryside. As such, existing rural policy will be applied (ie) CTY 12 of PPS 21

Cookstown Area Plan 2010

This site is located outside any settlement defined in the Cookstown Area Plan 2010. It is not subject to any area plan designations or constraints. As such, existing planning policy will be applied.

Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy was launched on 22nd Feb 2019. Policy GP1 - General Principles Planning Policy and Policy AFR1 –Agriculture and Forestry Development and Development Ancillary to Commercial Fishing are applicable to this application.

Policy AFR 1 has provision for agricultural buildings on an active and established agricultural holding. These must be located next to existing farm buildings on the holding and where they do not appear incongruous to the rural setting. This does not present any change in policy direction from current policy. This proposal would therefore be in compliance with Policy AFR 1. The proposal is also in compliance with all parts of Policy GP1.

It is however acknowledged that no weight can be given to this document as it is only at early public consultation stage.

PPS 2 – Natural Heritage

This site is located very close to Lough Neagh, which is a European Designated Site. Consultation has been carried with NIEA as the development may give rise to potential ammonia emissions which may impact on this designated site. NIEA have referred to their standing advice, which requires the submission of a bio diversity checklist. This has been requested on the 17th December 2019 and the 13th January 2020. To date it has not been forthcoming so I am unable to assess this proposal under the relevant PPS 2 policies. Consultation is also required with Shared Environment Service but this has not been carried out at this stage until NIEA comment on the bio diversity checklist.

PPS 3 – Access, Movement and Parking

Policy AMP 2 of PPS 3 permits direct access onto a public road where it does not prejudice road safety or inconvenience the flow of traffic. This proposal involves the construction of a new access onto the Kinturk Road. DFI Roads have been consulted and have requested a detailed dimensioned drawing showing the access and splays. This information has been requested on the 9th October 2019, 10th December 2019, 17th December 2019 and 13th January 2020. To date this information has not been forthcoming so I am unable to determine the acceptability of this new access in line with policy AMP 2 of PPS 3.

PPS 21 – Sustainable Development in the Countryside

Policy CTY 12 of PPS 21 states that planning permission will only be granted for development on an active and established agricultural holding subject to certain criteria. Paragraph 5.56 of the policy advises that for the purposes of CTY 12 the determining criteria for an active and established business will be that set out under policy CTY 10 (ie) is currently active and is established for a period of at least 6 years. DAERA have been consulted with the applicant's farm details. They have confirmed that the farm business ID provided has been in existence for more than 6 years and that claims have been made in the last 6 years. On the basis of this response from DAERA I would contend that the farm business is currently active and has been established for the required period of time.

CTY 12 goes on to list several other criteria that must be adhered to for this type of development. I am content that the proposal does comply with criteria (b) in that its character and scale is appropriate to the rural location and (c) the development will visually integrate in the local landscape. Furthermore I am satisfied that the design of the building and materials proposed are sympathetic to the locality and adjacent buildings and that it is sited beside existing farm buildings on the holding.

It has not been demonstrated that all other criteria have been adhered to. The applicant, despite being asked on the 9th October 2019, 10th December 2019, 17th December 2019 and 13th January 2020, to submit a supporting statement to show compliance with Policy CTY 12, has failed to do so.

Neighbour Notification Checked

Yes

Summary of Recommendation:

As provided for within Section 40 of the Planning Act (Northern Ireland) 2011, the applicant has failed to provide sufficient information to enable Mid Ulster District Council to determine this proposal. This is in respect of a site layout showing the access arrangements/splays, a bio-diversity checklist and a statement showing compliance with Policy CTY 12 of PPS 21.

Refusal is therefore recommended

Refusal Reasons

1. As provided for within Section 40 of the Planning Act (Northern Ireland) 2011, the applicant has failed to provide sufficient information to enable Mid Ulster District Council to determine this proposal. This is in respect of a site layout showing adequate access arrangements/splays in line with policy AMP 2 of PPS 3, a bio-diversity checklist and a statement showing compliance with Policy CTY 12 of PPS 21.
2. The proposal is contrary to Policy CTY12 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not be demonstrated that the proposed development is:
 - necessary for the efficient use of the active and established agricultural) holding
 - would not have an adverse impact on natural heritage
 - would not result in a detrimental impact on the amenity of residential dwellings outside the holding or enterprise by reason of (noise/ smell /pollution etc).

Additionally in cases where a new building is proposed

- The proposal is contrary to policy CTY12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that there are no suitable existing buildings on the holding or enterprise that can be used
- 3. The proposal is contrary to Planning Policy Statement 2, Natural Heritage in that the site is close to Lough Neagh, a designated site of local and national importance and it has not been demonstrated that the development would not adversely affect the nature conservation interests of this designated site.
- 4. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, in that it has not been demonstrated that the proposed access arrangement will not prejudice the free flow of traffic and conditions of general safety.

Signature(s)

Date:

ANNEX	
Date Valid	15th August 2019
Date First Advertised	27th August 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 72 Mullan Road Lower Mullan Cookstown	
Date of Last Neighbour Notification	28th August 2019
Date of EIA Determination	
ES Requested	N/A
Planning History Ref ID: LA09/2019/1090/F Proposal: Proposed isolation shed for animals and storage machinery Address: Approx 165m NW of 81 Kinturk Road, Lower Mullan, Cookstown, adjacent to existing farm buildings, Decision: Decision Date: Ref ID: I/1976/0049 Proposal: 11KV AND MV O/H LINES Address: MULLAN LOWER, COOKSTOWN Decision: Decision Date: Ref ID: I/1974/0276 Proposal: ERECTION OF BUNGALOW Address: LOWER MULLAN, BALLINDERRY BRIDGE, COAGH, COOKSTOWN Decision: Decision Date: Ref ID: I/1988/0312 Proposal: ALTERATIONS TO DWELLING Address: 83 MULLAN ROAD, COAGH, COOKSTOWN	

Decision:
Decision Date:

Ref ID: I/1992/0339
Proposal: Site for Dwelling
Address: 100M SE OF 72 MULLAN ROAD COAGH COOKSTOWN
Decision:
Decision Date:

Ref ID: I/1987/0261
Proposal: SITE OF DWELLING
Address: LOWER MULLAN, COAGH, COOKSTOWN
Decision:
Decision Date:

Summary of Consultee Responses

DFI Roads – Have requested additional information
NIEA – Have requested additional information

Drawing Numbers and Title

Drawing No. 03
Type: Proposed Plans
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 02
Type: Site Layout or Block Plan
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1158/O	Target Date:
Proposal: Proposed dwelling and garage	Location: 50m South East of 8 Scotts Road Ballyrogully Moneymore
Referral Route: Application is being recommended for Refusal	
Recommendation:	
Applicant Name and Address: Thomas Mc Vey 10 Rogully Road Ballyrogully Moneymore	Agent Name and Address: CMI Planners Ltd 38 Airfield Road Toomebridge BT41 3SG
Executive Summary: Proposal fails to comply with criteria c contained within Policy CTY 10 and CTY 13 of PPS 21, no third party representations received and all other material considerations have been taken into consideration.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	DAERA - Coleraine	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Non Statutory	NI Water - Single Units West - Planning Consultations	No Objection

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

No third party representations received and all other material considerations have been taken into consideration

Characteristics of the Site and Area

The application site is a 0.35 hectare plot of agricultural land located 50m South East of 8 Scotts Road, Ballyrogully, Money more and at the junction of the Rogully Road and Scotts Road. It is outside the development limits of any settlement defined in the Cookstown Area Plan 2010. The site rises in a southeast direction towards an existing farm group. The roadside boundaries with the Rogully Road and Scotts Road are defined by low level hedge row and some semi mature trees. A wooden fence also runs along the Scotts Road boundary. The Northern site boundary is defined by thick hedgerow and intermittent semi mature trees and hedgerows. The Western boundary is part defined by a domestic fencing and part undefined.

This area is rural in character with an undulating topography. It has a low development pressure with the predominant development being detached dwellings and agricultural buildings.

Description of Proposal

This is an outline application where the applicant is seeking outline planning for proposed Dwelling and garage on a farm to be assessed under CTY 10 of PPS 21 (Dwelling on a Farm). Two (2) previous applications one for an infill dwelling (I/2015/0056/O was refused on 8th July 2015; the second application for a dwelling in a cluster was refused on 3rd July 2019. The latter application was refused under CTY 1, CTY 8, CTY 13 and CTY 14.

The proposed application site curtilage is shown on Drawing No 01 bearing stamp date 28/08/2019 is located 50m South East of 8 Scotts Road, Ballyrogully, Moneymore. Drawing No 01 stamp date 04.09.2019.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk.

Representations.

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty as set down in Article 8 (2) of the Planning GDPO Regulations (NI) 2015. At the time of writing no objections or representations were received. This application was initially advertised in the local press on w/c 16th September 2019 (publication 17th September 2019). One (1) neighbouring property was notified on 20th September 2019; all processes were in accordance with the Development Management Practice Note 14 (April 2015).

EIA Determination. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015; the proposal has been considered and does not fit within any categories or threshold identified in Schedule 2 of Environment Impact Assessment.

HRA Determination - (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015, there is no watercourse directly abutting this site, therefore it is unlikely that there will be any adverse effects from development works on integrity of any National or European site or any water stream by way of a hydrological link to the site.

Hazards and Constraints.

DEARA were consulted and responded with no concerns noted;
NI water were consulted and responded no objections subject to standard informatives;
DFI Roads were consulted and responded with standard conditions and informatives

Planning Assessment of Policy and Other Material Considerations.

The following policy documents provide the primary policy context for the determination of this application;

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless

material considerations indicate otherwise. The Cookstown Area Plan 2010 does not contain provided by PPS 21 and the SPPS.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

1. Strategic Planning Policy Statement (SPPS).
2. Cookstown Area Plan 2010.
3. PPS 21 – Sustainable Development in the Countryside.
4. PPS 3 – Access, Movement and Parking.
5. Building on Tradition – A sustainable design guide for rural NI.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) introduced in September 2015 is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within identified policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS.

The SPPS points out that provision should be made for a dwelling house on an active and established farm business. The farm business must be currently active and have been established for a minimum of 6 years. Policy CTY 1 of PPS 21 lists a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. The circumstances wherein planning permission will be granted for an individual dwelling house are outlined. This includes a dwelling on a farm in accordance with Policy CTY 10. This policy states that planning permission will be granted where three criteria are met.

The Cookstown Area Plan 2010 is the statutory local development plan for the proposal. In it, the site lies in the countryside. There are no policies or proposals in the CAP of relevance to the application. In respect of the application proposal there is no conflict or change in policy direction between the provisions of the Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) and those of PPS21. PPS21 remains the applicable policy context to consider the proposed development under.

This site is outside any settlement defined in the Cookstown Area Plan, therefore relevant existing planning policy must be adhered to.

Policy Assessment.

PPS21 - Sustainable Development in the Countryside.

Policy CTY 10 – Dwellings on Farms of PPS 21 grants planning permission for a dwelling at an existing cluster of development subject to 6 criteria:

Planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met:

- (a) The farm business is currently active and has been established for at least 6 years;
- (b) No dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and

(c) The new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:

- Demonstrable health and safety reasons; or
- Verifiable plans to expand the farm business at the existing building group(s).

The site lies within an existing farm owned by the applicant's father.

In addition to the criteria above, applications of this nature must also demonstrate that they meet the policy requirements of policies CTY 13, CTY 14 and CTY 16 of PPS 21.

With respect to (a) it is considered that this policy criteria is met as the applicant has provided an Agricultural Business Identification number and is in receipt of Single Farm Payments.

The PIC form as submitted provides details of the farm business being operated by Thomas McVey Senior who has had his own farm business ID No. 623760 since 1991. Farm maps and a farm schedule stamp date 28.08.2019 indicate that Thomas McVey farms 38.83 ha.

Based on the details presented on the PIC form, as confirmed by DAERA, I am content that the farm business operated by Thomas McVey is currently active and has been established for more than 6 years in compliance with criterion (a) of Policy CTY 10.

With regard to (b) there are no records indicating that any dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application.

With respect to (c) the proposed site is located approximately 85m southeast of the existing group of farm buildings coupled with the topography aspect of the land with limited vegetation considerations would conflict with Criterion (c) as the site is not visually linked or sited to cluster to the main existing farm group and fails criterion c. Given also the elevated topography of the site and lack of boundaries would require significant landscaping.

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. It is noted that this application is an outline application therefore exact siting and design have not be submitted at this stage

An office meeting held on 04/12/2019, where the case officer with senior planner met the applicant Mr McVey, his father and the agent. Planning Officers explained the planning difficulties pertaining to the site also discussed other potential siting options. It was agreed the Senior Planner would visit the site.

The principle Planner visited the site – his findings agreed with the Case Officer's assessment that the site would be a prominent feature in the landscape due to existing site topography and also a dwelling would not visually link or cluster with the farm group. Following further discussions the Case Officer emailed the agent with potential examples of re-siting, which was done without prejudice to the current plication.

The agent emailed the Case Officer on 12/12/2019 requesting this application to be taken to the Planning Committee.



Examples of potential sites

Neighbour Notification Checked

Yes

Summary of Recommendation:

On the basis of the above assessment I recommend that this application be refused by the Planning Committee as it fails to comply with criteria c contained within CTY 10 and CTY 13 of PPS 21.

Reasons for Refusal:

1. The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that The proposed building is a prominent feature in the landscape and lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape. The proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm and therefore would not visually integrate into the surrounding landscape.

Signature(s)

Date:

ANNEX	
Date Valid	4th September 2019
Date First Advertised	17th September 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 8 Scotts Road Moneymore Londonderry	
Date of Last Neighbour Notification	20th September 2019
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2019/1158/O Proposal: Proposed dwelling and garage Address: 50m South East of 8 Scotts Road, Ballyrogully, Moneymore, Decision: Decision Date: Ref ID: I/2007/0554/F Proposal: Proposed farm workers dwelling and garage Address: 100m East of no.8 Scotts Road, Loup, Magherafelt Decision: Decision Date: 20.07.2010	
Summary of Consultee Responses DFI Roads – no objections subject to standard condition NIW no concerns raised.	
Drawing Numbers and Title	

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Notification to Department (if relevant) N/A

Date of Notification to Department:
Response of Department:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 4/2/2020	Item Number:
Application ID: LA09/2019/1177/F	Target Date: 20/12/2019
Proposal: Telecommunication mast 20m mast for MPLS microwave link for network connectivity to Davagh Dark Skies Observatory.	Location: Davagh Forest, 650m East of Davagh Park Cottages.
Referral Route: The applicant is Mid Ulster District Council and therefore this application has to be presented to the Planning Committee as it is not delegated.	
Recommendation: Approve	
Applicant Name and Address: Mid Ulster District Council Council Offices Circular Road Dungannon BT71 6DT	Agent Name and Address: Barry OHagan C/O Mid Ulster Council Cookstown Offices Cookstown BT80 8DT
Executive Summary: The proposal for a 20m Telecommunications Mast complies with all relevant planning policy for this type of development. There have been no objections to the proposal.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	Standing Advice
Non Statutory	Shared Environmental Services	Substantive Response Received
Statutory	NIEA	Content
Statutory	NIEA	
Non Statutory	Shared Environmental Services	

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

This application has been advertised in Local Press in line with statutory consultation duties as part of the General Development Procedure Order (GDPO) 2015. No neighbouring properties have been notified as there are none that meet the notification criteria. To date there have been no objections to the proposal.

Characteristics of the Site and Area

The application site is a small parcel of land located within Davagh Forest and is 650m East of Davagh Park Cottages. It sits on an elevated plot adjacent to an existing pathway and a sitka plantation. The MUDC Dark Sky Observatory, currently under construction, is located just to the SW of the application site

Davagh Forest is in an area designated as an Area of Outstanding Natural Beauty (AONB), Tourism Opportunity Zone (TM1), Area of Significant Archaeological Interest, Countryside Policy Area and Area of Constraint on Mineral Development all of which are designations in the Cookstown Area Plan 2010. The Davagh Water, one of the headwaters of the Owenkillew River (SAC) runs through the forest and connects to the River Foyle and Tributaries (SAC).

Description of Proposal

This is a full application for a 20m high telecommunications mast to provide network connectivity to the Davagh Dark Sky Observatory.

Planning Assessment of Policy and Other Material Considerations

The following documents will be considered in this assessment:

- SPPS – Strategic Planning Policy Statement for Northern Ireland
- Cookstown Area Plan 2010
- Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy
- PPS 2 – Natural Heritage
- PPS 10 - Telecommunications
- PPS 21 – Sustainable Development in the Countryside

SPPS – Strategic Planning Policy Statement for Northern Ireland

The SPPS has superseded PPS 1 (General Principles). The SPPS advises that planning authorities should simultaneously pursue social and economic priorities alongside the careful management of our built and natural environments for the overall benefit of our society. Its guiding principle is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause “demonstrable harm to interests of acknowledged importance”.

This site is not located near any residential properties therefore it will have no impact on residential amenity. It is located close to a Hydrological Link to a designated site. SES have been consulted and have no objections to the proposal subject to conditions which will prevent polluting discharges entering and impacting on the Owenkillew River SAC. It is also located in an area where there are protected flora and fauna. A preliminary ecological assessment (PEA) has been submitted and NIEA have been consulted. They have no objections to the proposal from a natural heritage perspective.

The SPSS does give specific provision for Telecommunications subject to a number of policy provisions. It does not present any change in policy direction from that contained in extant policy. As such, existing policy will be applied (ie) PPS 10.

Cookstown Area Plan 2010

As referred to earlier in this report, this site is located in an area subject to several Area Plan designations. The plan does not include any specific AONB criteria, This will be dealt with under PPS 2. The site is located within a Tourism Opportunity Zone (TM1). This policy states that development in these areas must provide adequate infrastructure which won't have a detrimental impact on conservation. This mast is necessary to provide network connectivity to the Dark Sky Observatory. The site is also located within an Area of Significant Archaeological Interest (CON4). This policy states that permission will not be granted for large scale development or the erection of masts or pylons within this area unless it can be demonstrated that there will be no significant impact on the character and appearance of this historic landscape. Particular attention must be given to impacts when viewed from Beaghmore Stone Circles. This mast will be located over 2500m to the NE of Beaghmore Stone Circles, will be located within the confines of Davagh Forest and will measure 20m high, which is relatively low in comparison to a commercial wind turbine. I am therefore satisfied that it will not have a significant negative impact on the character or appearance of this historic landscape.

Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on 22nd Feb 2019. Policy GP1 - General Principles Planning Policy and Policy TOHS1 are applicable to this application. In my opinion this proposal is not in conflict with either of these policies. It is however acknowledged that no weight can be given to this document as it is only at public consultation stage.

PPS 2 – Natural Heritage

As previously acknowledged, this site is in an area where there is potential for development to impact on flora, fauna and designated sites. The applicant has submitted a PEA which has been forwarded to both NIEA and SES for their consideration. NIEA (Natural Environment) are satisfied that the proposal will not have any significant impact on bats or any other priority habitat or species. SES have considered the impact of the proposal on Owenkillew SAC, a European Designated Site and have advised that the proposal will not have an adverse effect on the site integrity of this European Site – subject to conditions being attached to any approval. On the basis of this consultation advice I am satisfied that the proposal is in compliance with the relevant PPS 2 policies.

Policy NH 6 of PPS 2 deals specifically with development in Areas of Outstanding Natural Beauty. Given the relatively low height of this mast which will be located within the existing forest and surrounded by mature conifers, I am satisfied that it will not have a detrimental impact on the special character of this area.

PPS 10 - Telecommunications

Policy TEL 1 - Control of telecommunications development, allows for the approval of telecommunications apparatus subject to a number of strict criteria being fulfilled. The Council will permit proposals for telecommunications development where such proposals, together with any necessary enabling works, will not result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations. Developers will therefore be required to demonstrate that proposals for telecommunications development, having regard to technical and operational constraints, have been sited and designed to minimise visual and environmental impact.

Proposals for the development of a new telecommunications mast will only be considered acceptable where the above requirements are met and it is reasonably demonstrated that:

(a) the sharing of an existing mast or other structure has been investigated and is not feasible;

The reason this development is proposed is to provide network connectivity for the Council's new Dark Sky Observatory. This Observatory is located in a remote location within the district. The applicant has advised that there is no other possible mast or pole that allows technical connection to the Observatory. They have exhausted all technical possibilities in meeting the requirements of the building through surveys with communication providers and a public tender for the design of a connection to service the building.

or

(b) a new mast represents a better environmental solution than other options. N/A

Applications for telecommunications development by Code System Operators or broadcasters will need to include:

(1) information about the purpose and need for the particular development including a description of how it fits into the operator's or broadcaster's wider network;

This pole is for the connection to a Council public service building that provides a Dark Skies Observatory Visitor facility to the public in Davagh (Sperrins). It performs no role within a broadcaster or mobile operators wider network. The private connection is to be used for critical IP services within the building for internet access, Wi-Fi for visitor provision and systems management for the safe running of such a facility.

(2) Details of the consideration given to measures to mitigate the visual and environmental impact of the proposal; and

The infrastructure design was minimised in height and materials so as to reduce visual and environmental impact for the proposed life of the wire connection required. It is planned that wider fibre deployments via other initiatives will replace the pole in the future. The pole will be removed and ground reinstated once the fibre is deployed in the district. Following survey, a wooden pole was proposed to reduce the visual and construction

impact on the environment and match in with the surrounding conifer forestry and new building.

(3) Where proposals relate to the development of a mobile telecommunications base station, a statement: indicating its location, the height of the antenna, the frequency and modulation characteristics, details of power output; and declaring that the base station when operational will meet the ICNIRP guidelines for public exposure to electromagnetic fields.

The mast is to be used for Council data Wan connections only (private connection) and IP services within the Davagh Dark Skies Observatory Building and its immediate furniture. This does not include any mobile telecommunication base stations or infrastructure. The antenna less than 20m in height on the wooden pole will create onward hop access to Elr's MPLS service equipment on Slieve Gallion via the licensed Microwave spectrum.

I have considered the proposal before me against the above policy consideration. Assessing the application against same and evidence provided with the application I consider the proposal to be acceptable. Conditions should be attached to remove structure within 6 months of cessation of operations at the site to ensure the integrity of designated sites.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Approve

Conditions

1.The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2.There shall be no direct discharge of contaminated surface water from the site to the adjacent watercourse (Owenkillew River SAC) during construction.

Reason: To prevent polluting discharges entering and impacting on the site integrity of Owenkillew River SAC.

3.A clearly defined buffer of at least 10 m must be maintained between the location of all refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and the Owenkillew River SAC.

Reason: To prevent polluting discharges entering and impacting on the site integrity of Owenkillew River SAC.

4.The development hereby approved shall be removed from the land and the site restored to its former condition within 6 months of permanent decommissioning of all equipment thereon.

Reason: To restore the habitat and maintain the landscape quality of the area.

Informatives

1.The applicant's attention is drawn to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:

a) Deliberately to capture, injure or kill a wild animal of a European protected species, which

includes the otter (*Lutra lutra*);

b) Deliberately to disturb such an animal while it is occupying a structure or place which it use for shelter or protection;

c) Deliberately to disturb such an animal in such a way as to be likely to;

(i) affect the local distribution or abundance of the species to which it belongs;

(ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or

(iii) Impair its ability to hibernate or migrate;

d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or

e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of otter activity on the site, all works must cease immediately and further advice must be sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast. BT7 2JA. Tel. 028 90 569551. There is no provision within the legislation to issue licences to kill otters for the purpose of development.

The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:

a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes all species of bat;

b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;

c) Deliberately to disturb such an animal in such a way as to be likely to -

i. affect the local distribution or abundance of the species to which it belongs;

ii. Impair its ability to survive, breed or reproduce, or rear or care for its young; or

iii. Impair its ability to hibernate or migrate;

d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or

e) To damage or destroy a breeding site or resting place of such an animal.

The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly:

kill, injure or take any wild bird; or

ake, damage or destroy the nest of any wild bird while that nest is in use or being built; or

at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or

obstruct or prevent any wild bird from using its nest; or
take or destroy an egg of any wild bird; or
disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
disturb dependent young of such a bird.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

It is therefore advised that any tree or hedgerow loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season between 1st March and 31st August.

The applicant should refer and adhere to the precepts contained in the following Standing Advice documents: Pollution Prevention Guidance, Sustainable Drainage Systems, Discharges to the Water Environment, Priority Habitats, Priority Species & Otters Standing advice notes are available at:

<https://www.daera-ni.gov.uk/articles/standing-advice-0>

Signature(s)

Date:

ANNEX	
Date Valid	6th September 2019
Date First Advertised	17th September 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier,	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	n/a
Planning History Ref ID: LA09/2019/1177/F Proposal: Telecommunication mast 20m mast for MPLS microwave link for network connectivity to Davagh Dark Skies Observatory. Address: Davagh Forest, 650m East of Davagh Park Cottages., Decision: AL Decision Date:	
Summary of Consultee Responses NIEA – No objections SES – No objections	
Drawing Numbers and Title	

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 02
Type: Site Layout or Block Plan
Status: Submitted

Drawing No. 03
Type: Detailed Drawing Plans
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1204/O	Target Date:
Proposal: Proposed dwelling and garage on a farm.	Location: Land approx. 100mts NW of 12 Lisnagleer Road Dungannon BT70 3LN
Referral Route: Objection received from a third party.	
Recommendation:	Approve
Applicant Name and Address: Mr Cyril Montgomery 29 Lisnagowan Road Feroys Dungannon BT70 3LH	Agent Name and Address: Henry Marshall Brown 10 Union Street Cookstown BT80 8NN
Executive Summary: I am satisfied the proposal complies with the policies in CTY 10, CTY 13 and CTY 14 in Planning Policy Statement 21.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	DAERA - Omagh	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Advice

Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is located in a rural area approximately 3.3km northeast of Donaghmore. The area is largely characterised by agricultural land, dispersed settlement and farm holdings. The site is within a larger agricultural field. It is accessible via a field gate from the Lisnagleer Road. There are 2 no. buildings on site the gables of which abuts the roadside and the remains of a third building situated further west. Existing trees and hedgerows define the roadside boundary, while the remaining boundaries of the red line site are unmarked. The topography of the land rises from the position of the buildings southwards which although elevated is screened from the Lisnagleer road by vegetation.

Description of Proposal

This is an outline application for a dwelling and garage on a farm.

Planning Assessment of Policy and Other Material Considerations**Planning History**

See further assessment of this below in criteria 2 of CTY 10 in PPS 21.

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010:

The plan offers no specific policy relevant to this application as the site lies outside any settlement limit defined in the Dungannon and South Tyrone Area Plan 2010.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety'.

Planning Policy Statement 21 – Sustainable Development in the Countryside**Policy CTY 10 – Dwellings on Farms**

DAERA confirmed the farm business ID as stated on the P1C form has been in existence for over 6 years and the applicant is a Category 1 farm business. DAERA stated that the farm business has claimed Single Farm Payments for the past 6 years. Therefore I am satisfied the farm business is currently active and has been established for at least 6 years.

I have carried out a planning history search of the farm holding and I am satisfied that no dwellings or development opportunities have been sold off from the farm holding within the past 10 years. There has been several applications granted on this farm holding but a check demonstrates that the majority of them have expired and were not implemented. In addition, I completed a check on the current orthophotography on Spatial NI to check that

none of the applications had been started. I have completed a summary of the planning history below.

M/2009/0076/F was granted approval on the 11th March 2009

M/2005/1973/O was refused on 19th January 2006

M/2010/0167/F is a substitution of M/2009/0076/F and was granted approval on 18th May 2010. This application was due to expire on 11th May 2015. A check on Spatial NI demonstrates that no works have been started at this site.

M/2009/1014/F is the resiting of a dwelling under M/2009/0076/F and was granted approval on 9th February 2010. This application was due to expire on 9th February 2015. A check on Spatial NI demonstrates that no works have been started at this site.

LA09/2015/0865/O is a proposed dwelling and garage on a farm and was granted approval on 8th March 2016. This application was due to expire on 7th March 2019. No Reserved Matters application has been submitted within the 3 years. This application was approved in the location immediately north of the farm buildings and discussion with the agent confirmed this is the applicant's preferred location for this application. This is the same site as being applied for again. Whilst policy CTY 10 permits a dwelling on a farm once in 10 years given this is essentially a 'renewal' of the existing CTY 10 I see no policy conflict in this regard.

As there has already been an approval at this site for a farm dwelling it is important to take this into consideration in the assessment and is considered a precedent.

LA09/2016/0458/O is a proposed replacement dwelling and garage and was granted approval on 29th June 2016. This application was due to expire on 27th June 2019. No Reserved Matters application has been submitted within the 3 years. This application was approved for the buildings at the same site as this proposal. As there has already been an approval at this site for a replacement dwelling, the principle that there is a dwelling and outbuildings has been established.

M/2010/0114/F was granted approval on 16.03.2015 and was due to expire on 16th March 2015. A check on Spatial NI shows no works have commenced at the site. This was an amendment to M/2007/1473/RM which was approved on 14th February 2008

LA09/2018/0361/O for an infill dwelling and was granted on 17th July 2018. This permission is due to expire on 16th July 2021. When I completed my site visit, I observed that this site was for sale and as shown on the site location map as within the ownership of the applicant. I completed a land registry check and at the time of writing the land was still within the ownership of the applicant and there are no pending applications at this site.

No site location has been identified on the site location plan dated 21 OCT 2019 but discussions with the agent state the land immediately north of the farm buildings is the preferred location. I am content this location will cluster with the farm buildings. The buildings on the farm holding are not the main farm buildings but are another group of buildings within the control of the applicant. The policy in CTY 10 does not specifically state that it has to be the main farm buildings but rather an established group of buildings

on the farm. Planning approval LA09/2015/0865/O already granted permission for a dwelling on a farm in this same location. I consider this is a precedent and the principle of this as a group of buildings on a farm has already been established. There is no existing lane at the site and a new access is proposed. As the access is for a short distance and DFI Roads has no objections, I consider this is acceptable.

CTY 13 – Integration and Design of Buildings in the Countryside

The site has a roadside frontage along the public road and is located at a T-junction. The site has an undulated topography and rises up slightly from the road to the western boundary. There are no critical views of the proposed dwelling when travelling from a southerly direction as here is a bend in the road and the dwelling will only be visible when directly at the site. Travelling from a northerly direction there are limited critical views due to existing roadside hedging and the road rises up towards the north. The dwelling will also cluster with existing buildings on the farm. On balance, I am satisfied the proposal will not be a prominent feature in the landscape.

There is an established hedgerow along the roadside boundary and as this is a portion of an existing agricultural field there is no other vegetation along the boundaries. A landscaping scheme will be submitted at the Reserved Matters Stage and this can be conditioned. I am satisfied the proposal will not rely on new landscaping for integration.

A new access is proposed but I am content it is acceptable. A new garage is stated in the description but as this is an outline application, the design is considered at the Reserved Matters Stage. I am content a garage can be integrated at the site.

As this is an outline application the design of the dwelling is considered at the Reserved Matters Stage. I am content either a 1 or 2 storey dwelling can be integrated into the landscape as the dwelling will sit with the farm dwelling at No. 78.

There is the physical backdrop of the farm holding which will also provide a backdrop to aid integration.

I am content the dwelling is sited to cluster with the farm outbuildings.

CTY 14 – Rural Character

I do not consider the proposal will be a prominent feature in the landscape as there are minimal critical views from the public road and the dwelling will read with the farm buildings. In addition, the existing boundary at the site will further aid integration. I consider the proposed dwelling will not result in a suburban style build-up of development as there is already a lot of development of single dwellings in the surrounding area. I am content the proposal could accommodate a 1 or 2 storey and this will be considered at the Reserved Matters Stage. The proposal will create a ribbon development but as the site will read with existing farm buildings I do not consider this will damage rural character. I am satisfied the new access will not damage rural character.

Representations

The application was advertised in the local press and at the time of writing 1 representation has been received. An objection letter was received on 5th December 2019 from the occupants at 15 Lisnagleer Road, which is located 54m northeast of the proposed site. The objector raised the issue that the proposal is for a dwelling on a farm and this site is

not the main farm buildings. It is stated the buildings are rubble and the cattle are not housed here. It has already been discussed in criteria 3 of the assessment of CTY 10 that the policy does not state it has to be the main farm buildings but an 'established group of buildings on the farm'. There was a previous planning approval at this site for a dwelling on a farm so the principle of development has been established.

The objector also raised the issue there are numerous single dwellings already along this stretch of road and there is planning approval for another dwelling directly across the road from the application site. There are concerns another dwelling will be detrimental to the rural character of this area. As already discussed in the assessment of CTY 13 and CTY 14 I consider a dwelling will integrate at this site as it will read with existing farm buildings and as there is already development along this road this dwelling will not lead to a massive change in the rural character of the road.

Planning Policy Statement 3 – Access, Movement and Parking

A consultation was sent to DFI Roads for comments, in their response confirmed that they had no objections to the proposal subject to informatives and conditions.

I have no ecological, built heritage, flooding or residential amenity concerns.

Neighbour Notification Checked	Yes
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Summary of Recommendation:

The proposal is recommended for approval as it complies with CTY10, CTY13 and CTY 14 in PPS 21.

Conditions

1. As required by Section 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted shall be begun by whichever is 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 Council, in writing, before any development is commenced.

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

3. The proposed dwelling shall be sited in the area shaded orange and its curtilage shall not extend outside the area shaded orange on Drawing No. 01 Rev 1 bearing

date stamp received 21 OCT 2019 and only one dwelling shall be constructed in the area shaded orange.

Reason: In the interest of visual amenity.

4. Prior to commencement of any development hereby approved, the vehicular access including visibility splays of 2.4m x 45.0m in both directions shall be provided in accordance with a 1/500 scale site plan as submitted and approved at Reserved Matters stage. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above adjoining road 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.

5. During the first available planting season after the occupation of the dwelling, (hawthorn/natural species) hedgerows shall be planted as indicated in blue on Drawing No. 01 Rev 1 bearing date stamp received 21 OCT 2019.

Reason: To ensure the amenity afforded by existing hedges is maintained.

6. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved Matters stage shall be implemented as agreed. The scheme shall include details of those hedgerows to be retained and measures for their protection during the course of development and details of a native species hedge to be planted along the eastern boundary. 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. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: In the interests of visual amenity, to protect the rural character of the countryside and ensure the development satisfactorily integrates into the countryside.

Informatives

This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or any other statutory authority.

The applicant is advised that under Article 11 of the Roads Order (NI) 1993, the Department for Infrastructure is empowered to take measures to recover any reasonably

incurred expenses in consequence of any damage caused to the public road/footway as a result of extraordinary traffic generated by the proposed development.

Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Main Street, Moygashel, Dungannon. A monetary deposit will be required to cover works on the public road.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. which is deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

All construction plant and materials shall be stored within the curtilage of the site.

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
- The developer should note that this planning approval does not give consent to discharge water into a Transportni drainage system.

Signature(s)

Date:

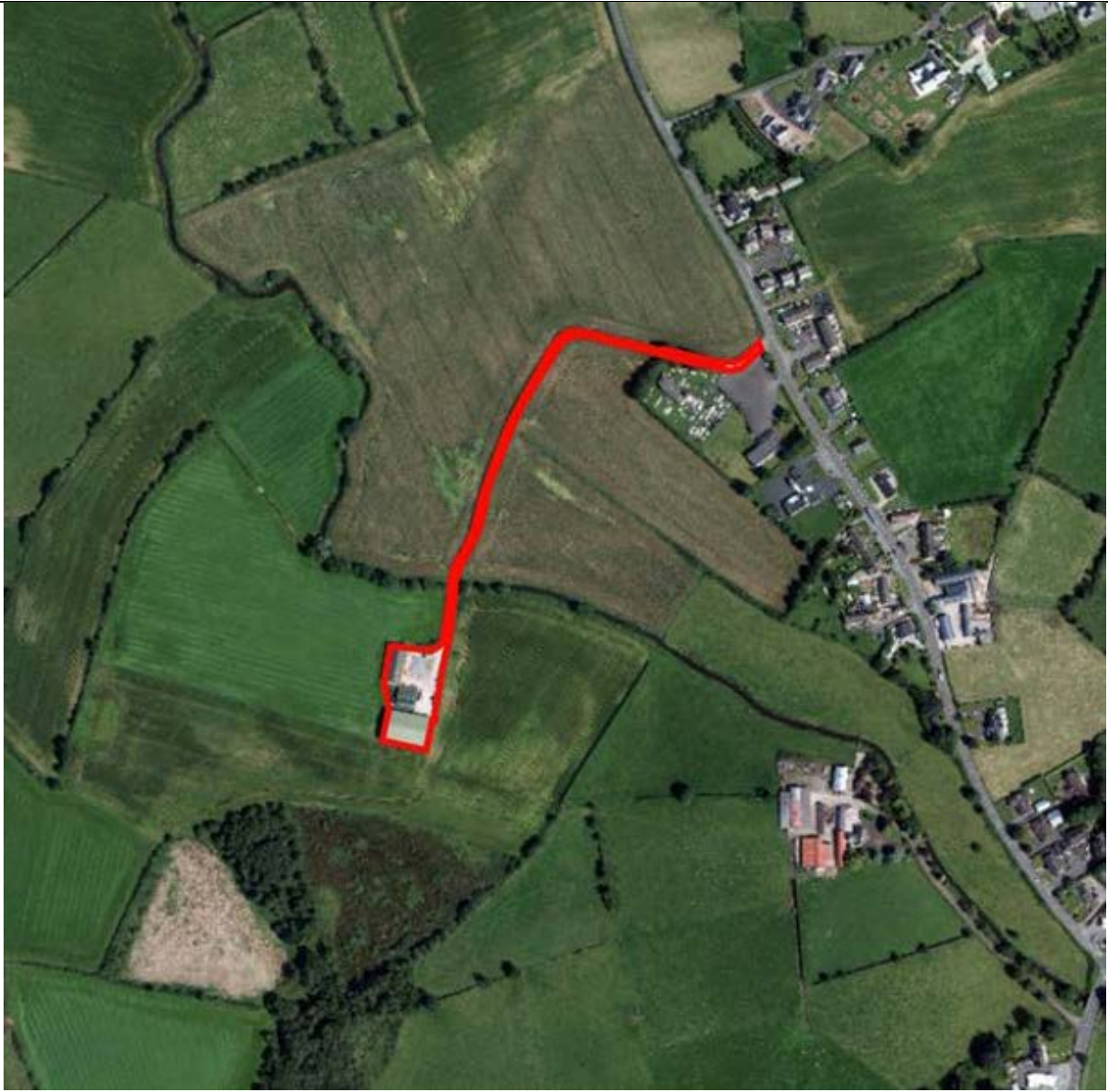


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1216/F	Target Date:
Proposal: Farm diversification scheme (retrospective) involving the change of use of an agricultural building to a paint work shop	Location: 325m South West of 75 Moneyhaw Road Moneymore
Referral Route: This application is being presented to Committee as an Enforcement Notice has been served on the applicant in relation to the proposed use on this site. The Enforcement Notice was appealed and the Enforcement Appeal is due to be heard on 13th March 2020. If Committee are minded to approve this application and agree to withdraw the Enforcement Notice, then the Enforcement Appeal can be avoided.	
Recommendation:	APPROVE
Applicant Name and Address: Harold and Stephen Hessin 20 Ballyloughan Road Moneymore	Agent Name and Address: Ross Planning 9a Clare Lane Cookstown BT80 8RJ
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Non Statutory	Environmental Health Mid Ulster Council	Add Info Requested
Non Statutory	Rivers Agency	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Advice
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received

Non Statutory	DAERA - Coleraine	Substantive Response Received
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
No representations have been received in respect of this application.		
<p>Characteristics of the site and area</p> <p>The site is located within an undulating landscape in the rural area with dwellings and farm buildings dotted along roadside sites and also set back along farm lanes.</p> <p>The site and the adjacent farm buildings form an existing small cluster of which is set back approximately 370m off the public road and accessed via a long laneway which also serves the surrounding farmlands only. The laneway extends alongside the northern boundary of St. Joseph and St. Malachy's RC Church. The site occupies a relatively flat position in the landscape and has the benefit of undulating land and mature vegetation in the surrounding area which acts as a backdrop. The site is most noticeable from the Killybearn Road, however, from that viewpoint, the shed in question is largely screened from view by the larger shed which sits to the southern part of the yard. Slieve Gallion also acts as an effective backdrop from this vantage point.</p>		
<p>Description of proposal</p> <p>Farm diversification scheme (retrospective) involving the change of use of an agricultural building to a paint work shop.</p> <p>The proposal involves the change of use of a large agricultural shed measuring 30m x 11.6m and having a ridge height of 6.8m, from agricultural use to a paint workshop, which is currently being used for spraying portal steel beams.</p>		
Planning Assessment of Policy and Other Material Considerations		
<p>Planning History</p> <p>LA09/2018/0157/CA relates to 'The unauthorised erection and use of a building for industrial purposes and the unauthorised change of use of the land for the unauthorised storage of products in association with industrial purposes without the grant of planning permission so required'. An Enforcement Notice was issued under Ref: EN/2019/0211 and this was duly appealed by the applicant. The Enforcement Appeal ref: 2019/E0038 has a submission of evidence deadline of 12th February 2020 with the Enforcement Appeal hearing scheduled for 12th March 2020.</p> <p>Under the provision of Section 6 (4) of the Planning Act (NI) 2011 the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p> <p>The Strategic Planning Policy Statement (SPPS) provides a regional framework of planning policy that will be taken account of in the preparation of Mid Ulster Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements</p>		

require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9 as these policies are cancelled by the introduction of the SPPS.

The proposal accords with the Magherafelt Area Plan 2015 insofar as it is for the retention of a business which is linked to a farm business and is part of a diversification project.

The main policy considerations in the assessment of this application are:-

PPS 3 - Access, Movement and Parking;

Dfi Roads were consulted and requested amended plans to show various details relating to the access and visibility splays. Further to amended plans being provided Dfi Roads advised that the proposed access arrangements were acceptable subject to the suggested conditions.

PPS 21 CTY 11 – Farm Diversification has a presumption in favour of farm or forestry diversification projects where it has been demonstrated that the proposal will be run in conjunction with the agricultural operations on the farm.

The P1C sets out two farm business ID numbers, Harolds (the father) and Stephens (the son). As Stephen has not had his business ID number for more than the required 6 years, therefore in order for this proposal to succeed, it has to be considered in connection with Harold's farm business as he has operated his farm business for around 40 years.

The supporting statement advises that the business is to be run in conjunction with the farm business and that Stephen, one of the applicant's will be involved in the spraying activity which he will combine with his farming activities. The use of the shed did not require any modifications and therefore it can easily be reverted back to agricultural use if an when required. The steel beams are delivered to the site, where they are sprayed, before being collected and removed from the site again.

It is therefore proposed that the use will be carried out by one of the applicants and will be run in conjunction with the farm business enabling them to derive an additional income which will supplement their farm income.

The following criteria also needs to be addressed:-

- The farm business is currently active and is established;
- It is appropriate in terms of character and scale;
- It will not have a detrimental impact on nearby residential properties by way of noise, smell and pollution.

However, proposals will only be acceptable where they involve the reuse or adaptation of existing farm buildings. Although a new building may be acceptable where there are no existing buildings available either because they are required for the existing farm enterprise, are unsuitable for adaptation or reuse or other agency requirements render them unsuitable. Any new building must achieve a suitable degree of integration with existing farm buildings.

The proposal is for a farm diversification project which is to supplement the income of one of the applicants who, although they have their own farm business ID No. is also involved in the other farm business. DAERA have confirmed that although Stephen's farm business was only allocated on 22nd February 2019, Harolds farm business has been in existence for more than 6 years and has been active for that same period. As Harold and Stephen are both named as applicants, it is reasonable to assess this application under Harold's farm business ID No. In that case, the proposal meets this policy test.

In terms of character and scale the proposal is appropriate to this location. It is set back approximately 370m from the public road, on the edge of a working farmyard and is reasonably well screened from public view. When viewed from any public viewpoint, it is clearly associated with and indistinguishable from the other farming activities and buildings.

The proposal will not have any impact on natural or built heritage.

Although the nearest residential dwelling is located around 360m to the east of the site, due to the use of the shed for spray painting, it was necessary to consult with the Environmental Health Department regarding the potential to cause a nuisance through noise, spray drift and/or odours to nearby properties. Environmental Health requested the submission of the following additional information:-

Why the agricultural buildings are to be used for the proposed use;
 The amounts and types of paint and solvents used per year;
 Method of control of spray emissions;
 Items of equipment used in the course of the business;
 Hours of operation.

Following the above information being provided, Environmental Health advised that the paint coating activities currently fall well below the threshold quantity for requiring a permit to operate under the Pollution, Prevention and Control Regulations 2013. Therefore, no loss of amenity to neighbouring receptors is expected and advice for the applicant in this regard was provided.

The proposal does not involve the erection of any new building, rather it involves the change of use of an existing farm building which is set within an existing farmyard and is well integrated with the other farm buildings. The farm building, subject of this application, was erected in late 2015/ early 2016 and was a replacement for an earlier shed which had fallen into disrepair. Although no planning approval was sought for the replacement shed, at 356m² it is lawful as it would fall under the agricultural permitted development limits (500m²).

Environmental Health
 Raised no issues of concern regarding the proposal.

Roads
 Raised no issues of concern regarding the proposal.

Consideration

When taking the above issues into consideration, it is my considered opinion that on balance the proposed development meets the policy requirements of PPS 21 – CTY 11 Farm Diversification and is therefore acceptable. Consequently, if the proposed development is granted planning approval, the aforementioned Enforcement Notice could be withdrawn thereby negating the need for the impending planning appeal.

It is my recommendation therefore, that the planning application should be granted subject to the following conditions and that the Enforcement Notice be withdrawn:-

Neighbour Notification Checked	Yes
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Summary of Recommendation:

Approve subject to the conditions listed below:-

Conditions

1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The paint workshop hereby approved shall be used only in connection with the applicant's farm business and for no other purpose in the Schedule to the Planning (Use Classes) Order (Northern Ireland) 2015.

Reason: To ensure that the paint workshop, hereby approved, is run in conjunction with the applicant's farm business.

3. The vehicular access, including visibility splays of 2.4m x 60m in both directions, shall be in place, in accordance with Drawing No.03 Rev 1 received 26th November 2019, within 3 months of the date of this permission.

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

4. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays 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.

5. The access gradient(s) to the dwelling(s) hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

Signature(s)

Date:

ANNEX	
Date Valid	16th September 2019
Date First Advertised	1st October 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Church View Moneymore Londonderry The Owner/Occupier, 1 Drumullan Manor, Moneymore, Londonderry, BT45 7WY The Owner/Occupier, 10 Church View Moneymore Londonderry The Owner/Occupier, 6 Drumullan Manor Moneymore Londonderry The Owner/Occupier, 75 Moneyhaw Road Moneymore Londonderry The Owner/Occupier, 80 Moneyhaw Road Moneymore Londonderry	
Date of Last Neighbour Notification	27th September 2019
Date of EIA Determination	N/A
ES Requested	No
Planning History Ref ID: LA09/2018/1366/F Proposal: Proposed free range poultry shed with 4 feed bins ,a standby generator building and associated site works (poultry shed to contain 32000 free range egg laying hens) Address: Land approx., 350m South West of 75 Moneyhaw Road, Moneymore, Decision: Decision Date: Ref ID: LA09/2019/1216/F Proposal: Farm diversification scheme (retrospective) involving the change of use of an agricultural building to a paint work shop Address: 325m South West of 75 Moneyhaw Road, Moneymore, Decision: Decision Date: Ref ID: I/1998/6004 Proposal: Housing Development Drumullan Cookstown Address: Drumullan Cookstown	

Decision:
 Decision Date:

Ref ID: I/1994/0356
 Proposal: Extension and alterations to Church
 Address: DRUMULLAN COAGH COOKSTOWN
 Decision:
 Decision Date:

Summary of Consultee Responses

Environmental Health
 Raised no issues of concern regarding the proposal.

DfI Roads
 Raised no issues of concern regarding the proposal.

Drawing Numbers and Title

Drawing No. 03/1
 Type: Site Layout or Block Plan
 Status: Approved

Drawing No. 04
 Type: Proposed Plans
 Status: Approved

Drawing No. 02
 Type: Site Layout or Block Plan
 Status: Submitted

Drawing No. 01
 Type: Site Location Plan
 Status: Approved

Notification to Department (if relevant)

Date of Notification to Department:
 Response of Department:

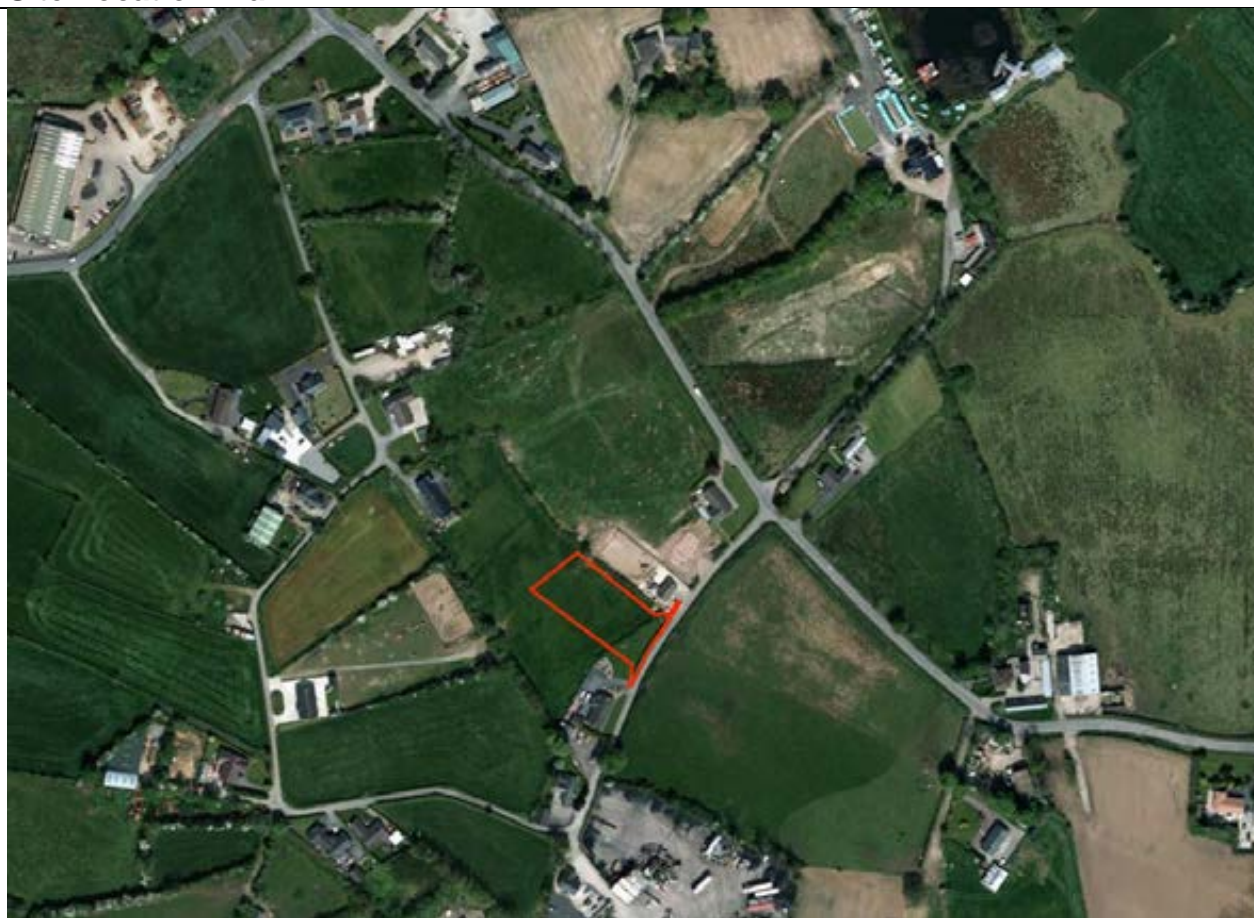
Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1220/F	Target Date:
Proposal: Proposed dwelling and domestic garage (gap site under policy CTY 3)	Location: 35m North of 25 Annaghmore Road Annaghmore Coalisland
Referral Route: Application is being recommended as refusal.	
Recommendation: Refuse	
Applicant Name and Address: Ms Eithne O'Neill 32 Columbus Villas Coalisland	Agent Name and Address: CMI Planners 38b Airfield Road Toomebridge BT41 3SG
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	No Objection
Non Statutory	DETI - Geological Survey (NI)	No Objection

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Description of Proposal

This is a full application for a proposed dwelling and domestic garage (gap site under policy CTY3) to be located on lands 35m North of 25 Annaghmore Road Coalisland

An outline approval for a dwelling and domestic garage was granted on this site on the 10.01.2017 under application LA09/2016/1204/O.

It is noted the current site is slightly larger than that previously approved as it takes in a small strip of land to its immediate west previously identified in blue (under LA09/2016/1204/O) as land under the control of the applicant.

Characteristics of the Site and Area

With the exception the site has increased slightly to the west and a new dwelling is in the latter stages of construction further to the north of the site at the other side of an existing stable block abutting the site there does not appear to be any other significant changes on site or in the immediate vicinity from the outline application on site, as such the characteristics of the site and area by enlarge remain as per LA09/2016/1204/O.

The site is located in the rural countryside as defined by the Dungannon and South Tyrone Area Plan approx. 300 metres south of Annaghmore village and 35 metres north of no. 25 Annaghmore Rd, Coalisland (a single storey dwelling).

The red line of the site which encompasses part of the curtilage of the aforementioned no. 25 Annaghmore Rd and a portion of a larger agricultural field that runs to its rear is a roadside plot situated within an existing line of development running along the Annaghmore Rd.

As the red line of the site encompasses two parcels of land the site boundaries are largely undefined. To the south the site is bounded by no. 25 Annaghmore Rd and to the north a horse stable. A hedgerow bounds the roadside boundary of the site.

The topography of the site rises from north to south and from west to east.

The area surrounding the site is largely characterised by agricultural land interspersed by single dwellings and farm holdings with this immediate stretch of Annaghmore Rd having come under some development pressure in recent years.

Planning Assessment of Policy and Other Material Considerations

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Key Policy and Guidance

Regional Development Strategy 2030

Strategic Planning Policy Statement for Northern Ireland

Dungannon and South Tyrone Area Plan 2010

Planning Policy Statement 3: Access, Movement and Parking

Development Control Advice Note 15: Vehicular Access Standards

Planning Policy Statement 21: Sustainable Development in the Countryside

Building on Tradition - A Sustainable Design Guide for Northern Ireland Countryside

Mid Ulster Development Plan 2030 Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

Representations

Press advertisement and Neighbour Notification have been carried out in line with the Council's statutory duty. At the time of writing, no third party objections were received.

Planning History

On Site

LA09/2016/1204/O – Dwelling and Domestic Garage (gap site under policy CTY3) – 35m North of 25 Annaghmore Road Coalisland – Granted 10.01.2017

Adjacent Site

M/1996/0103 – Stables and Haystore (Agriculture use) – Adjacent to 23 Annaghmore Road Coalisland – Granted

LA09/2017/0945/O - Dwelling on Infill Site Replacing Existing Stables – Land between 23 and 25 Annaghmore Road Coalisland – Granted 06.12.2017

LA09/2018/1497/RM – Dwelling and Domestic Garage – Land between 23 and 25 Annaghmore Road Coalisland – Granted 22.01.2019

Consultees

1. Transport NI were consulted in relation to access arrangements and have no objection to the proposal subject to minor revisions to the block plan submitted (to show a detail of 'D' rail fence proposed to the rear of visibility splays and increased vehicular turning within the site), standard conditions and informatives. I am content subject to the aforementioned revisions to the block plan this proposal is satisfactory to the provisions of Planning Policy Statement 3: Access, movement and Parking.
2. DETI Geological Survey of Northern Ireland (GSNI) were consulted as the site is located within an area of constraint on abandoned mines – GSNI responded that having assessed the above planning proposal in view of stability issues relating to abandoned mine workings. A search of their "Shafts and Adits Database" indicates that the proposed site is not in the vicinity of any known abandoned mine workings.

Key Policy Considerations

Dungannon and South Tyrone Area Plan – The Dungannon and South Tyrone Area plan identifies the site as being in the rural countryside outside any settlement limit.

It is situated within an existing line of development made up of (from south to north along the Annaghmore Rd): no.27 Annaghmore Rd a single storey dwelling with associated garage; a building finished in corrugated metal cladding on small individual plot; no. 25 Annaghmore Road a single storey dwelling with associated garage; the subject site; a stable for horses; a new single storey dwelling in the latter stages of construction approved under LA09/2017/0945/O and LA09/2018/1497/RM respectively (see 'Planning History'); and no.23 Annaghmore Rd another single storey dwelling.

It is noted that the corrugated metal clad building is shown on google street view in April 2011, therefore has been in place for more than 5 years and immune from planning

enforcement. The stable building is constructed in masonry blockwork and has a tiled roof.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) – The SPPS retains the policy provisions of Planning Policy Statement 21: Sustainable Development in the Countryside.

Planning Policy Statement 21 (PPS21) Sustainable Development in the Countryside – PPS21 is the overarching policy for development in the countryside. It provides certain instances where the development of a dwelling is considered acceptable in the countryside subject to criteria. These instance are listed in CTY1 of PPS21.

I believe the principle of this development has already been considered and established under one these instances under outline planning application LA09/2016/1204/O which granted permission for a dwelling and garage on this site under the provisions of CTY 8 of PPS 21 – Ribbon Development .

Policy CTY 8 states that: exceptionally planning permission will be permitted for the development of a small gap site sufficient to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purposes of this policy, the definition of a substantial and continuous built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

I agree with the previous case officer's report that the proposed site is an obvious gap within an existing line of development. It has at least 3 no. buildings to its south (with associated garages to their rear) and whilst at the time of the previous report there was 1 building, the sable block to its north, there are now 3 (the stable block; a new dwelling in the latter stages of construction; and a bungalow which did exist but only now linked by the new dwelling under construction).

I am content the site which has a roadside frontage of approx. 30m does have the capacity to accommodate a dwelling and garage of a suitable design with a ridge height of no greater than 5m as conditioned under the previous application. However, I consider the proposal as it currently stands contrary to Policy in that it does not respect the existing development pattern of low ridge roadside bungalows of simple rural form, located on modest plots, running along the Annaghmore Rd, by reason of its size, scale, design, siting and increased plot size.

The dwelling whilst single storey has a 6.2m ridge height above FFL, approx. 1.7m higher than that conditioned under the previous outline approval on site, the neighbouring properties and in my opinion considered acceptable. Similarly the garage which is also single storey has a 5.6m ridge height above FFL, approx. 0.6m higher than considered acceptable.

The dwelling which is off a size and scale approx. twice that of the neighbouring properties for all intents and purposes with its internal layout could be subdivided into 2. I note there are 2 kitchen / dining areas at either end of the dwelling for example

The dwelling sits back from and extends the existing building line along the Annaghmore Rd excessively to the west due to its extensive depth. Notably the current site extends approx. 15 – 20m further west than the previously approved site. The proposed dwelling extends to the very back / western boundary of the previously approved site with the proposed garage located within the additional land taken in under the current application extending the overall development further west again.

Not only in my opinion does the dwelling not respect the existing development pattern along the Annaghmore Rd in terms of size, scale, siting and plot size but in general terms its design is not considered consistent with simple rural form particularly by reason of its glazed front projection and extensive depth of approx. 32.5m.

Furthermore, the extensive gable depth of the dwelling, which has a number of windows in both its side elevations, could impact on the amenities of the neighboring residents to its north by reason of overlooking. Although I note the degree of separation between the site and new dwelling being constructed.

Critical views of this dwelling from the surrounding road network. These views will be when passing along its roadside frontage and from the Annaghore Rd running diagonally further to its northeast, particularly when travelling in a northwest to southeast direction passing between nos. 18 and 23 Annaghmore Rd whereby there will be clear unbroken views of the dwelling, including its size, scale and extensive depth which alongside the existing garage extends the existing building line west.

The agent has been contacted on two occasions via email firstly on the 14/10/2019 and then again on the 11/11/2019 and offered the opportunity to submit an amended scheme to address the issues raised. To date no amendments have been received however in support of the application the agents via email on the 17/01/2020 submitted a photomontage (see below) of what the proposed dwelling would look like on site with few paragraphs as to how they considered it to integrate.



The photomontage was taken from what the agents considered the most critical view of the site when travelling due south along the main Annaghmore Rd. The agents said this demonstrated that it would be in no way dominant within the existing setting / landscape, combined with the existing stables building adjacent, the nearside hedgerow and the mature trees / hedgerow as a backdrop beyond. That the proposal integrates well into it's surrounds. They noted the photomontage does not take into account the recently approved infill / dwelling to the northern side of the stables (LA09/2018/1497) which will add to the build up of this short stretch of road further integrating the proposal into it's surrounds.

The supporting information submitted by the agents has been take into consideration unfortunately the opinion remains as before.

Other Policy/Considerations

In addition to checks on the planning portal DAERA's Natural Environment Division and DfC's Historic Environment Division Map Viewers both available online have been checked. No significant natural heritage features or built heritage assets were identified on or in close proximity to the site.

Flood Maps NI does not indicate flooding on site.

Taking all of the above into consideration I would recommend the refusal of this application as contrary to CTY13 and CTY 14 of PPS 21

Neighbour Notification Checked

Yes

Summary of Recommendation: Refusal as contrary to CTY13 and CTY 14 of PPS 21

Reasons for Refusal:

1. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design of the proposed building is inappropriate for the site and its locality.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal as a result of its design and layout fails to achieve a satisfactory degree of integration and relies primary upon new landscaping.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building as a result of the sites excessive plot depth does not respect the established form of development in this rural location.

Signature(s)

Date:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1232/O	Target Date:
Proposal: Relocation of approved 'Off site' replacement dwelling and domestic garage ref LA09/2017/0079/O	Location: Adjacent to 103 Tirkane Road Maghera
Referral Route: Refusal - To committee.	
Recommendation:	REFUSE
Applicant Name and Address: Diarmaid Donnelly 9 Rowan Glynn Maghera BT46 5GQ	Agent Name and Address: Architectural Services 5 Drumderg Road Draperstown BT45 7EU
Executive Summary: Refusal	
Signature(s): Peter Henry	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Statutory	Historic Environment Division (HED)	Advice

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

Refusal – To Committee – Contrary to CTY 1, 3, 8, 13 and 14 of PPS 21.

Characteristics of the Site and Area

The site is located approximately 1.5km north west of Maghera and located in the open countryside as defined by the Magherafelt Area Plan 2015. I note that the site is in two parts, the first is the originally approved site off the Carrowmenagh Lane and the other is the new proposed siting of the dwelling accessing directly onto the Tirkane Road. I note that the dwelling to be replaced sits at No.2 Carrowmenagh lane, which is a storey building with some vegetation growing over it where it is bounded by a 1m concrete wall on all sides however it lays adjacent to the neighbouring farm. There is a small yard to the front and to the west leading to a small outbuilding. The surrounding area is predominantly agricultural uses with scattering of residential dwellings

Relevant planning history

LA09/2017/0079/O - Off site replacement dwelling and domestic garage - 50m S.E of 2 Carrowmenagh Lane, Tirkane Road, Maghera – Permission Granted – 22.09.2017

Representations

There were three neighbour notifications sent out however no representations were received in connection with this application.

Description of Proposal

This is an outline application for a relocation of approved 'Off site' replacement dwelling and domestic garage ref LA09/2017/0079/O, the site is located adjacent to 103 Tirkane Road, Maghera.

Planning Assessment of Policy and Other Material Considerations

Decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

Magherafelt Area Plan 2015

Mid Ulster Local Development Plan 2030 – Draft Plan Strategy

Strategic Planning Policy Statement (SPPS)

PPS 21 Sustainable Development in the Countryside

CTY 3 – Replacement Dwellings

The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety'.

Development in the countryside is controlled under the provisions of PPS 21 Sustainable Development in the Countryside. Policy CTY 1 provides clarification on which types of

development are acceptable in the countryside. In this instance the application is for a replacement dwelling and as a result it must be considered under CTY 3 of PPS 21. CTY 3 states that planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. I note that the principle of development has already been established through the recent approval LA09/2017/0079/O which has accepted that an off-site replacement is acceptable. Therefore the main issue for this application is the proposed siting of the dwelling, as noted in LA09/2017/0079/O accepted that the dwelling could be accommodated in the area across from the existing dwelling as there were significant benefits of this site. From which, the agent has submitted this application looking to move the application on the basis that the site is no longer viable on the basis that the applicant is unable to attain the relevant services, that of sufficient drainage as a result of lack of ownership and agreements for right of ways over surrounding lands, a letter from a neighbour was sent in to confirm this. For this reason, the agent has proposed this new siting with the view that he can achieve all relevant services required within the site and is willing to locate a dwelling wherever planning deems acceptable within the new site.

Upon review of the proposed siting, I note that the site rises from the roadside to the rear of the site. From such, there were concerns over the potential visual impact of the site and the impact on rural character, especially in comparison to that of the previously approved. From this, I am of the opinion that the proposed siting would have a visual impact that is significantly greater than the existing approved site, from this I hold this to be contrary to CTY 3. Whilst I acknowledge the difficulties in attaining relevant services but I hold the opinion that this does not alleviate the concerns with the proposed new siting. In addition to this, I hold the opinion that a dwelling located within the new site would result in the creation of a ribbon of development along the Tirkane Road, in which the site would also be contrary to CTY 8 of PPS 21.

The proposed development must also comply with policies CTY 13 and 14, in that CTY 13 states that the proposed development is able to visually integrate into the surrounding landscape and be of appropriate design. As this is only an outline application I cannot speak for the design and siting details of the dwelling, however an indicative position was provided and in this location there were concerns over prominence in the landscape given the landform. From which the site would rely heavily to aid integration. From this, I am of the opinion that the application fails under CTY 13.

CTY 14 states that planning permission will be granted for a building where it does not cause a detrimental change to, or further erode the rural character of the area. As stated above there are concerns over prominence but I am content that the dwelling will not result in a suburban style build-up of development. However as noted I am of the opinion that if permitted the dwelling would create a ribbon of development and from this I am of the opinion that it is contrary to CTY 14.

PPS 3: Access, Movement and Parking

A consultation was sent to DfI on the new access, in which DfI Roads would consider this as an existing agricultural access therefore full access details would be required. However if Council are satisfied that this access is to serve a genuine replacement dwelling DfI Roads would require the following amendments. I note that the agent provided a block plan showing splays of 24m x 70m as per Roads comments.

A consultation was also sent to HED given the proximity to a number of recorded historic monuments, in which HED (Historic Buildings) has considered the impacts of the proposal on the building and on the basis of the information provided, advises that it has no comment to make as the listed building is sufficiently removed in location as to remain unaffected by the proposal. HED Historic Monument (Historic Monuments) has considered the impact of the proposed dwelling on the setting of these monuments and finds that this proposal can be made acceptable under current planning policy with the following advice: Design: Any new development should be of modest vernacular style and of low ridge height: Planting/Landscaping: Boundaries around this site should be augmented and established using locally prominent native species.

Reason: To ensure the integration of the proposed development into the local historic environment.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Refusal.

Reasons for Refusal:

- 1.The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
- 2.The proposal is contrary to Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed the proposed siting would have a visual impact significantly greater than previously approved and the existing building.
- 3.The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the Tirkane Road.
4. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling in this location would be a prominent feature in the landscape and would rely primarily on the use of new landscaping for integration.
5. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that a dwelling would, if permitted, be unduly prominent in the landscape and would, if permitted create a ribbon of

development and would therefore result in a detrimental change to the rural character of the countryside.

Signature(s)

Date:

ANNEX	
Date Valid	18th September 2019
Date First Advertised	1st October 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 101 Tirkane Road Maghera Londonderry The Owner/Occupier, 103 Tirkane Road Maghera Londonderry The Owner/Occupier, 5 Carrowmenagh Lane Maghera Londonderry	
Date of Last Neighbour Notification	26th September 2019
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2019/1232/O Proposal: Relocation of approved 'Off site' replacement dwelling and domestic garage ref LA09/2017/0079/O Address: Adjacent to 103 Tirkane Road, Maghera, Decision: Decision Date: Ref ID: H/1988/0200 Proposal: HOUSE Address: ADJ TO 7 CARROWMENAGH LANE MAGHERA Decision: Decision Date: Ref ID: H/1998/0034 Proposal: DWELLING Address: 120M EAST OF 103 TIRKANE ROAD MAGHERA Decision: Decision Date:	
Summary of Consultee Responses	

Drawing Numbers and Title
<p>Drawing No. 01/1 Type: Site Location Plan Status: Submitted</p> <p>Drawing No. 02 Type: Site Layout Plan Status: Submitted</p> <p>Drawing No. 01 Type: Site Location Plan Status: Submitted</p>
Notification to Department (if relevant) Date of Notification to Department: Response of Department:

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1341/O	Target Date:
Proposal: Proposed single storey dwelling	Location: Adjacent to 94 Reaskmore Road Reaskmore Dungannon
Referral Route: <ol style="list-style-type: none"> 1. The proposal is contrary to CTY 1 in Planning Policy Statement 21 in that there is no overriding reasons why the development is essential and could not be located within a settlement. 2. The proposal is contrary to CTY 8 in Planning Policy Statement 21, as the proposal if approved would lead to an extension of a ribbon of development. 3. The proposal is contrary to CTY 14 in Planning Policy Statement 21, as the proposal would be detrimental to rural character. 	
Recommendation:	Refusal
Applicant Name and Address: Michaela Martin 90 Reaskmore Road Reaskmore Dungannon	Agent Name and Address: Peter McCaughey 31 Gortnasaor Dungannon BT71 6DA
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is rural in character with predominantly agricultural fields, farm complexes and dispersed single dwellings. There is moderate development pressure along this road and surrounding roads with a number of single dwellings built or under construction. Along the same side of the road and immediately north of the site are 4 dwellings and 1 dwelling across the road.

The application site is a square shaped portion of an existing agricultural field. The site has a flat topography and a frontage with the public road. There is mature hedging along the north, south and west boundaries.

Description of Proposal

This is an outline planning application for a single storey dwelling adjacent to 94 Reaskmore Road, Dungannon.

Planning Assessment of Policy and Other Material Considerations

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Representations

Press advertisement and neighbour notification have been carried out in line with the Council's statutory duty. At the time of writing, no third party objections were received.

Planning History

M/2005/1868/O - Proposed dwelling - Adjacent to 94 Reaskmore Road, Reaskmore, Dungannon

Planning Appeal 2006/A2274 - Proposed dwelling - Adjacent to 94 Reaskmore Road, Reaskmore, Dungannon – Appeal Dismissed 23.06.2009

M/2005/1868/O planning application was dismissed at Planning Appeal as the proposal was contrary to SP6, SP19, HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland'

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010

The plan offers no specific policy relevant to this application as the site lies outside any settlement limits or other designations as defined in the Dungannon and South Tyrone Area Plan 2010.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in

the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety'.

Planning Policy Statement 21

Development in the countryside is controlled under the provisions of PPS 21 Sustainable Development in the countryside. Policy CTY 1 provides clarification on which types of development are acceptable in the countryside. In addition, other types of development will only be permitted where overriding reasons are submitted why the development is essential and could not be located within a settlement.

The applicant did not ask for this proposal to be assessed against a particular policy in Planning Policy Statement 21 so initially I assessed the proposal against each of the relevant policies for a dwelling in the countryside.

The proposal does not meet the criteria in CTY 2a as the site is not located at a crossroads or a focal point.

There is a dwelling shown on drawing No 1 date stamped 14 OCT 2019, which is under the applicant's control and may be a case for CTY 3 – Replacement Dwellings. During my site visit, I visited the building and it does have the characteristics of a rural vernacular dwelling. The dwelling is identified on the site location plan as the original old grandparents house. I spoke to the agent about this dwelling and that it may meet CTY 3 but it was stated the applicant's did not want to consider this site and preferred the application site. In any case the red line of this application does not include the old dwelling and to relocate it to the proposed site would extend a ribbon of development.

The proposal does not meet the criteria in CTY 8 as the site is at the end of a row of 3 dwellings and there are no other buildings south of this site. Therefore the proposal is not an infill site and will add to ribbon development.

The agent confirmed they do not farm the land so the proposal would not meet CY 10 in PPS 21.

As the proposal does not meet any of the relevant policies for a dwelling in the countryside in PPS 1, I consider there is no reason why the development should be located in the countryside and hence the proposal is contrary to CTY 1.

CTY 13 and CTY 14 deal with rural character and integration and design of buildings in the countryside and both policies would be relevant should the principle of development be acceptable on this site. As this is an outline application, details surrounding the design and finishes of the dwelling have not be submitted.

PPS 3 – Access, Movement and Parking

I consulted DFI Roads as a new access is proposed. In their consultation response, they stated they had no objections subject to conditions and informatives.

Other Considerations

I am satisfied there are no other ecological, historical or flooding issues at the site.

Neighbour Notification Checked Yes
Summary of Recommendation: The proposal does not meet any of the policies in Planning Policy Statement 21.
Reasons for Refusal: <ol style="list-style-type: none">1. The proposal is contrary to CTY 1 in Planning Policy Statement 21 in that there is no overriding reasons why the development is essential in this rural location and could not be located within a settlement.2. The proposal is contrary to CTY 8 in Planning Policy Statement 21, as the proposal if approved would lead to an extension of a ribbon of development.3. The proposal is contrary to CTY 14 in Planning Policy Statement 21, as the proposal would be detrimental to rural character.
Signature(s) Date:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1376/O	Target Date:
Proposal: Proposed site for dwelling and garage within a gap site.	Location: 50m South of 39 Baladoogh Lane Cookstown.
Referral Route: This application is being referred to Committee as it is being recommended for refusal.	
Recommendation:	REFUSE
Applicant Name and Address: Patrick McAleer 16 Coagh Street Cookstown BT80 8NG	Agent Name and Address: APS Architects LLP 4 Mid Ulster Business Park Cookstown BT80 9LU
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	NI Water - Single Units West - Planning Consultations	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

No representations have been received in respect of this application.

Characteristics of the site and area

The site is comprised of the northern half of a small field with a road frontage of 85m, along the eastern boundary, which is defined by a 1m high embankment with a sporadic hedge and no roadside verge. The northern boundary is defined by a sporadic hedge with a few semi-mature trees, which is similar to the western boundary. The southern boundary is undefined. The site sits slightly above road level and rises gently towards the north-western corner.

The southern boundary of the field is defined by semi-mature beech trees. To the north of the site is a derelict bungalow, No. 39, set back off the Baladoogh Lane with a pair of small outbuildings set in front of the bungalow. These buildings are separated from the site by a small field which has a road frontage of 28m and which wraps around the front of the outbuildings. One of these outbuildings has had the roof removed. The derelict bungalow and outbuildings have a 27m frontage, however, the outbuildings do not have a frontage to the road. The derelict bungalow and associated outbuildings are set back between 22-32m from the Baladoogh Lane. There is a low wall along the northern half of the frontage of the derelict bungalow and this separates the building from a small copse of conifer trees which extend to the road. To the south of the field containing the site is a small overgrown area fronting onto the Baladoogh Lane. This area has a 17m road frontage and separates the field from an agricultural access which leads into a small area containing two small agricultural type outbuildings. These two buildings are set back 34m from the Baladoogh Lane and do not have a frontage onto the public road by virtue of the rough overgrown area to the front.



Derelict bungalow at No.39 showing the adjacent field wrapping around the associated sheds with the site located to the rear of the hedgerow.

Description of proposal

The proposal is an outline application for a site for dwelling and garage within a gap site.

Planning Assessment of Policy and Other Material Considerations

Relevant planning history

There is no previous planning history on this site, however, the field to the north of the site, which also wraps around outbuildings adjacent to the derelict bungalow at No.39, was the subject of a planning application by the same applicant under I/2000/0573/O and was granted approval on 20th October 2000. That approval has now expired without the site being developed.

Under the provision of Section 6 (4) of the Planning Act (NI) 2011 the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Strategic Planning Policy Statement (SPPS) provides a regional framework of planning policy that will be taken account of in the preparation of Mid Ulster Council's Local Development Plan (LDP). At present, the LDP – Draft Plan Strategy has been published for consultation, therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9 as these policies are cancelled by the introduction of the SPPS.

The main policy considerations in the assessment of this application are:-

Cookstown Area Plan 2010 - the site lies outside any defined settlement limits and is open countryside as identified in the Cookstown Area Plan 2010.

PPS 21 – sustainable development in the countryside

The proposal falls to be considered under Policy CTY 8. In order to assess whether or not an infill opportunity exists, it is first necessary to identify if a substantial and continuously built up frontage, containing a gap is present. Secondly, an assessment of the gap is required in order to ascertain whether it is 'small' in the context of the policy. Although it does not purport to provide an exhaustive list of circumstances, CTY 8 states that a substantial and built up frontage "includes a line of 3 or more buildings along a road frontage without accompanying development to the rear".

The site is bounded to the north by a portion of an agricultural field, on which the applicant was granted planning approval under I/2000/0573/O, but which was never developed. This is a clear indication that it is possible to develop that site for a dwelling. The field in which the site is contained, has an 85m road frontage, which is clearly adequate to accommodate at least two dwellings with similar frontage widths as the plot which contains the derelict dwelling at No.39. Irrespective of the fact that the farm buildings to the south of the field containing the proposed site do not have a frontage to the public road, by virtue of the area of undeveloped land which extends to the road, there are not three buildings in a line which share a common frontage.



The aerial photo shows the clear potential to accommodate three sites between No.39 and the farm buildings.

Notwithstanding the lack of a building to the south of the proposed site which is required to have a frontage to the public road, the outbuildings to the north of the site are positioned in front of the derelict bungalow and do not have a frontage to the road due to the adjoining field wrapping

around the front of these buildings. Therefore those outbuildings do not have a road frontage and cannot be considered to form part of a substantial and continuously built up frontage. In this case, essentially there is only one building along this part of the Baladoogh Lane which has a frontage to the public road ie. No.39. The proposed development is therefore considered to be contrary to Policy CTY 8.

In my opinion, this site is similar to the site subject of planning appeal 2016/A0093 in which the Commissioner accepted that a dwelling set back and physically separated from the road by a field, does not have a frontage to the road and therefore cannot be considered to form part of a substantial and continuously built up frontage.

While the site fails to satisfy the requirements of CTY 8, it also has to be considered under other policies ie. CTY 13 – Integration and CTY 14 – rural character.

CTY 13 – Integration

The proposed site will require the removal of the entire field frontage along the Baladoogh Lane, in order to provide the necessary visibility splays. At present this is a 1m high embankment with a sporadic hedgerow and no roadside verge. Therefore the provision of the required visibility splays will open up the site to such an extent that from the front of No.40, any dwelling will be clearly visible. However, any such dwelling would be set against the semi-mature hedgerow to the north and west and due to the short transient views, it will achieve an acceptable degree of integration without appearing prominent.

CTY 14 – Rural Character

Although the site is not considered to be a gap site and as the site frontage will have to be removed to provide the necessary access arrangements, any dwelling on this site will only be visible on reaching No.40. when travelling northwards. When travelling southwards any such dwelling would only be clearly visible after passing No.39. A dwelling on the proposed site would not appear prominent nor would it result in a suburban form of development when read with other existing buildings to such an extent as to result in a change of character of the rural area. Furthermore a dwelling on this site would not create nor add to a ribbon of development.

Consultations

Transport NI and NI Water have advised that they have no issues of concern with the proposed site.

Recommendation

On consideration of the above, it is my opinion that planning permission should be refused for the following reasons:-

Neighbour Notification Checked	Yes
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Summary of Recommendation:

Refuse for the reasons below:-

Refusal Reasons

1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not constitute a gap site within a substantial and continuously built up frontage sufficient to only accommodate a maximum of two houses along this part of Baladoogh Lane.

Signature(s)

Date:

ANNEX	
Date Valid	18th October 2019
Date First Advertised	29th October 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 39 Baladoogh Lane Cookstown Tyrone The Owner/Occupier, 40 Baladoogh Lane Cookstown Tyrone	
Date of Last Neighbour Notification	31st October 2019
Date of EIA Determination	N/A
ES Requested	No
Planning History Ref ID: LA09/2019/1376/O Proposal: Proposed site for dwelling and garage within a gap site. Address: 50m South of 39 Baladoogh Lane, Cookstown., Decision: Decision Date: Ref ID: I/1998/0479 Proposal: Proposed Replacement Dwelling Address: 40 BALADOOGH LANE COOKSTOWN Decision: Decision Date: Ref ID: I/2000/0433/O Proposal: Site for dwelling Address: Opposite 40 Baladoogh Lane Killeenan Cookstown Decision: Decision Date: 02.08.2000 Ref ID: I/2003/0951/O Proposal: Erection of 2 Storey Dwelling Address: Approximately 70 M North of 40 Baladoogh Lane, Killeenan, Cookstown Decision: Decision Date: 12.02.2004 Ref ID: I/1979/0154 Proposal: LV O/H LINE	

<p>Address: KILLEENAN, COOKSTOWN</p> <p>Decision:</p> <p>Decision Date:</p> <p>Ref ID: I/2000/0573/O</p> <p>Proposal: Site for two storey dwelling</p> <p>Address: Adjacent to 39 Baladoogh Lane, Killeenan, Cookstown</p> <p>Decision:</p> <p>Decision Date: 24.10.2000</p>
<p>Summary of Consultee Responses</p> <p>DfI Roads and NI Water have advised that they have no issues of concern with the proposed site.</p>
<p>Drawing Numbers and Title</p>
<p>Drawing No. 01</p> <p>Type: Site Location Plan</p> <p>Status: Approved</p>
<p>Notification to Department (if relevant)</p> <p>Date of Notification to Department:</p> <p>Response of Department:</p>

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1387/O	Target Date:
Proposal: Infill site for dwelling & domestic garage	Location: Site approx 10m South of 11 Reenaderry Road
Referral Route: <ol style="list-style-type: none"> 1. The proposal is contrary to CTY 8 – Ribbon Development of Planning Policy Statement 21 in that the development would add to ribbon development. 2. The proposal is contrary to CTY 14 – Rural Character of Planning Policy Statement 21 in that the development would be detrimental to rural character. 	
Recommendation:	Refusal
Applicant Name and Address: Sean Robinson 11 Reenaderry Road Coalisland BT71 4QN	Agent Name and Address: McKeown & Shields 1 Annagher Road Coalisland BT71 4NE
Executive Summary: The proposal does not meet the criteria in CTY 8 for a substantial and common frontage of 3 or more buildings in a row. The dog kennels to the south of the site do not have a frontage with the road. There are 2 dwellings to the north and no other buildings to the south; hence, there is not the 3 buildings to demonstrate a gap site.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	DETI - Geological Survey (NI)	No Objection
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	Rivers Agency	Advice

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is in the countryside and is outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan. The surrounding area is rural in character with agricultural fields, farm complexes and dispersed single dwellings. There is development pressure in this area as there are a number of single detached dwellings on both sides of this road and surrounding roads.

The application site is a cut-out of an agricultural field abutting the southern boundary of No. 11 Reenaderry Road. The field has a flat topography and a roadside frontage. To the

south of the site a portion of the field has been sectioned off into a number of dog run pens with a blockwork dog kennel in each. There is a hawthorn hedgerow along the roadside boundary of this field and a small wooden fence at the boundary with No. 11. There is a hedgerow along the rear northwest boundary of the field.

Description of Proposal

This is an outline application for a dwelling and domestic garage on an infill site.

Planning Assessment of Policy and Other Material Considerations

Planning History

No recent planning history

Representations

The proposal was neighbour notified and advertised in the press and no representations have been received.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010

The plan offers no specific policy relevant to this application as the site lies outside any settlement limit defined in the Dungannon and South Tyrone Area Plan 2010.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

PPS 21 Sustainable Development in the Countryside

Policy CTY 1 of PPS 21 sets out the range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. As this is an application for a dwelling on an infill site CTY8 – Ribbon Development is the relevant policy, which will apply.

CTY 8 – Ribbon Development

The application site has a roadside frontage along a public road. Along this stretch of road at 50m north of the site is a dwelling at No. 9 and abutting the northern boundary is No.11.

Both dwellings have a roadside frontage along the road. As shown in Figure 1 below, abutting the southern boundary are dog kennels and a dog run. These are part of the agricultural field which is the proposed site and do not have a frontage to the public road. Whilst no CLUD has been submitted to demonstrate the lawfulness of these, ortho imagery does appear to indicate they existed for more than 5 years.



Figure 1

I am not content this is a gap site is within a substantial and continuously built up frontage, which includes a line of 3 or more buildings along a road frontage. Abutting the southern boundary of the site the field is divided into separate dog runs and each area has a kennel as shown in figure 2 below.



Figure 2



Figure 3

As shown in figure 3 above within each dog run there is a dog kennel, which is constructed in blockwork, and metal sheeting on the roof. Even though there are buildings south of the application site, they do not have a common frontage with the public road. In addition, there are no other buildings south of the site along this stretch of road, which would constitute 3 or more buildings in a row. Due to the small size of the dog kennels I am not satisfied they are building which can be effectively bookend development here.

There are varying plot frontages along this public road with 20m at No. 9 and 40m at No. 11. The application site has a roadside frontage of 30m and the remaining portion of field south of the site has a roadside frontage of 40m. I am satisfied the size, scale and plot size is acceptable in relation to the other frontages along this side of the public road.

There is a single storey dwelling at No. 11, a 2 storey dwelling at No. 9 and single storey dwellings further north of the site. Hence, I consider a one or two storey dwelling is acceptable on this site. As this is an outline application so design has been submitted and this is considered at the Reserved Matters Stage.

On balance, I do not consider the proposal is an infill site and will add to a ribbon of development.

CTY 13 – Integration and Design of Buildings in the Countryside

The proposed development must also comply with policies CTY 13 and 14, in that CTY 13 states that the proposed development is able to visually integrate into the surrounding landscape and be of appropriate design.

The site has a roadside frontage onto the public road with a flat topography. The proposed dwelling is in a field south of a row of dwellings at No. 9 and No. 11. There are no dwellings in the immediate area south of the site along this stretch of road. The site is just after a bend in the road. Travelling in a southerly direction there are no long distance views of the application site due to existing trees and other vegetation. However, the trees are not within land, which is under the applicant's control. From a northerly direction, there are minimal long distance views of the site due to No. 9 and No. 11 blocking any direct views. I am content the proposal will not be a prominent feature in the landscape and there are only views of the proposed dwelling when directly at the site.



Figure 4 – Views travelling from southerly direction

There is established trees and vegetation along the rear boundary of the site and a wooden fence between the northern boundary and No. 11. There is a wooden fence along the roadside boundary. As this site is, a portion of an existing field new planting would be needed along the southern boundary and more planting along the northern boundary to protect the amenity of No. 11. I am content the proposal does not rely on new planting for integration.

The proposed access will be directly from the public road and I am content the proposal will integrate into the landscape. It is preferable that a new access runs alongside the boundaries of the site but this access will be for a short distance so I consider it is acceptable. A new garage is stated in the description but as this is an outline application, the design is considered at the Reserved Matters Stage. I am content a garage can be integrated at the site.

As this is an outline application the design of the dwelling is considered at the Reserved Matters Stage. I am content either a 1 or 2 storey dwelling can be integrated into the landscape as the dwelling will read with the dwellings at No. 9 and No. 11 in long distance views.

There are no existing buildings on the site to provide a backdrop but there are established trees along the north west boundary.

The case of dwelling on a farm is not applicable in this case.

CTY 14 – Rural Character

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. Again, I consider the proposed dwelling would appear not unduly prominent in the landscape. There are no long distance critical views in both directions due to other dwellings and vegetation blocking direct views.

I am content the proposed dwelling will not result in a suburban style build-up of development, as there already is development on this stretch of the public road. There are a number of single detached dwellings on both sides of the road and surrounding roads. There is a lot of development pressure in this area so I consider this dwelling will not exacerbate the situation.

I am content the proposal could accommodate a 1 or 2 storey and this will be considered at the Reserved Matters Stage.

I consider this dwelling is ribbon development as the dog kennels and dog runs to the south of the site do not have a common frontage with the public road as previously discussed in the assessment.

I am content the proposed access will not damage rural character.

Planning Policy Statement 3 – Access, Movement and Parking

A consultation was sent to DFI Roads for comments, in their response confirmed that they had no objections to the proposal subject to informatives and conditions.

Other considerations

There is flooding along the roadside boundary of the site but consultation with Rivers Agency confirmed the proposal lies adjacent to the flood plain. Therefore I have no concerns about flooding at the site.

The site immediately adjacent to Lough Neagh and Lough Beg Ramsar Site and consequently Shared Environmental Services were consulted. They responded stating due to the proximity to the Ramsar a Habitats Regulation Assessment is needed. As the proposal does not meet the policy in CTY 8 I do not consider it necessary to ask for one.

Geological Survey confirmed the site is not within the vicinity of any abandoned land mines.

The agent has confirmed there is no farming case under CTY 10 at the site and no dwelling at the site, which would be eligible for replacement.

I discussed concerns with the agent about the application and it was argued that similar cases to this one had been approved and LA09/2019/1054/O was mentioned. In this approval, to the south of the application site there is a shed constructed in corrugated metal. However, this shed is substantially larger than the dog kennels in this application, and there is an access and gravelled area to the roadside. I consider the frontage in LA09/2019/1054/O has a common frontage with the public road.

Neighbour Notification Checked Yes
Summary of Recommendation: The proposal is recommended for refusal as it is contrary to CTY 8 and CTY 14 in PPS 21.
Reasons for Refusal: <ol style="list-style-type: none"> 1. The proposal is contrary to CTY 8 – Ribbon Development of Planning Policy Statement 21 in that the development would create ribbon development. 2. The proposal is contrary to CTY 14 – Rural Character of Planning Policy Statement 21 in that the development would be detrimental to rural character as a result of the creation of ribbon development.
Signature(s) Date:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1402/O	Target Date:
Proposal: Site for a dwelling & domestic garage. Based on Policy CTY10 (dwelling on a farm)	Location: Approx 50m NE of 45 Moneyneany Road Draperstown
Referral Route: Refusal	
Recommendation:	REFUSE
Applicant Name and Address: Mr Michael McWilliams 28 Dunmurray Road Draperstown BT45 7ED	Agent Name and Address: CMI Planners 38b Airfield Road The Creagh Toomebridge BT41 3SQ
Executive Summary: This proposal fails to comply with CTY 1 and CTY 10 of PPS 21 in that it has not been demonstrated that the farm business has been established for the required 6 year period	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Content
Non Statutory	NI Water - Single Units West - Planning Consultations	No Objection
Non Statutory	DAERA - Coleraine	Substantive Response Received

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

There have been no objections from any third party or from any consultee.

Characteristics of the Site and Area

The application site is located approx. 50m NE of 45 Moneyneany Road, Draperstown. The site forms a section of a field located to the rear of No 45 Moneyneany, which is the dwelling associated with the farm. This site is in the countryside off a minor road a short distance north west of Moneyneany. The site's topography is relatively flat. Boundaries comprise mature trees and low level vegetation on the west; post and wire fencing and sporadic vegetation on the south; the other to the west boundary is defined by hedgerow and wire and post fencing and farm shed. The surrounding landform is one of undulating countryside and the land falls south from the site towards Moneyneany Road. Immediately adjacent to the application site is a detached dwelling No 43 to the southwest. Views of the site from the public road network are limited to the Moneyneany Road travelling from a westerly direction.

The site is just outside the settlement limits of Moneyneany as defined within the Magherafelt Area Plan 2015. The site is also located within a Local Landscape Policy Area; and Site of Local Natural Conservation of Importance and an Area of Outstanding Natural Beauty. An Assess and Design Statement has been submitted with the application.

Description of Proposal

The applicant is seeking outline planning approval for a dwelling on a farm. The site's redline is shown on drawing no 01 bearing stamp date 25/10/2019.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk.

Hazards and Constraints.

DEARA were consulted and responded with advice;
NI water were consulted and responded no objections subject to standard informatives;
DFI Roads were consulted and responded with standard conditions and informatives.

PPS 3 – Access, Movement and Parking.

Policy AMP 2 of PPS 3 permits direct access onto a public road where it does not prejudice road safety or inconvenience the flow of traffic. This proposal involves alterations of an existing access to Moneyneany Road. DFI Roads have been consulted and have no concerns regarding road safety or traffic flow resulting from this proposal subject to provision of 2.4m x 120m splays in both directions. This will involve the removal of hedgerow.

The applicant signed Certificate C of the P1 form P2 serving notice on Mr Charles McShane.

Representations.

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty as set down in Article 8 (2) of the Planning GDPO Regulations (NI) 2015. At the time of writing no objections or representations were received.

This application was initially advertised in the local press on w/c 4th November 2019 (publication date 5th November 2019) Two (2) neighbouring properties were notified on 1st November 2019; all processes were in accordance with the Development Management Practice Note 14 (April 2015).

EIA Determination. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015; the proposal has been considered and does not fit within any categories or threshold identified in Schedule 2 of Environment Impact Assessment.

HRA Determination – (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015, under the Habitats Regulations is not required for this proposal. There are no waterways directly abutting this site and there are no trees or landscape features

which will be impacted by this proposal. Therefore, it is unlikely that this proposal will adversely affect a priority species or their habitat which is afforded protection.

Planning Assessment of Policy and Other Material Considerations

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Magherafelt Area Plan 2015 operates in the area where the site lies. There are no plan policies pertinent to the application site within the MAP.

Strategic Planning Policy Statement 21 (SPPS) retains the policies of Planning Policy Statement 21 (PPS21) and consequently PPS 21 provides the relevant policy context for this application.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

The following policy documents provide the primary policy context for the determination of this application;

1. Strategic Planning Policy Statement (SPPS).
2. Magherafelt Area Plan 2015.
3. PPS 21 – Sustainable Development in the Countryside.
4. PPS 3 – Access, Movement and Parking.
5. Building on Tradition – A Sustainable Design Guide for Rural NI.

The SPPS points out that provision should be made for a dwelling house on an active and established farm business. The farm business must be currently active and have been established for a minimum of 6 years. Policy CTY 1 of PPS 21 lists a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. The circumstances wherein planning permission will be granted for an individual dwelling house are outlined. This includes a dwelling on a farm in accordance with Policy CTY 10. This policy states that planning permission will be granted where three criteria are met.

The Magherafelt Area Plan 2015 is the statutory local development plan for the proposal. In it, the site lies in the countryside. There are no policies or proposals in the MAP of relevance to the application. In respect of the application proposal there is no conflict or change in policy direction between the provisions of the Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) and those of PPS21. PPS21 remains the applicable policy context to consider the proposed development under.

This site is outside any settlement defined within the Magherafelt Area Plan, therefore relevant existing planning policy must be adhered to.

Policy Assessment.

PPS21 - Sustainable Development in the Countryside.

Policy CTY 10 – Dwellings on Farms of PPS 21 grants planning permission for a dwelling at an existing cluster of development subject to 6 criteria:

- (a) The farm business is currently active and has been established for at least 6 years;
- (b) No dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and
- (c) The new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:
 - Demonstrable health and safety reasons; or
 - Verifiable plans to expand the farm business at the existing building group(s).

In addition to the criteria above, applications of this nature must also demonstrate that they meet the policy requirements of policies CTY 13, CTY 14 and CTY 16 of PPS 21.

Based on the details presented on the PIC form, as confirmed by DAERA's response the applicant does not hold a business ID number. The agent has submitted documentation that included a Licence Agreement between Mr McWilliams the (Licensee) with a neighbouring farmer Mr McShane dated 29th March 2015.

The agreement states that the land is let in conacre for 12 months and runs from 29.03.2015 to 28.03.2022. Under the terms of this agreement signed on dated 29.03.2015, it is agreed that the licensor farmer Mr McShane would use the land area of 5 acres for 12 months (field Nos 1 and 2) and reserves the right to take one cut of hay per year and is responsible for all maintenance of the land, including hedge cutting.

The agent provided invoices for cutting hedgerows and general farm maintenance dated 28.02.2013, 05.06.2014, 18.08.2015, 22.09.2016, 22.09.2016, 06.03.2018 and 14.02.2019, all relate to the applicant's land.

DAERA have been consulted on this application and have confirmed that the applicant has no business ID registered with DAERA.

The Case Office email DAERA on 16/01/2020 for further clarification concerning data submitted by the applicant dated 12/06/2018. DAERA confirmed this related to is an old DARD print out on customer/applicant information and relates to Mr Charles McShane the (Lensor) not the applicant. Historically, DARD maintained a record of all land owners under individual applicant reference numbers. It is noted from this information that Mr McShane's land is recorded under Farm Survey Number 5/013/236.

The department no longer maintains a record of land owners. DAERA's email also confirmed that Mr McShane does not have a farm business registered with them.

DAERA does not produce farm maps for any farm business not in receipt of SFP, the applicant in this case was not able to produce a more up to date farm map.

No grants or subsidies were claimed by the applicant.

On the basis of DAERA's response and evidence provided by the applicant and my observations noted on my site visit I can confirm the land is kept in good condition and that there is evidence of maintenance carried out on the land.

However, the test posed by Criterion (a) is not whether the applicant is an active farmer but whether the farm business is active and established. I am therefore content the land is actively farmed. However, it has not been demonstrated that the farm business has been established in line with paragraph 5.38 that the farm business has been established for at least 6 years. With respect to (b) I am content that there has not been any development opportunities sold off the farm holding in the previous 10 years of this application. Criterion (b) has been complied with.

I note the corn-acre Agreement only commence on 29/03/2015 even if I was to regard the Agreement as demonstrated the existence of a farm business this date is short of the required 6 years.

With respect to (c) it is noted that there are two buildings on the farm one relates to a general farm shed located to the rear of the main farm dwelling No 45. I am satisfied that a new dwelling can be visually linked to an existing farm grouping subject to siting and ridge height conditions. Criterion (c) has been complied with.

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. It is noted that this application is an outline application therefore exact siting and design have not be submitted at this stage.

Neighbour Notification Checked	Yes
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Summary of Recommendation:	
Recommendation is to refuse.	
Reasons for Refusal:	
1. The proposal is contrary to policies CTY1 and CTY10 of Planning Policy Statement, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the farm business has been established for at least six years.	
Signature(s) Date:	

ANNEX	
Date Valid	25th October 2019
Date First Advertised	5th November 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 43 Moneyneany Road Draperstown Londonderry The Owner/Occupier, 45 Moneyneany Road Draperstown Londonderry	
Date of Last Neighbour Notification	1st November 2019
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2019/1402/O Proposal: Site for a dwelling & domestic garage. Based on Policy CTY10 (dwelling on a farm) Address: Approx 50m NE of 45 Moneyneany Road, Draperstown, Decision: Decision Date: Ref ID: H/2004/0896/O Proposal: Site of Dwelling and Garage. Address: To the Rear of 43 Moneyneany Road, Moneyneany. Decision: Decision Date: 24.11.2005 Ref ID: H/1988/0425 Proposal: BUNGALOW WITH GARAGE Address: MONEYNEANY ROAD DRAPERSTOWN Decision: Decision Date: Ref ID: H/1987/0536 Proposal: SITE OF DWELLING WITH GARAGE Address: ADJ TO 45 MONEYNEANY ROAD MONEYNEANY DRAPERSTOWN Decision: Decision Date:	
Summary of Consultee Responses DFI Roads – no objection subject to conditions DAERA – advice issued	

Drawing Numbers and Title
Drawing No. 01 Type: Site Location Plan Status: Submitted
Notification to Department (if relevant) Date of Notification to Department: Response of Department:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1415/F	Target Date:
Proposal: Replacement dwelling	Location: 60m East of 5 Drumgarrell Road Cookstown
Referral Route: Refusal – To Committee – Contrary to CTY 3 of PPS 21 and two objections received.	
Recommendation:	REFUSE
Applicant Name and Address: D Conway 1 The Pines Cookstown	Agent Name and Address: T A Gourley Moveagh House 35 Moveagh Road Cookstown BT80 9HE
Executive Summary: Refusal	
Signature(s): Peter Henry	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
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Representations:

Letters of Support	1
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

Refusal – To Committee – Contrary to CTY 3 of PPS 21 and two objections received. Summary of objections are as below;

- Initial concern that the application affects their lands and that they weren't notified about the application.
- Concerns over the building identified to be replaced in that the existing building has only been a shed used for cattle and hay. I note photos were forwarded to show the building as a shed.
- Asked how can they have a run off with water because they would have to go uphill to avoid our land?
- Objector sent photos that show the start of a new entrance coming off the road and stops at the right hand side of the photo. Yet the application says that it is an existing unaltered access to a public road. Queried that there is a possibility that part of the laneway is on our land.
- Finally, wanted that to state that the Meenagh Family bought the house and adjoining land at 3 Drumgarrell Road from Robert Gourley in 1932. (88 years ago). The Meenagh Family farmed this land up until the death of Mary Meenagh in March 2007. Nobody else

farmed this land other than the Meenagh's themselves. Also in the photograph of the tin shed there is 2 doors. 1 metal and 1 wooden door. These were the entrances into the sheds for Mary Meenagh's cattle.

Characteristics of the Site and Area

The proposed site is located approximately 1.65km west of the development limits of Drummullan and from this the site is located within the open countryside as per defined in the Cookstown Area Plan 2010. The site is identified as 60m East of 5 Drumgarrell Road, Cookstown, in which the red line covers a recently constructed laneway directly off the Drumgarrell Road and leads to the building in which is to be replaced. It is noted that the building identified to be replaced are in need of some repairs. I note that where the building is located there doesn't appear to be anything in the way of an existing curtilage as it appears to be located within a large agricultural field. The predominant land use is of an agricultural nature, with single dwellings and associated outbuildings also visible in local area.

Representations

There were two objection letters and three non-committal letters received in connection with this application.

Description of Proposal

This is a full application for a proposed replacement dwelling at 60m East of 5 Drumgarrell Road, Cookstown.

Planning Assessment of Policy and Other Material Considerations

Cookstown Area Plan 2010
Mid Ulster Local Development Plan 2030 – Draft Plan Strategy
Strategic Planning Policy Statement (SPPS)
PPS 21 Sustainable Development in the Countryside
CTY 3 – Replacement Dwellings

The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety'.

Development in the countryside is controlled under the provisions of PPS 21 Sustainable Development in the Countryside. Policy CTY 1 provides clarification on which types of development are acceptable in the countryside. In this instance the application is for a replacement dwelling and as a result it must be considered under CTY 3 of PPS 21. CTY 3 states that planning permission will be granted for a replacement dwelling where the

building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. Buildings designed and used for agricultural purposes, such as sheds or stores will not be eligible for replacement under this category. However favourable consideration will be given to the replacement of a redundant non-residential building with a single dwelling, where the redevelopment proposed would bring significant environmental benefits and provided the building is not listed or otherwise makes an important contribution to the heritage, appearance or character of the locality. As noted the building to be replaced doesn't have anything in the way of an existing curtilage in that it appears to be sitting within an agricultural field. I note that during the site visit there were initial concerns over the buildings in terms of determining whether it exhibited the main characteristics of a dwelling. In that the building appears to be substantially intact with all external walls in place however I note there appears to be a layer of tin over portion of the walls and the roof is completely tin, in which I note that the building appears agricultural in nature. I do note that there is evidence of domestic sized windows and a door with some subdivision within the internal of the building, however the windows and door do appear to have been added recently; this is based on an old image that was sent in by the objector which raises concerns of the building when comparing to what was seen on site. I have provided a comparison of the photos taken by myself and that of the objector who has stated it was taken a year ago.



Photos taken by Case Officer – 15/11/19



Photo provided by objector –
said to be taken in 2018.

I note that there is evidence of what looks like an internal fireplace but again there were initial concerns over this as there was no evidence of a chimney or flume of a chimney rather there is a single metal pipe that leads outside. As seen below;



I note that the applicant and agent provided further information to argue in favour of this application but also to respond to the comments by the objector, mainly that of the fact the building was used as a shed. In addition there were non-committal letters and one letter of support that stated that referred to this building being a dwelling and that an 'Emily Wright' had lived in the building. In the response it went on to claim that prior to purchasing the lands the applicant spoke to the previous owner and surrounding neighbours to establish the position regarding the old dwelling on the lands. They confirmed that a Mrs Wright was the last occupant in the 1950s. The applicant went on further to provide copies of the folios and accompanying deeds to show this, however stated that it does not show any ownership by Robert Gourley but the information shows the Meenagh's taking ownership from 1945. However the applicant states that these lands were originally stand-alone farms each with a dwelling on them and separate laneways at the turn of the twentieth century, before they were both acquired together by Emily Wright. Alongside this the applicant provided additional information from the census in 1911 and 1901 to reinforce this argument. The census information stated wherein each party lived in each of the respective years however I do note that there were no accompanying maps with the census information.

The agent has stated that they were farmed as one holding and then purchased by the Meenagh's who subsequently leased the farm land to Victor Nelson who used the laneway serving No.3 Drumgarrell Road to access the lands. As a result the laneway into the site had fallen into disuse and become overgrown. They were then separated again when Mr Nelson acquired one farm and dwelling and the McNally's acquired the other farm and dwelling. The lane to the site was then brought back into use as Mr Nelson who no longer had access over the lane serving the McNally's dwelling. During the Meenagh's ownership the site where No.5 Drumgarrell Road is located on was sold off. At that time No.5 was transferred from the applicant's dwelling to this new dwelling.

The applicant went on to comment that building to be replaced had become vacant since the subdivision of lands in 2011, in which it had fallen into disrepair and a storm approximately 30 years ago had blown the roof of the dwelling. The owner at the time knocked down the peaks of the gable walls as they had become unstable when the roof timbers had been torn away from them during the storm and replaced the pitched roof with a single slope roof reusing the tin sheets from the original roof. The remaining left

over tin sheets were fixed to the external walls to shore up the damaged walls. The house was behind the tin when I bought the land and the fact there was an old dwelling on site is exactly why I bought the land as it was my intention to replace it with a new dwelling.

I acknowledge these comments and all the information sent in by all parties, I have reviewed the deed information sent in and I am of the opinion that it does not clearly demonstrate that there were two holdings with a dwelling on each and the initial concerns of whether the building being replaced was a dwelling still exists. In addition I have checked the historical maps available, the first was the historic environment map which dates back to 1900, I note that on review of this there does not appear to be any buildings in the location of the building to be replaced, rather it only shows a dwelling which appears to be Nos. 1 and 3 respectively. In addition I have searched the Council's own historical maps which dates back to 2003 inclusive of each year in between, I note that the building appears to be a standalone building in the agricultural field with no direct access onto the public road and it appears no more as an agricultural building.

In which I must note that in the information provided by the applicant that there are a number of assumptions made and the information provided does not in my opinion back up such assumptions. From such this was taken to group and discussed and it has been agreed that given the ambiguity in this case over the information provided and the concerns over the building that on balance it is felt that the building has failed to demonstrate that it exhibits the main characteristics of a dwelling.

In addition the policy goes on to state that the proposed replacement should be sited within the established curtilage of the existing, unless either a) the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling, or b) it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits. Despite the issues over whether this was a dwelling or not, I note that the intention is to replace the building on the same footprint of the existing building, as the existing building does not appear anything in the way of an existing curtilage. From all of which I am of the opinion that the application fails under CTY 3 as a result.

The proposed development must also comply with policies CTY 13 and 14, in that CTY 13 states that the proposed development is able to visually integrate into the surrounding landscape and be of appropriate design. I note that the proposed dwelling is quite small and it is to be located on a similar footprint of the existing dwelling with this in mind, I am content that the dwelling would not appear prominent in the landscape. I note that there is a limited existing landscaping however there is a small tree line to the rear of the existing building which acts as a buffer from the public road however this would be affected if the building is replaced insitu but I note that there is additional landscaping proposed therefore given the size of the dwelling I am content on balance that it could integrate into the landscape. In terms of the design of the dwelling I note that it is a small simple dwelling which is deemed to be acceptable in the countryside. From this I am content that the application is able to comply with CTY 13.

CTY 14 states that planning permission will be granted for a building where it does not cause a detrimental change to, or further erode the rural character of the area. As noted it has been agreed that the dwelling would not appear unduly prominent. I am content

that a dwelling in this location will not result in a suburban style build-up of development. From this I am of the opinion that this development is able to respect the traditional pattern of settlement exhibited in the area. From this I am content that the local landscape has the capacity to absorb the development and in addition the proposal will not result in the creation or addition of ribbon development. I am therefore content that the proposal is able to comply with the criteria of CTY 14.

PPS 3: Access, Movement and Parking

I note that in the application forms the intention is to use an existing unaltered access onto the public road however upon the site visit this appeared to be only an agricultural access which would need to be upgraded however this was not requested as it wasn't felt prudent given the failure in policy and if to be approved therefore it is in the best interest of the applicant to upgrade this access.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this the Draft Plan cannot be given any determining weight at this time.

I have no flooding, ecological or residential amenity concerns.

In response to the comments made by the objector, in terms of notification of this application I note that there is no adjoining properties to this application therefore the reason why they didn't get a notification the Council only notify properties not each landowner. In terms of any concerns over the use of the building as a shed I note all of which have been determined in this application. In terms of the run off of water, the applicant provided a response to state that the rain can easily drained to a soakaway on the applicants land, I am content that this can be done. In terms of the issues over access I note that this has been noted above in the report and any ownership disputes are a civil matter and not an issue for planning. Finally, with regards to the lands being farmed by the Meenagh Family and no one else, this is not a planning concern as this is for a replacement dwelling rather than a farm case.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Refusal

Reasons for Refusal:

1.The proposal is contrary to Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there is no structure that exhibits the essential characteristics of a dwelling.

Signature(s)

Date:

ANNEX	
Date Valid	28th October 2019
Date First Advertised	12th November 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) Kevin Madden 1, Drumgarrell Road, Cookstown, Londonderry, Northern Ireland, BT80 8TA Thomas John & Eileen Quinn 5, Drumgarrell Road, Cookstown, Tyrone, Northern Ireland, BT80 8TA Gerard & Mary Ann McNally Email Gerard & Mary Ann McNally Victor Nelson	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2019/1415/F Proposal: Replacement dwelling Address: 60m East of 5 Drumgarrell Road, Cookstown, Decision: Decision Date: Ref ID: I/2001/0675/O Proposal: Site for dwelling Address: 250 m East of 10 Killybearn Road, Cookstown Decision: Decision Date: 02.01.2002 Ref ID: I/2001/0218/RM Proposal: Dwelling Address: 350m of 10 Killybearn Road Cookstown Decision: Decision Date: 10.07.2001 Ref ID: I/2004/1479/O Proposal: Site for Dwelling Address: 250 M East of 10 Killybearn Road, Cookstown	

Decision:
Decision Date:

Ref ID: I/2000/0572/O
Proposal: Site for dwelling
Address: 140m west of 28 Killybearn Road Cookstown
Decision:
Decision Date: 27.02.2001

Ref ID: I/2009/0314/RM
Proposal: Proposed dwelling with 6m ridge height- associated landscaping, siteworks & access in accordance with PAC Conditions
Address: 250m East of 10 Killybearn Road Cookstown, Co Tyrone, BT80 8SZ
Decision: AI
Decision Date:

Ref ID: I/2000/0423/O
Proposal: Site for dwelling
Address: 150m NE of 8 Drumgarrell Road, Cookstown
Decision:
Decision Date: 18.10.2000

Ref ID: I/2000/0424/O
Proposal: Site for dwelling
Address: 150m NE of 8 Drumgarrell Road Cookstown
Decision:
Decision Date: 08.09.2000

Ref ID: I/2001/0216/RM
Proposal: Dwelling
Address: 150m NE of 8 Drumgarrell Road Cookstown
Decision:
Decision Date: 19.07.2001

Ref ID: I/2001/0217/RM
Proposal: Dwelling
Address: 150m NE of 8 Drumgarrell Road Cookstown
Decision:
Decision Date: 10.07.2001

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 03
Type: Proposed Plans
Status: Submitted

Drawing No. 02
Type: Site Layout or Block Plan
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 04
Type: Proposed Plans
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1465/O	Target Date: 20/02/20
Proposal: Proposed infill dwelling and detached garage	Location: Approx 28m East of 260 Ballygawley Road Dungannon.
Referral Route: Refusal	
Recommendation:	Refuse
Applicant Name and Address: Mr Kevin McCaul 260 Ballygawley Road Dungannon BT70 1TG	Agent Name and Address: C McIlvar Ltd Unit 7 Cookstown Enterprise Centre Sandholes Road Cookstown BT80 9LU
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Representations: None Received

Description of proposal

This is an outline planning application for a proposed infill dwelling and garage.

Characteristics of Site and Area

This site forms the western half of a roadside field which is located approximately 28m east of No. 260 Ballygawley Road, with Cabragh Petrol Filling Station located approx. 1 km to the East. Along the roadside boundary there is a significant roadside verge approx. 6-10m wide, with the verge sloping down into the site from roadside, behind which grows a tree lined hedge row. To the east, this boundary is open to a larger field and is not clearly defined. Along the SW boundary is a post and wire fence. The western boundary is not clearly defined and is open to a field, and follows a boundary of planning permission LA09/2018/0305/F which has not been implemented. LA09/2019/0305/F granted permission for the conversion and extension of agricultural shed to provide a dwelling, with associated access (granted 22.06.2016).

The site is relatively flat, sloping gently down hill to the south, and is approx. 3m lower than levels at roadside.

To the west is two single storey dwellings, while to the east there is a grouping of four dwellings which all access onto one private laneway which provides access to Ballygawley Road (a former

protected route). These grouping of dwellings include 3 two storey detached, and one storey and a half detached. Land in the area is used mostly for agricultural grazing purposes and the area is defined by dispersed single dwellings and farm holdings.

Planning Assessment of Policy and Other Material Considerations

Planning Act 2011

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Area Plan

The site is located in the open countryside as defined in the Dungannon and South Tyrone Area 2010 where SPPS and PPS21 are applicable. There are no specific area plan policies relevant to this proposal.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019.

The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan.

In light of this, the Draft Plan cannot be given any determining weight at this time.

Representations

None received

Relevant planning history

LA09/2019/1466/O- Proposed infill dwelling and detached garage (decision pending, will be considered at the same time as this proposal as adjacent and east and makes up part of the overall gap which is proposed to be developed).

Key Planning Policy and consideration

Strategic Planning Policy Statement- The policy provision of SPPS do not impact on the policy provisions of PPS21 Sustainable Development in the Countryside, which is the applicable policy for assessing planning applications in the countryside, until such times as the new area plan is adopted.

There are certain circumstances where the development of a dwelling is considered acceptable in the countryside, subject to certain criteria. These are listed in CTY1 Development in the Countryside. The applicant has provided a case that the site represents a gap site within an existing built up frontage therefore will be assessed against policy CTY 8 Ribbon Development.

In considering Policy CTY8- Ribbon Development it states that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of 2 houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental criteria. For the purposes of this policy the definition of a substantial and built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

To the west of the site are 2 dwellings on rectangular shaped plots. From Photo 1 you can see these plot shapes and sizes compared to the application site. The curtilage of No. 260 measures approx.. 32m wide at roadside and 120m long. No. 262 has a frontage of approx.. 40m wide and measures approx. 90m long. Given these plot sizes, it is my view that up to 4 dwellings could be

sited in the gap between No. 260 and No 250 to the east. In my view the application site and the site to the east (LA09/2019/01466/O) is not reflective of the existing development pattern along this frontage of road in terms of the size and scale of the plot sizes.

The curtilage boundaries to dwellings east of the site, especially Nos 254 and 252 Dungannon Road are different to those to the west, as they have a wider roadside frontage and are not as deep. No 254 (see photo 1) has a road frontage of approx. 62m and is approx. 20m wide, while No. 252 has a road frontage of approx. 100m long and 20m wide. Again, these plot sizes are not reflective to the subject site, or the adjacent site, which measure approx.. 70m wide and 100m long. Even with the use of siting conditions it is my view that dwellings on this gap site would result in ribbon development as it would not be possible to develop these sites that would reflect the character of development in this area and is contrary to policy CTY 8 of PPS21.

The agent has also excluded a piece of land to the west of the site as this makes up part of planning application LA09/2016/0305/F. At present, LA09/2016/0305/F is not commenced and may never be developed, which in future could create an opportunity for another gap site.

The area hatched (see Photo 1) is not included in the overall gap site, even though it forms part of the gap. This land does not appear to belong to the curtilage of any dwelling and has the appearance of agricultural land (see photos 3, 4 and 5). No. 256 accesses onto a private lane and not directly onto Ballygawley Road and does not seem to have included the hatched land within it's curtilage. Along the hatched area frontage there is no formal garden area, fences, walls or hedgerow that would normally define a dwelling curtilage. Again, by allowing dwellings on sites 1465 and 1466 could create other infill opportunities given the size of the gap.

In my view, the gap between Nos 254 and 260 is an important visual break between two clusters of development. This gap is sufficient, 180m in total when including the access to LA09/2016/0305/F which has not been implemented and the area to the north of No. 256, to provide relief from build-up and ribbon development in this part of the countryside.

This site also lacks long established natural boundaries and in my view a dwelling on this site will not integrate into the landscape. The plot size as proposed is excessive and is not of a size and scale that will respect surrounding development, especially development to the west. DfI Roads have provided comment on this proposal and indicate that the access position be along the eastern boundary. This boundary has no established natural boundaries, and there is a significant difference in levels between roadside and the site. There will have to be significant cutting and filling to provide access to the site and the access is such that it will not follow any existing natural boundaries to assist with integration. Some roadside vegetation may also have to be removed to provide access to this site which will open the site further. For this reason I find the proposal contrary to policy CTY13 of PPS21 in that a dwelling and garage and ancillary development including access will not integrate into the countryside. The dwellings in the area are on intimate sites that are well defined by natural landscaping. This site is not of the same character to those surrounding.

To develop a dwelling on this site would add to an existing build up of development in this area of countryside. At present this gap provides a welcome relief from development located at No.s 260-262 Ballygawley Road, and, No.s 250-256 Ballygawley Road. To allow a dwelling on this site, and the adjacent site (1466/O) would add to an existing build up of development in the countryside which would further erode the rural character of development in this area of countryside and is contrary to policy CTY14 of PPS21.

Other Policy and Material Considerations

The site is not subject to flooding and there are no land contamination issues to consider. DfI Roads have no objection to this proposal subject to splays of 2.4m by 160m in both direction and the access point to be at the position indicated on the RS1 form.

As this proposal is outline there are no details of the proposed dwelling or how it may impact on surrounding amenity. However, in my view a dwelling on this site could be designed and sited to ensure that existing and proposed private amenity is protected.

Neighbour Notification Checked

Yes

Summary of Recommendation:

That planning permission is refused for the following reasons;

Reasons for Refusal:

1. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal does not represent the development of a small gap sufficient only to accommodate a maximum of two houses and would, if permitted, result in the creation/addition of ribbon development along Dungannon Road also adversely impacting on the rural character of this area of countryside.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that:
 - the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the dwelling and garage to integrate into the landscape;
 - the ancillary works will not integrate with their surroundings.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
 - the building would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings;
 - the building would, if permitted not respect the traditional pattern of settlement exhibited in that area);
 - the building would, if permitted create or add to a ribbon of development;
 - the impact of ancillary works would damage rural character;
 and would therefore result in a detrimental change to the rural character of the countryside.

Signature(s)

Date:

ANNEX	
Date Valid	7th November 2019
Date First Advertised	19th November 2019
Date Last Advertised	14th January 2020
Details of Neighbour Notification (all addresses) The Owner/Occupier, 250 Ballygawley Road Dungannon Tyrone The Owner/Occupier, 252 Ballygawley Road Dungannon Tyrone The Owner/Occupier, 256 Ballygawley Road,Dungannon,Tyrone,BT70 1TG The Owner/Occupier, 260 Ballygawley Road Dungannon Tyrone The Owner/Occupier, 262 Ballygawley Road Dungannon Tyrone	
Date of Last Neighbour Notification	10th December 2019
Date of EIA Determination	NA
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1466/O	Target Date: 20/02/2020
Proposal: Proposed infill dwelling and garage	Location: Approx 102m East of 260 Ballygawley Road Dungannon
Referral Route: Refuse	
Recommendation:	Refuse
Applicant Name and Address: Mr Kevin McCaul 260 Ballygawley Road Dungannon BT70 1TG	Agent Name and Address: C.McIlvar Ltd Unit 7 Cookstown Enterprise Centre Sandholes Road Cookstown BT80 9LU
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Representations: None Received

Description of proposal

This is an outline planning application for a proposed infill dwelling and garage (adjacent and east to LA09/2019/1465/O)

Characteristics of Site and Area

This site forms the eastern half of a roadside field which is located approximately 102m east of No. 260 Ballygawley Road, with Cabragh Petrol Filling Station located approx. 1 km to the East. Along the roadside boundary there is a significant roadside verge approx. 6-10m wide, with the verge sloping down into the site from roadside, behind which grows a patchy tree lined hedge row. To the west, this boundary is open to a larger field and is not clearly defined. Along the SW and SE boundary is a post and wire fence. The eastern boundary is also defined by a post and wire fence and is shared in part with the curtilage boundary of No. 256.

The site is relatively flat, sloping gently down hill to the south, and is approx. 3m lower than levels at roadside.

To the west is two single storey dwellings, while to the east there is a grouping of four dwellings which all access onto one private laneway which provides access to Ballygawley Road (a former protected route). These grouping of dwellings include 3 two storey detached, and one storey and a half detached. Land in the area is used mostly for agricultural grazing purposes and the area is defined by dispersed single dwellings and farm holdings.

Planning Assessment of Policy and Other Material Considerations

Planning Act 2011

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Area Plan

The site is located in the open countryside as defined in the Dungannon and South Tyrone Area 2010 where SPPS and PPS21 are applicable. There are no specific area plan policies relevant to this proposal.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019.

The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan.

In light of this, the Draft Plan cannot be given any determining weight at this time.

Representations

None received

Relevant planning history

LA09/2019/1465/O- Proposed infill dwelling and detached garage (decision pending, will be considered at the same time as this proposal as adjacent and west and makes up part of the overall gap which is proposed to be developed).

Key Planning Policy and consideration

Strategic Planning Policy Statement- The policy provision of SPPS do not impact on the policy provisions of PPS21 Sustainable Development in the Countryside, which is the applicable policy for assessing planning applications in the countryside, until such times as the new area plan is adopted.

There are certain circumstances where the development of a dwelling is considered acceptable in the countryside, subject to certain criteria. These are listed in CTY1 Development in the Countryside. The applicant has provided a case that the site represents a gap site within an existing built up frontage therefore will be assessed against policy CTY 8 Ribbon Development.

In considering Policy CTY8- Ribbon Development it states that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of 2 houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental criteria. For the purposes of this policy the definition of a substantial and built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

To the west of the site are 2 existing dwellings on rectangular shaped plots. From Photo 1 you can see these plot shapes and sizes compared to the application site. The curtilage of No. 260 measures approx.. 32m wide at roadside and 120m long. No. 262 has a frontage of approx.. 40m wide and measures approx. 90m long. Given these plot sizes, it is my view that up to 4 dwellings could be sited in the gap between No. 260 and No 250 to the east. In my view the application site and the site to the west (LA09/2019/01465/O) is not reflective of the existing development pattern along this frontage of road in terms of the size and scale of the plot sizes.

The curtilage boundaries to dwellings east of the site, especially Nos 254 and 252 Dungannon Road are different to those to the west, as they have a wider roadside frontage and are not as

deep. No 254 (see photo 1) has a road frontage of approx. 62m and is approx. 20m wide, while No. 252 has a road frontage of approx. 100m long and 20m wide. Again, these plot sizes are not reflective to the subject site, or the adjacent site, which measure approx.. 70m wide and 100m long. Even with the use of siting conditions it is my view that dwellings on this gap site would result in ribbon development. It would not be possible to develop these sites that would reflect the character of development in this area and is contrary to policy CTY 8 of PPS21.

The agent has also excluded a piece of land to the west of site 19/14665/O as this makes up part of planning application LA09/2016/0305/F. At present, LA09/2016/0305/F is not commenced, and may never be developed. This future gap could create an opportunity for another gap site along this frontage.

The area hatched (see Photo 1) is not included in the overall gap site, even though it forms part of the gap. This land does not appear to belong to the curtilage of any dwelling and has the appearance of agricultural land (see photos 3, 4 and 5). No. 256 accesses onto a private lane and not directly onto Ballygawley Road and does not seem to have included the hatched land within it's curtilage. Along the hatched area frontage there is no formal garden area, fences, walls or hedgerow that would normally define a dwelling curtilage and give the appearance of a built up frontage. Again, by allowing dwellings on sites 1465 and 1466 in my view could give rise to other infill opportunities given the size of the gap and the variety of site shapes and sizes along this stretch of road.

In my view, the gap between Nos 254 and 260 is an important visual break between two clusters of development. This gap is sufficient, 180m in total when including the access to LA09/2016/0305/F and the area to the north of No. 256, to provide relief from build-up and ribbon development in this part of the countryside.

This site also lacks long established natural boundaries and in my view a dwelling on this site will not integrate into the landscape. The plot size as proposed is excessive and is not of a size and scale that will respect surrounding development, especially development to the west. DfI Roads have provided comment on this proposal and indicate that the access position be along the eastern boundary. This boundary has no established natural boundaries, and there is a significant difference in levels between roadside and the site. There will have to be significant cutting and filling to provide access to the site and the access is such that it will not follow any existing natural boundaries to assist with integration. Some roadside vegetation may also have to be removed to provide access to this site which will open the site further. For these reasons I find the proposal contrary to policy CTY13 of PPS21 in that a dwelling and garage and ancillary development including access will not integrate into the countryside. The dwellings in the area are on intimate sites that are well defined by natural landscaping. This site is not of the same character to those surrounding.

To develop a dwelling on this site would add to an existing build up of development in this area of countryside. At present this gap provides a welcome relief from development located at No.s 260-262 Ballygawley Road, and, No.s 250-256 Ballygawley Road. To allow a dwelling on this site, and the adjacent site (1465/O) would add to an existing build up of development in the countryside which would further erode the rural character of this area of countryside and is contrary to policy CTY14 of PPS21.

Other Policy and Material Considerations

The site is not subject to flooding and there are no land contamination issues to consider.

DfI Roads have no objection to this proposal subject to splays of 2.4m by 160m in both direction and the access point to be at the position indicated on the RS1 form.

As this proposal is outline there are no details of the proposed dwelling or how it may impact on surrounding amenity. However, in my view a dwelling on this site could be designed and sited to

ensure that existing and proposed private amenity is protected.	
Neighbour Notification Checked	Yes
Summary of Recommendation: That planning permission is refused for the following reasons;	
Reasons for Refusal: <ol style="list-style-type: none"> 1. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not represent the development of a small gap sufficient only to accommodate a maximum of two houses and would, if permitted, result in the creation/addition of ribbon development along Dungannon Road also adversely impacting on the rural character of this area of countryside. 2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that: <ul style="list-style-type: none"> -the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the dwelling and garage to integrate into the landscape; -the ancillary works will not integrate with their surroundings. 3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: <ul style="list-style-type: none"> -the building would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings; -the building would, if permitted not respect the traditional pattern of settlement exhibited in that area); -the building would, if permitted create or add to a ribbon of development; -the impact of ancillary works would damage rural character; and would therefore result in a detrimental change to the rural character of the countryside. 	
Signature(s) Date:	

ANNEX	
Date Valid	7th November 2019
Date First Advertised	19th November 2019
Date Last Advertised	14th January 2020
Details of Neighbour Notification (all addresses) The Owner/Occupier, 250 Ballygawley Road Dungannon Tyrone The Owner/Occupier, 252 Ballygawley Road Dungannon Tyrone The Owner/Occupier, 256 Ballygawley Road, Dungannon, Tyrone, BT70 1TG The Owner/Occupier, 260 Ballygawley Road Dungannon Tyrone The Owner/Occupier, 262 Ballygawley Road Dungannon Tyrone	
Date of Last Neighbour Notification	10th December 2019
Date of EIA Determination	NA
ES Requested	No

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1501/O	Target Date:
Proposal: Site for two storey dwelling and garage on a gap site.	Location: Between 19 & 21 Tirgan Road Moneymore.
Referral Route: Applicant works in the Planning Department	
Recommendation:	APPROVAL
Applicant Name and Address: Malachy McCrystal 22 Tirgan Road Tullynagee Moneymore BT45 7RZ	Agent Name and Address: N/A
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

No issues raised as there were no representations received. Proposal complies with SPPS and PPS21 – Sustainable Development in the Countryside.

Characteristics of the Site and Area

The site is located within the open countryside and is located within an Area of Outstanding Natural Beauty as designated by the Magherafelt Area Plan 2015. The site is located between no. 19 & no. 21 Tirgan Road, Moneymore. The current site size is small in nature. The levels of the site are uneven. The boundaries of the site are currently defined by mature hedging which is approximately 2m in height. There are a number of mature trees located along the western boundary. The site is currently not in use and there is currently no access available to the site. No. 19 Tirgan Road currently consists of a single storey dwelling which is currently under renovations. No. 21 Tirgan Road consists of a redundant two storey farm dwelling.

Description of Proposal

The applicant seeks outline planning approval for a two storey dwelling and garage on a gap site.

Planning Assessment of Policy and Other Material Considerations**Planning History**

An off-site replacement dwelling was approved on the site under planning application reference number H/2014/0007/O. This planning application did not progress further and has since lapsed.

Neighbour Notification

Two neighbours were notified of this planning application including nos. 19 & 21 Tirgan Road. No letters of objection / representation have been received at time of writing this report.

Development Plan and Key Policy Consideration

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Magherafelt Area Plan 2015: The site is located in the open countryside. There are no other designations on the site.

The Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy was launched on 22nd February 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

PPS3: Access, Movement and Parking (Revised 2005) and PPS3 (Clarification 2006): sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking.

PPS21: Sustainable Development in the Countryside: sets out planning policies for development in the countryside. Policies CTY1, CTY8, CTY13 and CTY14 are applicable.

Policy CTY1 states that planning permission will be granted for an individual dwelling house in the countryside for the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with CTY8.

Policy CTY8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will be permitted for the development for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of

size, scale, siting and plot size and meets other planning and environmental requirements.

The proposed site is suitable for only one dwelling and there is continuous frontage along the Tirgan Road, made up of 2 dwellings and a number of agricultural buildings. From this, I am content that the proposal complies with Policy CTY8 of PPS21.

Integration

Policy CTY 13 states that Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. I note that this is only an outline application therefore, no design details have been submitted however I am of the opinion that an appropriately designed dwelling will not appear prominent in the landscape. I am content that a two-storey dwelling would be suitable to the site and would restrict a ridge height of 7m. Although no.19 Tirgan Road is a single storey dwelling the existing boundary definition means that a two storey dwelling will not impact the amenity of the property. I am of the opinion that as much of the existing landscaping should be retained as much as possible with additional landscaping to further aid integration, therefore a landscaping plan will be required in any 'Reserved Matters' application.

Rural Character

CTY 14 states that planning permission will only be granted for a building in the countryside where it does not cause detrimental change to, or further erode the rural character of an area. As noted an appropriately designed dwelling will not appear prominent in the landscape wherein it will be able respect the pattern of development in the area. I am content on balance that this proposed application will not unduly change the character of the area. On a whole I am content that the proposed development complies with CTY 14.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Approval, subject to condition.

Conditions

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Mid Ulster District Council, in writing, before any development is commenced.

Reason: To enable Mid Ulster District Council to consider in detail the proposed development of the site.

3. No development shall take place until a plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels has been submitted to and approved by Mid Ulster District Council.

Reason: To ensure the dwelling integrates into the landform.

4. 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.

5. A landscaping scheme shall be submitted simultaneously with the detailed drawings for the development, hereby approved, at the Reserved Matters stage. Any trees or shrubs which may be damaged or die within a period of 5 years from the date of planting shall be replaced by plants of similar species and size at the time of their removal. All landscaping shall take place within the first available planting season after the commencement of the development.

Reason: In the interests of visual amenity.

6. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements 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.

Informatives

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	14th November 2019
Date First Advertised	26th November 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 19 Tirgan Road, Money more, BT45 7RZ The Owner/Occupier, 21 Tirgan Road, Money more, BT45 7RZ	
Date of Last Neighbour Notification	20th November 2019
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2019/1501/O Proposal: Site for two storey dwelling and garage on a gap site. Address: Between 19 & 21 Tirgan Road, Money more., Decision: Decision Date: Ref ID: H/1973/0137 Proposal: 11 KV O/H LINES (C.1729) Address: TULLYNAGEE AND QUILLY, MAGHERAFELT Decision: Decision Date: Ref ID: H/1992/0620 Proposal: 11 KV O/H LINE BM0693'92 Address: TIRGAN RD MONEYMORE Decision: Decision Date: Ref ID: H/2014/0007/O Proposal: Site for off-site replacement dwelling and garage. Address: 19 Tirgan Road, Tulnagee, Money more, BT457RZ., Decision: PG	

Decision Date: 16.04.2014
Summary of Consultee Responses
Drawing Numbers and Title
Drawing No. 01 Type: Site Location Plan Status: Submitted
Notification to Department (if relevant) Date of Notification to Department: Response of Department:



**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1513/O	Target Date:
Proposal: Dwelling & domestic garage	Location: Opposite 70 Cullenramer Road, Lisgallon Dungannon
Referral Route: Refusal – contrary to CTY 1 of PPS 21.	
Recommendation:	Refusal
Applicant Name and Address: James Morris 70 Cullenramer Road Lisgallon Dungannon	Agent Name and Address: Peter McCaughey 31 Gortnasaor Dungannon BT71 6DA
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

No representations received. Contrary to Policy CTY 1 of PPS 21.

Characteristics of the Site and Area

The site is located opposite 70 Cullenramer Road, Lisgallon within the countryside as identified within the Dungannon and South Tyrone Area Plan 2010. The red line of the site includes a roadside agricultural field with a number of surrounding fields in blue which indicates ownership. The boundaries of the site are defined by existing hedging and trees and the land is generally quite flat throughout the site. The surrounding area is predominantly rural with scattered dwellings and their associated outbuildings.

Description of Proposal

Outline planning permission is sought for a proposed dwelling and domestic garage.

Planning Assessment of Policy and Other Material ConsiderationsPlanning History

There is not considered to be any relevant planning history with the site itself however there was a recent application made by an applicant with the same address. This will be discussed later in more detail in the report.

LA09/2016/1416/O – Dwelling at 60m NW of 70 Cullenramer Road, Lisgallon, Dungannon – PERMISSION GRANTED

Representations

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty. Neighbours notified include: 70 Cullenramer Road. At the time of writing, no third party representations have been received.

Planning Assessment of Policy and Other Material Considerations

- Dungannon and South Tyrone Area Plan 2010
- Strategic Planning Policy Statement (SPPS)
- PPS 21: Sustainable Development in the Countryside
- PPS 3: Access, Movement and Parking
- Local Development Plan 2030 – Draft Plan Strategy

The Dungannon and South Tyrone Area Plan identify the site as being in the rural countryside and the site has no other zonings or designations.

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on 22nd Feb 2019, however the Draft Plan Strategy holds little determining weight following on from the early consultation stage.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) introduced in September 2015 is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within identified policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS.

Policy CTY 1 of PPS 21 establishes that there are a range of types of development which in principle are considered to be acceptable in the countryside. It also notes the importance of ensuring that development in the countryside is sited and designed to integrate sympathetically with their surroundings and must meet other planning and environmental considerations including those for drainage, access and road safety.

There was some ambiguity about what policy the applicant/agent wanted the proposal to be assessed under. I have spoken with the agent on a phone call on 25th November 2019 and asked was there a farming case which could be explored however the agent

informed me that there wasn't. Based on the information which is currently available to me, there is no obvious policy which the site could be assessed against. CTY 1 of PPS 21 notes the different policies for an individual house in the countryside which I will briefly assess this proposed site against:

The site is not located within an existing cluster of buildings and therefore fails policy CTY 2a. There are no replacement opportunities on the site and therefore fails policy CTY 3. There have been no special personal or domestic circumstances presented to me and therefore fails on policy CTY 6. There has been no case which sets out an essential need for a non-agricultural business enterprise and therefore fails on policy CTY 7. There isn't a small gap site within an otherwise substantial and continuously built up frontage and therefore fails policy CTY 8 and finally, as noted before no farming case has been presented to me and therefore the proposal fails on policy CTY 10. The proposal does not fall under any of the above policies and therefore fails CTY 1 of PPS 21.

It may be worth noting that there was a previous application for a site approx. 57m west of the application site which was recently approved under LA09/2016/1416/O. Both applicants note "70 Cullenramer Road" as their address and therefore suggests they are related or connected in some way. This application was presented to the Planning Committee as a refusal, contrary to Policy CTY 6 however the committee took a different view and subsequently the application was approved.

CTY 13 and CTY 14 deal with rural character and the integration and design of buildings in the countryside and both policies would be relevant should the principle of development be acceptable on this site. As this is an outline application, details surrounding the design and finishes of the dwelling have not been submitted.

The applicant has noted that they intend to create a new access onto Cullenramer Road. DfI Roads have been consulted and have no objection subject to condition.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Refusal is recommended.

Conditions/Reasons for Refusal:

1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Signature(s)

Date:

ANNEX	
Date Valid	18th November 2019
Date First Advertised	3rd December 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 70 Cullenramer Road,Dungannon,Tyrone,BT70 1SD	
Date of Last Neighbour Notification	26th November 2019
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA09/2019/1513/O Proposal: Dwelling & domestic garage Address: Opposite 70 Cullenramer Road, Lisgallon, Dungannon, Decision: Decision Date:	
Summary of Consultee Responses DfI Roads - No issues subject to condition.	
Drawing Numbers and Title	
Drawing No. 01 Type: Site Location Plan Status: Submitted	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	



**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1551/F	Target Date:
Proposal: Single storey rear extension to allow for living space	Location: 48 Broagh Village Castledawson
Referral Route: Approval – Applicant’s brother works in the Planning Department	
Recommendation:	APPROVAL
Applicant Name and Address: Paddy Henry 48 Broagh Village Castledawson	Agent Name and Address: Newline Architects 48 Main Street Castledawson BT45 8AB
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
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Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

No issues raised. Proposal complies with SPPS and Policy EXT1 of Addendum to PPS7 – Residential Extensions and Alterations.

Characteristics of the Site and Area

The site is located within the settlement limits of Castledawson and is also located within a Local Landscape Policy Area as designated by the Magherafelt Area Plan 2015. The site is located at no. 48 Brough Village, Castledawson and located on the site is a large two-storey, semi-detached dwelling and detached garage. The dwelling is located within an already established housing development which is open plan – i.e. the boundaries to the front of the property are undefined. The boundaries to the rear of the property are defined by wooden fencing which appears to be approx. 2m in height. There is a substantial amount of amenity space to the rear and the front of the existing property. Car parking is currently served by a driveway within the curtilage of the property. The immediate surrounding area is characterised by residential development and the wider area is characterised by mixed use developments, usually associated with town / village centres.

Description of Proposal

The applicant is seeking full planning permission for a single storey rear extension to allow for living space.

Planning Assessment of Policy and Other Material Considerations

Planning History

There is no relevant planning history on the site.

Neighbour Notification

2 neighbours were notified of this planning application including nos. 46 and 65 Brough Village, Castledawson.

No letters of objection / representation have been received at time of writing this report.

Development Plan and Key Policy Consideration

- Strategic Planning Policy Statement (SPPS)
- Magherafelt Area Plan 2015
- Addendum to PPS7 – Residential Extensions and Alterations
- PPS 3: Access, Movement and Parking
- Local Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy was launched on 22nd February 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

The application is seeking planning consent for an extension to an existing dwelling and as such the proposal must be assessed in accordance with the Addendum to Planning Policy Statement 7 – Residential Extensions and Alterations.

Policy EXT1 states that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

Criteria (a) deals with scale, massing, design and external materials of the proposal.

The proposed external materials include red brick to the external walls and blue / black natural slates to the roof. These materials are to match the existing, therefore I am content that these materials are acceptable. The proposal in terms of scale / massing is considered acceptable as it is subordinate to the existing dwelling and is only single storey.

I am content that this proposal complies with criteria (a) of EXT1.

Criteria (b) deals with the privacy of the neighbouring residents in terms of overshadowing, loss of light and dominance. As mentioned, the proposal is considered subordinate to the existing dwelling and due to the existing boundary definition, I am content that there will not be a loss of light or dominance to the neighbouring property. I am content that the proposal complies with criteria (b) of EXT1.

Criteria (c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality. No trees or landscape features will be lost or damaged.

Criteria (d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles. A small amount of rear residential amenity space will be taken by the proposal, however I am satisfied sufficient space will be retained for recreational and domestic purposes. There will be no impact on car parking.

I am content that the proposed extension complies with policy EXT1 of the Addendum to PPS7 – Residential Extensions and Alterations.

Other Material Considerations

I am satisfied that the proposal will not have a significant adverse impact on third party neighbour amenity.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Approval.

Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

Informatives

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	27th November 2019
Date First Advertised	10th December 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 44 Broagh Village Castledawson Londonderry The Owner/Occupier, 46 Broagh Village, Castledawson, Londonderry, BT45 8FD The Owner/Occupier, 55 Broagh Village Castledawson Londonderry The Owner/Occupier, 57 Broagh Village Castledawson Londonderry The Owner/Occupier, 59 Broagh Village Castledawson Londonderry The Owner/Occupier, 61 Broagh Village Castledawson Londonderry The Owner/Occupier, 63 Broagh Village Castledawson Londonderry The Owner/Occupier, 65 Broagh Village Castledawson Londonderry	
Date of Last Neighbour Notification	4th December 2019
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA09/2019/1551/F Proposal: Single storey rear extension to allow for living space Address: 48 Broagh Village, Castledawson, Decision: Decision Date: Ref ID: H/2002/0954/F Proposal: Housing Development (75 dwellings) Address: Moyola Road/ Brough Road, Castledawson Decision: Decision Date: 12.06.2003	

Ref ID: H/2003/1158/F

Proposal: Change of house types to site nos. 9 through to 75

Address: Housing development at Moyola Road / Brough Road, Castledawson.

Decision:

Decision Date: 18.04.2004

Ref ID: H/2002/0773/Q

Proposal: Proposed Housing Development

Address: Moyola Road, Castledawson

Decision:

Decision Date:

Ref ID: H/2002/0617/Q

Proposal: Proposed Housing Development

Address: Hillhead Road, Castledawson

Decision:

Decision Date:

Ref ID: H/2005/0229/F

Proposal: Change of house types for sites 9 & 18 from house type E to house type A.

Address: Lands at Broagh Road/Moyola Road, Castledawson

Decision:

Decision Date: 31.08.2005

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 01

Type: Proposed Plans

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1601/F	Target Date:
Proposal: Construction of play park extension with accompanying wet pour and the installation of an asphalt concrete path around the perimeter of the play park	Location: Eglish Play Park lands to the rear (south East) of 12-16 Roan Park and North West of Eglish GAC, Eglish, Dungannon
Referral Route: Mid Ulster Council application	
Recommendation:	Approve
Applicant Name and Address: Mid Ulster Council Burn Road Cookstown	Agent Name and Address: WDR and RT Taggart Ltd Russell Business Centre 40-42 Lisburn Road Belfast BT9 6AA
Executive Summary: The proposal is for an extension to the existing play park in Eglish. I am content the proposal complies with policy COMM 1 – Community Uses in the Dungannon and South Tyrone Area Plan 2010 and PPS 8.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations: None Required

Consultation Type	Consultee	Response
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Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is located within the settlement limit of Eglish as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is predominately residential with cul-de-sacs of semi-detached dwellings to the north. To the southeast is Roan Primary School and to the south is Eglish GAC and playing fields. The application site comprises an existing area of open space immediately to the south of the existing play park. The site is bounded on the north, east and west boundaries by 2m wooden fence. There is metal fencing along the boundary with Eglish GAC.

Description of Proposal

This is a full application for the construction of a play park extension with accompanying wet pour and the installation of an asphalt concrete path around the perimeter of the play park.

Planning Assessment of Policy and Other Material Considerations**Planning History**

No recent planning histories

Representations

The application was advertised in the local press; neighbour notified and at the time of writing no representations have been received.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

SPPS – Strategic Planning Policy Statement for Northern Ireland:

The SPPS outlines one of its main objectives is to improve health and well-being through decision-making by safeguarding recreation and facilitating quality open space, sport and outdoor recreation through decision making. The proposal is thus supported by the principles and objectives outlined within the SPPS.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010:

The site is within the development limits of Eglish and it is not subject to any special designations contained in the plan nor does the plan make any specific reference to this type of development within the settlement of Eglish. The plan does however have a policy for Community Uses (COM 1) which states that planning permission will normally be granted for community uses within settlement limits provided specific criteria be met. I am content that the proposed use, children's play park, can be considered under this policy and meets all of the criteria contained within.

1. The extension of the existing play park in an area of green space immediately to the southwest of the site is unlikely to have an unacceptable impact on the amenity of surrounding residents. I am content there will be no impact on access and parking. There are residential properties abutting the northern boundary but as this proposal is, a small extension of the existing playground it is unlikely to generate unacceptable noise, odours or emissions and there are no issues with overlooking, loss of light or over shadowing.

2. The proposal will not prejudice comprehensive development on zoned sites.
3. There will be no conflict with recognised conservation interests.
4. The proposed development will not detract from the character of the immediate area.
5. No additional roads infrastructure is required to be provided.
6. There are satisfactory arrangements for access, parking and sewage disposal arrangements. It is stated in Q.25 on the P1 form that there will be an expected increase in people attending the site of approximately 15-20. I consider this increase is likely to be from people in the immediate area and is unlikely to create parking issues.
7. The proposal is in accordance with prevailing regional planning policies.

PPS 8

The proposal will redevelop an existing area of open space by an extension to the adjacent play park. However, Annex A in PPS 8 states that children's play areas are under the definition of open space so there will be no direct loss of open space.

Policy AMP 7 Car Parking and Servicing Arrangements

Information submitted by the agent on the P1 form states there will be no anticipated increase in vehicles attending the site as a result of the proposal, thus no additional parking spaces are required. It is anticipated that local residents will walk to the playground so I have no concerns about parking at the site.

Other Considerations

The site is located within the buffer zone of an archaeological site and monument. However as the proposal is an extension of existing development I do not consider it is necessary to consult HED. I have no other ecological, flooding or amenity concerns at the site.

Neighbour Notification Checked Yes

Summary of Recommendation:

The proposal is recommended for approval as it complies with the relevant policy in COMM 1 – Community Uses in the Dungannon and South Tyrone Area Plan 2010 and PPS 8.

Conditions

1. As required by Section 61 of the Planning Act (NI) 2011, the development hereby approved shall be begun within 5 years of the date of this decision.

Reason: Time limit

Signature(s)

Date:

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1602/F	Target Date:
Proposal: The relocation of current goal post and ball net to allow an area for proposed play park to be located. The play park will be surrounded by a 1.2 meter high roll top fence and gate.	Location: Existing open space between 32 Henderson Park and 39 Henderson Park Stewartstown Dungannon
Referral Route: Mid Ulster Council application	
Recommendation:	Approve
Applicant Name and Address: Mid Ulster Council Burn Road Cookstown	Agent Name and Address: WDR and RT Taggart Ltd Russell Business Centre 40-42 Lisburn Road Belfast BT9 6AA
Executive Summary: The proposal is for the installation of a play park in Stewartstown. I am content the proposal complies with policy COMM 1 – Community Uses in the Cookstown Area Plan 2010 and policy in PPS 8.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations: None Required

Consultation Type	Consultee	Response
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Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is within the settlement limit of Stewartstown in the Cookstown Area Plan 2010. The surrounding area to the north and west is predominantly residential with cul-de-sacs of terraced and semi-detached dwellings. To the south and west of the site are agricultural fields.

The application site is a portion of the existing playing pitch and green space to the north of it, which will be converted a play park. There is a row of semi-detached dwellings that are adjacent to the southern boundary of the site.

Description of Proposal

This is a full application for the relocation of the current post and ball net to allow an area for the proposed play park to be located. The play park will have 4 number items of play park equipment with an accompanying wet pour surface. The play park will be surrounded by a 1.2m high roll top fence and gate.

Planning Assessment of Policy and Other Material Considerations

Planning History

Ref ID: I/2013/0287/F

Proposal: Provision of 6 no social housing units and associated site works

Address: Site adjacent to 20 Henderson Park, Stewartstown, Cookstown BT71 5HP,

Decision: Permission Granted

Decision Date: 15.04.2014

Representations

An objection was received from Ms Devlin by email on 06th January 2020, who resides at No. 32 Henderson Park. This property is located adjacent to the bottom corner of the application site. The following issues are raised in the objection and summarised below.

Neighbour Notification

It is stated in the letter that all the residents in Henderson Park should be have received the neighbour notification letter. The proposal was advertised in the local press and neighbour notification carried out in accordance with planning guidance.

Loss of existing football pitch

The existing football pitch at the site will not be removed and the goal posts are proposed to be moved 8m further towards the southern boundary in both directions. The posts will not be moved nearer to the side boundary of the property at No. 32 so I consider there will not be an unacceptable impact on their amenity.

Neighbourhood Amenity

It is stated this play park will lead to anti-social behaviour due to increased activity at the site. The objection also stated there is already a play park in Stewartstown at Ard Stewart cul-de-sac with car parking facilities that is much larger and has more facilities. I consider the play park is small in scale with only 4 items and 2 benches and will bring a community benefit. This will provide more opportunities for children in the surrounding residential areas to be outdoors contributing to improved physical and mental wellbeing. There is always the potential for antisocial behaviour but the benefits to the community outweigh any possible negatives. In any case, other agencies, namely PSNI, are the appropriate body to deal with any such issue should they arise.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

SPPS – Strategic Planning Policy Statement for Northern Ireland:

The SPPS outlines one of its main objectives is to improve health and well-being through decision-making by safeguarding recreation and facilitating quality open space, sport and outdoor recreation through decision making. The proposal is thus supported by the principles and objectives outlined within the SPPS.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Cookstown Area Plan 2010

The site is within the development limits of Stewartstown. The plan has a policy for Community Uses (COM 1) which states that planning permission will normally be granted for community uses within settlement limits provided specific criteria be met. I am content that the proposed use, children's play park, can be considered under this policy and meets all of the criteria contained within.

1. The installation of a play park in an area of open space is unlikely to have an unacceptable impact on the amenity of surrounding residents. I am content there will be no impact on access and parking. The existing use is a playing field and the proposal is to move the goal posts 8m further south of their current position to accommodate a play park in the northern area of the site. As this is an existing area of open space and the play park is small in scale it is unlikely to generate unacceptable noise, odours or emissions and there are no issues with overlooking, loss of light or over shadowing.
2. There will be no conflict with recognised conservation interests.
3. The proposed development will not detract from the character of the immediate area.
4. No additional infrastructure is needed.
5. There are satisfactory arrangements for access, parking and sewage disposal arrangements. It is stated in Q.25 on the P1 form that there will be an expected increase in people attending the site of approximately 10-15. I consider this increase is likely to be from people in the immediate area and is unlikely to create parking issues.

The site is within an area, which is designated as existing open space and recreation in the Cookstown Plan 2010. I am content the proposed play park meets the policy in ROS 1 – Recreation and Open Space. The play park is not removing the playing pitch and is pushing it further south and I consider the play park is ancillary to this use.

PPS 8 - Policy OS 1: Protection of Open Space

The proposal will redevelop a portion of existing area of designated open space i.e. playing pitch with a play park. However, Annex A in PPS 8 states that children's play areas are under the definition of open space so there will be no direct loss of open space. As recognised by PPS 8, the provision of such areas contribute positively to the physical and mental health of children.

Policy AMP 7 Car Parking and Servicing Arrangements

Information submitted by the agent on the P1 form states there will be no anticipated increase in vehicles attending the site because of the proposal, thus no additional parking

spaces are required. It is anticipated that local residents will walk to the playground so I have no concerns about parking at the site.

Other Considerations

I have no other ecological, flooding or amenity concerns at the site.

Neighbour Notification Checked Yes

Summary of Recommendation:

The proposal is recommended for approval as it complies with the relevant policy in COMM 1 – Community Uses in the Cookstown Area Plan 2010 and PPS 8.

Conditions

1. As required by Section 61 of the Planning Act (NI) 2011, the development hereby approved shall be begun within 5 years of the date of this decision.

Reason: Time limit

Signature(s)

Date:

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1603/F	Target Date:
Proposal: Installation of play park with accompanying wet pour, 1.2m high bow top fence to be installed around perimeter of playpark	Location: Existing open space adjacent to Castlebay Centre 176-186 Mountjoy Road Dungannon
Referral Route: Mid Ulster Council application	
Recommendation:	Approve
Applicant Name and Address: Mid Ulster Council Burn Road Cookstown	Agent Name and Address: WDR and RT Taggart Ltd Russell Business Centre 40-42 Lisburn Road Belfast BT9 6AA
Executive Summary: The proposal is for the installation of a play park in an area of green space adjacent to an existing play park at Castle Bay. I am content the proposal complies with PPS 8 – Open Space, Sport and Outdoor Recreation.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
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Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area has a mix of agricultural fields, farm complexes and detached single dwellings. The site is along the Lough Shore and to the north is the Castlebay Centre and playing fields.

The application site is a small area of green space adjacent to the public road. Directly to the southeast is a wooden climbing frame with slide and swings.

Description of Proposal

This is a full application for the installation of a play park with accompanying wet pour and 1.2m high bow top fence to be installed around the perimeter of the new play park.

Planning Assessment of Policy and Other Material Considerations

Planning History

Ref ID: LA09/2018/1460/F

Proposal: Proposed Amenity Space

Address: Land adjacent to Castlebay Centre, 187a Mountjoy Road, Brocagh,

Decision: Permission Granted

Decision Date: 30.07.2019

This approval is for an amenity space opposite the Castlebay Centre and adjacent to the Lough Shore. I am content this permission does not affect this proposal due to the distance from this application site.

Representations

The application was advertised in the local press; neighbour notified and at the time of writing no representations have been received.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

SPPS – Strategic Planning Policy Statement for Northern Ireland:

The SPPS outlines one of its main objectives is to improve health and well-being through decision-making by safeguarding recreation and facilitating quality open space, sport and outdoor recreation through decision making. The proposal is thus supported by the principles and objectives outlined within the SPPS.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010:

The site is not within any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The site is within Castlebay Tourism Opportunity Zone. I am content the proposal is for recreational development, integrates into the surrounding landscape and will not have an unacceptable impact on conservation interests.

PPS 8 -

The proposal will redevelop an existing area of open space with the installation of a play park. However, Annex A in PPS 8 states that children's play areas are under the definition of open space so there will be no direct loss of open space.

Policy AMP 7 Car Parking and Servicing Arrangements

Information submitted by the agent on the P1 form states there will be no anticipated increase in vehicles attending the site because of the proposal, thus no additional parking spaces are required. In addition, there is sufficient car parking spaces at the site so I have no concerns about parking.

Other Considerations

The site is within Lough Neagh and Lough Beg Ramsar Site. However the proposal is on an area of green space so I am content there will not be an unacceptable impact on any adjacent wildlife or habitats. I have no other ecological, flooding or amenity concerns at the site.

Neighbour Notification Checked Yes

Summary of Recommendation:

The proposal is recommended for approval as it complies with PPS 8.

Conditions

1. As required by Section 61 of the Planning Act (NI) 2011, the development hereby approved shall be begun within 5 years of the date of this decision.

Reason: Time limit

Signature(s)

Date:

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/2020	Item Number:
Application ID: LA09/2019/1604/F	Target Date:
Proposal: Installation of play park accompanying wet pour, 1m high timber fence to be installed around the perimeter of play park	Location: Washingbay Centre Ballybeg Road Washingbay Dungannon
Referral Route: Mid Ulster Council application	
Recommendation:	Approve
Applicant Name and Address: Mid Ulster District Council Burn Road Cookstown	Agent Name and Address: WDR and RT Taggart Ltd Russell Business Centre 40-42 Lisburn Road Belfast BT9 6AA
Executive Summary: The proposal is for the installation of a play park in a tarmacked area adjacent to an existing play park at Washing Bay. I am content the proposal complies with PPS 8 – Open Space, Sport and Outdoor Recreation.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations: None Required

Consultation Type	Consultee	Response
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Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area has a mix of agricultural fields, farm complexes and detached single dwellings. The site is along the Lough Shore and to the north is Derrylaughan Kevin Barrys GFC.

The application site is a tarmacked area beside the existing play park within the car park at Washing Bay. To the southwest of the site is the Washing Bay Centre and there is numerous car parking spaces in front of the Centre.

Description of Proposal

This is a full application for the installation of a play park with accompanying wet pour and 1m timber fence to be installed around the perimeter of the new play park.

Planning Assessment of Policy and Other Material Considerations**Planning History**

LA09/2017/0405/F - Proposed side extension with toilets and kitchen to cater for outstanding need of additional community facilities - Washingbay Centre 92 Ballybeg Road, Aughamullan Dungannon – Permission Granted 10th November 2017

Representations

The application was advertised in the local press; neighbour notified and at the time of writing no representations have been received.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

SPPS – Strategic Planning Policy Statement for Northern Ireland:

The SPPS outlines one of its main objectives is to improve health and well-being through decision-making by safeguarding recreation and facilitating quality open space, sport and outdoor recreation through decision making. The proposal is thus supported by the principles and objectives outlined within the SPPS.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010:

The site is not within any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The site is within Washingbay Tourism Opportunity Zone. I am content the proposed play park is for recreational development, integrates into the surrounding landscape and will not have an unacceptable impact on conservation interests.

PPS 8

The proposal will redevelop a tarmacked area with an extension to the adjacent play park. As recognised by PPS 8, the provision of such areas contribute positively to the physical and mental health of children.

Policy AMP 7 Car Parking and Servicing Arrangements

Information submitted by the agent on the P1 form states there will be no anticipated increase in vehicles attending the site because of the proposal, thus no additional parking

spaces are required. In addition, there is sufficient car parking spaces at the site so I have no concerns about parking.

Other Considerations

The site is within Lough Neagh and Lough Beg Ramsar Site and within a breeding waders site. However, the proposal will replace a tarmacked area beside the existing play park so I am content there will not be an unacceptable impact on any adjacent wildlife or habitats. I have no other ecological, flooding or amenity concerns at the site.

Neighbour Notification Checked None Required

Summary of Recommendation:

The proposal is recommended for approval as it complies with PPS 8.

Conditions

1. As required by Section 61 of the Planning Act (NI) 2011, the development hereby approved shall be begun within 5 years of the date of this decision.

Reason: Time limit

Signature(s)

Date:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2019/1605/F	Target Date:
Proposal: Installation of play park with accompanying wet pour, 1,2m high bow top fence to be installed around the perimeter of play park and an asphalt concrete path	Location: Lands off Barrack Road and directly adjacent to O'Neill Park Ballymaguigan Magherafelt
Referral Route: The applicant is Mid Ulster District Council.	
Recommendation:	APPROVAL
Applicant Name and Address: Mid Ulster District Council Burn Road Cookstown	Agent Name and Address: WDR and RT Taggart Ltd Russell Business Centre 40-42 Lisburn Road Belfast BT9 6AA
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
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Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

No issues raised as no objections were received. The proposal complies with SPPS and PPS8 – Outdoor Space, Sport and Outdoor Recreation.

Characteristics of the Site and Area

The site is located within the open countryside and there are no further designations on the site, as designated by the Magherafelt Area Plan 2015. The site is situated on adjacent to an already established housing development known as O'Neill Park, Ballymaguigan that is situated to the east. There is a new housing development located to the north of the site. The red line is situated within an already established open space, which is currently used as a Gaelic Sports Ground. Sewage works and pipes are situated along the southern boundary of the site. The northern, and western boundaries are defined by green mesh fencing with mature trees defining the northern boundary. Mature hedging defines the eastern boundary. There are goal posts currently situated on the site. There is a poly tunnel situated to the west of the site. The surrounding area is largely characterised by residential development with some agricultural uses defining the wider area.

Description of Proposal

The applicant seeks full planning permission for the installation of play park with accompanying wet pour, 1.2m high bow top fence to be installed around perimeter of play park & an asphalt concrete path.

Planning Assessment of Policy and Other Material Considerations**Planning History**

There is no relevant planning history on the site.

Neighbour Notification

There are no neighbours abutting the red line of the site, therefore there was no need to neighbour notify on this occasion.

No letters of representation / objection have been received at time of writing this report.

Development Plan and Key Policy Consideration

The following policies have been considered in the assessment of this application:

- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Magherafelt Area Plan 2015
- PPS8 – Open Space, Sport and Outdoor Recreation

The Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy was launched on 22nd February 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained within the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

PPS8 – Open Space, Sport and Outdoor Recreation is the relevant planning policy statement to this application. Policy OS3 – Outdoor Recreation in the Countryside is relevant to this planning application.

Policy OS3 states that the Department will permit the development of proposals for outdoor recreational use in the countryside where a number of criteria can be met.

The proposal is for the installation of play park with accompanying wet pour, 1.2m high bow top fence to be installed around perimeter of Play Park & an asphalt concrete path to be situated within an already established outdoor recreation site which is a Gaelic sports ground. For this reason, I am content that there will be no unacceptable loss or impact on nearby agricultural activities, no impact on the landscape and public safety will not be prejudiced. The proposal will benefit the local community living within the 2 housing developments located within close proximity to the site and the proposed development will not result in increased vehicular access into the site. I am content that the site is easily accessible to the neighbouring properties.

I am content that the proposal complies with policy OS3 of PPS8.

Other Material Considerations

I am content that this proposal will not cause any detrimental impact on third party amenity.

Neighbour Notification Checked	Yes
Summary of Recommendation: Approval.	
Conditions 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. Informatives 1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands. 2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.	
Signature(s) Date:	

ANNEX	
Date Valid	9th December 2019
Date First Advertised	14th January 2020
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 O'Neill Crescent Magherafelt Londonderry The Owner/Occupier, 1 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 10 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 11 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 12 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 13 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 14 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 15 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 16 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 17 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 18 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 19 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 2 O'Neill Crescent Magherafelt Londonderry The Owner/Occupier, 2 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 20 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 21 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 22 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 23 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 24 O'Neill Park Ballyronan Magherafelt The Owner/Occupier, 25 O'Neill Park Ballyronan Magherafelt	

The Owner/Occupier,
 26 O'Neill Park Ballyronan Magherafelt
 The Owner/Occupier,
 3 O'Neill Crescent Magherafelt Londonderry
 The Owner/Occupier,
 3 O'Neill Park Ballyronan Magherafelt
 The Owner/Occupier,
 4 O'Neill Crescent Magherafelt Londonderry
 The Owner/Occupier,
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 6 O'Neill Crescent Magherafelt Londonderry
 The Owner/Occupier,
 6 O'Neill Park Ballyronan Magherafelt
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 7 O'Neill Park Ballyronan Magherafelt
 The Owner/Occupier,
 8 Barrack Road Magherafelt Londonderry
 The Owner/Occupier,
 8 O'Neill Park Ballyronan Magherafelt
 The Owner/Occupier,
 8b Barrack Road Magherafelt
 The Owner/Occupier,
 9 O'Neill Park Ballyronan Magherafelt

Date of Last Neighbour Notification	
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Date of EIA Determination	
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ES Requested	Yes /No
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Planning History

Ref ID: LA09/2019/1605/F

Proposal: Installation of play park with accompanying wet pour, 1,2m high bow top fence to be installed around the perimeter of play park and an asphalt concrete path

Address: Lands off Barrack Road and directly adjacent to O'Neill Park, Ballymaguigan , Magherafelt,

Decision:

Decision Date:

Ref ID: LA09/2015/0049/F

Proposal: Proposed car park adjacent to existing minor playing fields

Address: Proposed car park at O'Neill Park, Ballymaguigan, Magherafelt,

Decision: PG
Decision Date: 18.09.2015

Summary of Consultee Responses**Drawing Numbers and Title**

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 03
Type: Proposed Plans
Status: Submitted

Drawing No. 02
Type: Site Layout or Block Plan
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2016/1654/A	Target Date:
Proposal: The sign will consist of a flat screen fixed to gable wall with brackets. It shall display moving images and static images for advertising	Location: 53 Main Street Maghera (Walsh's Hotel) Sign to be displayed on the Coleraine Rd side of the building
Applicant Name and Address: Mr Kieran Bradley Walsh's Hotel 53 Main Street Maghera BT46 5BN	Agent name and Address: Mr Sean McKenna 4 Glen Cree Glen Road Maghera BT46 5JB
Summary of Issues:	
Summary of Consultee Responses: Transport NI have concerns that the LED sign creates a traffic hazard which causes a distraction to drivers and may lead to shunting type collisions on the approach to the junction. TNI also have concerns regarding the protected route and the description stating that the LED sign will display moving images. TNI have therefore recommended refusal.	
Characteristics of the Site and Area: The site is located within the settlement limit of Maghera, as defined by the Magherafelt Area Plan 2015. The site is located at Walsh's Hotel, on the junction of Main Street and Coleraine Road, both designated as protected routes. There is currently an LCD screen measuring 5m x 3m attached to the northern gable end of the hotel. The screen is visible when viewed from the North by both drivers and pedestrians on Coleraine road. The site is located within Maghera town centre and an area of archaeological potential. The surrounding area is characterised mainly by retail land uses, with a row of shops opposite the site and a filling station and fast food restaurant immediately adjacent to the site.	
Description of Proposal An application has been made for consent to display an advertisement. The proposal is for the retention of the LCD screen. The sign consists of a flat screen fixed to the gable wall with brackets. The screen will be illuminated internally and will display both static and intermittent images. The screen measures 5 m x 3 m.	

Deferred Consideration:

This application was deferred by the Planning Committee for an office meeting with the applicant following a previous deferral by the Committee for the workshop on signage.

At the office meeting which was attended by DfI Roads, the applicant and his representative from Blazing Digital together with the agent and Cllr McGuigan there was an in depth discussion as to the acceptability of the sign at this location. There was a frustration held by the applicant's representatives as to why this sign is perceived to be dangerous at this location when there are other signs at busier traffic junctions in other districts that have been approved. It was discussed how the sign is a perceived hazard in the opinion of DfI Roads and the applicant's representatives stated it is very difficult to prove it is not a perceived hazard. The application was deferred by the Planning Committee on the basis the sign was to be reduced in size but this is no longer offered by the applicant. The lumen levels of the sign were discussed and whether a reduction in the lumen levels would make the sign more acceptable and not a perceived hazard. Whilst it was agreed that I would meet the representatives on site to view the differing levels DfI Roads have since confirmed that there is no level that would be acceptable to them and the sign would still be considered as a perceived hazard. There are now other unlawful signs being erected which need addressed and there is a concern an approval of this sign will set a precedent for others.

The issues with the sign have been addressed in the case officer report. There are still concerns with the visual impact of the sign of this size and the road safety concerns identified by DfI Roads at this location and I recommend a continued refusal of this application.

Conditions/Reasons for Refusal:**Refusal Reasons**

1. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that the proposed sign does not respect amenity, when assessed in the context of the general characteristics of the locality.
2. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that it would, if permitted, prejudice the safety and convenience of road users since the erection of this proposal in close proximity to a road junction, would distract the attention of motorists from road traffic signals, thereby creating a traffic hazard.
3. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that the proposed sign would be visually intrusive and distract the attention of road users thereby prejudicing the safety and convenience of traffic on this Protected Traffic Route.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster

Local Planning Office

Mid-Ulster Council Offices

50 Ballyronan Road

Magherafelt

Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2016/1654/A	Target Date:
Proposal: The sign will consist of a flat screen fixed to gable wall with brackets. It shall display moving images and static images for advertising	Location: 53 Main Street, Maghera (Walsh's Hotel) Sign to be displayed on the Coleraine Rd side of the building
Applicant Name and Address: Mr Kieran Bradley Walsh's Hotel 53 Main Street Maghera BT46 5BN	Agent name and Address: Mr Sean McKenna 4 Glen Cree Glen Road Maghera BT46 5JB
Summary of Issues: Amenity and Public Safety	
Summary of Consultee Responses: Transport NI have concerns that the LED sign creates a traffic hazard which causes a distraction to drivers and may lead to shunting type collisions on the approach to the junction. TNI also have concerns regarding the protected route and the description stating that the LED sign will display moving images. TNI have therefore recommended refusal.	

Characteristics of the Site and Area:

The site is located within the settlement limit of Maghera, as defined by the Magherafelt Area Plan 2015. The site is located at Walsh's Hotel, on the junction of Main Street and Coleraine Road, both designated as protected routes. There is currently an LCD screen measuring 5m x 3m attached to the northern gable end of the hotel. The screen is visible when viewed from the North by both drivers and pedestrians on Coleraine road. The site is located within Maghera town centre and an area of archaeological potential. The surrounding area is characterised mainly by retail land uses, with a row of shops opposite the site and a filling station and fast food restaurant immediately adjacent to the site.

Description of Proposal

An application has been made for consent to display an advertisement. The proposal is for the retention of the LCD screen. The sign consists of a flat screen fixed to the gable wall with brackets. The screen will be illuminated internally and will display both static and intermittent images. The screen measures 5 m x 3 m.

Deferred Consideration:

This application was presented before the Planning Committee in March 2017 where it was deferred for the workshop on signage.

This application for a new flat screen sign for the display of moving and static images for advertising is on the rear wall of Walsh's Hotel in Maghera. It falls to be considered under Policy AD 1 of PPS 17: Control of Outdoor Advertisements.

Policy AD 1 address issues of amenity and public safety and states consent will be given for the display of an advertisement where:

- (i) It respects amenity, when assessed in the context of the general characteristics of the locality; and
- (ii) It does not prejudice public safety.

As detailed above the sign measures 5m x 3m and covers the vast majority of the rear gable wall on which it has been fixed to. The application is within the development limits of Maghera at a very busy traffic light junction at the junction of the Coleraine Road/Hall Street/Main Street. There is a mix of business, retail and educational uses in the area with business having their own signage. Nevertheless this advertising sign must be assessed on its effect upon the appearance of the building and the immediate neighbourhood where it is displayed and its impact over long distance views. This sign has been erected without planning permission but this allows a full assessment of its impact. The sign does not respect the amenity of the neighbourhood and dominates the area particularly given the size of the screen and the moving images that are displayed throughout the day and night. The sign appears as incongruous on the host building itself, which although is a hotel use, it appears as a dominant use on the host building.

On approaching the site from the Coleraine Road driving/walking into Maghera town there is a long distance view. Again the sign has the effect of appearing as dominant on the approach into Maghera given the sheer size of it in the streetscape.

Annex A of PPS 17 provides guidance for outdoor advertisements and in it deals with Poster Panel Displays which generally do not relate directly to the land or premises on which they are located as is the case in this application. Having seen the various advertisements being displayed some relate directly to the hotel and upcoming functions itself and other displays are for the benefit of

business not connected to the Hotel itself. Annex A acknowledges poster panel displays rely on size and siting for their impact and they have the potential to be over dominant and obtrusive in the street scene and therefore there is a need to ensure that such displays respect the scale of their surroundings. It is my opinion this guidance reinforces the unacceptability of the sign at this location and at the size as erected and is contrary to Policy AD 1 of PPS 17 by way of its impact on amenity when assessed in the context of the general characteristics of the locality.

Policy AD 1 addresses issues of public safety with a new advertisement. It is acknowledged that by their very nature they are designed to attract the attention of passers-by and therefore have the potential to impact on public safety. There are a number of advertisement types which are likely to pose a threat to public safety and these include:-

- Signs which incorporate moving or apparently moving elements in their display, especially where the whole message is not displayed at one time therefore increasing the time taken to read the whole message;
- Signs sited or designed primarily to be visible from a motorway or other special road.

Policy AD 1 states that in assessing the impact on public safety the vital consideration will be whether the advertisement is likely to be so distracting that it creates a hazard to or endangers people in the vicinity be they drivers cyclists or pedestrians.

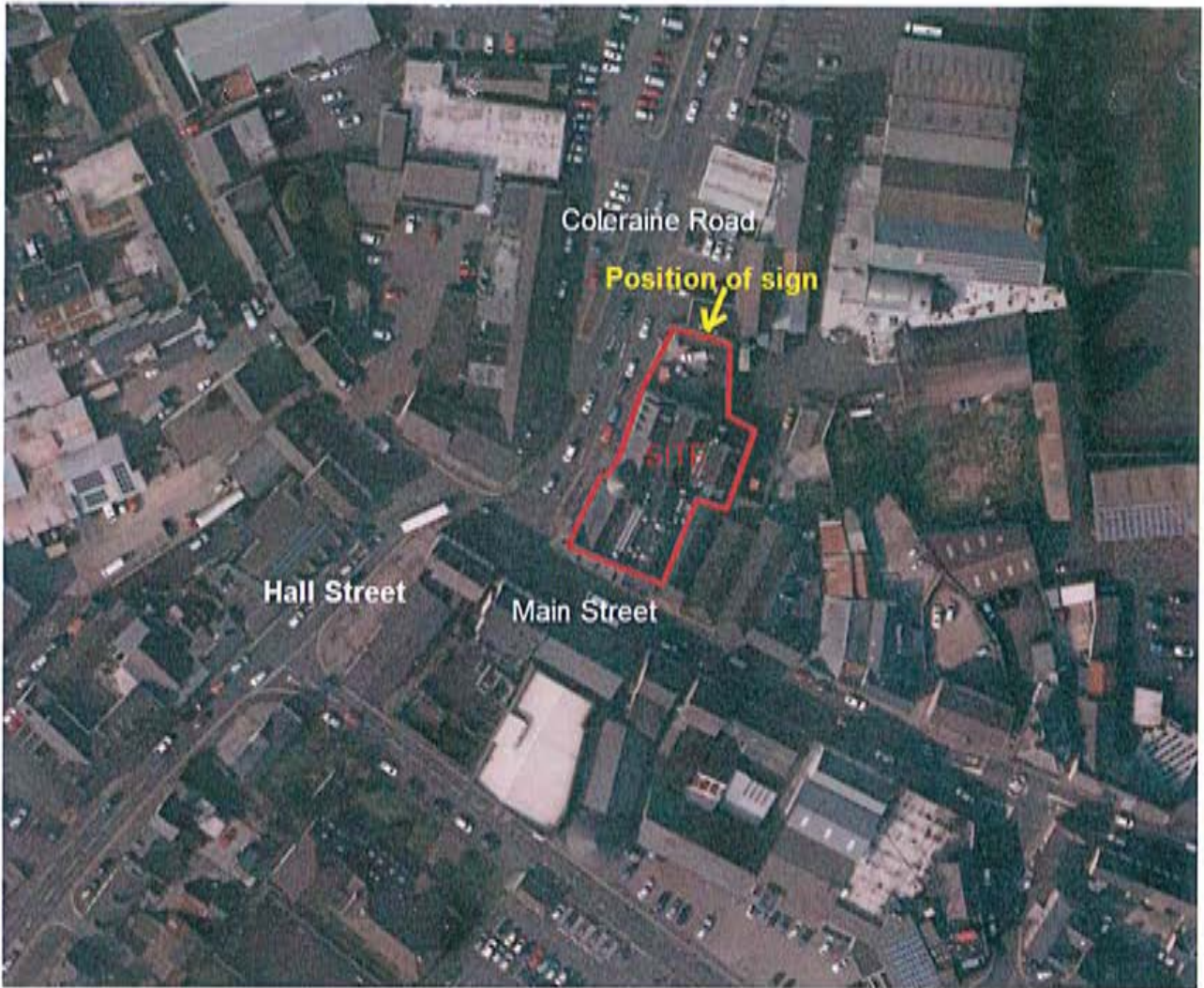
The A29, from which the sign is prominent in the streetscape, is a protected route and this must be given weight when considering this application. Policy AD 1 is clear when it states that signs which are sited or designed primarily to be visible from a special road are likely to pose a threat to public safety. The sign is of such a considerable size in a very prominent location that it has been designed to attract the attention of all people in the vicinity of the application site, indeed it is its very purpose. Transport NI are concerned that it is mounted on the approach to a busy traffic light controlled junction. Vehicles regularly have to queue here as the lights go through the various phases and the erection of this sign, at 5m x 3m, will, in the opinion of TNI, create a road traffic hazard which will distract drivers and may lead to shunting type collisions on the approach to the junction. TNI also have a particular concern that the description states clearly that it shall display moving images. Transport NI have recommended 2 reasons for refusal for this application as they are of the opinion it will prejudice the safety and convenience of road users as it would distract the attention of motorists from road traffic signals and thereby creating a traffic hazard.

Reasons for Refusal:

1. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that the proposed sign does not respect amenity, when assessed in the context of the general characteristics of the locality.
2. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that it would, if permitted, prejudice the safety and convenience of road users since the erection of this proposal in close proximity to a road junction, would distract the attention of motorists from road traffic signals, thereby creating a traffic hazard.
3. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that the proposed sign would be visually intrusive and distract the attention of road users thereby prejudicing the safety and convenience of traffic on this Protected Traffic Route.

Signature(s):

Date





Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster

Local Planning Office

Mid-Ulster Council Offices

50 Ballyronan Road

Magherafelt

BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2016/1654/A	Target Date:
Proposal: The sign will consist of a flat screen fixed to gable wall with brackets. It shall display moving images and static images for advertising	Location: 53 Main Street Maghera (Walsh's Hotel) Sign to be displayed on the Coleraine Rd side of the building
Referral Route: Recommended for refusal	
Recommendation: Refusal	
Applicant Name and Address: Mr Kieran Bradley Walsh's Hotel 53 Main Street Maghera BT46 5BN	Agent Name and Address: Mr Sean McKenna 4 Glen Cree Glen Road Maghera BT46 5JB
Executive Summary: Proposal in conflict with policy AD1 of PPS 17	
Signature(s): N. Hasson	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response

Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

One objection has been received to the proposed advertising consent application. The objection relates to the following issues:

- The sign is very bright and blinding.
- The sign is a distraction for road users.

Characteristics of the Site and Area

The site is located within the settlement limit of Maghera, as defined by the Magherafelt Area Plan 2015. The site is located at Walsh's Hotel, on the junction of Main Street and Coleraine Road, both designated as protected routes. There is currently an LCD screen measuring 5m x

3m attached to the northern gable end of the hotel. The screen is visible when viewed from the North by both drivers and pedestrians on Coleraine road. The site is located within Maghera town centre and an area of archaeological potential. The surrounding area is characterised mainly by retail land uses, with a row of shops opposite the site and a filling station and fast food restaurant immediately adjacent to the site.

Description of Proposal

An application has been made for consent to display an advertisement. The proposal is for the retention of the LCD screen. The sign consists of a flat screen fixed to the gable wall with brackets. The screen will be illuminated internally and will display both static and intermittent images. The screen measures 5 m x 3 m.

Planning Assessment of Policy and Other Material Considerations

Site History:

H/2006/0898/A relates to an application for a 'screen for projecting images on to'. This application was previously refused on 23rd May 2008. This application related to the same wall as the current application.

Development Plan and Key Policy Considerations:

The site is located on white land within the settlement limit of Maghera, as defined by the Magherafelt Area Plan 2015 and is located adjacent to the A29, a protected route. There is no specific policy within the local development plan material to this application.

The primary policy context is provided by policy AD1 of Planning Policy Statement 17: Control of Outdoor Advertisement (PPS 17). Policy AD 1 of PPS 17 states that consent will be given for the display of an advertisement where it respects amenity, when assessed in the context of the general characteristics of the locality, and it does not prejudice public safety.

The proposal relates to a 'Poster Panel Display'. Further guidance on this specific advertisement type is found in Annex A of PPS 17. Para 8 relates to predominantly commercial areas and states that the scale of advertisement displays should respect the scale of adjacent buildings and the wider area. Para 12 relates to gable mounted advertising displays and acknowledges that they may offer benefits, such as screening an untidy gable. The guidance states that the form, design, size, proportions and siting of a wall mounted poster panel should be sympathetic to the host building. The panel should be symmetrical and placed above ground level and windows or interesting features of the host building should not be adversely affected. I have concerns that the size and proportions of the advertisement are not sympathetic to the host building or the wider area and the advertisement is dominant and obtrusive in the street scene. I also have concerns that the levels of illumination of the advertisement has the potential for light pollution, especially when viewed at night. Furthermore, this section of the Coleraine Road is straight therefore the screen is visible over long distance views from the north. On balance, it is my opinion that the advertisement does not respect amenity, when assessed in the context of the general characteristics of the locality for the reasons outlined above.

This road is generally very busy and the sign is highly visible when approaching in a southerly direction. Transport NI have concerns that the LED sign creates a traffic hazard which causes a distraction to drivers and may lead to shunting type collisions on the approach to the junction. TNI also have concerns regarding the protected route and the description stating that the LED sign will display moving images. Para 4.11 of PPS 17 states a number of scenarios whereby an

advertisement is likely to pose a threat to public safety. These scenarios include (but are not limited to):

- Illuminated signs which because of their size or brightness could result in glare or dazzle, or otherwise distract road users.
- Signs which incorporate moving elements in their display.
- Signs sited or designed primarily to be visible from a motorway or other special road, in this case, the A29 protected route.

The 3 scenarios outlined above are material to this consideration and consequently, it is my opinion that the advertisement does prejudice public safety.

Neighbour Notification Checked **N/a**

Summary of Recommendation:

It is my opinion that the proposal is contrary to policy AD1 of PPS17 in that it would, if approved, adversely impact upon the visual amenity of the locality and will prejudice public safety.

Reasons for Refusal:

1. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that the proposed sign does not respect amenity, when assessed in the context of the general characteristics of the locality.

2. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that it would, if permitted, prejudice the safety and convenience of road users since the erection of this proposal in close proximity to a road junction, would distract the attention of motorists from road traffic signals, thereby creating a traffic hazard.

3. The proposal is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements, Policy AD1, in that the proposed sign would be visually intrusive and distract the attention of road users thereby prejudicing the safety and convenience of traffic on this Protected Traffic Route.

Signature(s) N. Hasson

Date: 23/02/17

ANNEX	
Date Valid	23rd November 2016
Date First Advertised	n/a
Date Last Advertised	
Details of Neighbour Notification (all addresses) N/a	
Date of Last Neighbour Notification	n/a
Date of EIA Determination	n/a
ES Requested	No
Planning History Ref ID: LA09/2016/1654/A Proposal: The sign will consist of a flat screen fixed to gable wall with brackets. It shall display moving images and static images for advertising Address: 53 Main Street, Maghera (Walsh's Hotel) Sign to be displayed on the Coleraine Rd side of the building, Decision: Decision Date: Ref ID: H/1987/0547 Proposal: GARAGE EXTENSION TO BAKERY Address: 21 COLERAINE ROAD MAGHERA Decision: Decision Date: Ref ID: H/1985/0139 Proposal: CHANGE OF USE FROM HEALTH STUDIO TO GAMES ROOM Address: 41 MAIN STREET, MAGHERA Decision: Decision Date: Ref ID: H/1998/0518 Proposal: NEW SOLICITORS OFFICE Address: 43-49 MAIN STREET MAGHERA	

Decision:
Decision Date:

Ref ID: H/1997/0585
Proposal: SOLICITORS OFFICE
Address: 43-49 MAIN STREET MAGHERA
Decision:
Decision Date:

Ref ID: H/2001/0865/F
Proposal: Office And Kitchen Extension to Walsh's Hotel.
Address: 53 Main Street, Tamnymullan, Maghera, Northern Ireland, BT46 5AA
Decision:
Decision Date: 14.12.2001

Ref ID: H/2003/0513/F
Proposal: Demolition of 2no. retail units and 1no. dwelling to be replaced with 3no. retail units.
Address: 17 - 19 Coleraine Road, Maghera.
Decision:
Decision Date: 20.02.2004

Ref ID: H/1984/0150
Proposal: CHANGE OF USE OF VACANT SHOP TO HOT FOOD TAKE-AWAY
Address: COLERAINE ROAD, MAGHERA
Decision:
Decision Date:

Ref ID: H/1997/0128
Proposal: CHANGE OF USE FROM OUTLET FOR PRE-SCHOOL SUPPLIES TO AMUSEMENT ARCADE
Address: 17 COLERAINE ROAD MAGHERA
Decision:
Decision Date:

Ref ID: H/1999/0271
Proposal: HOTEL
Address: 53 MAIN STREET MAGHERA
Decision:
Decision Date:

Ref ID: H/1998/0496
Proposal: EXTENSION AND REINSTATEMENT OF HOTEL WITH ADDITION OF 3 NO.RETAIL SHOPS AND 4 NO.APARTMENTS

Address: 53 MAIN STREET/JUNCTION OF COLERAINE ROAD MAGHERA
Decision:
Decision Date:

Ref ID: H/2002/0710/F
Proposal: Extension to Restaurant
Address: 51 Main Street, Tamnymullan, Maghera, Northern Ireland, BT46 5AA
Decision:
Decision Date: 14.11.2002

Ref ID: H/2000/0640/F
Proposal: Re - Instatement of existing hotel
Address: 53 Main Street, Tamnymullan, Maghera, Northern Ireland, BT46 5AA
Decision:
Decision Date: 27.11.2000

Ref ID: H/1997/6034
Proposal: EXTENSION TO HOTEL WALSH'S HOTEL 55 MAIN STREET MAGHERA
Address: WALSH'S HOTEL
Decision:
Decision Date:

Ref ID: H/1981/0377
Proposal: ALTERATIONS AND ADDITIONS TO HOTEL
Address: WALSH'S HOTEL, 53 MAIN STREET, MAGHERA
Decision:
Decision Date:

Ref ID: H/1974/0124
Proposal: SITE OF EXTENSION
Address: WALSH'S HOTEL, MAIN STREET, MAGHERA
Decision:
Decision Date:

Ref ID: H/1992/6066
Proposal: (a)RESTRUCTURING + EXTENSION OF HOTEL (b)CONSTRUCTION OF
THREE SHOP UNITS 53 MAIN ST MAGHERA
Address: 53 MAIN ST
Decision:
Decision Date:

Ref ID: H/1987/0250
Proposal: SHOP UNITS AND FUNCTION ROOM EXTENSION
Address: WALSHES HOTEL 53 MAIN STREET MAGHERA

Decision:
Decision Date:

Ref ID: H/2001/0540/F

Proposal: Change of use from basement to extension of public bar
Address: 53 Main Street, Tamnymullan, Maghera, Northern Ireland, BT46 5AA
Decision:
Decision Date: 14.11.2001

Ref ID: H/1987/0157

Proposal: NEW SHOP FRONT WINDOWS
Address: 51 MAIN STREET MAGHERA
Decision:
Decision Date:

Ref ID: H/1973/0123

Proposal: SITE OF FUNCTION ROOM
Address: MAIN STREET, MAGHERA
Decision:
Decision Date:

Ref ID: H/1999/0016

Proposal: REPLACEMENT SHOP AND 2 NO OFFICES
Address: 51 MAIN STREET MAGHERA
Decision:
Decision Date:

Ref ID: H/2001/0010/F

Proposal: Change Of Use From Ground Floor Retail Unit To Facilitate Extension To
Public Bar At Walshs Hotel, Maghera
Address: 51 Main Street, Tamnymullan, Maghera, Northern Ireland, BT46 5AA
Decision:
Decision Date: 16.03.2001

Ref ID: H/2001/0623/F

Proposal: Change of use from first floor office to facilitate extension to
conference/meeting room
Address: 51 Main Street, Tamnymullan, Maghera, Northern Ireland, BT46 5AA
Decision:
Decision Date: 11.10.2001

Ref ID: H/2006/0898/A

Proposal: Screen for projecting images on to.
Address: Walsh's Hotel, 53 Main Street, Maghera

Decision:
Decision Date: 23.05.2008

Ref ID: H/1987/0294
Proposal: MEAT PACKING & STORAGE FIRST FLOOR EXTENSION TO SHOP
Address: 43/49 MAIN STREET MAGHERA
Decision:
Decision Date:

Ref ID: H/1987/0523
Proposal: EXTENSION TO SAUSAGE FACTORY
Address: 43-49 MAIN STREET MAGHERA
Decision:
Decision Date:

Summary of Consultee Responses

Transport NI have concerns that the LED sign creates a traffic hazard which causes a distraction to drivers and may lead to shunting type collisions on the approach to the junction. TNI also have concerns regarding the protected route and the description stating that the LED sign will display moving images. TNI have therefore recommended refusal.

Drawing Numbers and Title

Drawing No. 05
Type: Proposed Sign Elevations
Status: Submitted

Drawing No. 03
Type: Proposed Sign Elevations
Status: Submitted

Drawing No. 02
Type: Existing Sign Elevations
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 04
Type: Proposed Sign Elevations
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2017/0897/F	Target Date: <add date>
Proposal: Part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business (Evergreen Peat)	Location: 100m North West of 213 Washingbay Road Coalisland
Applicant Name and Address: Jim Mc Cuskey Evergreen Peat 10A Ferry Road Coalisland	Agent name and Address: CMI Planners Ltd 38 Airfield Road Toomebridge
Summary of Issues: lack of evidence that the farm business itself is active and established and therefore that this proposal is to be run in conjunction with the business.	
Summary of Consultee Responses: Environmental Health – there are a number of sensitive receptors in close proximity, no objections if storage only and hours of delivery and use conditioned Roads – revisions were sought for access, no objections if the access is provided	
Characteristics of the Site and Area: The site contains a large shed and concrete yard, the shed is agricultural / commercial in appearance and occupies much of the site as identified. At the time of my site visit a number of lorry trailers and forklift trucks were parked within the hardstanding area. The field slopes down towards the east corner, the shed and yard are on the highest part of it	

the field. A low earth embankment has been crated along the north side of the hardcored yard and the remainder of the field to the north and east is in grass.

The surrounding area is characterised with development of single house along the road frontages with some farm groupings and horticultural poly tunnels to the NE. DMAC Engineering is located approx. 200mts to the west of the site and there is a nucleus of development at the end of the Washingbay Road approx. 500metres to the east where there is a school and mattress factory as well as housing.

Description of Proposal

Part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business (Evergreen Peat).

Members are advised this description has been amended, it was initially described as for dry storage of peat.

Deferred Consideration:

Members are advised this application was before them in March 2018 and April 2019 with a recommendation to refuse planning permission, the application was most recently deferred as the Draft Plan Strategy had been published and the consultation period was on-going. Since then the Draft Plan Strategy has been objected to and draft policies GP1 –General Principles Planning Policy, ECON2 – Economic Development in the Countryside and TRAN4 – Access onto Protected Routes and Other Route Ways are material considerations, however these may not be afforded determining weight in the consideration of this application and the retained policies are those which must be considered.

Members are advised an application, LA09/2019/0489/F was submitted for the retention of the use of the yard area to allow the parking of lorries and this application is also being brought forward on this list for determination.

Previous consideration has been had to the circumstances around the business, the need to store the wrapping materials in a separate location to minimise wastage due to accidents at the existing site and the restricted area which the business operates from at Ferry Road.

Further objections have been received in relation to the development, the majority of the points have been rehearsed in the previous reports. The objector has highlighted a successful challenge by Jim Allister to a decision on a planning application by Causeway Coast & Glens Council. While there were no further details provided of that case, there was a decision for a hotel and leisure resort that was quashed as it was considered there was procedural unfairness, breach of the Planning Committee's Protocol, error of law in respect of Policy CMP3 and breach of the Environmental Impact Assessment Regulations. The objector has indicated if planning permission is granted they will have no hesitation to appoint a barrister and challenge the decision. Members are aware that is the only method that is open to the objector to challenge any decision as there is no 3rd party right of appeal in the Northern Ireland Planning Regime.

Objections have been received about a number of different uses and operators using this site, I visited the site on the afternoon of xxxxx having spoken to the agent that morning. I

observed one side of the interior of the building was fitted out with racks and the wrapping materials were now stored on these. Mr McCuskey advised there was furniture being stored in part of the other side as a favour and a tractor was being repaired in the middle of the building. Given the short notice I am content the building is not being used for any other purpose than that proposed, some adhoc storage and farm machinery related purposes.

As previously advised, Members must only take into account the proposal before them which is for use of part of this building to store plastic bags and plastic wrapping material for Evergreen Peat. Other matters that have been raised are material considerations, as they have been brought to the Councils attention. In view of these other concerns, I do not consider it would be appropriate to exercise an exception to policy in this instance and I would advise the Members to be mindful that I do not consider there is any policy which supports this off site expansion of an established economic development.

In light of the above, the previous reports that were before the Planning Committee and without any other information to the contrary, I recommend that this application is refused.

Reasons for Refusal:

1. The proposal is contrary to the SPPS and Policy CTY11 of PPS21 in that it has not been demonstrated that the proposal is to be run in conjunction with any agricultural operations on the farm and that the farm business is currently active.
2. The proposal is contrary to the SPPS, Policy CTY1 and PED2 of PPS4 in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2017/0897/F	Target Date: <add date>
Proposal: Part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business (Evergreen Peat)	Location: 100m North West of 213 Washingbay Road Coalisland
Applicant Name and Address: Jim Mc Cuskey Evergreen Peat 10A Ferry Road Coalisland	Agent name and Address: CMI Planners Ltd 38 Airfield Road Toomebridge
Summary of Issues: lack of evidence that the farm business itself is active and established and therefore that this proposal is to be run in conjunction with the business.	
Summary of Consultee Responses: Environmental Health – there are a number of sensitive receptors in close proximity, no objections if storage only and hours of delivery and use conditioned Roads – revisions were sought for access, no objections if the access is provided	
Characteristics of the Site and Area: The site contains a large shed and concrete yard, the shed is agricultural / commercial in appearance and occupies much of the site as identified. At the time of my site visit a number of lorry trailers and forklift trucks were parked within the hardstanding area. The field slopes down towards the east corner, the shed and yard are on the highest part of it the field. A low earth embankment has been crated along the north side of the hardcored yard and the remainder of the field to the north and east is in grass.	

The surrounding area is characterised with development of single house along the road frontages with some farm groupings and horticultural poly tunnels to the NE. DMAC Engineering is located approx. 200mts to the west of the site and there is a nucleus of development at the end of the Washingbay Road approx. 500metres to the east where there is a school and mattress factory as well as housing.

Description of Proposal

Part use of existing farm shed to provide internal dry storage of plastic bags and plastic wrapping covers in association with the applicants established horticultural business (Evergreen Peat). Members are advised this description has been amended, it was initially described as for dry storage of peat.

Deferred Consideration:

Members are advised this application was before them in March 2018 with a recommendation to refuse planning permission, the application was deferred to allow an office meeting with the Planning Manager. At the office meeting the agent advised the proposal was not for the storage of peat but for the storage of wrapping material and bags in association with Evergreen Peat, which operates from an established premises off Ferry Road. The existing business has grown significantly and provides for so many different markets that it is not possible to keep all the wrapping materials on the existing site and keep the operations effective. They require a separate storage area to allow speedy identification of what wrapping is need and to store bulk orders of the wrapping materials. The materials are expensive and in the cramped environment on the existing site they are getting damaged which is resulting in undue wastage. This building is approx. 2kms from the existing plant and operations and allows them to quickly retrieve and change wrapping materials.

I visited the site and noted approx.. ½ of the building was used for the storage of wrapping materials. The packaging was laid in such a manner as to be easily counted and retrieved. I also visted the existing plant and noted that it is very cramped with finished products baled and stacked on the site, stockpiles of raw material around the yard and production lines for mixing, processing, bagging and stacking the finished products contained within an existing building on the site. The main production facility is located approx. 2kms south east of the application site. Mr McCuskey advised that his product is in high demand for production in Holland and across the EU. Mr McCuskey explained, at the time of my visit last March, they were getting ready for Easter and this was traditionally a busy time for the company. He explained he had recently signed a deal with United Arab Emirates for the supply of his product and this will result in production being increased.

Members should note that the application was previously considered against Farm Diversification policy CTY11 in PPS21, however having visited the production facility and the site, I consider Evergreen Peat carries out an industrial process. An industrial process is defined in the Planning (Use Classes) Order (NI) 2015 as 'a process for or incidental to any of the following purposes: (a) the making of any article or part of any article (including an aircraft, ship or vessel, or a film, video or sound recording); (b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning or adapting for sale of any article; (c) the breaking up or demolition of any article (where this is not a process related to the use in Article 3(4)(o)); or (d) the getting, dressing or treatment of

minerals; in the course of any trade or business other than agriculture and other than a use carried out in or adjacent to a mine or quarry. In my opinion the mixing and blending of the peat and other materials on the site falls within this definition and as such this application should be considered against Planning Policy Statement 4 – Planning and Economic Development.

PED2 sets out a number of circumstances where Economic Development may be acceptable in the countryside. PED3 allows development in certain circumstances where it is to facilitate the expansion of an established economic development use in the countryside. In this case, members may wish to take account of the location of the existing business close to the shore of Lough Neagh, where it has been indicated there is limited opportunity to expand as they do not own the adjacent land and there are a number of restrictive environmental designations. In my view PED3 is directed at an expansion of an existing business site either on site or extending it into neighbouring land. The policy does not support ‘off –site’ expansion, as is being proposed here for storage of plastic wrapping materials and plastic bags. Members have made exceptions to the policies in PPS4 in a small number of cases, however these were based on the site specifics of those cases.

I would like members to be aware of following;

- the business is involved in peat processing and the applicant has advised they are expanding at a significant rate
- the Planning Department has asked for evidence of the planning permissions that allow the commercial extraction of peat and no evidence has been presented to demonstrate this
- the Planning Department have invited applications to regularise the commercial extraction, to date no applications have been submitted by the applicant for consideration
- there are a number of complaints relating to the use of this site for parking lorries and trailers and the enforcement team is aware of this site.

The Council could attach conditions to any planning permission that would control the use on the site as it is difficult to see how the use of part of the building would cause any loss of amenity to the neighbours, impact on the character of the area or have any other adverse impacts as set out in PED9. However, members are advised of the real concerns raised by objections in relation to the proposal;

- the shed has never been used for any agricultural purpose
- increase traffic / noise/ need for a generator as there is no electric on site
- that this would lead to an expansion of evergreen peat at this location resulting in loose peat storage externally resulting in harm to the objectors poly tunnels. Potential for future sheds as a result of expansion needs here
- this is really a relocation / expansion of evergreen peat which should comply with different planning policy PED3 of PPS4.
- That the applicant does not partake in any farming activities.
- That peat processed by the company is not produced on the farm but originates from elsewhere in Ireland.
- Dust from another peat operator resulted in problems for houses in Granville
- At the time of writing (5 Feb 2018) 14 forty foot trailers are parked in addition to other plant and machinery
- The shed has a large industrial roller shutter more akin to commercial use

- Future property values at risk / environmental health issues
- The re-location of the shed has resulted in an eyesore.
- That a previous application for a commercial unit M/2005/2006/F was refused in an adjacent field.

Members must only take into account the proposal before them which is for use of part of this building to store plastic bags and plastic wrapping material for Evergreen Peat. Other matters that have been raised are material considerations, as they have been brought to the Councils attention. In view of these other concerns, I do not consider it would be appropriate to exercise an exception to policy in this instance and I would advise the Members to be mindful that I do not consider there is any policy which supports this off site expansion of an established economic development.

The Draft Plan Strategy was published on 22 February 2018 and is currently undergoing an initial 8 week consultation period. Draft Policies GP1 –General Principles Planning Policy, ECON2 – Economic Development in the Countryside and TRAN4 – Access onto Protected Routes and Other Route Ways are relaxant to the consideration of this application and I do not consider these present any significant change to the extant policies for the consideration of this application. Members are advised the policies are material considerations, however due to their recent publication and draft status, they may not be given any determining weight in the consideration of this application.

In light of the above and without any other information to the contrary, I recommend that this application is refused.

Reasons for Refusal:

1. The proposal is contrary to the SPPS and Policy CTY11 of PPS21 in that it has not been demonstrated that the proposal is to be run in conjunction with any agricultural operations on the farm and that the farm business is currently active.
2. The proposal is contrary to the SPPS, Policy CTY1 and PED2 of PPS4 in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA09/2017/0897/F	Target Date:
Proposal: Part use of existing farm shed to provide internal dry storage of peat in association with the applicants established horticultural business (Evergreen Peat)	Location: 100m North West of 213 Washingbay Road Coalisland
Referral Route: Refusal recommended contrary to Policy CTY1 and CTY11	
Recommendation: Refusal.	
Applicant Name and Address: Jim McCuskey Evergreen Peat 10A Ferry Road Coalisland	Agent Name and Address: CMI Planners Ltd 38 Airfield Road Toome bridge
Signature(s): M.Bowman	

Case Officer Report

Site Location Plan

Lorry trailers parked at time of site visit.



**Consultations:**

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Non Statutory	Environmental Health Mid Ulster Council	Substantive Response Received
Statutory	DFI Roads - Enniskillen Office	Advice

Representations:

Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received

Number of Petitions of Objection and signatures	No Petitions Received
Summary of Issues – lack of evidence that the farm business itself is active and established and therefore that this proposal is to be run in conjunction with the business.	
Characteristics of the Site and Area – a large semi-agricultural / commercial in appearance shed occupies much of the site and at the time of my site visit a number of lorry trailers were parked within the hardstanding area. I note some variations between the shed as built and approved plans in relation to the door opening and pedestrian door. Area of grassland provides a fair degree of separation from the site to the rear of established residential properties, one of which, No 215 Washingbay Road, had objected. Access lane is place and is stoned down to the site.	
Description of Proposal Part use of existing farm shed to provide internal dry storage of peat in association with the applicants established horticultural business (Evergreen Peat)	
Planning Assessment of Policy and Other Material Considerations SPPS CAP PPS21 This is a rural location as defined by the Cookstown Area Plan. The SPPS, in relation to development in the countryside, aims to maintain and enhance the attractiveness of it as a place to invest, live and work and which requires a sustainable approach to new development. Specifically in relation to Farm Diversification it states that provision should be made for such proposals where the farm is currently active and established for a minimum of 6 years and the proposal is to be run in conjunction with the agricultural operations of the farm. Proposals must involve the re-use or adaption of existing buildings with new buildings only being accepted in exceptional circumstances. The thrust of the above policy direction is reinforced in Policy CTY11 of PPS21 which requires the following: Policy CTY 11 – Farm Diversification Planning Permission will be granted for a farm or forestry diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm. The following criteria will apply: (a) the farm or forestry business is currently active and established; By way of background to this case the site history is relevant. Planning permission was granted on the 19 th June 2013 for a Mr Joe McCuskey for a proposed farm building. At that time it appears that all agricultural lands owned by the applicant were leased and that there was no established farm business ID in existence. Examining the farm maps submitted then reveals only an 'applicant reference' and 3 fields. Despite an initial recommendation to refuse the application the Department later changed its opinion and allowed the shed.	

An application was determined by Mid-Ulster Council (LA09/2016/1428/F) to slightly re-locate the shed and amend its access.

The shed has since been constructed in general accordance with its approved plans however significant doubt remains as to whether an agricultural use has ever existed in it. An Enforcement investigation found no evidence of agricultural use and sought the removal of the unauthorised parking of lorry trailers from the adjoining area of hardstanding. I understand the case was closed following the removal of the trailers which I note had returned back onto the site at the time of my site visit of 11th Jan 2018 (see photos). At the time of my visit I was unable to enter the shed.

Having asked the agent to provide a case to support this application the following main points were made in relation to Policy CTY11.

- That the application is to support Evergreen Peat which has outgrown its nearby site
- The shed will be part used to store plastic rolls used to wrap the pallets and bags with all storage taking place internally on racks
- CMI argue that the working of peat is classed as a farming activity
- No single farm payment is being taken by the applicant and so there are no current farm maps
- That there are no EHO objections and the building is already used for storage of the applicant's farm machinery.
- The proposal is essential for the smooth running of the business

My remaining underlying concern that this proposal is to complement Evergreen Peat as opposed to any clear farm activity or farm business. It is worth repeating that the Policy requirement in this regard is that such diversification proposals are **run in conjunction with the agricultural operations on the farm** (my emphasis). The agent is silent on how the applicant runs any 'agricultural' operations beyond the Peat Business which I am not aware is itself produced from the farm lands owned and how the farm business is currently active. DEARA confirmed in 2016 that Mr Joe McCuskey (applicant for the original 2012 permission) had still not been granted a flock number, this is in spite of an understanding that he would apply for such a number if the shed was approved by the Department as the case made at that time was for future livestock. The applicant is now listed as Mr Jim McCuskey.

It is not unreasonable to try to ascertain why the applicant could apply to extend the existing business location in accordance with Policy PED3 PPS4. Whilst the agent states that no other lands are owned by the applicant around Evergreen Peat this is not perhaps insurmountable.

(b) in terms of character and scale it is appropriate to its location;

the application proposes to use an existing approved shed. Consideration should be given to the need for trailer parking and its adverse visual impact on rural amenity. Any third party concerns in relation to outdoor stock piles of peat could be dealt with by a planning condition should approval be forthcoming.

(c) it will not have an adverse impact on the natural or built heritage; and

No such impacts are anticipated.

(d) it will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.

EHO have no objections to the application as presented. The Council could condition against any outdoor storage of any plant or materials.

Policy CTY11 continues to state that proposals will only be acceptable where they involve the re-use or adaptation of existing farm buildings. Exceptionally, a new building may be permitted where there is no existing building available to accommodate the proposed use, either because they are essential for the maintenance of the existing farm enterprise, are clearly unsuitable for adaptation and re-use or cannot be adapted to meeting the requirements of other statutory agencies. Where a new building is justified it should be satisfactorily integrated with an existing group of buildings. I am satisfied that this aspect of the policy test is met given the intended use of the existing building.

Summary of local objections.

Objections have been received from the occupants of No 215 Washingbay Road raising the following concerns:

- the shed has never been used for any agricultural purpose
- that even partial storage of peat is out of keeping with the rural / residential locality
- increase traffic / noise/ need for a generator as there is no electric on site
- that this would lead to an expansion of evergreen peat at this location resulting in loose peat storage externally resulting in harm to the objectors poly tunnels. Potential for future sheds as a result of expansion needs here
- this is really a relocation / expansion of evergreen peat which should comply with different planning policy PED3 of PPS4.
- That the applicant does not partake in any farming activities.
- That peat processed by the company is not produced on the farm but originates from elsewhere in Ireland.
- Dust from another peat operator resulted in problems for houses in Granville
- At the time of writing (5 Feb 2018) 14 forty foot trailers are parked in addition to other plant and machinery
- The shed has a large industrial roller shutter more akin to commercial use
- Future property values at risk / environmental health issues
- The re-location of the shed has resulted in an eyesore.
- That a previous application for a commercial unit M/2005/2006/F was refused in an adjacent field.

Many of the above are valid concerns. The Council would of course have the ability to condition any storage as being internal and any future expansion of the site would have to comply with planning policy in place at that time. I share concerns relating to the level of agricultural use, that the proposal is more an expansion of Evergreen Peat than directly farm related, that the presence of large numbers of trailers are visually intrusive and themselves may provide noise nuisance based on deliveries to and from the site.

Neighbour Notification Checked

Yes

Summary of Recommendation: refusal contrary to PPS21 Policy CTY11.

Reasons for Refusal:

1. The proposal is contrary to the SPPS and Policy CTY11 of PPS21 in that it has not been demonstrated that the proposal is to be run in conjunction with any agricultural operations on the farm and that the farm business is currently active.

Signature(s) M.Bowman

Date: 20th Feb 2018.

ANNEX	
Date Valid	3rd July 2017
Date First Advertised	20th July 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 211A Washingbay Road, Aughamullan, Coalisland, Tyrone, BT71 5EG, The Owner/Occupier, 212 Washingbay Road, Aughamullan, Coalisland, Tyrone, BT71 5EG, The Owner/Occupier, 215 Washingbay Road Aughamullan Coalisland Brian Donnelly 215 Washingbay Road, Coalisland, Tyrone, Northern Ireland, BT71 5EG Brian Donnelly 215, Washingbay Road, Coalisland, Tyrone, Northern Ireland, BT71 5EG The Owner/Occupier, 217 Washingbay Road Aughamullan Coalisland	
Date of Last Neighbour Notification	24th January 2018
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2017/0897/F Proposal: Part use of existing farm shed to provide internal dry storage of peat in association with the applicants established horticultural business (Evergreen Peat) Address: 100m North West of 213 Washingbay Road, Coalisland, Decision: Decision Date: Ref ID: LA09/2016/1428/F Proposal: Relocation of laneway to service a farm shed approved under M/2012/0590/F with the shed relocated within the approved curtilage 35 m west of the approved location due to ground levels and amended site design. Address: 85m SE of 211A Washingbay Road, Coalisland, Decision: PG Decision Date: 14.02.2017 Ref ID: LA09/2016/1624/O	

Proposal: Site for Dwelling and Garage on a Farm
Address: Land to rear of 215-217 Washingbay Road, Coalisland, Dungannon (access taken via existing farm access between No's 215 and 217),
Decision:
Decision Date:

Ref ID: M/2014/0471/F
Proposal: Site for 2 no dwellings (Infilling gap site)
Address: Site between 211a and 215 Washingbay Road Aughamullan,
Decision: PG
Decision Date: 30.09.2015

Ref ID: M/2011/0310/O
Proposal: Site for 2 no. dwellings (Infilling gap site)
Address: Site between 211a and 215 Washingbay Road, Aughamullan,
Decision:
Decision Date: 24.10.2011

Ref ID: M/2011/0453/F
Proposal: New double garage
Address: 211a Washingbay Road, Coalisland, BT71 5EG,
Decision:
Decision Date: 18.08.2011

Ref ID: M/1996/0708
Proposal: Site for Dwelling
Address: NO. 211A WASHINGBAY ROAD COALISLAND
Decision:
Decision Date:

Ref ID: M/2007/0095/F
Proposal: 15KW wind turbine with 18m Mast
Address: 211A Washingbay Road, Coalisland
Decision:
Decision Date: 24.05.2007

Ref ID: M/2005/2006/F
Proposal: General purpose shed for 4 No vehicles (commercial), caravan, lawn mower two cars and other domestic items including bicycles, quads, ladders.
Address: Rear of 211A Washingbay Road, Aughamullan, Coalisland
Decision:
Decision Date: 14.09.2006

Ref ID: M/1987/0495

Proposal: RETIREMENT BUNGALOW
Address: ADJOINING 211 WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/1988/0242
Proposal: RETIREMENT DWELLING
Address: ADJOINING 211 WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/1997/0496
Proposal: Proposed dwelling
Address: 211A WASHINGBAY ROAD COALISLAND
Decision:
Decision Date:

Ref ID: M/2007/1522/O
Proposal: New single detached dwelling
Address: Land 250m South of 214 Washingbay Road, Coalisland
Decision:
Decision Date: 19.04.2011

Ref ID: M/1992/0684
Proposal: Site for Dwelling
Address: APPROX 60M EAST OF NO 211 WASHINGBAY ROAD COALISLAND
Decision:
Decision Date:

Ref ID: M/1987/0417
Proposal: BUNGALOW AND GARAGE
Address: WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/1987/0016
Proposal: BUNGALOW
Address: WASHINGBAY ROAD, AUGHAMULLAN, COALISLAND
Decision:
Decision Date:

Ref ID: M/2012/0590/F
Proposal: Proposed farm building 150m south east of 211a Washingbay Road,
Aughamullan, Coalisland, BT71 4QE

Address: 150m south east of 211a Washingbay Road, Aughamullan, Coalisland, Decision: PG Decision Date: 24.06.2013
Summary of Consultee Responses
Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Drawing No. 04
Type: Proposed Plans
Status: Submitted

Drawing No. 02
Type: Site Layout or Block Plan

Status: Submitted
Drawing No. 03 Type: Proposed Plans Status: Submitted
Notification to Department (if relevant)
Date of Notification to Department: Response of Department:



Deferred Consideration Report

Summary	
Case Officer: Emma McCullagh	
Application ID: LA09/2018/1282/O	Target Date:
Proposal: Dwelling and garage under CTY10	Location: 110m NE of 4 Tamnymullan Lane Maghera
Applicant Name and Address: Mr Robert Sufferin 15 Tamnymullan Lane Maghera	Agent name and Address: CMI Planners Ltd 38 Airfield Road The Creagh Toomebridge BT41 3SG
Summary of Issues: The main issue related to a new access on to a protected route and further examples were given at committee, which have been investigated and reported on the case officer report below.	
Summary of Consultee Responses: DFI Roads are recommending refusal in that the proposal is contrary to Policy AMP 3 of Planning Policy Statement 3, Access, Movement and Parking 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.	
Characteristics of the Site and Area: The application site is a 0.15 hectare parcel of agricultural land located 110m NE of Tamneymullan Lane, Maghera. It is outside the development limits of any settlement defined in the Magherafelt Area Plan 2015. The site occupies a roadside position and takes in part of a larger agricultural field. The SW corner of the site is heavily vegetated and the Southern boundary is defined by a band of semi mature trees. The roadside	

boundary with the Moneysharven Road is void of any mature vegetation but is defined by a thick grass verge and footway. The remaining boundaries are undefined on the ground. The Moneysharven Road (A29) is a designated Protected Route.

This area is generally rural in character although it is not far outside the settlement limits of Maghera. It has a low dispersed settlement pattern, with the predominant form of development being single dwellings and agricultural buildings. There is a substantial build-up of development along Tamneymullan Lane. There is also a Listed Building located up the Lane (HB08/01/020)

Description of Proposal

This is an outline application for a farm dwelling and garage. There are no other planning histories on or adjacent to this site to be considered in this assessment.

Deferred Consideration:

The application was first presented as a refusal to Planning Committee in December 2018 and subsequently deferred for an office meeting which was held on 13th Dec 2018. The reasons for refusal are as below;

1.The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that:

the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm

health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm

2.The proposal is contrary to Policy AMP 3 of Planning Policy Statement 3, Access, Movement and Parking 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.

This application was then presented as a refusal to Committee in Jan 2020 and following agreement was deferred to further consider other examples of dwellings on to Protected Routes. The following planning applications were investigated;

- LA09/2016/0230/0 (Opposite 129 Moneysharvan Road, Maghera) was refused on 10th May 2016. Refusal reason 5 related to creation of a new vehicular access on to a protected route.
- LA09/2019/0751/F (Lands Adjacent to 94 Moneysharvan Road, Swatragh) was approved using an existing laneway access on 25th September 2019.
- LA09/2016/0237/O (220m North East of 4 Tamnymullan Road, Maghera) was approved on 13th June 2016. It failed to consider the protected route policy and TNI did not bring

this to our attention in their response which offered no objection. There was a subsequent application submitted on the site, LA09/2016/1345/F, and it is made clear in this case officer report that the protected route policy was now being considered and that TNI objected. However, following discussion, it was decided that since this full application was submitted within 3 years of the approval LA09/2016/0237/O, the time in which a reserved matters could be submitted, an approval would be honoured on the site and so permission was granted on 15th May 2017.

This information and the relevant case officer reports, location plans and the refusal notice for LA09/2016/0230/0 has been circulated to committee members for their information.

These decisions do not justify the creation of a new access on the protected route. Regardless of all of the above DFI Roads are clear that PPS3, AMP3 is a relevant policy consideration in this planning application and their previous response still applies.

The proposal will involve the creation of a new access onto a protected route which is unacceptable and fails to comply with policy AMP3 of PPS3. The policy directs applicants to utilise existing accesses. Whilst there is an existing agricultural opening into site off the main road (A29), PPS3 states that a field gate cannot be regarded as an access, so this cannot be viewed or used as an existing access onto a protected route.

The recommendation to refuse the application has not changed and the refusal reasons remain as previously.

Refusal Reasons

1. The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that:

the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm

health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm

2. The proposal is contrary to Policy AMP 3 of Planning Policy Statement 3, Access, Movement and Parking 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.

Signature(s):

Date



Deferred Consideration Report

Summary	
Case Officer: Emma McCullagh	
Application ID: LA09/2018/1282/O	Target Date:
Proposal: Dwelling and garage under CTY10	Location: 110m NE of 4 Tamnymullan Lane Maghera
Applicant Name and Address: Mr Robert Sufferin 15 Tamnymullan Lane Maghera	Agent name and Address: CMI Planners Ltd 38 Airfield Road The Creagh Toomebridge BT41 3SG
Summary of Issues: Following a deferral a refusal is recommended due to issues with CTY10 and PPS3.	
Summary of Consultee Responses: DFI Roads have recommended refusal due to a new access onto a protected route	
Characteristics of the Site and Area: The application site is a 0.15 hectare parcel of agricultural land located 110m NE of Tamneymullan Lane, Maghera. It is outside the development limits of any settlement defined in the Magherafelt Area Plan 2015. The site occupies a roadside position and takes in part of a larger agricultural field. The SW corner of the site is heavily vegetated and the Southern boundary is defined by a band of semi mature trees. The roadside boundary with the Moneysharven Road is void of any mature vegetation but is defined by a thick grass verge and footway. The remaining boundaries are undefined on the ground. The Moneysharven Road (A29) is a designated Protected Route. This area is generally rural in character although it is not far outside the settlement limits of Maghera. It has a low dispersed settlement pattern, with the predominant form of development being single dwellings and agricultural buildings. There is a substantial build-	

up of development along Tamneymullan Lane. There is also a Listed Building located up the Lane (HB08/01/020)

Description of Proposal

This is an outline application for a farm dwelling and garage. There are no other planning histories on or adjacent to this site to be considered in this assessment.

Deferred Consideration:

The application was presented as a refusal to Planning Committee in December 2018 and subsequently deferred for an office meeting which was held on 13th Dec 2018. The reasons for refusal are as below;

1.The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that:

the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm

health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm

2.The proposal is contrary to Policy AMP 3 of Planning Policy Statement 3, Access, Movement and Parking 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.

In order to visually link to the existing farm buildings the possibility of an alternative site was discussed. Field 14 of the applicants farm holding was suggested, however the agent advised there was an issues with a nearby listed building (No.15 Tamneymullan Lane). HED were consulted on the field in question for comments and they, having considered the impact of a dwelling on the site, would be sufficiently removed in situation and scale of development from the listed building as to have no impact.

However when the applicant was advised of this, there was another issue raised which they stated would prevent them from building on this site (field 14). The applicant does not own land on either side of the laneway or the laneway itself, and the existing dwelling owners along the laneway have confirmed there is no possibility of obtaining easements or ownership of them. Land Registry documents of the owners of the laneway have been submitted, along with letters from them confirming they will not provide easements to facilitate a new house for Mr Sufferin.

In addition to this, a letter from Watt Surveying has been submitted to support the view that the site (field 14) would not be suitable for mortgage lending purposes. However the letter states that 'this will not be suitable for residential lending unless a significant change

in policy is made from a number of lenders', although it does not state ALL lenders, indicating not ALL would refuse this.

However, this is a financial argument only and would not be sufficient in overcoming the issues noted relating to CTY10.

In any instance, if the alternative suggested site is not acceptable to the applicant, the current site still faces the same issues as previously, in that there is no visual linkage or clustering between the site and the farm buildings at No.15. Due to distance between them and the level of strong vegetation, the farm buildings cannot be seen along with the site.

In relation to reason 2, and following the office meeting the agent has forwarded a number of approved application references to consult DFI Roads with in relation to Protected Routes.

DFI were re-consulted with this and replied on 28/10/19.

Three of the ref's given are not relevant as they are not onto Protected routes under PPS3 AMP3 and DCAN15.

Three ref's given are related to access unto protected routes and should have been subject to PPS3 AMP3. However DFI Roads have stated for reasons unknown they did not advise MUDC of the relevance of the protected routes policy. However, any previous poor decisions should not be allowed to set a precedent which would allow unfettered access to the Protected Route network.

Another three ref's given were outside the Mid Ulster area.

Regardless of all of the above DFI Roads are clear that PPS3, AMP3 is a relevant policy consideration in this planning application and their previous response still applies.

The proposal will involve the creation of a new access onto a protected route which is unacceptable and fails to comply with policy AMP3 of PPS3. The policy directs applicants to utilise existing accesses. Whilst there is an existing agricultural opening into site off the main road (A29), PPS3 states in the footnote, that a field gate cannot be regarded as a vehicular access, so this cannot be viewed or used as an existing access onto a protected route.

Refusal is recommended, in that the proposal involves the creation of a new access to a protected route, and elements of CTY10 cannot be met, as detailed in the reasons below.

Reasons for Refusal:

1. The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that:

the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm, or that;

health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm

2. The proposal is contrary to Policy AMP 3 of Planning Policy Statement 3, Access, Movement and Parking 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.

Signature(s):

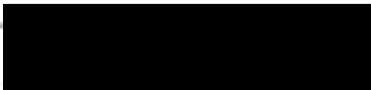
Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 4 th Dec 2018	Item Number:
Application ID: LA09/2018/1282/O	Target Date: 15 th Jan 2019
Proposal: Dwelling and garage under CTY10	Location: 110m NE of 4 Tamnymullan Lane Maghera
Referral Route: Refusal Recommended	
Recommendation: Refuse	
Applicant Name and Address: Mr Robert Sufferin 15 Tamnymullan Lane Maghera	Agent Name and Address: CMI Planners Ltd 38 Airfield Road The Creagh Toomebridge BT41 3SG
Executive Summary: Proposal fails to comply with policy CTY 10 of PPS 21 in terms of visual linkage/clustering with buildings on the farm. Adequate health and safety reasons have not been provided for an alternative site away from the farm buildings. The proposal also involves the creation of a new access onto a protected route which is unacceptable and fails to comply with policy AMP 3 of PPS 3.	
Signature(s):  20-11-18	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Non Statutory	Environmental Health Mid Ulster Council	
Statutory	NI Water - Single Units West - Planning Consultations	No Response
Statutory	DAERA - Coleraine	No Response

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

There have been no objections to this proposal from any third party.

- DFI Roads have been consulted and have recommended refusal under policy AMP 3 of PPS 3
- DAERA have no objections
- Environmental Health response is currently outstanding.

Characteristics of the Site and Area

The application site is a 0.15 hectare parcel of agricultural land located 110m NE of Tamneymullan Lane, Maghera. It is outside the development limits of any settlement defined in the Magherafelt Area Plan 2015. The site occupies a roadside position and takes in part of a larger agricultural field. The SW corner of the site is heavily vegetated and the Southern boundary is defined by a band of semi mature trees. The roadside boundary with the Moneysharven Road is void of any mature vegetation but is defined by a thick grass verge and footway. The remaining boundaries are undefined on the ground. The Moneysharven Road (A29) is a designated Protected Route.

This area is generally rural in character although it is not far outside the settlement limits of Maghera. It has a low dispersed settlement pattern, with the predominant form of development being single dwellings and agricultural buildings. There is a substantial build-up of development along Tamneymullan Lane. There is also a Listed Building located up the Lane (HB08/01/020)

Description of Proposal

This is an outline application for a farm dwelling and garage. There are no other planning histories on or adjacent to this site to be considered in this assessment.

Planning Assessment of Policy and Other Material Considerations

The main policy considerations in the assessment of this application are:

- Magherafelt Area Plan 2015
- SPPS – Strategic Planning Policy Statement for Northern Ireland
- PPS 3 – Access, Movement and Parking
- PPS21 – Sustainable Development in the Countryside

Magherafelt Area Plan 2015

The site lies outside any settlement limit defined in the Magherafelt Area Plan 2015. It is not subject to any area plan designations. As such, existing rural planning policy should be applied (ie) PPS 21

SPPS – Strategic Planning Policy Statement for Northern Ireland

The SPPS gives provision for development in the countryside subject to a number policy provisions, including policy for dwellings on Farms. It does not present any change in policy direction therefore existing rural policy applies (ie) CTY 10 of PPS 21

PPS 3 – Access, Movement and Parking

This proposal involves the creation of a direct access onto the A29, which is a Protected Route. Policy AMP 3 of PPS 3 will only permit direct access onto a Protected Route in certain circumstances. In respect of Farm Dwellings, the policy states that access should be obtained from an adjacent minor road. Where this can't be achieved that the proposal must make use of an existing vehicular access onto the Protected Route. In this instance there is no adjacent minor road to utilise. Tamneymullan Lane is a private lane and could be utilised, however the applicant has stated on his P1C Form that there is no possibility of him obtaining any sort of permission to

use this lane. Whilst there is an existing agricultural opening into the site coming directly off the A29, PPS 3 specifically states that a field gate cannot be regarded as an access, so using this is ruled out. There are no other existing accesses onto the Protected Route that can be used. It is therefore evident that this proposal fails to comply with Policy AMP 3 of PPS 3.

PPS21 – Sustainable Development in the Countryside

Policy CTY 10 – Dwellings on Farms

CTY 10 states that planning permission will be granted for a dwelling on a farm where all of the following criteria can be met:

The farm business is currently active and established for at least 6 years.

DAERA have been consulted and have confirmed that the Business ID has been in existence for the required 6 year period. They have also confirmed that this business has submitted claims in the last 6 years. On the basis of all of this response I am satisfied that the farm business can be considered currently active and established for the purposes of CTY 10.

No dwellings/development opportunities have been sold off the holding within 10 years of the date of application.

I have carried out a planning history search of the applicants holding and I am satisfied there are no planning approvals that could be considered as development opportunities to be sold/transferred off.

The new building is visually linked or sited to cluster with an established group of buildings on the farm.

The address of the farm business is 15 Tamneymullan Lane, which is approx. 250m to the NW of the application site. There is no visual linkage or clustering between the site and the buildings at number 15. The applicant has stated on his P1C form that the application site is the only land on the holding that has a road frontage and that there is no possibility of getting a right of way along Tamneymullan Lane, which is used to access number 15. Exceptionally CTY 10 does permit farm dwellings elsewhere on the holding where it is demonstrated that there are health and safety reasons to site elsewhere or where there are verifiable plans to expand the farm business at the existing building group. The applicant has stated that this application site is the only location where a safe access can be provided. I would disagree with this on the basis that a new access here will come directly out onto a Protected Route – the A29, which is an extremely fast road. PPS 3 in this instance does not permit a new access on to a protected route and directs applicants to utilise existing accesses.

Policy CTY 13 – Integration and Design

The application site occupies a roadside plot of land. It rises gently in a northern direction. There is some vegetation surrounding the site which would provide a certain degree of enclosure. An appropriately scaled (5.5m ridge) and sited dwelling on this site would not appear overly prominent in the local landscape. All existing vegetation would have to be conditioned to be retained. New landscaping would not be relied upon primarily as a means of integration. As this is an outline application design is not be considered in detail. As discussed under CTY 10, a dwelling on this site fails to cluster or visually link with buildings on the farm.

Policy CTY 14 – Rural Character

For the reasons noted above I am of the view that a dwelling on this site would not be unduly prominent. A dwelling on this site would not result in a suburban style build-up of development or a ribbon of development in this particular area and would therefore not negatively impact on rural character.

Neighbour Notification Checked**Yes****Summary of Recommendation:**

Refusal is recommended

Refusal Reasons

1. The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that:

- the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm
- health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm

2. The proposal is contrary to Policy AMP 3 of Planning Policy Statement 3, Access, Movement and Parking 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.

Signature(s) *Kah M. Hines*

Date: *21-11-18*

ANNEX	
Date Valid	2nd October 2018
Date First Advertised	18th October 2018
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Tamneymullan Lane Maghera Londonderry The Owner/Occupier, 11 Tamneymullan Lane Maghera Londonderry The Owner/Occupier, 4 Tamneymullan Lane Maghera Londonderry The Owner/Occupier, 6 Tamneymullan Lane Maghera Londonderry The Owner/Occupier, 7 Tamneymullan Lane Maghera Londonderry	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: LA09/2018/1282/O Proposal: Dwelling and garage under CTY10 Address: 110m NE of 4 Tamnymullan Lane Maghera, Decision: Decision Date:	
Summary of Consultee Responses <ul style="list-style-type: none"> • DFI Roads have been consulted and have recommended refusal under policy AMP 3 of PPS 3 • DAERA have no objections • Environmental Health response is currently outstanding. 	

Drawing Numbers and Title
Drawing No. 01 Type: Site Location Plan Status: Submitted
Notification to Department (if relevant) Date of Notification to Department: Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2019/0357/F	Target Date: <add date>
Proposal: Retention of 20 x 8ft container to house vending machines (Revised hours of operation and amended appearance)	Location: Site at 42 Main Road Moygashel Dungannon
Applicant Name and Address: Mr Bryan Turkington 14 Wellbrook Avenue Dungannon	Agent name and Address: Teague and Sally Ltd 3A Killycolp Road Cookstown BT80 9AD
Summary of Issues: The use of the building, noise and disturbance from the use open 24 hours	
Summary of Consultee Responses: EHO – premises should not be open outside the hours 0900hrs to 2300hrs. DFI Roads – Council to be aware some development over adopted footway, need to detail parking	
Characteristics of the Site and Area: The site is located within the settlement limit of Dungannon as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is a mix of residential, convenience shops and hot food outlets. To the west and south of the site are semi-detached and detached dwellings. Adjacent and south of the site is a group of established trees and to the southeast is a day-care facility. To the north of the site are two hot food outlets. The application site comprises a metal container, which directly abuts a car parking area at the site. The site is on a flat land and has a roadside frontage onto the Main Road in Moygashel. The metal container is situated on a long rectangular plot, which is currently vacant and there was previously buildings at the field but have since been demolished. There is metal fencing along the roadside boundary of the plot with unauthorised signage located on the fencing.	

Description of Proposal

This is a full application for the retention of a metal container to house vending machines. The container is 6m in length and 2.4m in width. The proposal has a floorspace of 14m². There is a door and window with lockable shutters on the front elevation. It is proposed to clad the container with grey metal flashing and wooden panelling to the front and sides.

Deferred Consideration:

This application was deferred at the Planning Committee in September 2019 for an office meeting and this took place with the Head of Development Management on 12 September 2019. At that meeting restrictions on the hours of operations, amendments to the appearance of the container and a temporary planning permission were discussed. Following the meeting the applicant has indicated they wish the following to be considered:

- 1- the appearance of the container to be altered by attaching grey metal cladding and wooden panelling to the front and sides of the container and painting the door and shutters (for the windows) dark grey
- 2- the hours of operation to be restricted to between 7am and 11pm daily and
- 3- temporary permission for a 5 year period

This development is located in Moygashel which is within the settlement limits of Dungannon. The SPPS advocates a town centre first approach for retail developments, however, given the small scale nature of this development, 14sqm in area, I do not consider it would have any significant impact on the retail provision in the town centre. As such I consider this scale of retail use to be appropriate for Moygashel and it is generally compatible with the surrounding land uses. The proposed cladding to the building is not, in my opinion out of place with the Gordy's and Apple Jacks which are located close by, as such I consider the cladding would enhance the appearance of the property, in accordance with DES2 of The Planning Strategy for Rural Northern Ireland. I consider that if this development is approved it is appropriate to condition the cladding is carried out within 4 weeks of the date of the decision.

The vending machines are not supervised as there are no personnel in the container, residents have concerns about this. The applicant has advised they have remote supervision by monitored 24 CCTV, I do not consider this provides the same deterrent as someone being there and there may very well be incidents of antisocial behaviour. Members are advised that further objections have been received from local residents about noise and other disturbance due to this facility operating on a 24 hour basis. Objections have been submitted claiming this is causing health issues due to the disruption to their sleep. I have received a number of videos of patrons using the facility, these have not been shared due to data protection issues, however I can advise members the videos show patrons using the machines when it is dark, though I am unable to put any times or dates on these. The videos do illustrate there are people talking, car doors opening and closing and noise from the operations of the machines. I can appreciate how this could result in annoyance especially if this is late at night. Other objections have been supplemented with fitbit analysis of sleep patterns, to demonstrate that sleep patterns are being disrupted. FitBit devices allow the wearer to record and analyse pulse rates, activity and sleep patterns. Members are advised this information is helpful in explaining what potential problems there may be arising from the currently unauthorised and unregulated facility, however some caution must be advised, as it is not apparent that this is the sole issue causing these disrupted sleep patterns.

The applicant has offered to operate the facility only between the hours of 7am and 11pm and has asked for permission to be limited to a temporary period of 5 years. The applicant has advised it is his intention to apply for planning permission on a permanent basis, but has to wait for the sewage capacity in Dungannon Treatment Works to become available. Due to the temporary appearance of the building I consider it is reasonable and necessary to limit the time it remains on the site as temporary buildings have a tendency for their appearance to deteriorate quickly. A time limited permission will allow the Council to reassess the appearance of the building periodically to ensure it does not become an eyesore. I consider 5 years is too long a period and my recommendation is that 3 years would be a more appropriate time, given that it has already been in situ for over a year.

The applicant has advised the premises are used by the blue light services during the night as there are no other premises available to serve them. The applicant has also advised the night time is the busiest time for the business to operate, however is willing to reduce the hours of operation to 7am until 11pm every day. EHO have advised the hours should be limited to 0900hrs to 2300hrs each day. Due to the unmanned nature of the business, I do not consider 11pm is an appropriate time to allow the premises to operate. It is apparent there are residential properties close by that are affected by the business operating at unsocial hours. I consider it would be appropriate to limit the hours to 7am to 10pm Monday to Saturday and 9am to 10pm on Sundays to minimise the disruption to the residents living close by.

Members are advised the applicant has proposed hours of operation and a time limit that are at odds with my recommendation. As the applicant has offered these hours of operation I consider this would still result in unacceptable disruption to the neighbouring residential properties. The Committee could agree with my recommended hours, however the applicant has not proposed these. Members must consider the application that has been proposed and this includes the hours of operation and the time period for the permission. Due to the very real and ongoing concerns raised by residents in relation to the impacts from noise and other general disturbance from patrons using the facility, I recommend the application is refused.

Reasons for Refusal:

1. The development and its hours of operations has a negative effect on the amenity of neighbouring properties due to noise and general nuisance at unsociable hours and as such is contrary to Planning Policy DES2 of 'A Planning Strategy for Rural Northern Ireland'.

Signature(s):

Date

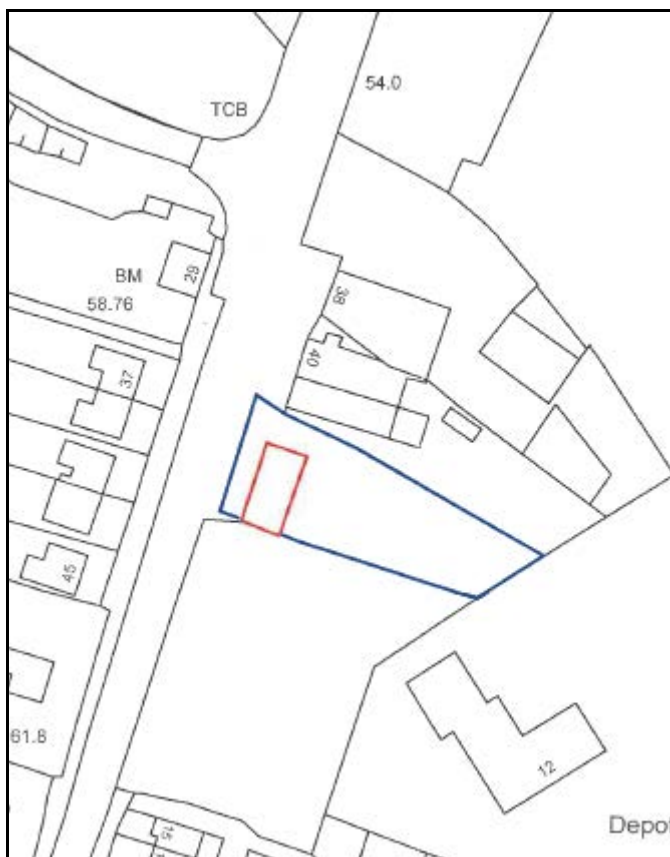
Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 03/09/2019	Item Number:
Application ID: LA09/2019/0357/F	Target Date:
Proposal: Retention of 20 x 8ft container to house vending machines	Location: Site at 42 Main Road Moygashel Dungannon
Referral Route: Objection	
Recommendation: Refuse	
Applicant Name and Address: Mr Bryan Turkington 14 Wellbrook Avenue Dungannon	Agent Name and Address: Teague and Sally Ltd 3A Killycolp Road Cookstown BT80 9AD
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Non Statutory	Environmental Health – Mid Ulster	Substantive Response

Representations:

Letters of Support	None Received
Letters of Objection	3
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is located within the settlement limit of Dungannon as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is a mix of residential, convenience shops and hot food outlets. To the west and south of the site are semi-detached and detached dwellings. Adjacent and south of the site is a group of established trees and to the southeast is a day-care facility. To the north of the site are two hot food outlets.

The application site comprises a metal container, which directly abuts a car parking area at the site. The site is on a flat land and has a roadside frontage onto the Main Road in Moygashel. The metal container is situated on a long rectangular plot, which is currently vacant and there were previously buildings at the field but have since been demolished. There is metal fencing along the roadside boundary of the plot with unauthorised signage located on the fencing.

Description of Proposal

This is a full application for a metal container to house vending machines. The container is 6m in length and 2.4m in width. The proposal has a floorspace of 14m². There is a door and window with lockable shutters on the front elevation. The container has external finishes of green-sheeted metal.

Planning Assessment of Policy and Other Material Considerations

Planning History

Ref ID: LA09/2017/0895/PAD

Proposal: Proposed mixed use development consisting of retail unit and 12 apartments with car parking

Address: Main Street, Moygashel, Dungannon,

Enforcement Action

LA09/2019/0001/CA - Alleged siting of metal container with vending machine inside - Main Street, Moygashel, and Lands Adjacent To Gordy Chip Shop.

LA09/2019/0110/CA - Unauthorised log cabin - Adjacent To Gordy's Chippery, Main Street, Moygashel

LA09/2019/0090/CA - Unauthorised banner advertisement - Lands At Main Street, Moygashel

There is a current enforcement case for the siting of the metal container, which is the subject of this planning application. There are also 2 other enforcement cases at the site with an unauthorised log cabin which has been sited behind the metal container and unauthorised signage on the roadside fencing.

Consultees

Environmental Health were consulted as objections were received stating issues about operating hours and noise from the site. Environmental Health responded on 7th August 2019 stating they had no objections but should planners be mindful to approve the following condition should be added –

“The premise shall not be open outside the hours of 09:00hrs – 23:00hrs”

DFI Roads were consulted and responded on 18th April 2019 with advice about car parking. However, car parking is an issue considered by Mid Ulster Council itself.

Representations

3 letters were received objecting to this proposal.

A letter was received by email on the 29th May 2019 from the owners/occupiers at the daycare facility Kids and Bibs. This premise is located at 12 Moygashel Lane, which is 35m southeast of the site. Another letter was received from the same objector on 7th August 2019.

The main issues in both letters are as follows –

1. 24 hour nature of the vending machines causing antisocial behaviour
2. Litter
3. Noise pollution
4. Removal of boundary trees abutting the northern boundary of the premise of the daycare facility.
5. Unauthorised signage at the site
6. Parking issues reversing onto the main road
7. There is another unauthorised log cabin to the rear of the container
8. The design of the container is not in keeping with the surroundings of Moygashel.

In respect of the above issues raised by the objector, anti-social behaviour, litter and noise are material planning considerations which will be considered in the assessment. Environmental Health issues are aware of complaints at the site and were consulted as part of the consultation process. The removal of boundary trees is not a planning matter unless the trees are under a TPO or conditioned as part of a planning approval at the site. There are ongoing enforcement cases for the unauthorised signage and log cabin to the rear of the metal container. The issues of parking and design of the metal container considered below in the assessment.

A letter was received by email on 7th August 2019.

The main issue in this letter are as follows –

1. The objectors state they were not neighbour notified
2. Disturbed sleep pattern due to the development
3. Noise disturbance from car doors, engines running, cars moving, horns tooting, car alarms
4. Anti-social behaviour
5. Issues with the owners of the site

In respect of the above issues raised by the objector, the premise at No. 35 Main Road was not neighbour notified, as their property does not abut the red line of the site boundary as indicated on Drawing No. 01 date received 19th March 2019. The points about sleep disturbance, noise and anti-social behaviour are material planning considerations. Environmental Health are aware of complaints at the site and were consulted as part of the consultation process. Any issues or discussions with the owners/occupiers of the site are not material planning considerations.

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Mid Ulster Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. The SPPS encourages development in villages and small settlements of a scale, nature and design appropriate to the character of the settlement and to meet local need (day-to-day needs). In my opinion, there is not a local need for the vending machines as there is a Costcutter convenience shop 30m north west of the application site that will also serve these products.

Dungannon and South Tyrone Area Plan 2010

The proposal is located within the settlement limit of Dungannon so SETT 1 – Settlement Limits is the relevant policy, which applies. I consider, as the proposal does not meet Policy DES 2 in the Planning Strategy for Rural Northern Ireland it also does not meet SETT 1.

Policy DES 2 of Planning Strategy for Rural Northern Ireland

Policy DES 2 is the main policy, which the proposal is considered against, and it will have to meet 3 criteria which are land use, amenity and design.

Land Use

The application site is located along the main road in Moygashel where there is a mix of convenience shops, residential and hot food outlets. There are both semi-detached and detached dwellings across the road from the site. 15m north of the site are two hot food outlets Gordy's fish and chip shop and Applejacks café. The proposal is for a metal container that houses vending machines selling fizzy drinks and sweets and this use currently operates 24 hrs a day. This retail use would fit with other uses in the surrounding area, as 30m northwest of the site is the convenience shop Costcutters as shown in figure 1 below. I am not satisfied there is a need for this use as the Costcutters would also sell these products. I consider the proposal for 24hr vending machines is not sympathetic to the character of the surrounding area.



Figure 1 Costcutters shop in the immediate area

Amenity

I consider this proposal has a negative impact on the amenity of neighbouring properties in the surrounding area as the vending machines at the site are currently open 24 hours a day. Consequently there are issues with noise, sleep disturbance and general nuisance associated with the operation of the development especially at night. Environmental Health were consulted as part of the assessment and had no objections. Members should be aware that they stated if the Council was mindful to approve the proposal, conditions on operating hours should be imposed. I am content there are no issues with overlooking, loss of privacy or dominance of the metal container.

Design

The metal container has external finishes of forest green metal cladding as shown in figure 2 below. The design of the metal container has a window with lockable shutters and a door on the front elevation which means there is minimal sound insulation at the container. This creates issues with noise and a negative effect on neighbourhood amenity at the site. The container is situated on the edge of the footpath facing onto the main road in Moygashel. I do not consider the materials on the metal container are acceptable and will detract from the character of the surrounding area. This proposal is not sympathetic and in keeping with other shop fronts along the road.



Figure 2 – Metal container and surrounding area

PPS 3 Access, Movement and Parking

DFI Roads were consulted with this application. They raised concerns that proposed car parking and servicing arrangements would need to be shown on Drawing No. 2 date stamped received 19th March 2019. Parking is however a matter to be determined by Mid Ulster Council. There are car parking spaces to the front of the site. Under “Parking Standards” the proposal is food retail so would need 1 space per 14m² and I am content the proposal can meet this criteria.

Having assessed the proposal against all relevant policy considerations I recommend to the Planning Committee that the application be refused as being contrary to DES 2 of Planning Strategy for Rural Northern Ireland.

Neighbour Notification Checked Yes

Summary of Recommendation:

Having considered all the relevant policy considerations I would recommend the proposal for refusal.

Reasons for Refusal:

1. The proposal is contrary to Policy DES 2 Townscape of Planning Strategy for Rural Northern Ireland, in that the metal container that houses vending machines does not make a positive contribution to the townscape and is not sensitive to the character of the area in terms of design, scale and use of materials.
2. The proposal is contrary to Policy DES 2 Townscape of Planning Strategy for Rural Northern Ireland, in that the metal container that houses vending machines

will have a negative effect on the amenity of neighbouring properties relating to noise and general nuisance.

Signature(s)

Date:

Development Management Officer Report Committee Application - Addendum

Summary	
Committee Meeting Date: December 2019	Item Number:
Application ID: LA09/2019/1169/O	Target Date:
Proposal: Erection of infill dwelling & garage	Location: Lands between 33a & 33b Grange Road Moy
Referral Route: Objections received	
Recommendation:	Approval
Applicant Name and Address: Mr Andrew Smith 15 Grange Road Moy BT71 7EJ	Agent Name and Address: 2 Plan NI 47 Lough Fea Cookstown BT80 9QL
Executive Summary: Application considered at Committee 5 th November 2019, late objection received 5 th November 2019 was not taken into account. Objection now being considered.	
Signature(s):	

Case Officer Report - Addendum

Planning Assessment of Objection from Fergus and Karen Bain.

This report is an addendum to the report presented to the Planning Committee on 5th November 2019.

Members are advised this application was recommended as an approval for a dwelling on the basis that it met the exception for infill development as set out in CTY8 of Planning Policy Statement 21. The Committee agreed with the recommendation to approve the development, however following the meeting it came to the attention of the Planning Manager that an objection had been lodged on the day of the Planning Committee and this had not been taken into account in the determination of the application. The Planning Manager is of the opinion that as the objection was received before the Committee made its decision, any decision taken was not in the knowledge of the full facts of the case and therefore the application has been brought back to the Committee for its decision.

The letter of objection raises the following concerns:

- adverse impact on the character of this stretch of Grange Road by extending the ribbon development
- do not consider the site fully adheres to the infill exception in CTY8
- a dwelling on the site will not integrate in accordance with Policy CTY14
- the site was refused planning permission before

The application site was previously refused and recommended for refusal:

M/2002/0743/O – Erection of dwelling – withdrawn 10.10.2002(recommended for refusal as contrary to greenbelt, loss of rural character, lack of integration)

M/1995/0154 – Erection of dwelling - refused 12.12.1995 due to lack of integration and loss of rural character.

The planning policy has changed since those previous applications were considered and this application is now considered against the current policies in PPS21. If it meets with policies in PPS21 then the previous decisions do not have any determining weight in this decision.

The objectors acknowledge that the site is set within a loose row of development and shares a common frontage with a number of developments along Grange Road. They do not consider this is a continuous or substantial row of development as the proposed development is only set within a continuous row of 2 no dwellings and that there are other gaps along the frontage. Members will be aware the definition of a substantial and built up frontage in policy CTY8 includes a line of 3 or more buildings along a road frontage. This has formed the basis of previous decisions taken by the Planning Committee, as well as Planning Appeals Decisions. While the objection refers to the number of dwellings in the frontage, it fails to take account of the number of buildings,

which is what the policy asks us to consider. The objector has accepted the proposed development is between 2 dwellings and these have a common frontage. They have not taken into account the detached outbuilding that is set to the side of their own dwelling which, in the consideration of the policy results in the required 3 buildings, with the proposed development site between these. See below where the existing buildings are identified in blue and the application site is in red.



The site is well screened from views on approach from the east and the west by the existing vegetation and buildings around it, it will be visible for a short distance along the road frontage immediately in front of the site and on approach on the minor road from the north. That said, it has been considered the proposal meets with CTY8 and any design and siting of a dwelling will be fully assessed at the Reserved Matters stage to ensure that it fits in with the character of the area.

Members are advised this application is an exception to CTY8 of PPS21 as it is an infill site and it is therefore recommended as an approval.	
Neighbour Notification Checked	Yes
Summary of Recommendation:	
It is recommend to approve this development.	
<p>Conditions:</p> <p>1. Application for approval of the reserved matters shall be made to the Council 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:-</p> <p>i. the expiration of 5 years from the date of this permission; or</p> <p>ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>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 Council, in writing, before any development is commenced.</p> <p>Reason. To enable the Council to consider in detail the proposed development of the site.</p> <p>3. Prior to commencement of any development hereby approved, the vehicular access including visibility splays of 2.4m x 70 m in both directions shall be provided in accordance with a 1/500 scale site plan as submitted and approved at Reserved Matters stage. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above adjoining road and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>4. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved Matters stage shall be implemented as agreed. The scheme shall include details of those trees to be retained and measures for their protection during the course of development and details of a native species hedge to be planted to the rear of the of the visibility splays and along the new boundaries of the curtilage identified in orange on drawing No 01 bearing the stamp dated 05 SEP 2019. The scheme shall detail species</p>	

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. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: In the interests of visual amenity, to protect the rural character of the countryside and ensure the development satisfactorily integrates into the countryside.

Informatives

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or any other statutory authority.
4. The applicant is advised that under Article 11 of the Roads Order (NI) 1993, the Department for Infrastructure is empowered to take measures to recover any reasonably incurred expenses in consequence of any damage caused to the public road/footway as a result of extraordinary traffic generated by the proposed development.

Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Main Street, Moygashel, Dungannon. A monetary deposit will be required to cover works on the public road.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. which is deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

All construction plant and materials shall be stored within the curtilage of the site.

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
- The developer should note that this planning approval does not give consent to discharge water into a Transportni drainage system.

Signature(s)

Date:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2019/1169/O	Target Date: <add date>
Proposal: Erection of infill dwelling & garage	Location: Lands between 33a & 33b Grange Road Moy
Applicant Name and Address: Mr Andrew Smith 15 Grange Road Moy BT71 7EJ	Agent name and Address: 2 Plan NI 47 Lough Fea Cookstown BT80 9QL
Summary of Issues: The proposal is for an infill dwelling under the exception in Policy CTY8 of PPS21 and has been the subject of objections.	
Summary of Consultee Responses: NI Water – water main available, no foul sewer available DFI Roads – sight lines of 2.4m x 70.0m required and achievable to provide access	
Characteristics of the Site and Area: The site is located in the rural countryside and is 1.87km from the settlement limit of Moy as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is predominantly rural with sprawling agricultural fields, single detached dwellings and farm complexes. The site is located along the Grange road in a row of detached dwellings. Within the immediate area of the site, there are a number of detached dwellings along Grange Road and along Seyloran Lane, which is at a junction with the site. The application site is a square shaped plot with a roadside frontage along the public road. There are several detached dwellings on either side of the public road. The site has a relatively flat topography. It is situated between No. 33A and No. 33B Grange Road. There is mature hedgerow along the roadside boundary and the eastern/western	

boundaries are defined by a row of mature trees and hedgerows. The rear boundary is undefined as the site is a portion of a larger agricultural field. The site is accessed via an existing field gate along Grange Road.

Description of Proposal

The proposal is for a detached dwelling and garage with access off the Grange Road.

Deferred Consideration:

Members will be aware this application was before the committee in November and December with a recommendation to approve. At the December Committee it was agreed to defer the application for a member's site visit. The site visit took place on 18th December 2019 where members were able to see the site and the surrounding characteristics.

It was noted the area has a number of buildings and dwellings around and in the vicinity of the site and it has lost its rural character. The policy was explained and it was noted:

- access to the site would require the removal of part of the hedge along the road frontage,
- there is a large detached dwelling to the west, with a long driveway and pillars and gates at the roadside, (red roofed dwelling)
- the site, is an agricultural field which fronts onto Grange Road and
- a 2 storey dwelling with a detached garage to the side of it is located to the east (Appendix A)

It was further noted the detached dwelling on the opposite side of Majors Lane has a vehicular access with gates and pillars at the end of a long lane, off Grange Road and it has a field to the front of it.

Cllr Cuddy expressed concern that the proposal was changing the character of the area and that Mr Smith already has a number of sites passed nearby. Members are advised there are a number of sites approved for Smith in the surrounding areas and these are attached in Appendix B. Whilst this information is helpful to illustrate the pressure from development in the area, members should consider the site on its own merits and if it meets the exception for an infill dwelling in Policy CTY8 of PPS21.

At the December Meeting the objector referred to planning appeal Ref LA06/2016/0158/O which is for an infill dwelling at Ballycreely Road, Comber. Attached at Appendix C is a map of that appeal site. I do not consider the sites are the same or the issues raised the same. The Commissioner, in her decision, referred to frontages whereas with this application there is no dispute that the 3 buildings, which CTY8 requires on either side of an infill site, are on the same frontage and immediately adjacent to the proposed site.

As previously set out in the 2 preceding reports, the site is between 3 buildings, 2 to the east (dwelling and detached garage) and 1 to the west: the buildings and the application site have a common frontage site onto Grange Road and, in my view a detached dwelling and garage on this site respects the character of the development in the area.

It is recommended this application is approved with conditions.

Conditions:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

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

3. Prior to commencement of any development hereby approved, the vehicular access including visibility splays of 2.4m x 70 m in both directions shall be provided in accordance with a 1/500 scale site plan as submitted and approved at Reserved Matters stage. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above adjoining road 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.

4. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved Matters stage shall be implemented as agreed. The scheme shall include details of those trees to be retained and measures for their protection during the course of development and details of a native species hedge to be planted to the rear of the of the visibility splays and along the new boundaries of the curtilage identified in orange on drawing No 01 bearing the stamp dated 05 SEP 2019. 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. Any tree, shrub or other plant identified in the landscaping scheme dying with 5

years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: In the interests of visual amenity, to protect the rural character of the countryside and ensure the development satisfactorily integrates into the countryside.

Informatives

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or any other statutory authority.
4. The applicant is advised that under Article 11 of the Roads Order (NI) 1993, the Department for Infrastructure is empowered to take measures to recover any reasonably incurred expenses in consequence of any damage caused to the public road/footway as a result of extraordinary traffic generated by the proposed development.

Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Main Street, Moygashel, Dungannon. A monetary deposit will be required to cover works on the public road.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. which is deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

All construction plant and materials shall be stored within the curtilage of the site.

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

- The developer should note that this planning approval does not give consent to discharge water into a Transportni drainage system.

Signature(s):

Date

APPENDIX A



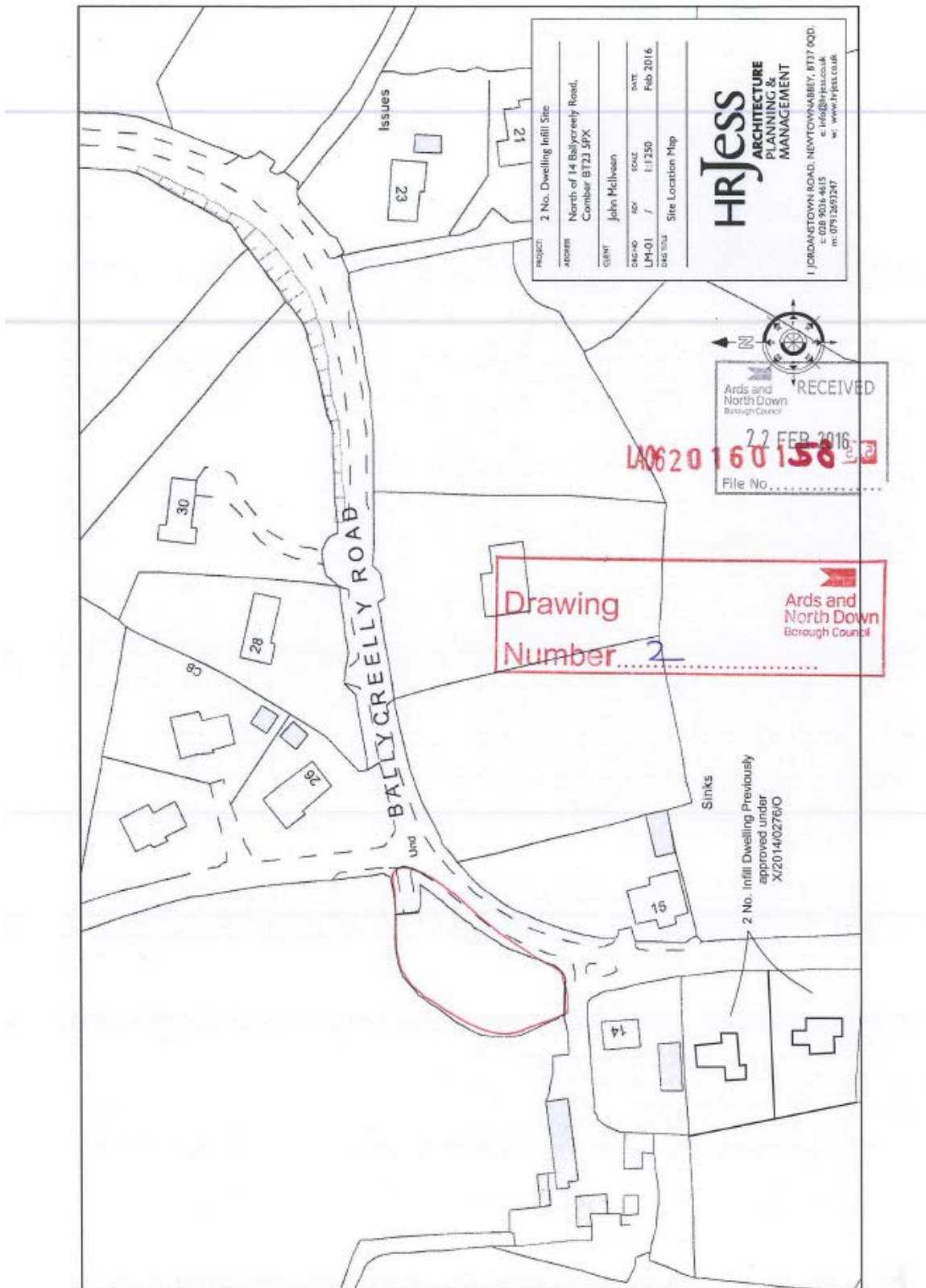
APPENDIX B – Smith Sites

- 1- LA09/2019/0264/O - Mr Sam Smith - Proposed erection of infill dwelling and garage OPP 06.06.2019
- 2- LA09/2019/0263/O – Mr Sam Smith - Proposed erection of infill dwelling and garage OPP 06.06.2019
M/1982/0130 – Erection of dwelling house – Refused 24.06.1982
- 3- M/1995/0153 – McCarter McGaw (G Smith owner of land) refused for dwelling
M/1996/0554 – Mr G Smith – site for dwelling OPP 31.01.1997
M/1996/0553 – Mr G Smith – site for dwelling OPP 31.01.1997
M/1998/0405 – Mr Fergus Bain – 2 storey dwelling FPP 21.01.1999
- 4- M/2009/0490/F – Mr Sam Smith - Palladian villa and detached garage FPP 22.10.2009
- 5- LA09/2018/0794/F – Mr Cahal Carville - Proposed dwelling and detached garage. – FPP 19.09.2018
LA09/2017/1454/LDP – Mr Sam Smith - Erection of dwelling in accordance with
M/2008/1040/F Certificate Granted 13.03.2018
M/2008/1040/F – Mr Sam Smith - Site for dwelling house, with garage and gym FPP 09.07.2009
M/2005/1047/O – Mr Sam Smith – site for dwelling OPP 22.08.2005
- 6- M/2006/0599/O – Lauren Developments (S Smith owner of land) OPP 25.05.2007



Smith Sites, Grange, Moy

APPENDIX C – Appeal site referred to by objector Appeal Ref 2016/A0160





Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 05/11/2019	Item Number:
Application ID: LA09/2019/1169/O	Target Date:
Proposal: Erection of infill dwelling & garage	Location: Lands between 33a & 33b Grange Road Moy
Referral Route: Objection received from a third party.	
Recommendation:	Approve
Applicant Name and Address: Mr Andrew Smith 15 Grange Road Moy BT71 7EJ	Agent Name and Address: 2 Plan NI 47 Lough Fea Cookstown BT80 9QL
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Advice
Statutory	NI Water - Single Units West - Planning Consultations	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

The site is located in the rural countryside and is 1.87km from the settlement limit of Moy as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is predominantly rural with sprawling agricultural fields, single detached dwellings and farm complexes. The site is located along the Grange road in a row of detached dwellings. Within the immediate area of the site, there are a number of detached dwellings along Grange Road and along Seyloran Lane, which is at a junction with the site.

The application site is a square shaped plot with a roadside frontage along the public road. There are several detached dwellings on either side of the public road. The site has

a relatively flat topography. It is situated between No. 33A and No. 33B Grange Road. There is mature hedgerow along the roadside boundary and the eastern/western boundaries are defined by a row of mature trees and hedgerows. The rear boundary is undefined as the site is a portion of a larger agricultural field. The site is accessed via an existing field gate along Grange Road.

Description of Proposal

This is an outline application for a proposed dwelling and garage on an infill site.

Planning Assessment of Policy and Other Material Considerations

Planning History

M/2002/0743/O – Dwelling – Opposite 34 Grange Road, Moy – Withdrawn

This application is on the same site as this planning application but was withdrawn after being recommended for approval.

Consultees

NI Water were consulted and responded with no objections.

DFI Roads were consulted and responded with no objections subject to a 1:500 scale plan being submitted.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010

The plan offers no specific policy relevant to this application as the site lies outside any settlement limit defined in the Dungannon and South Tyrone Area Plan 2010.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage,

sewerage, access and road safety’.

Planning Policy Statement 21 – Sustainable Development in the Countryside

Policy CTY 8 – Ribbon Development

Policy CTY 1 of PPS 21 sets out the range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. As this is an application for a dwelling on an infill site CTY8 – Ribbon Development is the relevant policy, which will apply.

The application site has a roadside frontage along a public road. There is a dwelling 260m east of the site at No. 35, a dwelling abutting the eastern boundary at No. 33B and a dwelling abutting the western boundary at No. 33A. There are also dwellings at No. 33 and No. 31. No. 31, No 33A and No. 35 are all set back from the public road with sweeping driveways to the dwellings. However, I am satisfied the dwellings have frontages with the public road as the gardens of the properties abut the road so I consider this is still the frontage of the dwellings. On balance, I am content the proposal situated on a small gap site is within a substantial and continuously built up frontage, which includes a line of 3 or more buildings along a road frontage.

There are varying plot frontages along this public road with 62m at No. 24, 56m at No. 33, and 50m at No. 33A, 67m at No. 33B and 273m at No. 35. The application site has a frontage of 72m. I am satisfied the proposed site has a plot frontage which respects the existing development pattern in terms of plot size. The proposal is the same size plot as No. 33B east of the site.

In terms of size and scale of the proposed dwelling, this is an outline application so the design of the dwelling will be considered at the Reserved Matters Stage. Along the Grange road, there are a number of large two storey dwellings so I am content that either a single/two storey dwellings would integrate into the landscape.

A number of the dwellings such as No. 31, No. 33a and No. 35 are sited further back in the plot with large gardens fronting the road. No. 33B which is adjacent to the site has a dwelling frontage onto the road. No. 34 is directly opposite the application site so members may want to set a siting condition to move the dwelling further back from the public road to protect the amenity of No. 34.

Overall I am content the proposed site is an infill site and meets the criteria in CTY 8 in PPS 21.

CTY 13 – Integration and Design of Buildings in the Countryside

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

The application site is along an existing roadside frontage and is on land with an undulating topography. There are no long distance views of the site in both directions along the public road as there are mature trees and hedgerows along the eastern and western boundaries, as shown in figures 1 and 2. There is also mature trees along the roadside boundaries of No. 31 and No. 33A which particularly blocks any direct views in a

westerly direction. On balance, I consider the proposal will not be a prominent feature in the landscape.



Figure1 – View from western direction



Figure 2 – View from eastern direction

There are established trees along the east and west boundaries which will integrate the site in long distance views. There is a mature hedgerow along the roadside boundary and some of this will be removed for visibility splays. As shown on Drawing No. 01 date stamped 05 SEP 2019 additional planting is proposed to replace any removed which will further aid integration. As the proposal consists of a portion of an existing larger field, a new hedge is proposed along the southern boundary, which will aid integration in views from Majors Lane. I am content new planting will not be primarily relied on for the

purposes of integration.

A double garage will sit behind the dwelling and I am content this will integrate into the overall scheme. A new access is proposed which will travel through the middle of the site. It is preferable that the access runs along the boundary but as the access travels a short distance, I am content the new access is acceptable. Also, No. 31 and No. 33A have long sweeping driveways running through the middle of the site so the new access is acceptable in comparison with the surrounding landscape.

The design of the proposed dwelling will be considered at the Reserved Matters Stage. I consider a one or two storey dwelling would integrate well at this site.

I am content the proposal will blend with the existing trees along the east and west boundaries. There are no other buildings at this site but as there are other dwellings along this stretch of public road, I am content the proposal will blend with the other development in the surrounding area.

The case of dwelling on a farm is not applicable in this case.

I am content that the proposal is capable of complying with CTY 13.

CTY 14 – Rural Character

CTY 14 states that planning permission will be granted for a building where it does not cause a detrimental change to, or further erode the rural character of the area. As mentioned, the site benefits from existing vegetation on three boundaries and further landscaping is proposed on the remaining boundaries, which will further aid integration. The proposed dwelling is sited to cluster with existing dwellings along the road. I am content that this dwelling will not be a prominent feature in the landscape.

As there are already dwellings along this public road and they are sited within a roadside frontage I am satisfied that the development will not result in a suburban style build-up of development. I am of the opinion that the proposal is able to respect the traditional pattern of development as the site can accommodate either a one or two-storey dwelling, which would be in scale and form with other dwellings in the area. The site will be located between 2 other dwellings so I am content the proposal will not add to a ribbon of development.

The creation of a new access at this site will not damage the rural character as there is proposed hedging to mitigate the impact of a new entrance onto a public road.

Planning Policy Statement 3 – Access, Movement and Parking

DFI Roads were consulted as there is a new access from the Grange Road. There is a field gate but according to PPS 3, this is not considered an existing access. DFI Roads requested visibility splays of 2.4m x 70m in both directions and this should be submitted on a 1:500 scale plan at Reserved Matters Stage.

Representations

An objection was submitted from the owner/occupier at 34 Grange Road, Moy. Their dwelling is across the public road from the application site. The following issues have been raised :

1. The proposal is not in the spirit of the gap site i.e. small site in an existing row of no more than six. There will be eleven houses on the same side of Grange Road. This is ribbon development and detrimental to the rural area.
2. The proposal will alter the character of the area and lead to a loss of amenity. Currently the land is used for agricultural purposes and provides relief to the existing housing build-up.
3. The proposed dwelling will be closer to the public road than No. 33B and together with its elevated position will make it a prominent feature in the landscape.
4. The proposed dwelling overlooks the front garden at No.34 and will lead to a loss of privacy.

In regards to point 1, CTY 8 states that to be an infill site there must be three buildings with a roadside frontage and there is no mention of 'no more than six approvals in a row'. As stated earlier in the assessment I am satisfied the proposal meets the criteria in CTY 8.

In regards to point 2, I do not consider the proposal will alter the character of the rural area. The proposal has met the principle of CTY 8 and will not lead to ribbon development. In addition, the immediate area is already built-up with a number of detached dwellings along Grange Road and particularly at the junction with Seyloran Lane and Dreemore Road.

In regards to point 3, the proposed site is 13m from the public road and No. 33B is 16m. I consider the proposed dwelling is not much nearer to the public road than No. 33B. The topography of the application site has a slight undulating topography as shown in figure 3 below but I do not consider a dwelling on this site would be a prominent feature in the landscape.



Figure 3 shows the undulating topography of the site, which is one of the factors the objector feels the proposed dwelling may be a prominent feature in the landscape.

In regards to point 4, this issue was discussed in the assessment of CTY8. If approved the position of the dwelling is a material consideration, which can set as a siting planning condition in the decision notice. This would protect the amenity of No. 34 if the dwelling set further back from the public road. As shown in Drawing No 01 date stamped 05 SEP 2019 the proposed dwelling is 17m from the boundary fence of No.34 and additional planting is proposed on the roadside boundary. I consider the separation distance and the planting on the roadside boundary will protect the amenity of No. 34.

Neighbour Notification Checked Yes

Summary of Recommendation

The proposal is recommended for approval as it complies with CTY 8, CTY 13 and CTY 14 in PPS 21.

Conditions

1. As required by Section 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted shall be begun by whichever is 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 Council, in writing, before any development is commenced.

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

3. Prior to commencement of any development hereby approved, the vehicular access including visibility splays of 2.4m x 70 m in both directions shall be provided in accordance with a 1/500 scale site plan as submitted and approved at Reserved Matters stage. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above adjoining road 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.

4. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved

Matters stage shall be implemented as agreed. The scheme shall include details of those trees to be retained and measures for their protection during the course of development and details of a native species hedge to be planted to the rear of the of the visibility splays and along the new boundaries of the curtilage identified in orange on drawing No 01 bearing the stamp dated 05 SEP 2019. 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. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: In the interests of visual amenity, to protect the rural character of the countryside and ensure the development satisfactorily integrates into the countryside.

Informatives

This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or any other statutory authority.

The applicant is advised that under Article 11 of the Roads Order (NI) 1993, the Department for Infrastructure is empowered to take measures to recover any reasonably incurred expenses in consequence of any damage caused to the public road/footway as a result of extraordinary traffic generated by the proposed development.

Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Main Street, Moygashel, Dungannon. A monetary deposit will be required to cover works on the public road.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. which is deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

All construction plant and materials shall be stored within the curtilage of the site.

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
- The developer should note that this planning approval does not give consent to discharge water into a Transportni drainage system.

Signature(s)

Date:

Report on	Proposed Full Tree Preservation Order TPO/2019/0002/LA09
Date of Meeting	4th February 2020
Reporting Officer	Michael McGibbon – Senior Planning Officer
Contact Officer	Chris Boomer – Planning Manager

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to provide information on a request received by the Planning Department for a Tree Preservation Order on Lands Formerly Maghera High School, Tobermore Road, Maghera. Our reference: TPO/2019/0002/LA09.
2.0	Background
2.1	The Planning Department of Mid Ulster District Council received correspondence, from various objectors to submitted planning applications LA09/2019/0024/O and LA09/2019/0025/F. A site visit completed on 04.02.2019, followed by an assessment of the case for a provisional Tree Preservation Order was considered on 03.04.2019 and on 21.05.2019. At that time, it was considered that the existing trees on site were not in immediate danger of active felling as the site was in the ownership of the Council.
2.2	Since May 2019, additional information was submitted related to the existing trees on the identified site, hence the request for a Full Tree Preservation Order was further considered by the Planning Department on 23.01.2020.
3.0	Main Report
3.1	There are two live planning applications associated with the proposed TPO site, namely, LA09/2019/0024/O and LA09/2019/0025/F. Both of which have been presented to the Planning Committee tonight, 04.02.2020, for consideration.
3.2	<p>Additional information was received, namely;</p> <ul style="list-style-type: none"> • A Tree Survey and Report for Lands at Maghera High School, Maghera by Dr Phillip Blackstock, dated October 2015, updated February & April 2019 commissioned by Teague and Sally; • Tree Survey Report Sheet 12.12.2019 by Dr Phillip Blackstock; • a Tree Survey Report Sheet (Revision A) Date 18.12.2019 (received 20.12.2019) by Dr. Phillip Blackstock;

	<ul style="list-style-type: none"> • LA09/2019/0024/O Plan 04/1 received 19.12.2019; and, • LA09/2019/0025/F Plan 12/2 received 19.12.2019; and, • Arboriculturalist Tree Constraints Plan, prepared by Dr. Phillip Blackstock, dated 05.02.2019.
3.4	The Planning Department acknowledge that appropriate planning conditions specific to existing trees and landscaping will be a matter for the Development Management Team. However, several existing trees on the site merit additional protection under a separate Full TPO.
	TPO Procedure:
3.5	Under s.122(1) of the Planning Act (NI) 2011 a Council may serve a Tree Preservation Orders where it appears expedient in the interests of amenity , with respect to such trees, groups of trees or woodlands as may be specified in the Order.
3.6	Under s.122(3) of the Planning Act (NI) 2011 a Tree Preservation Order shall not take effect until it is confirmed by the Council and the Council may confirm any such Order either with or without modifications as it considers expedient. Under s.122(4) of the Planning Act (NI) 2011 and the Planning Trees (NI) Regulations 2015, the Council must give notice to the owners and occupiers of land affected by the Order and to such other persons, if any, as may be specified in the Regulations. Members are minded to note that Articles 3(2) and 4 of the Planning Trees (NI) Regulations 2015 a period of at least 28 days after the date of the notice, (date served), by which any objection or representation must be received by the Council.
	Further Consideration:
3.7	<p>The Planning Department has re-considered the Full TPO request in light of the submitted additional information.</p> <p>The following criteria was used when assessing the merits of a potential TPO;</p> <p>Potential Threat: Given the submission of recent planning applications - LA09/2019/0024/O and LA09/2019/0025/F there is an acknowledged potential threat to the trees due to development pressure.</p> <p>Visibility: The existing mature trees of this site provide an important landscaped setting along protected routes into the town of Maghera. The existing mature trees, particularly the boundary trees, provide high quality amenity to the setting of the town.</p> <p>Individual Impact & Wider Impact: The existing mature trees along the Tobermore Road boundary are prominent and provide high quality visual amenity value to the setting of the site. Important long distance views of trees from various vantage points throughout the town.</p> <p>Historical Importance: Trees associated with Largantogher House circa 1830s.</p>

	Rarity: N/A
3.8	The above assessment demonstrates the case for a Full Tree Preservation Order, based on all available evidence. The additional protection via a Full Tree Preservation Order will protect and conserve the existing mature natural boundaries along the roadside, adjoining Tobermore Road; and, will assist in the protection of this mature landscape, as designated under Local Landscape Policy Area MA13, Magherafelt Area Plan 2015.
3.9	<p>Having full regard to the submitted tree survey report and associated sheets; and plans, it is considered appropriate to serve a Full Tree Preservation Order and associated Map A, (Appendix A), to provide additional protection to the identified trees and groups of trees. The following trees will therefore be subject to a Full Tree Preservation Order:</p> <p>T.1, T.8, T.9, T.17, T.19, T.20, T.30, T.31, T.34, T.37, T.50, T.51, T.53, T.57, T.58, T.60, T.63, T.64, T.65, T.66, T.68, T.69, T.70, T.71, T.73, T.76, T.77, T.81, T.83, T.84, T.85, T.86, T.87, T.88, T.89, T.92, T.93, T.94, T.97, T.98, T.102, T.103, T.104, T.106, T.108, T.110, T.111, T.120, T.123, T.126, T.130, T.131, T.132, T.142, T.147, T.150, T.151, T.154, T.155, T.156, T.157, T.164, T.169, T.170 and T.172.</p>
3.10	<p>Members should note that the Tree Preservation Order will not protect all the trees on the site as some will be excluded from the Order, as follows:</p> <p><u>Specific trees excluded:</u> (s.122 (5)) Dead or potentially dangerous trees (condition poor/ fell or monitor for death / stabilise / existing damage or wound or public roadside/ paths) will not be considered for protection.</p> <p>T.121 and T.159 are dead.</p> <p>T.44, T.109, T.140, T.153, T.158, T.162, T.163 and T.173 recommended for felling. T.10, T.14, T.22, T.28, T.36, T.38, T.42, T.47, T.54, T.101, T.105, T.124, T.144, T.161, T.165, T.167 and T.171 identified as <i>poor</i> condition.</p> <p>T.15, T.18, T.21, T.23, T.25, T.26, T.95, T.96, T.100, T.105, T.107, T.127 and T.141 <i>fair</i> condition but recommended monitor for death / stabilise dead wood or located over a roadway /roadside path.</p> <p>T.2, T.3, T.11, T.12, T.29, T.32, T.35, T.48, T.52, T.56, T.59, T.61, T.62, T.67, T.72, T.74, T.75, T.78, T.79, T.80, T.82, T.90, T.91, T.99, T.119, T.125, T.128, T.135, T.137, T.138, T.143, T.145, T.146, T.148, T.149, T.152 T.160, T.168 and T.174 <i>fair</i> condition over mature/ mature trees (Age) some with small basal cavity or other physical damage / wound or originally a hedgerow/ potential for 'ash-die back' disease.</p>

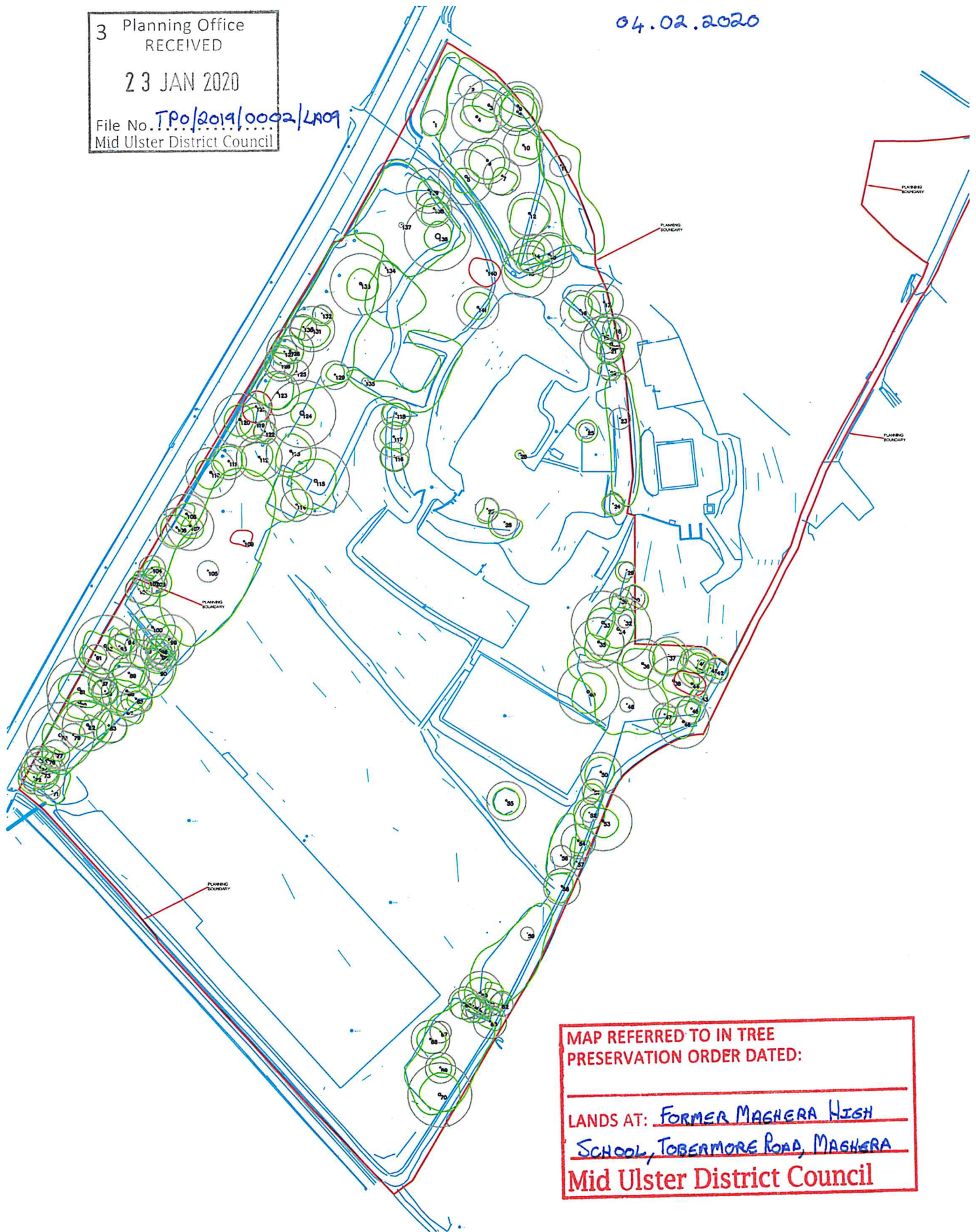
	<p>Environment and Conservation Team are mindful that there are two live planning applications on this site. Based on planning application Plans 04/1 and 12/2, as discussed above, it is anticipated that several identified existing tree(s) will be removed to accommodate the proposed defined plots.</p> <p>To accommodate required Road Service standards for the access to the site T.5, T.136 and T.139 may be removed, as may T.39, T.40, T.41, T.43, T.45, T.46, T.49 and T.50.</p> <p>Plot 1: T.4, T.6, T.7 and T.13 may be removed. Plot 2: T.133 and T.134 may be removed removed.</p> <p>Plot 3: T16 may be removed.</p> <p>Plot 4: T.112, T113, T.114, T.115, T.116, T.117, T.118 T.122 and T.129 may be removed.</p> <p>Plot 5: T.24 may be removed.</p> <p>Plot 6: T.27 and T.33 may be removed. Plot 7: T.55 may beremoved</p> <p>The loss of these trees will not damage the overall high quality visual amenity value of the former Maghera high school site, nor will it cause detrimental harm to the Local Landscape Policy Area MA13 (Magherafelt Area Plan 2015). The additional protection of a Full Tree Preservation Order on along the existing mature natural boundaries of the wider site will assist in the continued protection of the LLPA MA13 designation and setting of Maghera settlement limit</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None identified
	Human: None identified
	Risk Management: None identified
4.2	<u>Screening & Impact Assessments</u>
	Equality & Good Relations Implications: None identified

	Rural Needs Implications: None identified
5.0	Recommendation(s)
5.1	To note the contents of this report and agree that a Full Tree Preservation Order and associated Map A, (Appendix A), be served on Lands at Former Maghera High School, Tobermore Road, Maghera, and, that we formally notify relevant landowners as per s.122 of the Planning Act (NI) 2011 and associated The Planning (Trees) Regulations (NI) 2015.
6.0	Documents Attached & References
	Appendix A – Draft Tree Preservation Order Map A

3 Planning Office
RECEIVED




23 JAN 2020

File No. TPO/2019/0002/LA09
Mid Ulster District Council



MAP REFERRED TO IN TREE
PRESERVATION ORDER DATED:

LANDS AT: FORMER MAGHERA HIGH
SCHOOL, TOBERMORE ROAD, MAGHERA
Mid Ulster District Council

Dr. Philip Blackstock Independent Arboricultural Consultant 26 Tullynahinvin Road Portlengone, Co. Antrim BT44 8EL Mobile: +44 (0) 7767 393 075 email: philip.blackstock@btinternet.com Website: www.philipblackstock.com	Site: Lands at Former High School, Maghera	KEY  Position, number and actual crown spread of tree  Position, number and actual crown spread of tree to be felled  Area of Tree Protection Zone (if described as a perfect circle)
Title: TREE CONSTRAINTS PLAN Plan indicating position, actual crown spread of trees and notional tree protection zones (based on a map produced by the client)	Client: Teague and Sally Scale: 1:1500 Date: 05.02.2019	Page 594 of 610 Philip

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 7 January 2020 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Mallaghan, Chair

Councillors Bell, Black, Brown, Clarke, Colvin, Cuthbertson, Gildernew, Glasgow, Kearney, McFlynn, McKinney, D McPeake, S McPeake, Quinn, Robinson

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Ms McEvoy, Head of Development Plan
Mr Marrion, Senior Planning Officer
Ms McNally, Council Solicitor
Ms Grogan, Democratic Services Officer

Others in Attendance

Councillor B McGuigan

Applicant Speakers

LA09/2017/1083/F	Jim Maneely Eamonn Loughrey Nigel McGurk
LA09/2019/0511/O	Councillor Glasgow
LA09/2019/1121/O	Patrick Bradley
LA09/2019/1226/O	Councillor Glasgow
LA09/2019/1245/O	Councillor Glasgow
LA09/2019/1262/O	Chris Cassidy
LA09/2019/1367/O	Chris Cassidy
LA09/2018/1282/O	Councillor Forde

The meeting commenced at 7.03 pm

P001/20 Apologies

None.

P002/20 Declarations of Interest

The Chair reminded members of their responsibility with regard to declarations of interest.

Councillor Glasgow declared an interest in planning applications LA09/2019/0511/O and LA09/2019/1245/O.

Councillor Kearney declared an interest in planning application LA09/2019/1283/F.

Councillor S McPeake declared an interest in planning application LA09/2019/1283/F.

P003/20 Chair's Business

The Planning Manager referred to appeal hearing regarding housing development which was refused at Draperstown. He advised that the hearing was scheduled to take place on Thursday 31 January 2020 and that Ms McCullagh and himself would be representing the Council.

The Planning Manager updated members on statistics for the first half of the year had advised that Mid Ulster had 709 applications received which was the third highest amongst councils in Northern Ireland. He stated that a decision was made on 690 applications again ranking in the third highest amongst Councils, resulting in 674 approvals which indicated an approval rate of 96.8% which had to be commended.

The Planning Manager referred to the average processing time of applications and advised that Mid Ulster had a 12.6 weeks remit which was the best since Mid Ulster took over. He said that he was very satisfied with the targets with 102 Enforcement cases opened which is the largest number in all the Council and enquired why this might be. He advised that the key reasons were that Mid Ulster Council has an Enforcement Strategy which required complaints to be put forward in writing which cuts out mischievous complaints being made. He said that we have the lowest number for complaints but the highest number for enforcements which were always open for negotiations and solution solving, which results in Enforcements reaching targets.

In conclusion, the Planning Manager invited any member who wished to make comparisons with other Councils to do so by logging onto the planning portal.

Matters for Decision

P004/20 Planning Applications for Determination

The Chair, Councillor Mallaghan referred to the below applications which were on the agenda for determination and sought approval to have the following applications deferred from tonight's meeting schedule for an office meeting/submission of further information –

Agenda Item 4.11 – LA09/2019/1226/O – Site for dwelling and garage approx. 70m N of 31 Gortinure Road, Maghera for Mr Gerard McElDowney

Agenda Item 4.13 – LA09/2019/1262/O – Site for dwelling and domestic garage at approx. 45m W of 140 Kilrea Road, Upperlands for Mr Daniel O'Kane

Agenda Item 4.16 - LA09/2019/1367/O – Dwelling and domestic garage at site adjacent to 2a Tonaght Road, Draperstown for Mr Jim Hegarty

Proposed by Councillor Bell
Seconded by Councillor Kearney and

Resolved That the planning applications listed above for deferral be deferred for an office meeting/submission of further information/removed from schedule.

The Chair drew Members attention to the undernoted planning applications for determination.

LA09/2017/1083/F Retail developments to include supermarket and 2 retail units with associated carparking, site access and landscaping at lands including 2 to 10 Church Street, also lands in between Fountain Road and Loran Way, Cookstown for T J Hamilton

Members considered previously circulated report on planning application LA09/2017/1083/F which had a recommendation for approval.

Councillor Glasgow raised concern about the number of objections to this application and enquired who carried out the traffic survey.

Ms Doyle advised that the traffic survey was carried out by the consultants.

Councillor Glasgow said that this was a very busy junction and referred to the proposed 109 carparking spaces which could intensify the situation and felt that the traffic survey didn't take this into consideration. He also raised concern about a high number of HGV's travelling to the pig unit.

The Planning Manager said that when the transport assessment was submitted, officers investigated the situation and consulted with Roads Service on issues. He stated that the carparking space allocations were logically placed commensurate with floor space. The impact assessment also addressed traffic movement, traffic lights etc, and Road Service advised the application was not unacceptable. He said that he could appreciate neighbouring residents concerns but had to bear in mind that relatively few houses were directly affected and the site had previously been used as a car sales establishment. He advised that a lot of time had been put into considering this application as it was for a retail development inside the town and all concerns had been thoroughly considered, including retail impact.

Councillor Glasgow said that he remained concerned as he had seen far too often the tailbacks into the town and felt that this quiet residential area would become a bottleneck.

The Planning Manager said that opposite to the proposed site was a public house and advised the committee that the road was quite wide and so movement wouldn't be impacted much and advised that it would be difficult to say that the proposal was unacceptable when everything was taken into account.

Proposed by Councillor Clarke
Seconded by Councillor Robinson and

Resolved That planning application LA09/2017/1083/F be approved subject to conditions as per the officer's report.

LA09/2017/1403/F Drying store and extension of existing site curtilage for Relocation and Storage at 2 Lisnamuck Road, Tobermore for Tobermore Concrete Ltd

Members considered previously circulated report on planning application LA09/2017/1403/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2017/1403/F be approved subject to conditions as per the officer's report.

LA09/2019/0215/F Dwelling N of and adjacent to 27 Ballynakilly Road, Dungannon for Philip Brady

Mr Marrion (SPO) presented a report on planning application LA09/2019/0215/F advising that it was recommended for refusal.

Proposed by Councillor Gildernew
Seconded by Councillor McKinney and

Resolved That planning application LA09/2019/0215/F be refused on grounds stated in the officer's report.

LA09/2019/0315/F Extension to existing butchers at 15-16 The Square, Stewartstown for Lowe Butchers

Members considered previously circulated report on planning application LA09/2019/0315/F which had a recommendation for approval.

Proposed by Councillor Quinn
Seconded by Councillor Colvin and

Resolved That planning application LA09/2019/0315/F be approved subject to conditions as per the officer's report.

LA09/2019/0511/O Gap site for dwelling and garage between 255 & 259 Orritor Road, Orritor, Cookstown for Mr Isaac Barnes

Ms McCullagh (SPO) presented a report on planning application LA09/2019/0511/O advising that it was recommended for refusal.

The Chair advised that a request to speak in support of the application had been received and advised that in the absence of the agent, he invited Councillor Glasgow to address the committee.

Councillor Glasgow advised that he would be speaking on behalf of APS Architects tonight.

He said that he knew the area of Orritor quite well and felt that the application would fit in well with the characteristics of Orritor as the road was in a linear line and would blend in well and not impact on the area.

Councillor S McPeake referred to the decision regarding the application for Moortown in 2016 which was a similar scenario and enquired if there was a different policy as he recalled going to the site meeting at the time and asked what the difference was between that one and this one.

Ms McCullagh said that the two applications were similar and the same policy applied. However in the Moortown case consideration was given to the overlapping nature of the settlement limit.

The Planning Manager stated that the guidance was very clear on infill and how the countryside was to be treated. He said that there were similarities with the Moortown case. In that instance an exception to policy was made because it read more like a rounding of of the settlement than an infill development in the countryside.

Councillor Clarke said that he was familiar with the area and the point where the lane goes back into the house was agricultural land with the Church sited at the junction. He stated that the Church would be the centre of the settlement and there was no reason why there couldn't be another space for a dwelling and a way of stopping it.

The Planning Manager advised that he had given members reasonable considerations and there was an onus on the Council to continue the characteristics of the area.

Councillor McFlynn asked where this fitted in with CTY13.

The Planning Manager said that the whole concept of this would be creating an infill without changing the rural character of the area.

Councillor McKinney said that he would be happy to recommend the application for approval as the distance between the Church and neighbouring properties was not going to make a huge difference as it would rounding off and causing no detrimental effects to the area.

Councillor Black seconded Councillor McKinney's proposal.

Councillor Glasgow advised that Orritor Church and Church Hall have been extended to the left-hand side.

Councillor Clarke advised that the dwelling on the opposite side of the road was previously an old school.

The Planning Manager said that it was important that the character of the area was kept, he drew the Committees attention to the photographs of the site which showed a modern bungalow close to the church and street lighting across to the site and the degree with which it appeared urbanised and therefore a dwelling would not change rural character. On that basis if members were so minding he felt an exception to policy could be made on the basis of rounding off.

Proposed by Councillor McKinney
Seconded by Councillor Black and

Resolved That planning application LA09/2019/0511/O be approved as per conditions within the case officers report.

LA09/2019/0844/F New temporary building and associated car parking at lands Lissan House, Drumgrass Road, Cookstown for Lissan House Trust

Ms McCullagh (SPO) presented a report on planning application LA09/2019/0844/F advising that it was recommended for refusal.

The Chair asked that there be an opportunity for this application to avail of an office meeting.

Proposed by Councillor S McPeake
Seconded by Councillor Kearney and

Resolved That planning application LA09/2019/0844/F be deferred for an office meeting.

LA09/2019/0992/RM Dwelling and garage at 145m SE of 16 Creevagh Road, Cookstown for Kevin Heron

Members considered previously circulated report on planning application LA09/2019/0992/RM which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2019/0992/RM be approved subject to conditions as per the officer's report.

LA09/2019/1121/O 2 dwellings in substitution for approved application LA09/2018/0424/O at lands 20m E of 29 Gortinure Road, Maghera for Patrick Bradley

Members considered previously circulated report on planning application LA09/2019/1121/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Kearney and

Resolved That planning application LA09/2019/1121/O be approved subject to conditions as per the officer's report.

LA09/2019/1133/F Steel clad outbuilding for storage of caravan, vintage tractors and machinery at 98 Drumbolg Road, Tamlaght, Maghera for Ciaran Bennett

Members considered previously circulated report on planning application LA09/2019/1133/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Black and

Resolved That planning application LA09/2019/1133/F be approved subject to conditions as per the officer's report.

LA09/2019/1148/O Dwelling and detached domestic garage at 140m SW of Drumearn Road, Cookstown for Thomas David James Harkness

Ms McCullagh (SPO) presented a report on planning application LA09/2019/1148/O advising that it was recommended for refusal.

The Chair advised that a request to speak had been made and in the absence of the agent, Councillor Glasgow would be making representation and invited him to address the committee.

Councillor Glasgow said that he was here tonight to speak in support of the Harkness family which had 3 generations of farming. He referred to the 10-year rule policy and said that the son was 2 years away from being able to apply. He said that other problems were overcome relating to issues and that Mr Harkness was anxious to keep the next generation at home and carry on farming business and asked that members consider deferring the application until an alternative site is investigated and believed that this was worth a shot.

The Planning Manager enquired how there could be an alternative site as it failed the policy. He said that a replacement or infill opportunity would be the best avenue as the current application was going nowhere and suggested going back to the applicant recommending that the application be withdrawn and then discussing new alternatives.

Proposed by Councillor Robinson
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/1148/O be held for 30 days to discuss options.

LA09/2019/1226/O Site for dwelling and garage approx. 70m N. of 31 Gortinure Road, Maghera for Gerard McEldowney

Planning application LA09/2019/1226/O deferred earlier in the meeting.

LA09/2019/1245/O Gap site for dwelling & garage at junction of Craigs Road & Killycurragh Road, Orritor, Cookstown for Wesley Carson

Ms McCullagh (SPO) presented a report on planning application LA09/2019/1245/O advising that it was recommended for refusal.

Councillor Glasgow withdrew to the public gallery.

The Chair advised that Councillor Glasgow would be speaking in place of the agent who had previously been granted speaking rights.

Councillor Glasgow thanked the committee for allowing him to speak in support of the application.

Councillor Glasgow advised that the application at Killycurragh Road was at the junction with the Braeside and a number of houses on the left and right up to Craigs Crossroads. He said that he didn't see approval of the application as a negative impact on the area as there were continuous houses on both left and right hand-side right up to Killycurragh Road and felt that this would not be a detrimental effect on the character of the area.

The Planning Manager referred to the overhead photograph and also street level photos. He advised that from both different conclusions could be drawn. From the overhead it appeared that there was a substantial ribbon and this would only link the settlement with that substantial ribbon. However from the street level photo it appeared that the site represented an important break defining the settlement and the ribbon did not read against the settlement. He therefore advised members that the best way to reconcile the arguments was to conduct a site visit.

Councillor Clarke said that he was familiar with the area and stated that there was very little traffic on the Killycurragh Road and felt that this application if approved wouldn't make an impact due to the light traffic on this stretch of road. He stated that the roads marked blue for zoned development may never come to fruition.

Councillor McKinney suggested that this application would merit a site meeting so members could get an accurate view.

Councillor Gildernew said that this situation arose before and it was important that the photos showed some accuracy.

Proposed by Councillor McKinney
Seconded by Councillor Gildernew

Resolved That planning application LA09/2019/1245/O be deferred for a site visit.

Councillor Glasgow returned to the meeting.

LA09/2019/1262/O Site for dwelling and domestic garage at approx. 45m W of 140 Kilrea Road, Upperlands for Daniel O’Kane

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2019/1283/F Removal of 5 mobile classrooms, replace with 5 classrooms; re-organisation and extension to existing school at Crossroads Primary School, 157 Drumagarner Road, Kilrea for the Very Rev Father John Cargan PP

Members considered previously circulated report on planning application LA09/2019/1283/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2019/1283/F be approved subject to conditions as per the officer’s report.

Councillor Glasgow left the meeting 7.52 pm.

LA09/2019/1351/F Variation of Condition 4 of LA09/2018/0554/F (completion date for provision of public open space) at site adjacent to NW of 22 Tamnamore Road, Killyman for Corove Developments Ltd

Members considered previously circulated report on planning application LA09/2019/1351/F which had a recommendation for approval.

Councillor Cuthbertson enquired about green open space and whether this will ever happen.

Mr Marrion (SPO) advised that on the current planning permission this open space should be provided before houses are occupied. During the development of the houses, construction traffic and machinery is likely to impact on the open space. It is appropriate to wait until the houses are built at the back before providing the open space.

Councillor Glasgow returned to the meeting at 7.53 pm.

In response to Councillor Cuthbertson’s query regarding the timeframe, Mr Marrion (SPO) advised that the condition requires the open space to be provided prior to any of the houses at the back being occupied.

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved That planning application LA09/2019/1351/F be approved subject to conditions as per the officer's report.

LA09/2019/1367/O Dwelling and domestic garage at site adjacent to 2a Tonaght Road, Draperstown

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2018/1282/O Dwelling and garage 110m NE of 4 Tamnymullan Lane, Maghera for Mr Robert Sufferin

Ms McCullagh (SPO) presented a report on planning application LA09/2018/1282/O advising that it was recommended for refusal.

The Chair advised that a request to speak in support of the application had been received and invited Councillor Forde to address the committee.

Councillor Forde advised the committee that the farm policy was to be welcomed as it allowed people to build new dwellings on the land. She said the proposed new dwelling was visually linked with an established group of buildings on the farm and was contrary to Policies CTY1 and CTY10 of PPS21, Sustainable Development in the Countryside and said that Mr Sufferin had a fully working farm and was in receipt of farm payment subsidies. She said the laneway was 400m in length and had households belonging to 6 different parties on the stretch of lane, with Mr Sufferin's dwelling being the last one. It has been established that the existing homeowners on the laneway were unwilling to provide easement to Mr Sufferin in this instance and it's a requirement from Mortgage Brokers that a right of way is in place before they can commit to lending the funding required.

Councillor Forde said that it wasn't feasible to build the dwelling where Officers had previously suggested and felt that as other houses were built on this stretch of road, a new site would integrate well with a few modifications and wouldn't be detrimental to the area. She also stated that the junction remained safe as no accidents were recorded.

Councillor Forde advised that Mr Sufferin was a man in his seventies with an agricultural farm and his married son had agreed to take over the daily running of the business, but he required a new site on their own land and asked members to look at this favourably to allow the next generation of Sufferins' to continue their heritage.

The Planning Manager felt that the presentation had missed fundamental reason for refusal which was the road was classed as a protected route where the policy was to keep access to a minimum. He said that this would be in conflict with the Protected Route Policy and would advise that the farmer speak to his neighbours to seek a favourable agreement to access or investigate an alternative site.

The Council Solicitor reminded members that issues relating to mortgages or private matters including private rights of way, were not material considerations and cannot be taken into account by the Committee when making a decision.

Councillor McKinney said that this was a short laneway which had 6 other householders coming out onto this stretch of road and felt getting commitment for a right of way would be like winning the lottery as it would be virtually impossible and would like to see where the other sites were being permitted as the land was quite a size. He said that Mr Sufferin was in his later years and his son was willing to carry on the land and felt that in the past dwellings on farms has been approved when criteria wasn't met which was very unfair.

He said that he finds it hard to believe that this application had been refused as there was a house built across the road from the proposed site within the last two years and the occupants come out onto the same road.

The Planning Manager advised that Protected Routes are law and that the Planning Policy was our guide regardless if a decision had incorrectly approved a dwelling on a different site. He said that planning permission would only be approved if the criteria was met and he referred to PPS21 CTY10 and said that policy stated that a field gate was not an access.

The Planning Manager stated that the Council Solicitor's advice was very accurate and he was concerned that a decision be taken based on rights of access, particularly as in this case there was no evidence to prove or disprove the neighbours had control over rights of access.

The Chair stated that when infrastructure issues within Mid Ulster were looked at, there was a need to keep traffic moving at a reasonable speed and the next instance of a person seeking to build a dwelling on a protected route, members would need to carefully consider this as the advice of TNI has been provided and as we get very little, we need to keep whatever we have and look after it.

Councillor Gildernew said that he had sympathy for the farmer and asked if there was any possibility of getting a right a way through his land.

The Planning Manager said that the best option would be to go back to his neighbours to see what can be achieved or seek an alternative site.

Councillor McPeake said that he had sympathy for the farmer as he knows the road well and felt there was no other road for the access lane.

The Planning Manager said that it was horrific that the neighbours had such little respect for this farmer to not grant him permission for a right of way and felt that there should have been some leeway.

Councillor Black stated that he agreed with members comments regarding having sympathy for the applicant and felt it was unfair that he had a 150-acre farm but couldn't utilise a site. He felt it was unjust that 6 homeowners had access onto the protected route and asked if there was an issue when these sites were previously approved. He enquired if it would be worthwhile deferring the application until further investigations were carried out.

The Planning Manager advised that the application had already been taken away and looked at again and any possible suggestions were rejected by the applicant and we

have to be careful as we are trying to protect the routes properly otherwise, we could leave ourselves open for criticism within Mid Ulster.

Councillor Glasgow said that the Policy was extremely specific and asked if this was the law.

The Planning Manager advised that it was law in so far as protected routes were declared by Order.

Councillor Glasgow said that letters had been received to indicate that permission for a right of way was not permitted on the shared laneway and enquired if there were any exceptions within the Policy that would allow for this dwelling. He also asked if it was shown that letters of objections had been drawn up by legal establishment, could it have an impact on the situation.

The Planning Manager said that the Council Solicitor was correct in her advice that in a case such as this case rights of access were not material.

Councillor Glasgow enquired if there were any exceptions within the Policy when all other avenues have been exhausted.

The Planning Manager advised that the Policy was clear.

Councillor Black referred to his previous comments and said that it was worth investigating again as it was unfair that the applicant didn't have the same right as the others which built on land and came out onto the protected route.

The Planning Manager said he did not want to give the applicant the false impression that the application as stood was in his view a non-runner and we have regularly given the same outcome to others in the same position.

The Chair said that he would be happy to accept the officer recommendation to refuse the application.

Councillor McKinney sought a deferral so he could go and investigate for himself the proposed area where the dwelling was to be situated. He said that he wanted to be confident that there were no other mitigating circumstances why this dwelling couldn't be approved as he was aware of a house being built not far away from Mr Sufferin's land within the last few years.

The Planning Manager said that he only provides members with advice and guidance, but it was up to them to make the decision. He advised that the information on the other house was very vague, and before he instructed Officers to explore further could he be given further details.

Councillor McKinney said that under no circumstances was he undermining the advice and guidance from the Planning Manager but would be content if he could investigate for himself the situation at the proposed site.

Councillor Black said that he would be happy to second Councillor McKinney's proposal of deferring the application as he felt that the Policy needed to be applied fairly to all on the Protected Route.

Proposed by Councillor McKinney
Seconded by Councillor Black and

Resolved That planning application LA09/2018/1282/O be deferred until additional information on other approvals in the area is forthcoming.

LA09/2019/0408/F Dwelling and garage approx. 50m SE of 25 Longfield Lane, Desertmartin

Members considered previously circulated report on planning application LA09/2019/0408/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor McFlynn

Resolved That planning application LA09/2019/0408/F be approved subject to conditions as per the officer's report.

Councillor McKinney left the meeting at 8.25 pm.

Councillor Bell left the meeting at 8.26 pm.

Councillor Quinn left the meeting at 8.27 pm.

P005/20 Report on consultation from DfC, Historic Environment Division on consideration to List a Lodge at Benburb Bridge.

The Planning Manager presented previously circulated report to provide members with background and draft response to a consultation by Department for Communities, Historic Environment Division (DfC, HED) regarding their consideration a list of Gate Lodge at 180 Maydown Road, Benburb, Dungannon, Co. Tyrone.

The Chair advised that a request to speak on the application had been received and invited Councillor B McGuigan to address the committee.

Councillor B McGuigan said that he had been contacted by an agent regarding the live application which has now been triggered by DfC and HED for listing. He said that the agent has raised concern as the landowner was not notified about the building coming forward for listing before the application was submitted.

Councillor Bell returned to the meeting at 8.29 pm.

Councillor Quinn returned to the meeting at 8.30 pm.

The Planning Manager said that it was up to the HED to consult with the landowner. He said that to some degree it was not the Council's decision and we could remain neutral.

Councillor Cuthbertson felt that a response should not be sent as the timeframe will pass.

The Planning Manager said if the Council doesn't want to become involved, we could write back advising that we are aware of the situation but make no commitment.

In response to a query from Councillor B McGuigan, the Planning Manager agreed that it would be up to the agent to liaise with HED as the Council should be seen to remain neutral.

Councillor Gildernew said that it was strange that this has only arisen now. He said that the land was part of Benburb Priory and was a small cottage at the side of the road which was previously used as a dwelling house and in later years a family purchased it and obviously wanted to make changes. He aired on the side of caution and felt that the Council shouldn't get involved in this.

The Council Solicitor said that the Committee needed to look at this situation objectively, assess the information based on relevant criteria and decide what response should issue. She said that the Council is a consultee and should not be seen to be the decision-maker or advocating on any other party's behalf in relation to the matter.

The Chair said that this needs to be carefully considered in the event of the application being submitted in the future and he would suggest writing back to the Department advising that the Council would not be making a decision until a planning application was submitted and that no comments were to be made at this time.

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew and

Resolved To note the consultation and advise that the council had no comment on the proposed listing.

Matters for Information

P006/20 Minutes of Planning Committee held on 3 December 2019

Members noted minutes of Planning Committee held on 3 December 2019.

P007/20 Receive Report on Correspondence from DfI – Former William Clark and Sons Linen Mill Complex at Upperlands, Maghera

Members noted previously circulated report on Correspondence from Department of Infrastructure regarding Planning Applications (H/2009/0246/O, H/2009/0270/F & H/2009/0271/LB) at the Former William Clark and Sons Linen Mill Complex at Upperlands, Maghera.

Councillor S McPeake said that he was concerned about the quantitative of housing at Upperlands and the determination of the development plan. He stated that this item was brought before Planning Committee in September 2019 and advised at the time although he wasn't against the proposal, he felt that the housing spread needed to be more equal

and not up to 200 houses in a small area. He said that in Swatragh only 7 to 10 houses were proposed which makes a folly out of the whole process.

The Planning Manager said that he was conscious that Upperlands was afforded the opportunity for 200 houses but would be curious about where the people were going to come from to occupy these dwellings and felt that there could be flaws in the Department's.

Councillor Colvin said that in his opinion a decision could have been made and very unprofessional to pass it over to the PAC to make the decision.

Councillor S McPeake suggested that a response to the letter should be submitted expressing this Council's grave concerns regarding the matter.

The Planning Manager said Mid Ulster District Council was looking for some clear transparency and felt that this may be the best route to proceed down.

Councillor Bell enquired about the proper process being carried out in other Council areas and felt that if the same scenario was happening in Belfast or elsewhere, there would be an uproar.

Councillor S McPeake said that local area plans should be guided by local needs and felt that there was no thought put into this issue.

The Council Solicitor enquired if they were avoiding answering the issue and if at any point this type of situation would feature as part of the representations/ counter-representations in the Plan process.

The Planning Manager advised that the Department had objected to the allocations in Mid Ulster District Council's Draft plan strategy. He also noted that no equality impact assessment had been undertaken.

Councillor Cuthbertson said that he was aware of another small village of having 100 to 150 houses being due to be built with no amenities.

The Planning Manager said that he had read the letter and felt that one page contradicted the other.

Councillor S McPeake suggested writing back to the Department expressing this Council's disappointment on not being availed of a response back but hearing about the plans from an MP from another area.

Proposed by Councillor S McPeake
Seconded by Councillor Bell and

Resolved That the Planning Manager write back to DfI expressing the Council's disappointment at the lack of response regarding previous concerns raised.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Robinson
Seconded by Councillor Brown and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items P008/20 to P011/20.

Matters for Information

P008/20 Confidential Minutes of Planning Committee held on
3 December 2020
P009/20 Enforcement Cases Opened
P010/20 Enforcement Cases Closed
P011/20 Miscellaneous Matters

P012/20 Duration of Meeting

The meeting was called for 7 pm and concluded 9 pm.

Chair _____

Date _____