

Appeal Decision

Appeal reference:	2023/A0028.
Appeal by:	Mr George Cunningham
Appeal against:	The refusal of outline planning permission.
Proposed development:	Replacement Dwelling
Location:	Rear of 144 Ballygowan Road, Dromore
Planning authority:	Lisburn and Castlereagh City Council
Application reference:	LA05/2021/0894/O
Procedure:	Written representations and Commissioner's site visit on 12 th March 2024
Decision by:	The Commission, dated 3 rd June 2024

The Commission has considered the report by Commissioner McCallion and accepts his analysis of the issues and recommendation that the appeal should succeed. The Commission agrees that the reasons for refusal have not been sustained.

Decision – the appeal is allowed and full planning permission is granted, subject to the following conditions: -

1. Except as expressly provided for by condition 5, the following reserved matters shall be as approved by the planning authority – the design and external appearance of the dwelling.
2. Any application for approval of reserved matters shall incorporate plans and sections indicating existing and proposed ground levels and proposed finished floor levels for the dwelling, all in relation to a known datum point.
3. The building shaded green on the attached drawings PAC1 and PAC2 shall be retained and shall be used for domestic storage purposes only.
4. The dwelling including its curtilage area shall be sited within the area shaded blue on the attached drawing PAC 3, date stamped 22nd of February 2022.
5. The ridge height of the dwelling shall not exceed 6 metres above existing ground level at the lowest point within its footprint.
6. Road and visibility splays of 2.4 metres x 90 metres shall be laid out in both directions onto Ballygowan Road before any building operations commence and thereafter shall be retained.

7. No development shall take place until there has been submitted to and approved by the planning authority a landscaping scheme showing:
- trees and hedgerows to be retained along the northern, western and eastern boundaries of the site,
 - new planting along the proposed access verge to the site and associated southern site boundary of the site,
 - hedge planting to the rear of the visibility splays and
 - and the location, numbers, species and sizes of trees and shrubs to be planted within the site.

The scheme of planting, as finally approved, shall be carried out during the first planting season after the dwelling is occupied. Trees and shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Planning Authority gives written consent to any variation.

8. An application for approval of reserved matters shall be made to the Planning Authority before the expiration of three years from the date of this decision.
9. The development shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

10. This decision relates to the following drawings: -

Drawing No.	Title	Scale	Date
Council No. 01/PAC 1	Location Plan	1:2500	13 August 2021
Council No. 02/PAC2	Site Location Plan	1:500	13 th August 2021
Council No. 04/PAC 3	Site Layout Plan	1:500	22 nd February 2022

PAMELA O'DONNELL

Deputy Chief Commissioner

