



June 25th, 2015

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 8th July 2015** at **10:00 am** in the **Boardroom Monaghan Row Newry**.

The Members of the Planning Committee are:-

Chair: Councillor J Tinnelly

Vice Chair: Councillor W Clarke

Members: Councillor M Larkin

Councillor M Ruane

Councillor V Harte

Councillor D McAteer

Councillor K Loughran

Councillor L Devlin

Councillor M Murnin

Councillor G Craig

Councillor H McKee

Councillor P Brown

Agenda

(1) **Apologies and Chairperson's Remarks.**

(2) **Declarations of Interest.**

Minutes for Consideration and Adoption

(3) **Minutes of Planning Committee Meeting held on Wednesday 10 June 2015. (Attached).**

Minutes Planning Cmttee June 2015.pdf

Page 1

Development Management

(4) **Schedule of planning applications for determination - 8 July 2015. (Attached).**

Please click on the link below which will take you to the Planning Portal - this will allow you to view the supporting documents for each planning application.

http://epicpublic.planningni.gov.uk/PublicAccess/zd/zdApplication/application_searchform.aspx

The Schedule of Applications for 8 July 2015 is **attached** and lists the following planning applications:-

- P/2005/2717/F - Mr Brian Quinn, lands adjacent and to the rear of Nos. 26-48a Dundalk Road Crossmaglen - erection of residential development. **(Officer report attached - recommendation APPROVAL).**
- P/2013/0351/F - Kyle McElroy, lands approx. 100m south west of 24 Divernagh Road, Bessbrook, Newry - erection of 2 No. broiler breeder poultry houses. **(Officer report attached - recommendation APPROVAL).**
- P/2015/0028/LBC - Newry and Mourne District Council, external refurbishment works to Newry Town Hall. **(Officer report attached - recommendation CONSENT).**
- R/2015/0011/A - Mark Murnin - Shop sign at Paddy Kellys. **(Officer report attached - recommendation CONSENT).**
- P/2014/0217/F - Mr Paul McAteer, 77m south west of No. 56 Chapel Road, Ballyholland - erection of agricultural building and four silo tanks to provide feedstock for existing farm business. **(Officer report attached - recommendation APPROVAL).**

<u>Council Schedule for meeting 8 July 2015.pdf</u>	Page 8
<u>P-2005-2717 - Brian Quinn.pdf</u>	Page 13
<u>P-201300351 - Kyle McIlroy.pdf</u>	Page 32
<u>P-2015-0028 - NMD Council.pdf</u>	Page 43
<u>R-2015-0011 - Mark Murnin.pdf</u>	Page 51
<u>P-2014-0217 - Paul McAteer.pdf</u>	Page 56

For Noting

- (5) **Action Sheet of the Members' Briefing Panel Meeting held on Tuesday 23 June 2015. (Attached).**

[Action Sheet - 23 June 2015.pdf](#) Page 67

- (6) **Mark H Durkan MLA, Minister of the Environment, re: consultation response on planning application P/2013/0434/F - Proposed Ferry Terminal at Greencastle, Co. Down. (Attached).**

[Planning Application - Ferry Terminal at Greencastle.pdf](#) Page 73

Conferences/Events

- (7) **Agenda NI - Northern Ireland Planning Conference on Tuesday 29 September 2015 in the Grand Opera House Belfast - fee £150 plus VAT. (Details attached).**

- Councillors McKee, Craig and Murnin were appointed to attend this Conference at the Regulatory and Technical Services Committee Meeting held on Wednesday 17 June 2015.

[Planning Conference.pdf](#) Page 75

Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
Cllr. Naomi Bailie	naomi.bailie@nmandd.org
Cllr. Patrick Brown	patrick.brown@nmandd.org
Cllr. Robert Burgess	robert.burgess@downdc.gov.uk
Cllr. Stephen Burns	stephen.burns@downdc.gov.uk
Cllr. Michael Carr	michael.carr@newryandmourne.gov.uk
Cllr. charlie casey	charlie.casey@newryandmourne.gov.uk
Cllr. Patrick Clarke	patrick.clarke@downdc.gov.uk
Cllr. Garth Craig	garth.craig@downdc.gov.uk
Cllr. Dermot Curran	dermot.curran@downdc.gov.uk
Mr. Eddie Curtis	eddie.curtis@newryandmourne.gov.uk
Cllr. Laura Devlin	laura.devlin@downdc.gov.uk
Ms. Louise Dillon	louise.dillon@newryandmourne.gov.uk
Cllr. Geraldine Donnelly	geraldine.donnelly@newryandmourne.gov.uk
Cllr. Sean Doran	sean.doran@newryandmourne.gov.uk
Cllr. Sinead Ennis	sinead.ennis@nmandd.org
Cllr. Cadogan Enright	cadogan.enright@downdc.gov.uk
Mr. John Farrell	john.farrell@newryandmourne.gov.uk
Cllr. Gillian Fitzpatrick	gillian.fitzpatrick@newryandmourne.gov.uk
Cllr. Glyn Hanna	glyn.hanna@nmandd.org
Mr. Liam Hannaway	liam.hannaway@nmandd.org
Cllr. Valerie Harte	valerie.harte@newryandmourne.gov.uk
Cllr. Harry Harvey	harry.harvey@newryandmourne.gov.uk
Cllr. Terry Hearty	terry.hearty@newryandmourne.gov.uk
Cllr. David Hyland	david.hyland@newryandmourne.gov.uk
Cllr. Liz Kimmins	liz.kimmins@nmandd.org
Cllr. Mickey Larkin	micky.larkin@nmandd.org
Mr. Michael Lipsett	michael.lipsett@downdc.gov.uk
Cllr. Kate Loughran	kate.loughran@newryandmourne.gov.uk
Cllr. Kevin Mc Ateer	kevin.mcateer@nmandd.org
Cllr. Colin Mc Grath	colin.mcgrath@downdc.gov.uk
Collette McAteer	collette.mcateer@newryandmourne.gov.uk
Cllr. Declan McAteer	declan.mcateer@newryandmourne.gov.uk
Mr. Anthony McKay	anthony.mckay@nmandd.org
Cllr. Harold McKee	harold.mckee@newryandmourne.gov.uk
Ms. Heather Mckee	heather.mckee@newryandmourne.gov.uk
Eileen McParland	eileen.mcparland@newryandmourne.gov.uk
Cllr. Roisin Mulgrew	roisin.mulgrew@nmandd.org
Cllr. Mark Murnin	mark.murnin@nmandd.org
Mrs. Aisling Murray	aisling.murray@newryandmourne.gov.uk
Cllr. Barra O Muiri	barra.omuiri@nmandd.org

Cllr. Pol O'Gribin	pol.ogribin@nmandd.org
Mr. Canice O'Rourke	canice.orourke@downdc.gov.uk
Ms. Patricia Oakes	patricia.oakes@downdc.gov.uk
Cllr. Brian Quinn	brian.quinn@newryandmourne.gov.uk
Cllr. Henry Reilly	henry.reilly@newryandmourne.gov.uk
Cllr. Michael Ruane	michael.ruane@newryandmourne.gov.uk
Cllr. Gareth Sharvin	gareth.sharvin@downdc.gov.uk
Cllr. Gary Stokes	gary.stokes@nmandd.org
Sarah Taggart	sarah-louise.taggart@downdc.gov.uk
Cllr. David Taylor	david.taylor@newryandmourne.gov.uk
Cllr. Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Cllr. William Walker	william.walker@nmandd.org
Mrs. Marie Ward	marie.ward@downdc.gov.uk
Cllr. Clarke William	william.clarke@downdc.gov.uk

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: PL/DM

**Minutes of the Planning Committee Meeting of Newry, Mourne and Down
District Council held on Wednesday 10 June 2015 at 10.00 am in the
Boardroom, District Council Offices, Monaghan Row, Newry**

Chairperson: Councillor J Tinnelly**Vice Chairperson:** Councillor W Clarke**In attendance: (Committee Members)**

Cllr P Brown	Cllr G Craig
Cllr L Devlin	Cllr V Harte
Cllr M Larkin	Cllr K Loughran
Cllr D McAteer	Cllr H McKee
Cllr M Murnin	Cllr M Ruane

(Officials)

Mr L Hannaway	Chief Executive
Mr C O Rourke	Director Regulatory & Technical Services
Mr P Green	Legal Officer
Mr A McKay	Head of Planning
Mr P Rooney	Principal Planning Officer
Ms J McParland	Senior Planning Officer
Mr A Davidson	Senior Planning Officer
Ms E McParland	Democratic Services Manager
Ms L Grant	HPTO Planning Officer
Ms P Manley	HPTO Planning Officer
Ms S Trainor	EO2 Administrative Manager
Ms C McAteer	Democratic Services Officer
Ms L Dillon	Democratic Services Officer

Also in attendance: Mr R Laughlin Transport NI
Mr S Grant Transport NI

P/17/2015: APOLOGIES / CHAIRMANS REMARKS

No apologies received.

P/18/2015: DECLARATIONS OF INTEREST

Declarations of interest were put forward as follows:

Councillor McAteer declared an interest in Planning Application P/2013/0434/F in respect of lands adjacent to 80 Greencastle Pier Road Greencastle, as he had previously made public comments regarding this planning application.

Councillor M Ruane declared an interest in Planning Application P/2013/0434/F in respect of lands adjacent to 80 Greencastle Pier Road Greencastle.

Councillor M Ruane declared an interest in Planning Application P/2014/0996/F in respect of land located approximately 70m east of 29 Clermont Gardens Warrenpoint Newry BT34 3LG.

Councillor V Harte declared an interest in Planning Application P/2013/0434/F in respect of lands adjacent to 80 Greencastle Pier Road Greencastle,

Councillor McKee declared an interest in Planning Application P/2013/0434/F in respect of lands adjacent to 80 Greencastle Pier Road Greencastle.

**P/19/2015: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 13 MAY 2015**

Read: Minutes of Planning Committee Meeting held on Wednesday 13 May 2015. (Copy circulated)

AGREED: On the proposal of Councillor McKee seconded by Councillor Craig it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 13 May 2015 as a true and accurate record.

**P/20/2015: ACTION SHEET
MEMBERS' BRIEFING PANEL MEETING
- THURSDAY 25 MAY 2015**

Read: Action Sheet from Members' Briefing Panel Meeting held on Thursday 25 May 2015. (Copy circulated)

AGREED: It was agreed to note the Action Sheet of the Members' Briefing Panel Meeting held on Thursday 25 May 2015.

**P/21/2015: OPERATING PROTOCOL
- PLANNING COMMITTEE
- MEMBERS' BRIEFING PANEL**

Read: Report from Mr A McKay Head of Planning and Ms E McParland Democratic Services Officer regarding an Operating Protocol for the operation of the Planning Committee and the Members' Briefing Panel. (Copy circulated)

Ms McParland explained the Operating Protocol was to be read alongside the Council's Standing Orders and would be considered by the Strategy Policy and Performance Committee on 11 June 2015 to which all Members of the Planning Committee would be invited to attend for discussion on same.

Agreed: It was unanimously agreed to note the Operating Protocol for the Planning Committee and Members' Briefing Panel and to recommend inclusion of the following additions:

- (a) Planning Committee Members to be advised of all information and reports prior to the Meeting taking place.
- (b) Public shall not be permitted to give information to Members during Committee Meetings.
- (c) Agreement be implemented on a set cut-off date for receipt of items, with legal advice being sought if necessary.
- (d) The Briefing Panel to have the option of agreeing to site visits being held.

P/22/2015: APPLICATIONS FOR DETERMINATION

The following Applications were considered by the Committee:

(1) P/2013/0434/ FULL

NOTED: Councillor D McAteer, Councillor M Ruane, Councillor V Harte, and Councillor H McKee left the Chamber at this point (10.10am) and therefore were not present during discussion on the above application.

Location:

Land adjacent to 80 Greencastle Pier Road Greencastle.

Proposal:

The proposed construction of ferry terminal facilities adjacent to 80 Greencastle Pier Road Greencastle in Co Down to allow operation of a vehicular ferry across the mouth of Carlingford Lough. The proposed works include the construction of a reinforced concrete suspended pier (58 metres long), supported by vertical tubular piles and a reinforced concrete slipway (70 metres long) to allow vehicular access to

the Ferry and 12 berthing piles with fenders and steel gangway to facilitate berthing and tying up of vessels overnight, new access and hardstand for parking and queuing, kiosk for office and ancillary staff facilities, drainage and landscape proposals; upgrade and widening to parts of the Greencastle Pier Road and provision of passing bays; floating navigational marks anchored to the bed of the Lough and laid at the edges of the navigable channel to delineate appropriate channel boundaries or to mark shallow rock outcrops and provide for safety of navigation. (Amended plan / additional information received)

Conclusion and Recommendation from Planning Official
Approval.

AGREED: On the proposal of Councillor Devlin seconded by Councillor Craig it was agreed to approve Planning Application No. P/2013/0434/F subject to the 23 Conditions as contained in the Development Management Officer Report, and subject to the inclusion of the following additional conditions:
(a) That the hardstanding area be returned to greenfield in the event the proposed Ferry Terminal venture should be unsuccessful.
(b) A restriction on the size of commercial vehicles using the ferry.

NOTED: Councillor D McAteer, Councillor M Ruane, Councillor V Harte, and Councillor H McKee returned to the Chamber at this point (10.45am).

(2) LA07/2015/0200/ FULL

Location:

Bessbrook Pond 200m NW from Bessbrook Community Centre Mill Road Bessbrook Newry BT35 7DS.

Proposal:

A piece of public art.

Conclusion and Recommendation from Planning Official
Approval.

AGREED: On the proposal of Councillor Craig seconded by Councillor McKee it was agreed to approve Planning Application LA07/2015/0200/F, subject to Condition 1, as outlined in the Development Management Officer Report.

(3) P/2014/0284/ FULL***Location:***

Lands comprising existing open space along Camlough Road Newry (extending between approximately 25-155 metres to the South East of No. 33 Second Avenue adjacent to Derrybeg Community Centre adjacent and to the rear of Nos 22-28 First Avenue and adjacent and South of No.23 Second Avenue)

Proposal:

Construction of a BMX Track with the provision of a formal parking area (on existing tarmacked space adjacent and north-west of Derrybeg Community Centre), associated perimeter fencing, landscaping and site works and the relocation of the existing footpath link to Camlough Road at the north-west end of the site (with vehicular access via existing route between Nos. 28-30 First Avenue)

Conclusion and Recommendation from Planning Official

Approval.

NOTED: Councillor Larkin joined the meeting at 10.50am.

AGREED: **On the proposal of Councillor McAteer seconded by Councillor Ruane it was agreed to approve Planning Application P/2014/0284/F, subject to Condition 1, and Informative 1, as outlined in the Development Management Officer Report.**

Abstentions 0

(4) P/2014/0996/ FULL

NOTED: Councillor Ruane left the Chamber at this point (10.55am) and therefore was not present during discussion on this Application.

Location:

Located approximately 70m east of 29 Clermont Gardens Warrenpoint Newry BT34 3LG.

Proposal:

Proposed new play park and hurling wall facility, and ballstop fencing behind existing goal posts.

Conclusion and Recommendation from Planning Official

Approval.

AGREED: **On the proposal of Councillor McAteer seconded by Councillor seconded by Councillor Harte it was agreed to approve Planning Application P/2014/0996/F, as outlined in the Development Management Officer Report.**

Abstentions 0

(5) R/2014/0145/ FULL***Location:***

Boulevard Park Dundrum Road Newcastle.

Proposal:

Erection of 53 dwellings (change of house types from previously approved under 2004/A563 and R/2003/0888/F) including car parking and landscaping.

Conclusion and Recommendation from Planning Official

Approval.

NOTED: The Council's Planning Department had received information during week commencing 8 June 2015 regarding concerns in relation to an objection received to the Application on the potential impact elements of this scheme may have on amenity.

In light of this information, Council Planning Officials recommended removing this Application from the Council Schedule to allow a review of the additional information presented and the Application be tabled at a Planning Committee Meeting at the earliest opportunity.

AGREED: **On the proposal of Councillor Devlin seconded by Councillor McAteer it was agreed in light of additional information received by the Council's Planning Department, that Planning Application P/2014/0996/ F be removed from the Schedule to allow a review of the additional information presented and the Application be tabled at a Planning Committee Meeting at the earliest opportunity.**

(6) R/2014/0487/ FULL***Location:***

11 Burrenreagh Road Castlewellan BT31 9HH

Proposal:

Proposed new production buildings to be erected in two phases, and located behind the existing storage and production area, extension to existing car park.

Conclusion and Recommendation from Planning Official

Refusal

AGREED: **On the proposal of Councillor Devlin seconded by Councillor McKee it was agreed to defer taking a decision on Planning Application R/2014/0487/F to allow further consideration of this application.**

The above proposal was put to a vote by way of a show of hands and voting was as follows:

For: 9
Against: 1
Abstentions: 0

There being no further business the meeting concluded at 12.10pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 8 July 2015.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**

Newry, Mourne and Down Council

Applications for Planning Permission

and

Applications deferred from previous meetings

7/8/15

PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION

Council Newry, Mourne and Down

Date 7/8/15

ITEM NO	1			
APPLIC NO	P/2005/2717/F	Full	DATE VALID	11/18/05
COUNCIL OPINION	APPROVAL			
APPLICANT	Mr Brian Quinn 56 Loughross Road Crossmaglen Co. Armagh	AGENT	Gray Design Ltd The Bath House 17 Canal Street Newry BT35 6JB 028 30251885	
LOCATION	Lands adjacent and to the rear of Nos 26-48a Dundalk Road Crossmaglen (extending north-westwards to the boundary of No.20a Dundalk Road and south-eastwards to the boundary of the Telephone Exchange Building and No.52 Dundalk Road)			
PROPOSAL	Erection of residential development comprising 43 No. dwellings with associated access provision, parking provision and ancillary works (with main access between No. 48 Dundalk Road and existing Telephone Exchange Building and additional pedestrian and cycle access at point immediately south-east of No. 20a Dundalk Road and with demolition of existing dwelling at No. 48a Dundalk Road and the remains of the disused Wastewater Treatment Works facility on site).			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION

ITEM NO	2			
APPLIC NO	P/2013/0351/F	Full	DATE VALID	5/2/13
COUNCIL OPINION	APPROVAL			
APPLICANT	Kyle Mc Ilroy	Care of Agent	AGENT	Cornett Design Associates Ltd Unit 3 Kilkeel Business Park The Harbour Kilkeel BT34 4AX 02841769741
LOCATION	Land approximately 100m South West of 24 Divernagh Road Bessbrook Newry			
PROPOSAL	Erection of 2 No. broiler breeder poultry houses (to contain 16000 egg-laying hens and 1600 roosters in total), 5 No. feeder bins, egg-packing, storage and ancillary facilities, a standby generator building with associated access, parking and turning provision, waste-collection and treatment facilities and landscaping works			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	2	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION

ITEM NO	3			
APPLIC NO	P/2015/0028/LBC	Listed Buildir	DATE VALID	1/7/15
COUNCIL OPINION	CONSENT			
APPLICANT	Newry and Mourne District Council District Council Offices Monaghan Row Newry BT35 8DJ		AGENT	Kriterion Conservation Architects Hamilton House 3 Joy Street Belfast BT2 LE 028 9024 3911
LOCATION	Newry Town Hall Bank Parade Newry BT35 6HR			
PROPOSAL	external refurbishment works to Newry Town Hall: waterproofing of flat roof and of the inner parapet between the Auditorium and stage and repairs/refurbishment works to facades, including brickwork, stonework and windows			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

ITEM NO	4			
APPLIC NO	R/2015/0011/A	Advertiseme	DATE VALID	1/7/15
COUNCIL OPINION	CONSENT			
APPLICANT	Mark Murnin 46 Cherryhill Road Ballynahinch BT24 8AE		AGENT	NA
LOCATION	Paddy Kellys 8 The Square Ballynahinch BT24 8AE			
PROPOSAL	Shop Sign			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

Council Newry, Mourne and Down

Date 7/8/15

ITEM NO	D1			
APPLIC NO	P/2014/0217/F	Full	DATE VALID	3/3/14
COUNCIL OPINION	APPROVAL			
APPLICANT	Mr Paul McAteer C/O Agent		AGENT	ERES Limited Mourne House 41-43 Downshire Road Newry BT34 1EE 02830 250135
LOCATION	77m south west of No. 56 Chapel Road Ballyholland Co. Down			
PROPOSAL	Erection of agricultural building and four silo tanks to provide feedstock for existing farm business. (additional information and Layout received.)			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	39	1	2	0
			Addresses	Signatures
			5	7
			Addresses	Signatures
			0	0



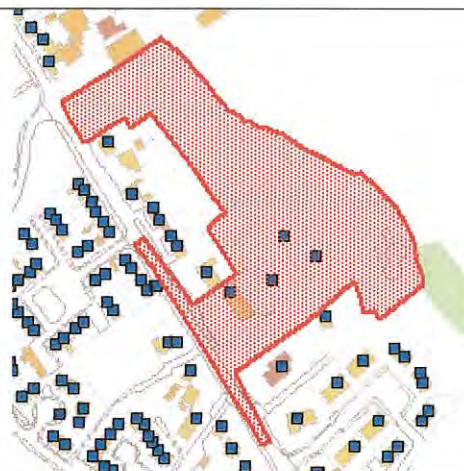
Newry, Mourne and Down District
Council
Planning Office
O'Hagan House
Monaghan Row
Newry
BT35 8DL

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: P/2005/2717/F	Target Date:
Proposal: Erection of residential development comprising 43 No. dwellings with associated access provision, parking provision and ancillary works (with main access between No. 48 Dundalk Road and existing Telephone Exchange Building and additional pedestrian and cycle access at point immediately south-east of No. 20a Dundalk Road and with demolition of existing dwelling at No. 48a Dundalk Road and the remains of the disused Wastewater Treatment Works facility on site).	Location: Lands adjacent and to the rear of Nos 26-48a Dundalk Road Crossmaglen (extending north-westwards to the boundary of No.20a Dundalk Road and south-eastwards to the boundary of the Telephone Exchange Building and No.52 Dundalk Road)
Referral Route:	
Major application	
Recommendation:	Approval
Applicant Name and Address: Mr Brian Quinn 56 Loughross Road Crossmaglen Co. Armagh	Agent Name and Address: Gray Design Ltd The Bath House 17 Canal Street Newry BT35 6JB
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Env Health Newry & Mourne District Council	
Non Statutory	Craigavon Development Plan	
Non Statutory	Water Management Unit	
Non Statutory	Water Management Unit	
Non Statutory	Env Health Newry & Mourne District Council	No Objection
Non Statutory	NI Transport - Downpatrick Office	Add Info Requested
Non Statutory	NI Transport - Downpatrick Office	Add Info Requested
Non Statutory	NI Transport - Downpatrick Office	Substantive Reply
Non Statutory	NI Water - Consultation Manager	Statutory
Non Statutory	Craigavon Development Plan	No Objection
Non Statutory	Craigavon Development Plan	Substantive Reply
Non Statutory	Landscape Architects Branch	Mixed
Non Statutory	Rivers Agency Lisburn	Mixed
Non Statutory	Protecting Historic Monuments	No Objection
Non Statutory	DCAL- Inland Fisheries Group	Approval Subject to Conditions

Representations:

Letters of Support	None Received
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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	
Characteristics of the Site and Area	
<p>The site comprises a large area of vacant and agricultural land (approx. 1.97 hectares in area) approx. 0.5 km south-east of Crossmaglen Town Centre. The lands sit adjacent to and between Nos. 20a and 28 Dundalk Road and between No. 48 Dundalk Road and the existing Telephone Exchange to the south-east. The lands extend to the rear of the dwellings between these frontages and to the south-east, adjacent to No. 10 Pinewood Glen.</p> <p>A minor watercourse flows along the north-east boundary. The land falls considerably to this boundary. The Existing Survey shows a total levels change of approx. 13.5 metres from the highest point to the north-west of No. 28 Dundalk Road to the lowest point in the eastern rear corner in the area of the disused treatment works. The strip of land to the rear of the Dundalk Road frontage development sits well below these neighbouring dwellings.</p> <p>The site lies open along both frontages to Dundalk Road.</p>	
Planning Assessment of Policy and Other Material Considerations	
<p>3 RELEVANT PLANNING HISTORY</p> <p>The application site has no notable recent planning history.</p>	
<p>4 DESCRIPTION OF PROPOSAL</p> <p>There have been a number of revision on this application.</p> <p>The latest development in Layout Revision 17 (4 August 2014) contains 7 detached dwellings and 36 semi-detached dwellings (43 dwellings in total), with 10 different house-types. The proposed house-types include one-and-a-half storey and two storey. The house designs are typically suburban, with render and brick finishes to the walls and black and blue slate effect roof tiles. Development works will include retaining measures. A single access point is located centrally along the south-east section of frontage to Dundalk Road, showing sight-lines of 4.5 metres x 70 metres.</p>	
<p>5 CONSIDERATION</p> <p>DEVELOPMENT PLAN / POLICY CONTEXT</p> <p>The application lands were zoned for housing in the Banbridge / Newry & Mourne Area Plan 2015 (dBNMAP, as published on 22 August 2006), under Designation CM 07 ('Dundalk Road').</p>	

The lands lie outside the Town Centre Boundary (Designation CM 12). The settlement development limit extends along the east edge of the site, with the lands to the east (towards Monog Road) falling within the Crossmaglen Green Belt (Draft Plan Designation NC 02).

The zoning of the application lands for housing was confirmed in the final adopted Banbridge / Newry & Mourne Area Plan 2015, as published on 4 October 2014. The Designation number changed to Zoning CM 08. The application site comprises the entire zoning.

Housing Zoning CM 08 (Dundalk Road), measuring at 1.97 hectares, contains 4 Key Site Requirements (KSR):

1. the housing development shall be a minimum gross density of 25 dwellings per hectare and a maximum gross density of 30 dwellings per hectare;
2. access shall be via Dundalk Road; and
3. the development shall ensure that dwellings do not back onto Dundalk Road; and
4. Pedestrian / cycle access shall be provided to Dundalk Road at both the northern and southern ends of the site

A - Development Plan Considerations

The density range in KSR 1 (in the Final Plan's Zoning CM08) equates to between a recommended 30-48 dwellings on site. The residential numbers have changed from an initial 49 dwellings to 43 dwellings in the latest Layout REV 17. The latest scheme falls within the density range. The remaining KSRs 1-3 (relating to access on to Dundalk Road; frontage development onto Dundalk Road; and pedestrian and cycle access to be provided at both the northern and southern ends of the site) have caused no issue. There are good planning reasons for each. In summary, there are no development plan concerns with this application.

Principle of Residential Development

The principle of residential development on the application lands is acceptable by reason of its zoning for housing within the final adopted statutory plan.

The site is situated within a built-up residential area and within the built-up urban footprint. It sits between and to the rear of an extensive row of dwellings along Dundalk Road. The proposed development adjoins residential development to the south-east. Housing on this site would be entirely compatible with this neighbouring development. The site is also very conveniently located to St. Joseph's High School, opposite and south along Dundalk Road.

B - Landscape Character

The site is considered to be suitable for in-depth residential development, based on its zoning and context, subject to normal planning and environmental considerations. The majority of the development will sit well below existing development along Dundalk Road and should therefore not have a detrimental impact on the wider landscape character of the area.

C - Archaeological Interests

NIEA Historic Monuments Unit was consulted due to the very north-west end of the site being located within an Area of Archaeological Potential. NIEA HMU did not request any site evaluation works or archaeological investigation prior to commencement of development. The proposal

does not raise any outstanding archaeological related issues. The proposal does not contravene the Department's Planning Policy Statement 6: Planning, Archaeology & the Built Heritage.

D - Nature Conservation / Natural Heritage

The proposal does not cause any concerns at this stage under the Department's Planning Policy Statement 2 (PPS 2) - Planning and Nature Conservation and also Criterion b) of Policy QD 1 in this regard.

E - Flood Risk / Drainage

Rivers Agency's original comments dated 4 January 2006 advised that there are no watercourses designated under the terms of the Drainage (Northern Ireland) Order 1973 affecting the site. An undesignated watercourse forms the north-east boundary of the site. The Department's computer records show a 10 metres wide buffer along the eastern-most part of this 'unmodelled' watercourse. The site does not fall within a flood plain. Rivers Agency originally advised that a drainage ditch which runs through the site should be incorporated into any proposed storm drainage. This appears to run along the field boundary which runs along a NE-SW axis, to the rear and between Nos. 42 and 48 Dundalk Road.

A standard negative condition should be applied, requiring that no development shall begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by Northern Ireland Water (NIW).

F - Land Contamination

NIEA Water Management Unit advised in their comments dated 14 September 2011 that the former wastewater treatment works (WWTW) on site may have resulted in contamination of soils and controlled waters with associated risks to human health and environmental receptors. WHU recommended that DOE Planning determine whether the applicant has considered this matter as part of the application or not. It was decided by Group to query this matter further with Environmental Health Department (N&M Council). Their response dated 7 September 2011 (in reply to consultation letter dated 1 September 2013) however returned no objection, with no specific comment on the issue of potential contamination. It was subsequently agreed that no further investigation or information was needed on this matter prior to determination of the application, nor were any conditions needed on an approval notice in relation to same.

G - Relationship with / Impact from adjoining joinery works

Environmental Health advised in their comments that an Informative should be added to any approval notice, to advise that one side of the proposed development is in close proximity to the commercial premises and that there is the potential for noise from these premises to have a detrimental effect on the residents of the proposed houses. They go on to advise that the proposed dwellings will contain sufficient sound proofing to prevent disturbance from the adjacent premises. No other potential nuisances were raised by Environmental Health, such as smell, fumes, smoke, soot, ash, dust, grit or vibration.

The amendments made to the scheme, during negotiation, have addressed residential amenity issues associated with the adjoining joinery works premises to an acceptable degree, by increasing the separation, improving the separation and allowing for a buffer of new landscaping to be agreed post-approval. This has increased separation between the dwellings and adjoining facility to an acceptable degree. The proposal does not cause any concerns under Criterion h) of Policy QD 1 in this regard.

H - Roads/Access Matters

Transportni (formerly Roads Service) confirmed on 9th September 2014 that they are content with the scheme subject to conditions and informatives as appropriate.

The proposed development incorporates a footpath linkage at the north-west end of the site. This meets Key Site Requirement 4 listed in the BNM Area Plan 2015, which follows through from the draft plan proposals. This allows for cycle linkage also. This footpath linkage is welcomed in the interests of accessibility and connectivity with the local area. This footpath link would offer a shorter route for pedestrians and cyclists into the town centre, for the majority of the development, thus helping to encourage walking and cycling and reducing the reliance on the private car. This linkage will be adequately supervised by the neighbouring dwelling (Unit 43).

In summary, the proposal is acceptable and does not cause any road safety concerns.

I - Sewage Disposal

Sewage disposal is intended to be via the public sewage system, as indicated by the Agents in Question 15 of revised P1 Form. This is the only viable option in this urban situation. NIEA Water Management Unit's updated comments on 14 September 2011 confirmed that they had no objection to the proposed connection to the main foul sewer, based on the fact that it terminates at Lisalgat Waste Water Treatment Works (WWTW).

The issue of sewage disposal can be dealt with by negative condition on an approval notice, requiring that no part of the development shall be occupied until works for the disposal of sewage have been provided on site to serve the development in accordance with details to be submitted to and approved by Northern Ireland Water (NIW).

J - Housing Quality - Planning Policy Statement 7 (PPS 7)

The current scheme, following a series of revision, is now acceptable, subject to conditions and informatives.

SUMMARY

Approval. All consultees are content subject to conditions and informatives.

6 THIRD PARTY REPRESENTATIONS

Brief Summary of Issues

2 letters of representation have been received from third parties, raising the questions and concerns below. These were received on the back of the original proposal received on 18 November 2005.

1. How high will the houses be above the adjoining field?
2. Are there going to be retaining walls?

3. Where is the storm water going?

A response was issued to the writer (of 9 Monog Road) who raised these questions, dated 23 January 2006. This response advised that the application was for outline permission and that the issues raised are matters of detail that are normally addressed following the submission of a further application for detailed approval. This has changed however, with the application changing from outline to full during processing, as outlined earlier in the report. The three issues raised have been considered as part of this determination with the proposed height considered acceptable, and the retaining walls and storm water are to be dealt with via the use of negative conditions. The latest details have been advertised and notified afresh and no objections have been received.

RECOMMENDATION

Approval.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Conditions/Reasons for Refusal:

Conditions

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

Reason: Time Limit.

2. A landscape management plan, including long term design objectives, performance indicators, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately owned domestic gardens, (except for trees or other vegetation retained in the public interest) shall be submitted to and approved by the Department prior to the occupation of the development or any phase of the development, whichever is the sooner. The landscape management plan shall be carried out as approved.

Reason: To ensure the sustainability of the approved landscape design through its successful establishment and long term maintenance.

3. The visibility splays of 4.5 metres by 70 metres at the junction of the proposed access road with the public road, shall be provided in accordance with Drawing no. 03 bearing the date stamp 04/08/14, prior to the commencement of any other works or other development.

REASON: Road Safety

4. 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 the development.

Reason: Road Safety

5. Notwithstanding the provisions of the Planning (Northern Ireland) Act 2011, no buildings, walls or fences shall be erected, nor hedges, nor formal rows of trees grown in verges / service strips determined for adoption.

Reason: Road Safety

6. Notwithstanding the provisions of the Planning (Northern Ireland) Act 2011, no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500mm shall be carried out in verges / service strips determined for adoption.

Reason: Road Safety

7. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars at the rate of 2 spaces per dwelling.

Reason: To ensure adequate (in -curtilage) parking in the interests of road safety and the convenience of road users.

8. The development hereby permitted shall not be occupied until any retaining wall requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design manual for Roads and Bridges.

Reason: Road Safety

9. The development hereby permitted shall not be commenced until a Street Lighting Scheme design has been submitted and approved by the Newry, Mourne & Down District Council Section.

Reason: Road Safety and convenience of traffic and pedestrians.

10. All appropriate road markings and associated signage within the development and on the public road shall be provided by the developer/applicant in accordance with the Department's specification (Design Manual for Roads and Bridges) and as directed by Transport NI Traffic Management Section prior to the development becoming occupied by residents.

Reason: In the interest of road safety and traffic progression.

11. The gradient of a private access should not exceed 8% for the first 5m outside the public road boundary and a maximum gradient of 10% thereafter.

Reason: In the interest of Road Safety.

12. The developer / applicant prior to the commencement of any road works shall provide a detailed programme of works and associated traffic management proposals to the Newry, Mourne & Down District Council for agreement in writing.

Reason: To facilitate the free movement of roads users and the orderly progress of work in the interests of road safety.

13. The development hereby approved shall not be occupied until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Newry, Mourne and Down District Council.

Reason: To safeguard the site and adjacent land against flooding and standing water.

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Newry, Mourne & Down District Council. The works shall be carried out within a timescale to be agreed with the Council.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

15. No development shall take place until full details of any retaining walls proposed within the site have been submitted to and approved in writing by the Newry, Mourne & Down District Council.

Reason: In the interests of safety.

16. The development hereby approved shall not become operational until works for the disposal of sewage have been provided on the site to serve the development, in accordance with details to be submitted to and approved by the Newry, Mourne and Down District Council.

Reason: In the interests of public health.

Signature(s)

Date:

ANNEX	
Date Valid	18th November 2005
Date First Advertised	4th January 2013
Date Last Advertised	8th August 2014
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier 1 Lismore Park,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9EU The Owner/Occupier 1 Lismore,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9ET The Owner/Occupier, 1 Pinewood Glen,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9BF The Owner/Occupier 1 The Crescent,Dundalk Road,Crossmaglen,Co.Armagh,BT35 9HR The Owner/Occupier 10 Dundalk Road,Crossmaglen,Co. Armagh,BT35 9HL The Owner/Occupier 10 Lismore Park,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9EU The Owner/Occupier 10 Lismore,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9ET The Owner/Occupier 10 Pinewood Glen,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9BF The Owner/Occupier 10 The Crescent,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9HR The Owner/Occupier 11 Lismore Park,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9EU The Owner/Occupier 11 Lismore,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9ET The Owner/Occupier, 11 Monog Road,Crossmaglen,Co. Armagh,BT35 9DQ The Owner/Occupier 11 Pinewood Glen,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9BF The Owner/Occupier 11 The Crescent,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9HR The Owner/Occupier, 11A Monog Road,Crossmaglen,Co. Armagh,BT35 9DQ The Owner/Occupier, 11B Monog Road,Crossmaglen,Co. Armagh,BT35 9DQ The Owner/Occupier, 12 Dundalk Road,Crossmaglen,Co. Armagh,BT35 9HL The Owner/Occupier 12 Lismore Park,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9EU The Owner/Occupier 12 Lismore,Dundalk Road,Crossmaglen,Co. Armagh,BT35 9ET The Owner/Occupier</p>	

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Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No

Planning History

Ref ID: P/1989/0437

Proposal: Housing Development 10 bungalows (change of house type)

Address: ADJACENT TO NO78 DUNDALK ROAD CROSSMAGLEN NEWRY

Decision:

Decision Date:

Ref ID: P/1978/1222

Proposal: PROPOSED HOUSING DEVELOPMENT

Address: DUNDALK ROAD, CROSSMAGLEN

Decision:

Decision Date:

Ref ID: P/2007/0058/F

Proposal: Erection of residential development comprising 19 No. dwellings with associated parking provision and ancillary works (with single (single storey) dwelling adjacent to No. 63 Dundalk Road to be accessed via private laneway shared with that to Nos 61 & 63 Dundalk Road and remaining dwellings to be accessed via Lisbeg Park)
Address: Lands adjacent and south-east of Nos 16 & 19 Lisbeg Park, Lismore, Dundalk Road, Crossmaglen (extending to the rear of and adjacent to Nos 61 & 63 Dundalk Road)

Decision:

Decision Date: 31.05.2011

Ref ID: P/1995/0012

Proposal: Erection of dwelling

Address: DUNDALK ROAD CROSSMAGLEN (ADJACENT TO SEWAGE WORKS)

Decision:

Decision Date:

Ref ID: P/2006/0483/F

Proposal: Site for 3 dwellings

Address: 52 Dundalk Road, Crossmaglen, Newry

Decision:

Decision Date: 03.12.2007

Ref ID: P/2000/0534/PD

Proposal: The mounting of one 0.3m metre dish antenna on a cantilever wall bracket attached to Crossmaglen Telephone Exchange Building.

Address: Crossmaglen telephone exchange, Dundalk Road, Newry.

Decision:

Decision Date:

Ref ID: P/1979/0667

Proposal: SITE FOR BUNGALOW
Address: DUNDALK ROAD, CROSSMAGLEN
Decision:
Decision Date:

Ref ID: P/1977/0350
Proposal: PROPOSED NIP8B TELEPHONE EXCHANGE
Address: DUNDALK ROAD, CROSSMAGLEN
Decision:
Decision Date:

Ref ID: P/1979/1064
Proposal: PROPOSED ERECTION OF BUNGALOW
Address: DUNDALK ROAD, CROSSMAGLEN
Decision:
Decision Date:

Ref ID: P/1991/1290
Proposal: Extension and improvements to dwelling
Address: 32 DUNDALK ROAD CROSSMAGLEN
Decision:
Decision Date:

Ref ID: P/1998/0197
Proposal: Site for 2 dwellings
Address: 28-30 DUNDALK ROAD CROSSMAGLEN
Decision:
Decision Date:

Ref ID: P/2001/0462/F
Proposal: Erection of 2 storey dwelling and detached garage
Address: Between Numbers 26 and 32 Dundalk Road, Crossmaglen, Newry
Decision:
Decision Date: 17.07.2001

Ref ID: P/1987/0483
Proposal: Erection of domestic garage and store
Address: NO36 DUNDALK ROAD NEWTOWNHAMILTON
Decision:
Decision Date:

Ref ID: P/2005/2717/O
Proposal: Erection of residential development comprising 43 No. dwellings with associated access provision, parking provision and ancillary works (with main access

between Nos. 48 and Telephone Exchange Building and additional pedestrian and cycle access at point immediately south-east of No. 20a Dundalk Road and with demolition of existing dwelling at No. 48a Dundalk Road and the remains of the disused Wastewater Treatment Works facility on site)

Address: Lands adjacent and to the rear of Nos 26-48a Dundalk Road, Crossmaglen (extending north-westwards to the boundary of No.20a Dundalk Road and south-eastwards to the boundary of the Telephone Exchange Building and No.52 Dundalk Road),

Decision:

Decision Date:

Ref ID: P/1994/0630

Proposal: Erection of bungalow

Address: BETWEEN NOS 20 & 36 DUNDALK ROAD CROSSMAGLEN

Decision:

Decision Date:

Ref ID: P/1979/0441

Proposal: CHANGE OF USE TO HANDICRAFTS TRAINING CENTRE

Address: DUNDALK STREET, CROSSMAGLEN

Decision:

Decision Date:

Ref ID: P/1979/1039

Proposal: PROPOSED SITE FOR HOUSING DEVELOPMENT

Address: CARLINGFORD STREET, MONOG, CROSSMAGLEN

Decision:

Decision Date:

Summary of Consultee Responses

No objections, subject to conditions

Drawing Numbers and Title

Drawing No.

Type:

Status:


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: P/2013/0351/F	Target Date:
Proposal: Erection of 2 No. broiler breeder poultry houses (to contain 16000 egg-laying hens and 1600 roosters in total), 5 No. feeder bins, egg-packing, storage and ancillary facilities, a standby generator building with associated access, parking and turning provision, waste-collection and treatment facilities and landscaping works	Location: Land approximately 100m South West of 24 Divernagh Road Bessbrook Newry
Referral Route: Major application.	
Recommendation:	Approval
Applicant Name and Address: Kyle Mc Ilroy Care of Agent	Agent Name and Address: Cornett Design Associates Ltd Unit 3 Kilkeel Business Park The Harbour Kilkeel BT34 4AX
Executive Summary: 2 Broiler houses and associated works.	
Signature(s):	

Case Officer Report		
Site Location Plan		
		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	DCAL- Inland Fisheries Group	Considered - No Comment Necessary
Non Statutory	Natural Heritage	Add Info Requested
Non Statutory	DARDNI - Armagh	No Objection
Non Statutory	Env Health Newry & Mourne District Council	Substantive Response Received
Non Statutory	NI Transport - Downpatrick Office	Substantive Response Received
Non Statutory	Industrial Pollution & Radio Chemical Inspectorate	Considered - No Comment Necessary
Non Statutory	NI Water - Single Units East - Planning Consultations	No Objection
Non Statutory	Water Management Unit	Substantive Response Received
Non Statutory	Foyle Carlingford & Irish Lights Commission	Substantive Response Received
Non Statutory	DCAL- Inland Fisheries Group	Considered - No Comment Necessary
Non Statutory	Rivers Agency	Add Info Requested
Representations:		
Letters of Support	2	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and	No Petitions Received	

signatures	
<p>Summary of Issues All issues explored in Assessment below.</p>	
<p>Characteristics of the Site and Area</p> <p>The site is located approximate 100m West of 24 Divernagh Road, Bessbrook, Newry. The site as defined by the red line boundary on the site location plan takes in approximately 3 agricultural fields that surround No. 24 Divernagh Road. The boundaries of the site comprise a mix of mature hedging, post and wire fencing and timber fencing. The site is located within the Rural Area as defined in the Banbridge Newry and Mourne Area Plan 2015. The area is predominately rural with relatively low development pressure in the vicinity of the site. The landform in the surrounding area remains relatively flat.</p>	
<p>Planning Assessment of Policy and Other Material Considerations</p> <p>KEY PLANNING HISTORY N/A</p> <p>Banbridge Newry and Mourne Area Plan 2015. The site lies in the rural countryside, outside any defined settlement and Special Countryside Policy Area (SCPA), as defined in the Banbridge / Newry & Mourne Area Plan 2015 (published on 4 Oct 2013).</p> <p>CONSIDERATION</p> <p>My consideration is set out under the issues and policy tests below.</p> <p>Policy CTY 1 – Principle of Development in the Countryside - this will be assessed against CTY12, in that if the application meets the policy criteria of CTY12 it is then acceptable with regard to CTY1.</p> <p>Policy CTY 12 – Agricultural and Forestry Development</p> <p>The initial assessment of CTY12 where permission will only be granted for development on an active and established agricultural holding has been confirmed by DARD in their consultation response. The response confirmed the farm Business ID had been established for more than 6 years and that a subsidy had been claimed in the last 6 years. The proposal is necessary for the efficient use of the agricultural holding as there are no existing buildings suitable for the nature and scale of the poultry house development. With regard to character and scale the proposal is typical of this type of development both in terms of the buildings and associated works and the rural area is the most appropriate setting. Integration will not be an issue for this application as the buildings are to be green in colour and a buffer zone for planting has been proposed around the site to soften the impact of the buildings on the landscape. Buildings of this nature are typically found in rural locations and therefore will not be intrusive on the existing landscape. The proposal will also be read with the existing farm dwelling and holding located immediately to the north east of the site.</p> <p>The proposal will not have an adverse impact on the natural of built heritage of the area. This has been confirmed by consultation with the Natural Environment Agency who have responded with no objections, subject to conditions and informatives. The application site does not fall in the sphere of influence for any listed building. Following consultation with Environmental Health they have confirmed the proposal will not have a detrimental impact the residential amenity of</p>	

dwelling outside the holding. Standard conditions and informatives will be applied to any decision notice to remind the applicant to continue to operate the business in a safe and environmentally respectful manner. The applicant confirmed he is the occupier of the nearest dwelling 24 Divernagh Road.

The agent has shown the extent of the farm holding in maps accompanying the application. It is clear that the existing buildings are being utilised at present and could not sustain the size and scale of this operation, which justifies the need for new buildings to be created. The proposal will be sited to group with the main dwelling on the farm and the existing farm buildings across the road. The design and materials of the proposal are in keeping with traditional farm buildings in the area and are sympathetic to the existing landscape.

The proposal meets the policy criteria of CTY12.

Policy CTY 13 – Integration and Design of Buildings in the Countryside

The proposal will not be a prominent feature in the landscape and the site does not lack long established natural boundaries. The design and materials dictate that it does not rely on landscaping for integration however this has been added to reinforce visual amenity of the site. The design and materials are in keeping with that traditionally found in the countryside.

The proposal meets the policy criteria of CTY13

Policy CTY 14 - Rural Character

The proposal will not be unduly prominent in the landscape and is sited to group with existing farm buildings which the policy encourages. The proposal will not add to ribbon development and with no established settlement pattern in the immediate area does not fail this policy criteria. Build up is not an issue for this application.

The proposal meets this policy criteria.

PPS 2 – Nature Conservation,

Policy NH 2 – Species Protected by Law;

Policy NH 5 – Habitats, Species or Features of Natural Heritage Importance

As the proposal lies within the consultation zone of Camlough ASSI, Camlough Quarry ASSI, Slieve Gullion Special Area of Conservation (SAC) / ASSI, Lislea ASSI and Levallymore ASSI NIEA Natural Environment Division were consulted. A Habitat Regulations Assessment was carried out and found no likely significant effects on the designated features. In addition to this it was considered unlikely by NIEA that there would be an unacceptable adverse impact of potential air pollution on non-designated sites of nature conservation importance.

The proposal is in compliance with this policy criteria.

Flood Risk (Policy FLD 3 – Development beyond Flood Plains)

DARD Rivers Agency were consulted with regard to this planning policy and subsequently since the submission of a drainage assessment have stated they have no objections to the proposal.

Sewage Disposal (Policy CTY 16 – Development relying on Non-Mains Sewerage)

Policy CTY 16 requires the applicant to demonstrate that the development will not create or add to a pollution problem. A septic tank and soakaway is proposed to the east of the facility to discharge effluent from the toilet facilities within the development. The amplification to the policy states that such installations should be located at least 15 metres away from any dwelling and soak-aways should not drain across the curtilage of any neighbouring property. This would not be an issue based on the existing dispersed building pattern and local topography. An existing

septic tank is shown at the north of the site, close to the access.

Environmental Health (NMD Council) did not comment on the septic tank and soakaway arrangement as part of the proposal. Consent to Discharge (from the treatment system) is required from Northern Ireland Environment Agency (NIEA) under the Water (NI) Order 1999. I would recommend a negative condition be applied to an approval notice requiring that no development shall commence until the necessary consent has been granted for the proposed septic tank and soakaway.

The proposal does not contravene Policy CTY 16.

Public Safety and Residential Amenity
(Para. 52 of Planning Policy Statement 1 (PPS 1))

There is no policy reference in PPS 21 directly relating to the issues of public safety and residential amenity. The fall back is Para.52 in PPS 1 (General Principles). The proposal raises a number of amenity issues, considered as follows:

i) Odour Nuisance

Environmental Health raised no concerns with regard to Odour Nuisance. The facility is also required by Moy Park to comply with the best practice guidance set out in their Farm Management Plan in relation to odour control. Management of the facility is monitored on a weekly basis by a Moy Park field officer. Financial penalties can be imposed if the farmer neglects any aspects of his managerial role.

ii) Air pollution

Neither NIEA Natural Heritage or Environmental Health raised any issue with regard to air quality / pollution levels.

iii) Noise Nuisance

The facility is located sufficiently far away from non-associated dwellings to safeguard against any noise nuisance. Environmental Health did not raise any concern in relation to noise. The facility is required by Moy Park to comply with the best practice guidance set out in their Farm Management Plan. This guidance includes restrictions on bird, feed and egg delivery and collection vehicles and the testing of emergency generators to during normal day time hours.

iv) Dust Nuisance

The facility is required by Moy Park to comply with the best practice guidance set out in their Farm Management Plan in order to control dust. The weekly visit by the field officer would help monitor such matters.

v) Vermin / Insects Nuisance

The facility is required by Moy Park to comply with the best practice guidance set out in their Farm Management Plan in relation to vermin control and flies. This advice covers hygiene/cleaning, baiting, carcass management, repair of cracks and breaks and use of approved insecticides.

vi) Farm Hygiene

The facility will be subject to regulation by the Department of Agriculture and Rural Development (DARD). The owner of this poultry rearing facility is required by law to register the facility with DARD and to comply with their animal welfare and disease control requirements. Aligned with this, the facility is required by Moy Park to comply with the best practice guidance set out in their Farm Management Plan in relation to farm hygiene. This advice includes covers hygiene/cleaning, disinfection measures, access restrictions and careful waste and carcass management,

PPS3 Access Parking and Movement

Following amendments, Transport NI have no objections to the proposal, subject to the standard conditions applied to any decision notice.

Waste / Chicken Litter

The agent has sent in documentation stating that the 290.4 tonnes of litter which will be produced annually will be immediately transported to EPR Scotland Ltd Westfield Biomass Plant for renewable energy generation. As a result no land spreading of litter will take place on the land holding. This contract has been confirmed in documentation from EPR Scotland and Moy Park. Any alternative arrangement will have to be agreed by Newry Mourne and Down Council, in writing.

Neighbours Notified 15th May 2013

Date Advertised 30th August 2013

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

Approval as above. All material planning considerations and issues raised considered prior to recommendation.

Conditions

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

REASON: Time Limit.

2. 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.

3. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practise.

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

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 02 REV 6 bearing the date stamp 14 OCT 2014 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.

5. The access gradient to the development 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

6. All storm water from the development site must not be discharged to nearby watercourses unless first passed through pollution interception and flow attenuation measures. Storm water can carry pollutants into watercourses and high volume discharges can alter the prevailing hydrological regime, both of which can impact on fisheries interests.

REASON: To prevent pollution of surface waters.

7. Work methods and materials must not impinge upon any nearby watercourses. The use of cement/concrete on site will require careful management. While they are versatile building materials, they are also highly toxic to aquatic life and therefore must be kept out of all drains and watercourses.

REASON: To prevent pollution of surface waters.

8. 1.The total site capacity will be limited to 17,600 birds (16,000 egg laying hens and 1,600 roosters).

REASON: To ensure there are no adverse impacts on the selection features of Slieve Gullion SAC/ASSI, Camlough ASSI, Camlough Quarry ASSI, Lislea ASSI, Levallymore ASSI.

9. All runoff generated in the hard standing areas surrounding the proposed poultry houses shall be considered 'dirty' water and shall be collected in the wash tank. Only clean surface water run-off will be directed to the existing drain as shown in Drawing 02 Rev 6 date stamped 14 OCT 2014.

REASON: To ensure there are no adverse impacts on the selection features of Slieve Gullion SAC/ASSI, Camlough ASSI, Camlough Quarry ASSI, Lislea ASSI, Levallymore ASSI.

10. All chicken litter generated by the proposed development shall be disposed of off the application farm holding in accordance with the information received from Moy Park, date received 3rd June 2015 unless the Council gives its written consent to any variation:

REASON: To prevent an unacceptable impact on the environment.

Signature(s)

Date:

ANNEX	
Date Valid	2nd May 2013
Date First Advertised	24th May 2013
Date Last Advertised	30th August 2013
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 11 Eshwary Road, Duvernagh, Bessbrook, Armagh, BT35 7BN, The Owner/Occupier, 19 Divernagh Road Duvernagh Bessbrook The Owner/Occupier, 2 Eshwary Road, Duvernagh, Bessbrook, Armagh, BT35 7BN, The Owner/Occupier, 21 Divernagh Road Duvernagh Bessbrook The Owner/Occupier, 24 Divernagh Road Duvernagh Bessbrook The Owner/Occupier, 26 Divernagh Road, Duvernagh, Bessbrook, Armagh, BT35 7BW, The Owner/Occupier, 28 Divernagh Road, Duvernagh, Bessbrook, Armagh, BT35 7BW, The Owner/Occupier, 3 Eshwary Road, Duvernagh, Bessbrook, Armagh, BT35 7BN, Design Associates 4 Hartford Place Corporation Armagh Kate Cairns 475 Antrim Road Skegoneill Belfast The Owner/Occupier, 6 Eshwary Road, Duvernagh, Bessbrook, Armagh, BT35 7BN, The Owner/Occupier, 7 Eshwary Road, Duvernagh, Bessbrook, Armagh, BT35 7BN, The Owner/Occupier, 9 Eshwary Road, Duvernagh, Bessbrook, Armagh, BT35 7BN, The Owner/Occupier, Divernagh Road, Duvernagh, Bessbrook, Armagh, BT35 7BW,</p>	
Date of Last Neighbour Notification	15th May 2013
Date of EIA Determination	
ES Requested	Yes /No

Planning History

Ref ID: P/2013/0351/F

Proposal: Erection of 2 No. broiler breeder poultry houses (to contain 16000 egg-laying hens and 1600 roosters in total), 5 No. feeder bins, egg-packing, storage and ancillary facilities, a standby generator building with associated access, parking and turning provision, waste-collection and treatment facilities and landscaping works

Address: Land approximately 100m South West of 24 Divernagh Road Bessbrook Newry,

Decision:

Decision Date:

Ref ID: P/1986/0354

Proposal: FARM WORKER'S DWELLING

Address: DIVERNAGH ROAD, BESSBROOK

Decision:

Decision Date:

Ref ID: P/2002/0456/RM

Proposal: Proposed dwelling and garage.

Address: Adjacent and to the South of 26 Divernagh Road Bessbrook.

Decision:

Decision Date: 04.07.2002

Ref ID: P/2001/0970/O

Proposal: Site for dwelling and garage

Address: Adjacent and to the south of 26 Divernagh Road, Bessbrook

Decision:

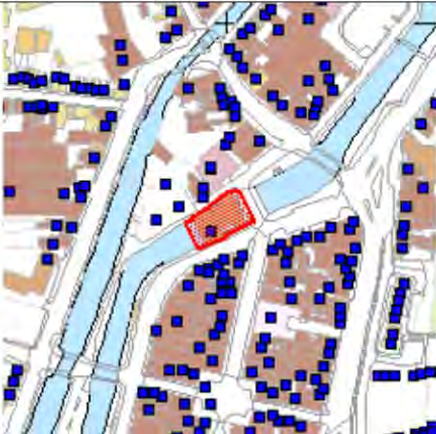
Decision Date: 18.12.2001

Summary of Consultee Responses**Drawing Numbers and Title**

<p>Drawing No. 02 REV 7 Type: Site & Detailed Drawings Status: Approved</p> <p>Drawing No. 01 REV 5 Type: Site Location Plan Status: Approved</p> <p>Drawing No. 03 Type: Miscellaneous Status: Approved</p>
<p>Notification to Department (if relevant)</p> <p>Date of Notification to Department: Response of Department:</p>

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: P/2015/0028/LBC	Target Date:
Proposal: external refurbishment works to Newry Town Hall: waterproofing of flat roof and of the inner parapet between the Auditorium and stage and repairs/refurbishment works to facades, including brickwork, stonework and windows	Location: Newry Town Hall Bank Parade Newry BT35 6HR
Referral Route: Application made on behalf of Newry Mourne and Down District Council	
Recommendation:	Approval
Applicant Name and Address: Newry and Mourne District Council District Council Offices Monaghan Row Newry BT35 8DJ	Agent Name and Address: Kriterion Conservation Architects Hamilton House 3 Joy Street Belfast BT2 LE
Executive Summary: Application for Listed Building Consent at Newry Town Hall.	
Signature(s):	

Case Officer Report		
Site Location Plan		
		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	Protecting Historic Buildings	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		
NIEA consultation response – no objections. No issues raised.		
Characteristics of the Site and Area		
<p>The site encompasses Newry Town Hall, Bank Parade, Newry. The site holds a traditionally built 3.5 storey building erected in 1893 finished in red/brown brick, grey quoins and a number of different shaped, white timber window frames. The envelop of the building remains predominately broken with each elevation and roof structure built in a non-uniformed, traditional fashion. The Town Hall sits centrally in Bank Parade overlooking the Newry River. A footpath runs alongside the northern, eastern and southern elevations of the building with the river running under the building from the western elevation. The site is located within a commercial hub of the City where a vast number of different commercial / public / official uses and services can be located.</p>		
Planning Assessment of Policy and Other Material Considerations		
<p>Banbridge Newry and Mourne Area Plan 2015. The site lies within an Area of Archaeological Potential / Archaeological Site and Monument / Conservation Area / LLPA / Newry City Centre - as designated in the area plan. The Plan offers no restrictions on development provided it is in keeping with relevant and prevailing planning policy.</p>		

Planning Policy Statement 1 General Principles

The application as proposed will not cause demonstrable harm to interests of acknowledges importance, and will not adversely impact on the residential amenity of any properties nearby. The application is in compliance with this planning policy.

PPS 6 Planning, Archaeology and the Built Heritage: Policy BH8 Extension or Alteration of a Listed Building

Following consultation with NIEA Historic Buildings Unit they have responded confirming the proposal is compliant with Policy BH8 of PPS6. The Council have therefore no objections to the proposal with regard to PPS6 BH8.

Full application to follow, no objections or representations received.

Neighbour notified 25/02/15

Advertised 04/02/15

Approval recommended.

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

All material planning considerations and issues raised by consultees considered. No objections or representations received.

Conditions/Reasons for Refusal:**Conditions**

1. The proposed works must be begun not later than the expiration of 5 years beginning with the date on which this consent is granted as required by Article 46 of the Planning (Northern Ireland) Order 1991.

Reason: Time Limit.

Signature(s)**Date:**

ANNEX	
Date Valid	7th January 2015
Date First Advertised	4th February 2015
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Bank Parade,Lisdrumgullion,Newry,Down,BT35 6HP, The Owner/Occupier, 1 The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 1,10A The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 1,13A The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 1,4 The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 108 Hill Street,Carneyhough,Newry,Down,BT34 1BT, The Owner/Occupier, 14A The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 1A Bank Parade,Lisdrumgullion,Newry,Down,BT35 6HP, The Owner/Occupier, 1B Bank Parade,Lisdrumgullion,Newry,Down,BT35 6HP, The Owner/Occupier, 2 Bank Parade,Lisdrumgullion,Newry,Down,BT35 6HP, The Owner/Occupier, 2 The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 2,2B The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 2A The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 3 Bank Parade,Lisdrumgullion,Newry,Down,BT35 6HP, The Owner/Occupier, 3 The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 3A The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 4 The Mall,Carneyhough,Newry,Down,BT34 1BX, The Owner/Occupier, 5B Bank Parade,Lisdrumgullion,Newry,Down,BT35 6HP, The Owner/Occupier, 89 Hill Street,Carneyhough,Newry,Down,BT34 1DG,</p>	

Date of Last Neighbour Notification	25th February 2015
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: P/2015/0028/LBC Proposal: external refurbishment works to Newry Town Hall: waterproofing of flat roof and of the inner parapet between the Auditorium and stage and repairs/refurbishment works to facades, including brickwork, stonework and windows Address: Newry Town Hall, Bank Parade, Newry, BT35 6HR, Decision: Decision Date:</p>	
<p>Ref ID: P/2005/1560/LB Proposal: Roof repairs including installation of lead lined tapered parapet gutters, replacement of existing rainwater goods with new cast iron replacement of existing terracotta coping with new ashlar capings, and solar panel installation to roof. Address: Newry Town Hall, Bank Parade, Newry. Decision: Decision Date: 15.11.2005</p>	
<p>Ref ID: P/2005/1559/F Proposal: Roof repairs including installation of lead lined tapered parapet gutters, replacement of existing rainwater goods with new cast iron replacement of existing terracotta coping with new ashlar capings and solar panel installation to roof. Address: Newry Town Hall, Bank Parade, Newry. Decision: Decision Date: 16.11.2005</p>	
<p>Ref ID: P/2006/2334/CA Proposal: Partial demolition of No 2 Bank Parade and demolition of No 4 Bank Parade to facilitate mixed use scheme(49 residential units, cafe, offices and associated works). Address: No.2 and No.4 Bank Parade including the former Ross Thompson site, Bank Parade, Newry Decision: Decision Date: 22.07.2008</p>	
<p>Ref ID: P/2006/2322/F Proposal: Erection of Mixed Use development (including 49 residential units, cafe and offices and associated works.) Address: No. 2 and No.4 Bank Parade, the Former Ross Thompson Site, Bank parade, Newry Decision:</p>	

Decision Date: 22.07.2008

Ref ID: P/2006/2161/LB

Proposal: Proposed bridge link between Town Hall and Arts Centre. Proposed demolition of existing external staircases and erection of new staircases and enclosure

Address: Newry Town Hall and Arts Centre, Bank Parade, Newry

Decision:

Decision Date: 19.07.2010

Ref ID: P/1992/1109

Proposal: Renovations and alterations to Town Hall (Listed Building Consent)

Address: TOWN HALL BANK PARADE NEWRY

Decision:

Decision Date:

Ref ID: P/1992/1108

Proposal: Alterations and renovations to Town Hall

Address: TOWN HALL BANK PARADE NEWRY

Decision:

Decision Date:

Ref ID: P/2006/2201/F

Proposal: Erection of bridge link between Town Hall and Arts Centre. Erection of staircase and enclosure to Town Hall. Remodelled facade and internal alterations to Arts Centre

Address: Newry Town Hall and Arts Centre, Bank Parade, Newry

Decision:

Decision Date: 19.07.2010

Ref ID: P/2012/0502/F

Proposal: Erection of a new BT Street cabinet to facilitate provision of a new fibre optic infrastructure across BT network. Cabinet dimensions approx 1300 high, 800mm wide and 450mm deep

Address: At back of footway on Kildare Street Newry just past Town Hall, BT34 1DQ,

Decision: PG

Decision Date: 25.09.2012

Ref ID:

Proposal: external refurbishment works to Newry Town Hall: waterproofing of flat roof and of the inner parapet between the Auditorium and stage and repairs/refurbishment works to facades, including brickwork, stonework and windows

Address: Newry Town Hall

Bank Parade

Newry

BT35 6HR

Decision:

Decision Date:

Summary of Consultee Responses

NIEA Historic Building Unit – no objections.

Drawing Numbers and Title

Drawing No.

Type:

Status: Submitted

Drawing No. 02

Type: Site Layout or Block Plan

Status: Approved

Drawing No. 07

Type: Roads Details

Status: Approved

Drawing No. 04

Type: Proposed Elevations

Status: Approved

Drawing No. 05

Type: Roof Details

Status: Approved

Drawing No. 06

Type: Roof Details

Status: Approved

Drawing No. 01

Type: Site Location Plan

Status: Approved

Drawing No. 03

Type: Proposed Elevations

Status: Approved

Notification to Department (if relevant)


Date of Notification to Department:

Response of Department:



Newry, Mourne and Down District Council
Planning Office
Downshire Civic Centre
Ardglass Road
Downpatrick
BT30 6GQ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 8th July 2015	Item Number:
Application ID: R/2015/0011/A	Target Date:
Proposal: Shop Sign	Location: Paddy Kellys 8 The Square Ballynahinch BT24 8AE
Referral Route: Applicant is an elected representative	
Recommendation:	Consent
Applicant Name and Address: Mark Murnin 46 Cherryhill Road Ballynahinch BT24 8AE	Agent Name and Address:
Executive Summary:	
Signature(s): 	

Case Officer Report		
Site Location Plan		
Consultations:		
Consultation Type	Consultee	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		
Characteristics of the Site and Area		
<p>The site located at Paddy Kelly's - The Athletic Bar, 8 The Square, Ballynahinch. Two-storey end/corner terrace commercial building. Smooth (painted - red/black) rendering/quoins. Corner/pitched slate roof. Main/side entrance(s) via. The Square/Windmill Lane, Ballynahinch. Adjacent properties - primarily commercial mixed type usage.....i.e. pet shop/mini-supermarket/cafe/gift shop/photographer's/newsagent/chemist/Tourist Informaiton Office etc.</p>		
Planning Assessment of Policy and Other Material Considerations		
<p>Ards & Down Area Plan 2015 PPS1 General Principles</p> <p>PPS 1 – General Principles In exercise of its responsibility for planning control in Northern Ireland, the Department assesses development proposals against all planning policies and other material considerations that are relevant to it. In this case the there is no specific Policy which precisely relates to the development, however PPS 1 General Principles sets out the key themes that underlie the Department's overall approach to planning. Paragraph 59 of PPS1 states that "The Department's guiding principle in determining planning application is that 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."</p> <p>PPS 17 – Control of Outdoor Advertisements</p> <p>18. Signs and advertisements on commercial premises are important in announcing the presence of a business in the street and in directing customers to that location, and can assist the vibrancy of our city and town centres and other commercial areas. When sympathetically sited and designed they can contribute positively to the distinctive visual amenity of an area by giving a sense of quality and permanence.</p> <p>19. The most common signs on commercial premises are fascia signs and projecting signs, either box or hanging. Their design should always complement the design of the shopfront and building and respect the wider locality. An excessive number of signs or those which are too large can dramatically affect the premises on which they are sited and have an adverse impact on the general character of the area.</p>		

Fascia Signs:

(a) fascia signs should be of an appropriate size, and sited and designed to harmonise with the shop front, the façade of the building and any detailing thereon;

fascia signage is of an appropriate size (as per existing), sited and designed to harmonise with property frontage, the facade of the building and any detailing therein.

(b) where there is an original fascia, the sign should make use of this with generally no advertising at sub-fascia level or on pilasters or columns;

fascia signage incorporates original advertising facade.

(c) where a new commercial building is proposed, the location of fascia signage should be integrated into the overall design.

fascia signage is integrated into overall design of existing commercial premises.

(d) on older and more traditionally styled buildings, painted signs or non-illuminated letters are preferable to panels or other types of display;

while, the building may be defined as an established traditional style commercial property, the backdrop signage panel will be painted in weatherproof glass black finish, with 'celtic' font letterings painted in gold.

(e) internal illumination should preferably be in the form of individually backlit letters; and

N/A

(f) where external illumination is proposed, trough lighting is preferred. The trough should extend over the whole fascia and be painted to integrate it into the whole display.

Illumination to be provided using a florescent tube lamp with recess as indicated in drawings.

Neighbour Notification Checked	Yes/No
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Summary of Recommendation:

Conditions/Reasons for Refusal:

Conditions

1. The sign shall be erected in the position shown on the approved plan drawing ref. R/2015/0011/A - 03A, dated stamped 19th March 2015.

Reason: In the interests of road safety and the convenience of road users.

Informatives

Signature(s) 

Date: 

ANNEX	
Date Valid	7th January 2015
Date First Advertised	
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 10 The Square, Ballynahinch</p> <p>The Owner/Occupier, 11 The Square, Ballynahinch</p> <p>The Owner/Occupier, 12 The Square, Ballynahinch</p> <p>The Owner/Occupier, 13 The Square, Ballynahinch</p> <p>The Owner/Occupier, Betting Office, The Square, Ballynahinch</p> <p>The Owner/Occupier, Electric Smoke, The Square, Ballynahinch</p> <p>The Owner/Occupier, Optometrist, The Square, Ballynahinch,</p> <p>The Owner/Occupier, Quinn - Sites, Letting _ Maintenance, The Squafre, Ballynahinch</p> <p>The Owner/Occupier, The Lavender Box, The Square, Ballynahinch</p> <p>The Owner/Occupier, The Mace Shop, The Square, Ballynahinch</p> <p>The Owner/Occupier,</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History	

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

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Newry, Mourne and Down District Council
 Planning Office
 O'Hagan House
 Monaghan Row
 Newry
 BT35 8DL

Deferred Consideration Report

Summary	
Case Officer: Jacqueline McParland	
Application ID: P/2014/0217/F	Target Date: <add date>
Proposal: Erection of agricultural building and four silo tanks to provide feedstock for existing farm business. (additional information and Layout received.)	Location: 77m south west of No. 56 Chapel Road Ballyholland Co. Down
Applicant Name and Address: Mr Paul McAteer C/O Agent	Agent name and Address: ERES Limited Mourne House 41-43 Downshire Road Newry BT34 1EE
Summary of Issues: Concerns raised from neighbours about the proposal and the accuracy of the content of the supporting information received.	
Summary of Consultee Responses: No objections	
Characteristics of the Site and Area: The site is located 77m south west of No. 56 Chapel Road approximately 1 kilometre south east of Ballyholland. It covers an area of about 0.2 hectares and comprises a section of a larger agricultural field which rises to the north. The site is lower towards the south western corner and it falls towards the southern boundary beyond which is a stream. A mound is present in the centre of the field. The western, southern and eastern boundaries are defined by post and wire fencing with trees in places with the northern boundary undefined on the ground. An electricity power line transects the site in a north-south	

direction.

The site is located within a rural area with the land use being predominately agricultural. The site is located approximately 3.5 kilometres to the south east of Newry. There are a number of single detached dwellings dispersed along the Chapel Road which is an undulating road. It is defined as whiteland in the Banbridge, Newry and Mourne Area Plan 2015.

Deferred Consideration:

This application was previously recommended for approval and following a meeting with the third party objectors further information and clarification was required from the agent. This has had to be re advertised and re neighbour notified.

The agent has submitted a revised site layout and additional clarification of the proposed transport assessment form and supporting information.

In this reassessment the Planning Authority will have regard to this information together with all the third party representations to date.

The Planning Authority have established that the buildings located at the main farm complex have been erected over 5 years ago or are buildings which would be permitted under the Agricultural permitted development rights.

The agent has addressed the errors contained within his first report in relation to the wrong road names together with the confusion over how the feed would be delivered to the site and removed from the site.

This has satisfied the planning department that the materials entering the silos will be blew into them in and will not have an adverse impact in relation to odour or dust. The mill and storage containers contained within the shed will be covered and this will mitigate any possible dust or odours which may occur. The finished product will then be transferred to the main pig houses by way of tractor and trailer which are common agricultural vehicles used daily on country roads. Transport NI have been consulted in relation to this proposal and have no objections in relation to road safety or the suitability of the existing road network for the type and size of vehicles which would be involved in this proposal.

As the Development at the main farm complex is lawful, there is a restricted area on which to develop this proposal. Due to the size and shape required for this proposal it would not adequately be accommodated at the existing complex. The adjacent land is too steep to develop without significant earth works required for this development. Therefore the justification for having a site not clustered with the existing farm business is acceptable.

While the third party objectors have concerns in relation to this shed eventually being used to store pigs or cattle, the Planning Department would be attaching a condition to any approval to prevent this as the proposed building is 72m away from the nearest sensitive receptor. Environmental Health's standard condition which was suggested to the Planning Department in this case was 75m. In the instances where 75m would be required s when an agricultural shed is to house cattle. A condition prohibiting the housing of livestock in this proposal can mitigate the need for the full 75m required but also safeguard the residential amenity against undue smell/noise/nuisance and therefore protect their amenity areas such as gardens etc. A condition will also be attached on the application removing permitted development rights to the lands outlined in blue and red of this application to ensure that no further agricultural sheds are erected without the requirement of

Application ID: P/2014/0217/F

planning permission.

Further objections have been received in relation to this development together with its impacts on the residential amenity, natural heritage and protected species. NIEA Natural Environment has previously been consulted on this proposal based on the impact to the adjacent watercourse and the protected species in relation to issues raised by objectors. They have no concerns in relation to this proposal. Therefore this proposal is in compliance with the policies outlined within PPS 2.

Within the objection letters concerns were raised in relation to the development being within 75m of a neighbouring dwelling, however consideration of that has been given above. Given the additional information together with the proposed conditions restricting the future use of the site, this proposal would meet the current planning policies of CTY 1, CTY 12, CTY 13 and CTY 14 without any significant adverse impact on the neighbouring residents or natural environment. This proposal would not adversely affect the human rights of neighbouring residents or the natural environment to warrant refusal.

Following reassessment and receipt of additional information this application is therefore recommended for approval.

Conditions/Reasons for Refusal:

Conditions to be attached to ensure that no livestock is housed in this shed and that further PD rights for agriculture are restricted.

Signature(s)**Date** 15/6/15

Development Control Officer's Professional Planning Report

Case Officer Miss Cathy Hughes		Application ID: P/2014/0217/F	
		Application Type: Full	
Applicant Name and Address:	Mr Paul McAteer C/O Agent	Agent Name and Address:	ERES Limited Mourne House 41-43 Downshire Road Newry BT34 1EE

Location: 77m south west of No. 56 Chapel Road
Ballyholland
Co. Down

Development Type:

Proposal: Erection of agricultural building and four silo tanks to provide feedstock for existing farm business.

Date Valid: 11.03.2014

Statutory Expiry Date:

Date of last Neighbour Notifications: 25th March 2014

Date of District Council Consultation: 04/09/14

Date of A31 Determination & Decision:
EIA Determination:

Date First Advertised: 28th March 2014

Date Last Advertised: 28th March 2014

Case Officer Site Visit Report

Date of Site Visit: 30th April 2014

SITE VISIT DETAILS/DESCRIPTIONS

1 - Characteristics of Site

The site is located 77m south west of No. 56 Chapel Road approximately 1 kilometre south east of Ballyholland. It covers an area of about 0.2 hectares and comprises a section of a larger agricultural field which rises to the north.

The site is lower towards the south western corner and it falls towards the southern boundary beyond which is a stream. A mound is present in the centre of the field. The western, southern and eastern boundaries are defined by post and wire fencing with trees in places with the northern boundary undefined on the ground. An electricity power line transects the site in a north-south direction.

There are no planning histories on this application site.

2 - Characteristics of Area

The site is located within a rural area with the land use being predominately agricultural. The site is located approximately 3.5 kilometres to the south east of Newry. There are a number of single detached dwellings dispersed along the Chapel Road which is an undulating road. It is defined as whiteland in the Banbridge, Newry and Mourne Area Plan 2015.

3 - Description of Proposal

This is a full application seeking planning approval for the erection of an agricultural building and four silo tanks at 77m south west of No. 56 Chapel Road, Ballyholland in order to provide feedstock for existing piggery farm business.

The proposed shed measures 28 metres long, 12.2 metres wide with a ridge height of 8.6 metres FGL. The external walls are to be constructed of 2 metre high concrete walls covered in grey plaster and green galvanized agricultural cladding which sits atop the concrete and also forms the roof. The western elevation will see a 5 metre by 4.4 metre roller shutter door as well as a pedestrian door. Another pedestrian door is proposed on the eastern elevation of the building.

Four cylindrical Mc Aree V-Mac enclosed silos are located 0.5 metres from the building along the northern elevation. Each of these silos measure 3 metres wide and have a maximum height of 6.6 metres. They each have a 7 tonne capacity and propose to accommodate raw wheat, raw barley, maize and soya.

A hard-standing area surrounds the building with a lawn area proposed in the northernmost corner of the site. Oak and Beech trees are to be planted along the north western, eastern and southern boundaries of the site with some tress and a hedge planted alongside the access lane.

ASSESSMENT OF POLICY AND OTHER MATERIAL CONSIDERATIONS

- Regional Development Strategy for Northern Ireland 2025 (RDS)
- Banbridge/Newry & Mourne Area Plan 2015
- A Planning Strategy for Rural Northern Ireland
- PPS 1 - General Principles
- PPS 3 - Access, Movement and Parking
- PPS 6 - Planning, Archaeology and the Built Heritage
- PPS 21 - Sustainable Development in the Open Countryside

NIE, The Environmental Health section of Newry and Mourne District Council, DARD Veterinary Service Animal By-Products, NIEA Historic Monuments Unit, DARD and Roads Service were all consulted with regards to this planning application.

Neighbour notification has been carried out as appropriate and the application has been advertised in accordance with the Department's statutory obligations. There have been 20 letters of objection received regarding this proposal.

Policy CTY 1 in PPS 21 permits certain types of development in the open countryside, including agricultural buildings in accordance with Policy CTY 12. Proposals for agricultural developments are expected to comply with all the criteria set out in Policy CTY 12 and permission will be granted for agricultural developments on active and established farm holdings, where a list of criteria have been met.

A farm Business ID number was submitted with this application however DARD stated the applicant is a Category 3 farm business, does not claim Single Farm Payment and the Business has not been established for more than 6 years. A Category 3 farm business is defined as one which typically keeps a small number of animals. The applicant's Business ID was obtained in 2013 as the applicant's father previously ran the business and passed it on to his son on his retirement.

DARD have further stated that Business ID Numbers are used to identify farm businesses with a land based enterprise availing of subsidy payments based on an area of land. Pig enterprises historically have never received any support payments so therefore the farmer did not require a Business ID Number, it may have been required recently for the allocation of animal identification tags. DARD records confirm that Mr Tony Mc Ateer had a registered pig herd no (UK8AJE) from at least 2001 which was subsequently passed on to Paul Mc Ateer in 2008.

The agent also submitted Declaration of Movement documents which date back from 1998 to the present which details the transfer of pigs from this farm. This evidence along with the information received from DARD is suffice to prove the applicant's farm is active and established.

In relation to the criteria listed in Policy CTY 12 my findings are as follows:

- a) The agent has stated there are approximately 2,000 pigs on the applicant's farm holding at any one time and currently the farm obtains feed for the animals from Pomeroy in Co Tyrone which is costly to the applicant. This proposal is required in order to allow the applicant to produce his own feedstock for his herd which would reduce costs and therefore make the running of the farm a more efficient business.

- b) In terms of character and scale I do not consider that this proposal is inappropriate to this location. This is a rural area and there are similar types and styles of development in the local vicinity. The natural lie of the land and the undulating nature of the surrounding land and road network would allow this proposal to visually integrate.
- c) New landscaping has been provided in this application which would help this proposal better integrate with its surroundings, along with the existing vegetation and natural topography of the site.
- d) I am satisfied that this development will not have an adverse impact on the natural or built heritage of the area and the Historic Monuments Unit of NIEA have no archaeological concerns about this proposal.
- e) All mixing of the feedstuff will be carried out internally within the proposed building, a maximum of two deliveries are expected each week and all activity will occur between day working hours. Environmental Health is satisfied that the development will not affect the amenity of any householder outside the farm and have included conditions to be attached if this proposal were approved including a minimum of 75 metres distance from the nearest residential properties and that the maintenance should ensure it prevents any noise, dust or odour nuisance.

Policy CTY 12 requires that sufficient information be provided to confirm a number of additional criteria.

1. No farm maps were initially submitted with the application however the agent provided maps and a solicitor's letter showing all the land within the applicant's ownership. From this it was evident there are no suitable existing buildings on this farm that can be utilised for the purpose of this proposed development which is an expansion of the existing piggery business. All existing buildings on the farm are currently used for the rearing of the pigs.
2. The design and materials used are not unsympathetic with the locality.
3. This proposal would not be sited beside existing farm/forestry buildings. The applicant's land associated with this farm business comprises a number of piggery buildings. The only other site available within the holding is a small parcel of land adjacent to the existing piggery buildings some 0.85 km from this site along Lower Carrogs Road. However the steep topography of this site deems it unsuitable for a proposal of this type as it would entail much cutting and infilling. Large retaining structures would also be required which would increase the exposed prominent nature of the site on a hillside.

In exceptions consideration may be given to an alternative site away from the existing farm, provided there are no other sites available at another group of buildings on the holding, and where it demonstrates the following;

- As this is an expansion of an existing piggery business, this proposal will allow the applicant to produce his own foodstuff for his herd and therefore it would allow his farm business to run more efficiently.
- The only other available parcel of land in the applicant's ownership is very steep and could not accommodate this proposal due to its topography and issues of road safety.

Policy CTY 13 – Integration and Design of Buildings in the Countryside states planning permission will be granted for a building where it can be visually integrated into the surrounding landscape and is of appropriate design. Due to the topography of this site and the existing vegetation, the location of this proposal within the field means it would not be prominent in the landscape. Following the submission of a drawing showing the levels of the site it is evident this proposal is to be sited on the lowest part of the field and the intervening higher land will aid its integration. The established vegetation along three of the boundaries would provide a suitable degree of enclosure. The additional planting to supplement the existing and along the new access would help aid integration however this proposal would not rely on it. The building is of agricultural design and is appropriate in this rural area.

Policy CTY 14 – Rural Character states proposals must not cause a detrimental change to or further erode the rural character. This proposal is sited on the most enclosed and lowest part of the site which would reduce any prominence in the landscape. It would not result in a suburban style of development, create or add to a ribbon of development and it is felt this agricultural proposal respects the pattern of settlement in the surrounding area.

There were 20 letters of objection to this proposal and there were a number of concerns which are summarised below;

- Visibility splays are not achievable and the current road infrastructure is not sufficient to accommodate an increase in road traffic.
 - Roads Service have no objections to this application which proposes to utilise an existing farm access. I am aware that the roads in this area are undulating and narrow, however this is characteristic in many rural areas and does not warrant refusing planning permission for development when it complies with Road Service requirements.
- Contamination of the waterway with ammonia
 - I would not have any concerns about ammonia seeping into any watercourses as this proposal is for a dry feed production plant which will not involve ammonia.
- Concerns about health issues, noise, odour and dust pollution, an increase in flies and vermin, harming wildlife.
 - The production of feedstuff will be conducted inside the proposed building with the feedstuffs contained in airtight silos which would prevent/minimise odour and dust pollution. The Environmental Health Department of Newry and Mourne District Council have no concerns about this proposal.
- Concerns that if this proposal is approved there is the potential for the expansion or adding new buildings or a new piggery.
 - The Department has increased Permitted Development rights for farmers; however this does not justify the refusal of an agricultural proposal.
- Concerns the proposal would be prominent, out of scale and character of the area, the presence of electricity poles on the site, it is not beside or visually linked to a farm building and its distance from the farm.

- The agent has demonstrated there are no other suitable sites within the applicant's farm holding on which could accommodate this proposal. It is my opinion that this proposal would not be prominent in the landscape due to the surrounding topography. The agent submitted levels of the existing site in order to demonstrate that no infilling will be required. NIE did not have any concerns to this proposal and highlighted the safety guidelines which are required when carrying out work in the vicinity of electrical equipment.

Consultation Responses

- NIE were consulted about this application as electricity lines currently run along the field and close to where the building is proposed. They have no objections to this proposal and highlighted the safety guidelines which are required when carrying out work in the vicinity of electrical equipment.
- The Environmental Health section of Newry and Mourne District Council having reviewed the objections and the information provided have no objections to this proposal in principle however they have suggested conditions be attached to protect the amenity of the nearby residents were this application granted approval.
- DARD Veterinary Service Animal By-Products had no comments to make on this application.
- NIEA – Historic Monuments Unit have no archaeological concerns.
- DARD stated in their consultation response that the applicant is a Category 3 farm business, does not claim Single Farm Payment and the Business has not been established for more than 6 years. DARD later confirmed that due to the nature of the piggery business, farmers did not require a Business ID Number and that the applicant was in receipt of this business upon his father's retirement and confirmed the business has been in existence over 6 years.
- Roads Service has confirmed that they have no objections, and the proposal meets the requirements of this Policy with the visibility splays of 2.4 metres by 60 metres appropriate and achievable in this location.
- Natural Heritage section of NIEA was consulted and having visited the site and taken into account the letters of objection they have no concerns about this proposal. They note that the 4.5 metre buffer and the additional planting along the watercourse is sufficient mitigation measures.

Case Officer Recommendation – Approval

Brief Summary of reasons for recommendation

None of the consultees had any issues with this proposal and did not share the concerns highlighted in the letters of objection. Although this application received 20 letters of objection, following the submission of levels from the applicant I am of the opinion to approve this proposal as it meets the requirements of CTY 12, 13 and 14 in PPS 21.

Brief Summary of Conditions

Conditions

1. As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 01REV1 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.

3. The gradient of the access 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.

4. This proposal is located a minimum of 75 metres from the nearest residential property.

Reason: In order to protect the amenity of neighbouring residents.

5. This proposal and its operations should be maintained in such a manner as to prevent nuisance from noise, dust and odour.

Reason: In order to protect the amenity of neighbouring residents.

6. No machinery shall be operated, no process shall be carried out and no deliveries taken at, or dispatched from the site outside the following times 08.00 and 18.00.

Reason: To safeguard the living conditions of residents in adjoining and nearby properties.

Informatives

1. This decision notice relates to drawing No 01REV1 which was received on 9th July 2014 and drawing No 02 which was received on 7th July 2014.
2. 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.
3. 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.

4. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the DRD's consent before any work is commenced which involves making openings to any fence or hedge bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is 1 Cecil St, Newry. A deposit will be required.
5. 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 and surface water from the roof of the development hereby approved does not flow onto the public road.
6. The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill a wild animal of a European protected species included in Schedule II of these Regulations, which includes all species of bat. It is also an offence;
 - (a) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - (b) 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;
 - (c) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
 - (d) To damage or destroy a breeding site or resting place of such an animal.
7. 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. It is also an offence to intentionally or recklessly: take, damage or destroy the nest of any wild bird while that nest is in use or being built; or take or destroy an egg of any wild bird. If any person intentionally or recklessly disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or disturbs dependent young of such a bird they shall be guilty of an offence.
8. 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.
9. If there is evidence of bat 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 BT72JA. Tel. 028 905 69605
10. The shed should be constructed in a manner that makes it free from draughts and leaks and should be well maintained. The material should be impervious to assist in cleaning and to avoid absorption of odours

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL
MEMBERS' BRIEFING PANEL (PLANNING)

ACTION SHEET – from Meeting held on Tuesday 23 June 2015

- In Attendance:** Councillor J Tinnelly (Chair)
 Councillor W Clarke (Vice Chair)
 Councillor D McAteer
 Councillor H McKee
- Officials in Attendance:** Mr A McKay, Head of Planning
 Mr A Davidson, Senior Planning Officer
 Mr C O'Rourke, Director of Technical and Regulatory Services
 Mrs E McParland, Democratic Services Manager
 Mrs L Dillon, Democratic Services Officer
 Ms C McAteer, Democratic Services Officer
- Apologies:** Mr P Rooney
 Ms J McParland
 Mr P Green

The following delegated applications were presented to the Members' Briefing Panel for consideration:-

DETAILS OF APPLICATION	ACTION
<p>Application ref: P/2015/0128/F</p> <p>Applicant Name: Mr L McAllister</p> <p>Proposal: Proposed erection of replacement dwelling and garage</p> <p>Site Location: 202a Concession Road, Culloville</p> <p>Recommendation from Planning Officer: Refusal</p> <p>Briefing Panel Decision: (Representations made by Councillor Hearty supporting the application)</p>	

<p>It was unanimously AGREED that the Briefing Panel are satisfied with the proposed decision being made under delegated powers in relation to planning application P/2015/0128/F. (REFUSAL).</p> <p>Councillor McAteer asked that it be noted that Members of the Briefing Panel had been advised by Planning Staff that the building which the planning application related to was a temporary building and was therefore not eligible for replacement under Planning Policy.</p>	<p>Agreed with the decision as proposed by the Officers under delegated powers (REFUSAL)</p>
<p>Application Ref: P/2014/1004/F</p> <p>Applicant Name: Patrick McQuillan</p> <p>Proposal: Replacement dwelling</p> <p>Site Location: 4 Lurgancullenboy Road, Crossmaglen</p> <p>Recommendation from Planning Officer: Refusal</p> <p>Briefing Panel Decision: (Representations made by Councillor Hearty supporting the application)</p> <p>It was unanimously AGREED that planning application P/2014/1004/F be referred back to the Officers for consideration of further relevant information.</p> <p>It was also AGREED that all relevant background information about each planning application referred to the Briefing Panel be circulated to Members prior to the meeting.</p>	<p>Agreed to return the application to the Officers for consideration of further relevant information i.e. that the Case Officer contact NIEA to clarify if there is any further information that would support the building having been previously used as a dwelling</p>

<p>Reference Number: P/2014/0295/F</p> <p>Applicant Name: Mr Sean Nugent</p> <p>Proposal: Erection of farm dwelling</p> <p>Site location: 405 metres north of No. 52 Slatequarry Road, Cullyhanna</p> <p>Recommendation from Planning Officer: Refusal</p> <p>Briefing Panel Decision: (Representations made by Councillor Hearty supporting the application)</p> <p>It was unanimously AGREED that the Briefing Panel are satisfied with the proposed decision being made under delegated powers in relation to planning application P/2014/0295/F. (REFUSAL)</p>	<p>Agreed with the decision as proposed by the Officers under delegated powers (REFUSAL)</p>
<p>Application Ref: R/2014/0477/F</p> <p>Applicant Name: Mr Shields</p> <p>Proposal: Proposed 32m diameter anaerobic digester bio gas system and associated single store plant room</p> <p>Site location: Approx 240m west of 51 Ballycruttie Road, Downpatrick</p> <p>Recommendation from Planning Officer: Approval</p> <p>Briefing Panel Decision: (Representations made by Councillor McGrath – objecting to the application)</p>	

<p>It was unanimously AGREED that the Briefing Panel are satisfied with the proposed decision being made under delegated powers in relation to planning application R/2014/0477/F, subject to further clarification being obtained by Officers in terms of facility design, storage and through-put. (APPROVAL)</p> <p>If any issues arise as a result of seeking this further information, then the application be re-submitted to the Members' Briefing Panel.</p>	<p>Agreed with the decision as proposed by the Officers under delegated powers (APPROVAL) subject to further clarification being obtained by Officers in terms of facility design, storage and through-put. If any issues arise as a result of seeking this further information, the application be re-submitted to the Members' Briefing Panel.</p>
<p>Application Ref: P/2013/0164/0</p> <p>Applicant Name: J McWilliams</p> <p>Proposal: Site for dwelling and detached garage using unaltered access to public road in substitution to approval granted under P/2009/1430/0</p> <p>Site Location: 40m south east of No. 22 Sheeptown Road, Newry</p> <p>Recommendation from Planning Officer: Refusal</p> <p>Briefing Panel Decision: (Representations made by Councillor Taylor supporting the application)</p> <p>Councillor W Clarke proposed and Councillor Tinnelly seconded that the Panel approve the decision as proposed by the Officers under delegated powers (REFUSAL).</p> <p>The proposal was put to a vote by a show of hands and voting was as follows:-</p>	

<p>FOR: 2 AGAINST: 2</p> <p>The Chairman used his casting vote in favour of the proposal and it was AGREED by 3 votes FOR and 2 AGAINST that the Panel approve the decision in relation to P/2013/0164/0 as proposed by the Officers under delegated powers (REFUSAL).</p>	<p>Agreed, following a vote, to agree with the decision as proposed by the Officers under delegated powers (REFUSAL)</p>
<p>THE BRIEFING PANEL THEN BROKE FOR LUNCH</p>	
<p>NOTED: Councillor W Clarke declared an interest in planning application P/2010/1041/F on the basis that he had previously written a letter of support and withdrew from the meeting for the discussion on this application – 12 .20 pm.</p> <p>Application Ref: P/2010/1041/F</p> <p>Applicant Name: Mr and Mrs Murphy</p> <p>Proposal: Proposed motor home site</p> <p>Site Location: Lands to the rear of 35 Ballagh Road, Ballaghanery, Newcastle, Co. Down BT33 0LA</p> <p>Recommendation from Planning Officer: Approval</p> <p>Briefing Panel Decision: (Representations made by Councillor Hanna and Councillor Reilly objecting to the application)</p> <p>This application has also received more than 6 objections</p>	

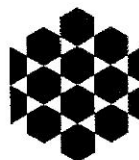
<p>It was unanimously AGREED that the decision be referred for determination to the Planning Committee, on the basis of the strong local objections received.</p> <p>NOTED: Councillor W Clarke returned to the Meeting – 1.15 pm</p>	<p>Agreed to refer the decision for determination to the Planning Committee</p>
<p>Application Reference: P/2014/0217/F</p> <p>Applicant Name: Mr Paul McAteer</p> <p>Proposal: Erection of agricultural building and four silo tanks to provide feedstock for existing farm business</p> <p>Site Location: 77m south west of No. 56 Chapel Road, Ballyholland, Co. Down</p> <p>Recommendation from Planning Officer: Approval</p> <p>Briefing Panel Decision: This application has received more than 6 objections.</p> <p>It was unanimously AGREED that the decision be referred for determination to the Planning Committee, on the basis of the number of objections received.</p>	<p>Agreed to refer the decision for determination to the Planning Committee</p>

The Panel concluded at 1.35 pm.

For noting at the Planning Committee Meeting to be held on Wednesday 8 July 2015.

Signed: Anthony McKay
Head of Planning

**From the office of the
Minister of the Environment**



Department of the
Environment

www.doeni.gov.uk

SB/13

73

Mr Liam Hannaway
Chief Executive
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Your reference:

Our reference: COR/1413/2015

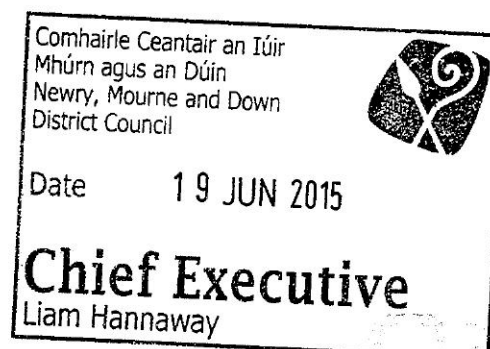
16 June 2015

Dear Mr Hannaway

Thank you for your letter of 28th May 2015 regarding Planning Application P/2013/0434/F – Proposed Ferry Terminal at Greencastle, Co Down. I am fully aware of the issues in this particular case as I was also contacted directly by elected representatives in the area.

Let me be clear, Officials from Marine Division could have and should have raised any concerns during earlier consultations and I have asked them to ensure that processes are reviewed to avoid any future lapses of this kind. I note your acknowledgement that the Council had moved to decision before the statutory consultation process with my Department had ended. This of course would have left any decision that may have been made on 13th May 2015 vulnerable to legal challenge, on the grounds that due process had not been followed.

I am pleased to note that both sets of officials were able to come together quickly to resolve all matters of concern and enable the application to be brought to the Planning Committee for consideration on 10th June. This is indeed testament to the effective working relationships that can exist between the Council and my Department. I also agree that we must continue to ensure that effective lines of communication are maintained, particularly on these more complex, and as you say sometimes controversial development proposals. This particular case contains lessons for DOE and Newry, Mourne and Down District which will enable us to avoid the type of difficulties encountered on this occasion arising in the future.



Yours sincerely

A handwritten signature in black ink that reads "Mark Durkan". The signature is written in a cursive style with a large initial 'M' and a long, sweeping underline.

MARK H DURKAN MLA
Minister of the Environment

...Informing Northern Ireland's Decision-Makers

Mr Canice O'Rourke
Newry, Mourne and Down District Council
Downshire Civic Centre
Downshire Estate
Ardglass Road
Downpatrick, BT30 6RA



23rd May 2015

Dear Mr O'Rourke,

Northern Ireland planning conference

****Special discount for local government sector****

agendaNi, in partnership with Carson McDowell and Strategic Planning, has organised the **Northern Ireland planning conference**, taking place on Tuesday 29th September in the Baby Grand, Grand Opera House Belfast. **Secure your place now for this important conference!**

Planning in Northern Ireland is entering a new era, following the transfer of many planning powers to local government earlier this year. While this milestone date has passed, there are still many issues to be addressed and local councillors are just starting to settle into their new roles within the planning system.

This major conference will take place six months on from the 'go-live' date of 1st April and will examine many of the issues the new Councils and Councillors will have to get to grips with. Issues under discussion will include:

- ✓ Looking to the future of planning
- ✓ Managing increased responsibility: a Councillor's perspective
- ✓ The single Strategic Planning Policy Statement
- ✓ Simplified Planning Zones
- ✓ The role of the statutory consultee in the planning process
- ✓ Community and stakeholder engagement in planning.

In order to maximise inclusion, we are offering a **special discount** on the delegate rate to the local government sector. The most convenient way to secure a place is to email your details to registration@agendaNi.com or you may register online at www.agendaNi.com/events.

I very much hope that you and/or your colleagues can attend what promises to be an interesting and timely event.

Yours sincerely,

SB.

Sandra Bolan
Conference Manager

Northern Ireland planning conference

Making planning work for people



Tuesday 29th September
Baby Grand, Belfast
www.agendani.com

Sponsored by



Making planning work

This half day conference will examine issues around the future of planning in Northern Ireland, six months on from the transfer of the majority of planning powers to our 11 new 'super councils'. While the transfer date of 1 April has passed, there are still many issues still to be addressed, including the publication of the new single Strategic Planning Policy Statement by the Department of the Environment. Local councillors are still adjusting to their new roles within the planning system and their enhanced powers, and some councils are still formally establishing their structures including key personnel and offices.

This focused conference will examine progress to date in the implementation of the new planning system, looking at what is working well (and what isn't) and how those interacting with the system have adjusted to the changes.

Issues to be examined include:

- ✓ Vision for the future of planning;
- ✓ Enhanced responsibilities of local councillors / Council planning committees;
- ✓ Planning in practice at a local government level;
- ✓ The Councillor's role in planning;
- ✓ The Strategic Planning Policy Statement;
- ✓ Simplified Planning Zones;
- ✓ Development plans;
- ✓ Community and stakeholder engagement in planning;
- ✓ Improving the performance of statutory consultees in the planning process.

These issues will be examined through a high profile panel of local and visiting speakers including Minister for the Environment, Mark H. Durkan who has outlined his commitment to improving the planning process as a key contributor to a better environment and a stronger economy.

Speaker panel

77



Stewart Beattie, QC has been a Queen's Counsel since 2001, specialising in the areas of planning, environmental, licensing, rating and valuation, commercial and judicial review. Stewart's previous and current work since 1996 includes public inquiries on development plans, airport inquiries, major housing and retail planning applications, enforcement proceedings, appeals, licensing and judicial reviews involving energy from waste plants; waste oil disposal plants; landfill sites; waste transfer stations; windrose waste recycling plants; anaerobic digestion plants; depositing and removal of waste; European designated SACs and habitats and waste; Crown Court defence work under the 1997 Order; Chancery Court work relating to restrictions on waste operations.



Pat Corker is a Principal Scientific Officer in the Northern Ireland Environment Agency (NIEA) and leads the new Planning Response Team set up to coordinate NIEA's statutory consultee role following transfer of planning to local government. She has overseen a range of strategic governance and cross cutting issues for NIEA including Northern Ireland's State of the Environment Report and the Department's 2006 Waste Management Strategy. Prior to joining the public sector in Northern Ireland, she worked for environmental consultants for 20 years on a wide range of environmental planning projects across the UK.



Mark H Durkan, MLA is Environment Minister in the Northern Ireland Executive, a role he was appointed to in July 2013. He has served as an SDLP MLA for Foyle since 2011 and served as the party's social development and health spokesperson. His ministerial responsibilities cover the natural environment, built heritage, planning, local government, road safety and the regulation of drivers and vehicles.



David Kerr is Director - Public Affairs, Community and Stakeholder Engagement at Hollywood based planning consultancy Strategic Planning. A former Special Adviser in OFMDFM (1998-2002), David leads and manages Strategic Planning's stakeholder engagement and communications team. His team is a market leader in the provision of Community Consultation Reports and stakeholder engagement for master-planning and major planning applications. He has advised clients on some of the largest residential, commercial, retail, electricity, renewable energy and waste projects in Northern Ireland.



Councillor Robert Logan is the current Chairperson of the Planning Committee at Mid and East Antrim Council. Local councils are now responsible for drawing up local development plans, making the majority of planning decisions, and shaping how their area grows and develops in ways that respond to the needs of the communities they serve. Robert has experience in management and training as an engineer with BT for 33 years.



Gary McGhee is the Head of the Planning and Environmental Law Team within Carson McDowell which he founded over 20 years ago. Gary is one of the few solicitors in Northern Ireland to specialise exclusively in the areas of planning, environmental and energy law. His experience includes the co-ordination of major planning applications; representation at over 50 planning / enforcement appeals and major public inquiries; and negotiating / defending judicial reviews of planning and environmental decisions. In addition, Gary is a Legal Associate of the Royal Town Planning Institute, a member of the Environmental and Planning Law Association of NI and a member of the UK Environmental Law Association.

#agendaNi

Conference programme

09.00	Chairman's welcome and introduction: Stewart Beattie, QC <i>The transfer of planning powers: The story so far</i> Gary McGhee, Head of Planning and Environmental Law Carson McDowell	11.20	<i>Implementing planning policy: A Councillor's experience to date</i> Cllr Robert Logan, Chair, Planning Committee Mid & East Antrim Borough Council
	MINISTERIAL ADDRESS: <i>Creating a planning system that delivers for everyone</i> Mark H Durkan, MLA, Minister for the Environment		<i>Improving the performance of the statutory consultee in the planning process</i> Pat Corker, Principal Scientific Officer Northern Ireland Environment Agency
	<i>Delivering planning services: A local government perspective</i> Phil Williams, Director of Planning & Place Belfast City Council		<i>Capturing the economic benefits from Simplified Planning Zones</i> Cllr James C.Swindlehurst, Commissioner for Neighbourhoods and Renewals, Slough Borough Council
	<i>The role of community and stakeholder engagement in planning</i> David Kerr, Director – Public Affairs, Community & Stakeholder Engagement Strategic Planning		<i>Developing wind energy: Environmental and planning considerations</i> Anna Lo, MLA, Chair, Environment Committee Northern Ireland Assembly (invited)
11.00	Questions & answers / Panel discussion Morning coffee / networking break	13.00	Questions & answers / Panel discussion Conference lunch / networking break

“ This is an exciting time for planning and I recognise the challenges that the new reformed two-tier planning system will present to key stakeholders. When set alongside the development of a single Strategic Planning Policy Statement I am redefining the planning landscape so that the system delivers for all. My vision is for a better environment and a stronger economy and these proposals will help achieve that. ”

Mark H. Durkan, MLA, Minister for the Environment, May 2014



Booking form

I wish to:

Reserve ____ places at the conference
 Conference fee £175 + VAT @ 20% = £210

Discounted rate for local government sector
 Conference fee £150 + VAT @ 20% = £180

Discounted rate for voluntary/community sector
 Conference fee £150 + VAT @ 20% = £180

Discounts available for group bookings - contact us for details

Fee includes documentation, lunch and other refreshments served during the conference and is payable in advance.

Delegate details

Name (Mr/Mrs/Miss/Ms/Dr): _____
 Job title: _____
 Organisation: _____
 Address: _____

 _____ Postcode: _____
 Telephone: _____
 Email: _____

Payment options

I enclose a cheque for £ _____
 Payable to 'bmf Business Services'
 Please invoice me
 Please debit my Visa / Mastercard / AMEX

Card number

Name of card holder _____
 Signature _____
 Expiry date _____
 Security code _____



(Please provide card billing address if different from company address)

Who should attend?

This conference will be of interest to all stakeholders involved in and affected by the planning system in Northern Ireland, including:

- Planning professionals;
- Senior policy makers;
- Elected representatives;
- Local government officers;
- Developers;
- Building companies;
- Housing sector managers;
- Senior managers in government agencies;
- Infrastructure developers;
- Quantity surveyors;
- Architects;
- Environmentalists;
- Lawyers;
- Planning consultants;
- Public affairs consultants.

How to register

	By telephone 028 9261 9933		Online www.agendaNi.com/events
	By fax 028 9261 9951		By email registration@agendaNi.com
	By post agendaNi Davidson House Glenavy Road Business Park, Moira, Co. Down BT67 0LT		Scan QR code 

Acknowledgement of registration

Confirmation of registration will be sent to all delegates. Joining instructions will be sent out following receipt of registration details. If you have not received your acknowledgement seven days prior to the start of the conference, please contact Laura O'Neill at laura.oneill@agendaNi.com to confirm your booking.

Cancellations / substitutions

For those unable to attend, a substitute participant may be sent at any time for no additional charge. Alternatively a refund will be given for cancellations received in writing, by fax or email, up to 14 days prior to the conference, less an administration charge of 25%. Regrettably no refunds can be made after that date.

Registration form

Northern Ireland planning conference

Tuesday 29th September • Baby Grand, Grand Opera House, Belfast

Email to registration@agendani.com or Fax: +44 (0) 28 9261 9951

I wish to:

- Reserve ____ places at the NI planning conference
Seminar fee £175 + VAT @ 20% = £210
- Discounted rate for local government sector (councillors and officers)
Seminar fee £150 + VAT @ 20% = £180
- Discounted rate for voluntary/community sector
Seminar fee £150 + VAT @ 20% = £180

Fee includes documentation, lunch and other refreshments served during the course and is payable in advance.

Personal Details

Name (Mr/Mrs/Miss/Ms/Dr): _____

Job title: _____

Organisation: _____

Address: _____

_____ Postcode: _____

Contact telephone: _____

Email: _____

Payment Options

- I enclose a cheque for £ _____
Payable to 'bmf Business Services'.
- Please invoice me PO Number _____
- Please debit my Visa / Mastercard

Cancellations / Substitutions

For those unable to attend, a substitute delegate may be sent at any time for no additional charge. Alternatively a refund will be given for cancellations received in writing, by fax or letter, up to 14 days prior to the conference, less an administration charge of 25% plus VAT.

Card number

Name of card holder _____ Signature _____

Expiry date _____ Security code _____

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