

December 4th, 2015

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 16th December 2015** at **10:00 am** in the **Boardroom District Council Offices 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.**

2. **Declarations of Interest.**

Minutes for Consideration and Adoption

3. **Minutes of Planning Committee Meeting held on Wednesday 30 November 2015. (Attached).**

Planning Minutes - 25 November 2015.pdf

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For Noting

4. **Action Sheet of the Members' Briefing Panel Meeting held on Friday 4 December 2015. (To follow).**

5. **Plannng Performance Indicators. (Attached).**

Planning Performance Indicators - 30 November 2015.pdf

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Development Management

6. **Schedule of planning applications and applications deferred from previous meetings for determination. (Schedule attached).**

1. LA07/2015/1063/F - Newry, Mourne and Down District Council - rear extension to existing swimming pool including entrance hall, universal toilets, stores, boiler room, physio room, offices, kitchen and viewing gallery - Rooney's Meadow, Newry. **(Case Officer report attached). REC: APPROVAL**
2. P/2014/0042/F - Feithlinn McCullagh - relocation of existing horse shelter, retention of hardcored area, proposed storage shed midden and underground slurry tank (amended scheme) - 65 metres south of west of No. 22 Donaghaguy Road, Warrenpoint. **(Case Officer report attached). REC: APPROVAL**

Council Schedule -16 December 2015.pdf

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LA07-2015-1063-F NMDD Council.pdf

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Council Schedule Deferred - 16 December 2015.pdf

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P-2014-0042-F - Feithlinn McCullagh.pdf

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7. **Please click on the link below which will take you to the planning portal - this will allow you to view supporting documents**

<http://epicpublic.planningni.gov.uk/publicaccess/>

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
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Mr. Andrew Davidson	andrew.davidson@nmandd.org
Cllr. Laura Devlin	laura.devlin@downdc.gov.uk
Ms. Louise Dillon	louise.dillon@newryandmourne.gov.uk
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Cllr. Valerie Harte	valerie.harte@newryandmourne.gov.uk
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Mrs. Shiela Kieran	sheila.kieran@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
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Cllr. Mark Murnin	mark.murnin@nmandd.org

Cllr. Barra O Muiiri	barra.omuiiri@nmandd.org
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Mr. Canice O'Rourke	canice.orourke@downdc.gov.uk
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Caroline Taylor	Caroline.Taylor@downdc.gov.uk
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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 25 November 2015 at 12 noon in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor J Tinnelly

In attendance: **(Committee Members)**

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

(Officials)

Mr A McKay	Head of Planning
Mr C O'Rourke	Director of RTS
Mr P Green	Legal Officer
Mr P Rooney	Principal Planning Officer
Ms J McParland	Senior Planning Officer
Mr A Davidson	Senior Planning Officer
Ms A McAlarney	Senior Planning Officer
Ms E McParland	Democratic Services Manager
Ms C McAteer	Democratic Services Officer

Also in Attendance: Mr S Grant, Transport NI

10.00AM

Noted: It was noted that the Planning Committee had visited sites 2 and 4 Donard Street, Newcastle re: planning application R/2012/0081/F – Oaklee Homes Group Limited, 15 No. apartments and 1 No. house.

Councillor Devlin and Councillor W Clarke had declared an interest in this planning application and did not attend the site visit.

12 NOON**P/63/2015: APOLOGIES / CHAIRMAN'S REMARKS**

No apologies were received.

P/64/2015: DECLARATIONS OF INTEREST

Councillor L Devlin declared an interest in planning application R/2012/0081/F – Oaklee Homes Group Limited, 15 No. apartments and 1 No. house at 2 and 4 Donard Street, Newcastle and also planning application R/2013/0107/F – G & M Lodge Caring Ltd – change of use and bedroom extension to existing guest house to provide hotel (amended plans) at 76 Tollymore Road, Newcastle. She advised she had submitted representations on these applications which had been circulated with the agenda for the Planning Meeting.

Councillor W Clarke declared an interest in planning application R/2012/0081/F – Oaklee Homes Group Limited, 15 No. apartments and 1 No. house at 2 and 4 Donard Street, Newcastle.

P/65/2015: ACCESSIBILITY OF INFORMATION ON PLANNING PORTAL

NOTED: Councillor McAteer expressed concern that he had difficulty trying to view planning application documents, including drawings and letters of objection/support on the planning portal. He said this impacted on Councillors preparing for the Planning Meeting.

AGREED: **On the proposal of Councillor Craig, seconded by Councillor McKee, it was agreed, following advice from the Council's Legal Advisor, that the Committee proceed to consider the planning applications on an application by application basis and, if necessary, arrangements could be made to bring drawings or previously submitted representations before the Committee. If a Member was not content that they had sufficient information to make an informed decision, with the information provided, they would have the option to defer the application.**

**P/66/2015: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 28 OCTOBER 2015**

Read: Minutes of Planning Committee Meeting held on Wednesday 28 October 2015. (Copy circulated)

AGREED: **On the proposal of Councillor Craig, seconded by Councillor McKee, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 28 October 2015 as a true and accurate record.**

**P/67/2015: ACTION SHEET- MEMBERS' BRIEFING PANEL MEETING
TUESDAY 3 NOVEMBER 2015**

Read: Action Sheet of Members' Briefing Panel Meeting held on Tuesday 3 November 2015. (Copy circulated).

AGREED: It was agreed to mark the above Action Sheet noted.

P/68/2015: PLANNING PERFORMANCE FIGURES

Read: Report on Planning Department Performance Indicators. (Copy circulated).

Noted: It was agreed to note the above report.

In response to a query from Councillor Ruane, Mr McKay advised that interviews had been held for the appointment of Planning Officers and letters of notification had been sent out to the candidates. The Council now had to await the response from candidates as to whether or not they would take the positions offered to them and pending this, additional staff would hopefully be in place in January 2016.

In response to query from Councillor McAteer, Mr McKay said that to date there were 1513 "live" applications in the system.

Councillor McAteer said the feedback from agents was that it was taking too long to process planning applications and this was having a negative impact on their businesses.

P/69/2015: APPLICATIONS FOR DETERMINATION

The following Applications were considered by the Committee:

(1) LA07/2015/0513/F

Location:

Killeavy GFC, 49 Forkhill Road, Cloughogue, Newry, BT35 8QX.

Proposal:

Proposed new 3G pitch, outdoor gym area and new walking/jogging path with associated site works.

**Conclusion and recommendation from Planning Official:
APPROVAL**

AGREED: On the proposal of Councillor Murnin, seconded by Councillor Larkin, it was agreed to issue an approval in respect of planning application LA07/2015/0513/F, subject to condition 1 and informatives 1-8, as per the Development Management Officer Report.

Noted: No abstentions.

(2) P/2014/0515/F***Location:***

BCM NI, Mullartown House, 159 Glasdrumman Road, Annalong.

Proposal:

Additional accommodation to provide sports hall facilities.

Conclusion and recommendation from Planning Official:**APPROVAL**

AGREED: On the proposal of Councillor McKee, seconded by Councillor W Clarke, it was agreed to issue an approval in respect of planning application P/2014/0515/F, subject to conditions 1 and 2 and informatives 1-10, as per the Development Management Officer Report.

Noted: No abstentions.

(3) R/2014/0145/F***Location:***

Windsor Developments Ltd, Boulevard Park, Dundrum Road, Newcastle.

Proposal:

Erection of 50 dwellings (12 detached and 38 semi-detached) (change of house types from that previously approved under 2004/A563 and R/2003/0888/F), including car parking and landscaping.

Conclusion and recommendation from Planning Official:**APPROVAL**

AGREED: On the proposal of Councillor W Clarke, seconded by Councillor Craig, it was agreed to issue an approval in respect of planning application R/2014/0145/F, subject to conditions 1 to 18, as per the Development Management Officer Report.

Noted: No abstentions.

Noted: Councillor Devlin left the meeting at this point – 12.30 pm.

(4) R/2013/0107/F***Location:***

G & M Lodge Caring Ltd, 76 Tollymore Road, Newcastle

Proposal:

Change of use and bedroom extension to existing guest house to provide hotel (amended plans) at 76 Tollymore Road, Newcastle.

**Conclusion and recommendation from Planning Official:
REFUSAL**

Noted: Shane Grant advised the Committee of a series of concerns Transport NI had on this application including information that the applicant did not control land which would be necessary to carry out road improvements to the minimum standard required; proposed road improvements would have a detrimental impact on existing accesses along the Tollymore Road and there was no indication from the applicant they could forward a scheme that would meet the necessary requirements.

Councillor McAteer said the application should be deferred to allow an opportunity for a meeting between Transport NI representatives and the applicant and agent to clarify any issues of concern in relation to road safety.

Councillor Larkin proposed and Councillor Ruane seconded that planning application R/2013/0107/F be refused as per the recommendation in the Development Management Officer's report.

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

FOR: 8
AGAINST: 3
ABSTENTIONS: Nil

AGREED: It was agreed on the proposal of Councillor Larkin, seconded by Councillor Ruane, that planning application R/2013/0107/F be refused as per the recommendation in the Development Management Officer's report.

Noted: Councillor W Clarke left the meeting at this point – 1.10 pm.

(5) R/2012/0081/F

Location:

Oaklee Homes Group Ltd, 2 and 4 Donard Street, Newcastle

Proposal:

15 No. apartments and 1 No. house at sites 2 and 4 Donard Street, Newcastle.

**Conclusion and recommendation from Planning Official:
APPROVAL**

AGREED: It was agreed on the proposal of Councillor McAteer, seconded by Councillor McKee, to defer planning application R/2012/0081/F for further discussion between Planning Officers and the applicant regarding concerns raised by Members of the Planning

Committee in terms of overshadowing and loss of light to adjacent property. Possible amendments to be considered include the possibility of moving the single dwelling adjacent to No 4 Park Lane in an easterly direction; some change to the pitch of the roof of the proposed single dwelling; change proposed single dwelling to a single storey unit; improved boundary planting between Site 4 apartment block and No. 6 Donard Street and conditions to minimise noise during construction.

It was agreed Planners would bring back a report on the outcome of their discussions with the agent/applicant to the next appropriate Planning Committee Meeting.

Noted: Councillor Devlin and Councillor W Clarke re-joined the meeting – 1.40 pm.

P/70/2015: DRAFT CONDITIONS FOR PLANNING APPLICATION R/2014/0487/F – ALTERNATIVE HEAT AND KANE HEATING – PROPOSED NEW PRODUCTION BUILDINGS AT BURRENREAGH ROAD, CASTLEWELLAN

Read: Draft Conditions 1-14 in relation to R//2014/0487/F – Alternative Heat and Kane Heating – proposed new production buildings at Burrenreagh Road, Castlewellan. (Copy circulated).

Agreed: **On the proposal of Councillor McKee, seconded by Councillor Ruane it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 6 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information which reveals that the Council proposes to:-**

- a) Give under any statutory provision a notice by virtue of which requirements are imposed on a person; or
- b) To make an order or direction under any statutory provision and the public may, by resolution, be excluded during this item of business.

Agreed: **On the proposal of Councillor McKee, seconded by Councillor Devlin, it was agreed the Committee come out of closed session.**

Mr McKay Head of Planning reported that Councillors had been updated by officials on unauthorised development and possible enforcement action in relation to this site.

Agreed: **It was agreed on the proposal of Councillor McKee, seconded by Councillor Murnin, to agree in principle with the draft conditions for planning application R/2014/0487/F but that the final issuing of the planning approval be delayed until Planning Officers have the necessary drawings in place to accompany the decision notice, with accompanying conditions and approved plans. Planning Officers to also ensure the resolution of enforcement matters at the site prior to issuing a decision notice.**

Noted: No abstentions.

P/71/2015: IMPLEMENTATION OF PLANNING POLICY FOR THE RETENTION OF ZONED LAND AND ECONOMIC DEVELOPMENT USES – PLANNING ADVICE NOTE

Read: Letter dated 16 November 2015 from Angus Kerr, Director, Department of the Environment re: implementation of Planning Policy for the retention of zoned land and economic development uses.

Agreed: The above correspondence was noted.

There being no further business the meeting concluded at 2.20 pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 16 December 2015.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**

Applications Received

Month	2014	2015
April	140	164
May	185	171
June	100	148
July	128	152
August	119	102
September	145	136
October	125	144
November	107	115
Total	1049	1132

No. of Applications Decided

Month	2014	2015
April	87	20
May	106	69
June	106	66
July	128	84
August	122	72
September	118	119
October	121	130
November	115	95
Total	903	655

The reduction in applications decided in November is a result of other unavoidable activities, reducing available time to focus on planning activities

- A significant number of appeals had to be submitted to the PAC
- Two senior planners were involved in recruitment activity
- Planners are approaching the end of the leave year

Breakdown of Decisions 1 April – 31 October 2015

Decision	Total	Percentage
Approve	599	93%
Refuse	56	7%
Total	655	100%

Newry, Mourne and Down Council

Applications for Planning Permission

and

Applications deferred from previous meetings

12/16/15

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

Council Newry, Mourne and Down

Date 12/16/15

ITEM NO	1			
APPLIC NO	LA07/2015/1063/F	Full	DATE VALID	10/23/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Newry Mourne and Down Council Monaghan Row Newry BT35 8DT		AGENT	Kennedy Fitzgerald Architects LLP 3 Eglantine Place Belfast BT9 6EY 02890661632
LOCATION	Rooney's Meadow Clanyre Avenue Newry			
PROPOSAL	Rear extension to existing swimming pool including entrance hall, universal toilets, stores, boiler room, physio room, fitness room, offices, kitchen and viewing gallery			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			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: 16th December 2015	Item Number:
Application ID: LA07/2015/1063/F	Target Date:
Proposal: Rear extension to existing swimming pool including entrance hall, universal toilets, stores, boiler room, physio room, fitness room, offices, kitchen and viewing gallery	Location: Rooney's Meadow Clanyre Avenue Newry
Referral Route: Under the Scheme of Delegation this application must be determined by the Planning Committee as the application has been submitted by the Newry, Mourne & Down District Council.	
Recommendation:	Approval
Applicant Name and Address: Newry Mourne and Down Council Monaghan Row Newry BT35 8DT	Agent Name and Address: Kennedy Fitzgerald Architects LLP 3 Eglantine Place Belfast BT9 6EY
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Transport - Downpatrick Office	Content

Representations:

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

Summary of Issues

Characteristics of the Site and Area

The site comprises the NW portion of Frank Curran Park (playing field and track); ground is located in a basin and surrounded by elevated land.

Within the vicinity of the site is the recently constructed Phase 1 swimming pool/ leisure centre with car parking located to the front of the centre, playing fields are also located to the north and north west. Existing residential areas within the locality include Clanrye Avenue to the west, Killeavey Road to the north west and Cecil Street to the south east. To the east of the site are the existing St Johns Bosco Youth Centre and Our Ladies Grammar School. There is a bus depot to the south of the site and open green spaces to the western boundary.

Current access to the site is via Clanrye Avenue with the layout allowing linkages through to Cecil Street. There is a public right of way through the site which follows the route of the Bessbrook and Newry tramway that formerly cut through the site. The boundaries are predominantly functional security fencing.

Planning Assessment of Policy and Other Material Considerations

Banbridge/ Newry and Mourne Area Plan - Site is within the settlement limits of Newry on land zoned as an area of major existing open space with a disused transport link intersecting the site.

Proposal

The extension is located within the area that was previously approved for a two storey detached building on behalf of St John Bosco which included changing room facilities and associated site works, development was contained within ground of leisure centre proposals. (P/2013/0519/F) Full planning permission is sought for the erection of an extension to the existing swimming pool with a two storey building. On the ground floor there is an external covered gated area which provides a link access with the existing building with the proposed new building, at ground floor level provision is made for an entrance hall, universal toilets, stores, boiler room, physio room, fitness room, offices at 1st floor level there is a kitchen as well as an enclosed viewing gallery which will overlook the Gaelic pitch to the north of the site.

External finishes comprise of PPC aluminium coping, louver and framed windows, sand cement render at 1st floor with dark grey brick to ground floor, external doors are metal finish, cladding panel over entrance door and PPC finish metal fencing to right of entrance with metal external doors, PPC finish metal fencing. External finishes matching the existing centre

Representations

No third party representations have been received

Planning Policy

The provisions of PPS 3: Access, Movement and Parking, DCAN 15 Vehicular Access Standards, DES 2 (Townscape) - Planning Strategy for Rural Northern Ireland, DCAN 11: Access for All, Strategic Planning Policy Statement for Northern Ireland (SPPS) and PPS8: Open Space, Sport and Outdoor Recreation

PPS3 and DCAN 15: Transport NI in their consultation response have no objections to proposals.

DES 2 (Townscape)

The site is within an existing area zoned for major open space which includes existing as well as new leisure facilities, the proposed extension is ancillary to the existing leisure centre facilities but with a linked access to the recently constructed leisure facility allows shared use but overall development will complement the existing uses at the site. The overall layout and uses will match in with recreational facilities at this location which are already part of the character of the area and will not appear visually intrusive or misplaced at this locality

Given that there are already existing recreational/ leisure facilities at the site, the proposals put forward are unlikely to create any further impact to amenity above and beyond what already exists at the site and environmental health in comments previously made in relation to proposals for the leisure centre/ swimming pool (P/2014/0310/RM and P/2011/0293/F) have raised no major issues relating to impact to amenity.

The extension includes a viewing gallery at first floor level which will overlook existing areas of open space with no impact to residential amenity whatsoever. The layout of the development internally and externally adequately accommodates the needs of all users particularly those whose mobility is impaired.

To an extent the proposed extension will be hidden from view from public accessible areas due to its location to the rear of the existing building with overall development subservient to the main building. The overall scale, form, design and finishes take into account the existing built form and complement the existing building.

SPPS and PPS 8 (OS1)

The proposed extension is located on an area of land zoned as major area of existing open space. The overall development is minor in comparison to existing facilities approved at the site under planning references P/2014/0310/RM and P/2014/0293/RM however proposals put forward are unlikely to contribute any further loss of protected open space, facilities are ancillary to existing and will ensure the protection of open space within the urban setting contributing to and facilitating the provision of indoor recreational facilities as well as retaining the use of the existing outdoor sporting facilities.

Neighbour Notification Checked

Yes

Summary of Recommendation:

The site is located within the grounds of existing recreational/ sporting facilities on lands zoned for this purpose, the current use and land will remain relatively unaltered by proposals. The overall extension is subordinate to the existing leisure centre/ swimming pool with design, form and finishes reflective of the existing building, proposals will adequately blend into its surroundings and land use with limited visual impact. Due to the location of the proposed extension there is no impact to residential amenity. It should also be noted, that the principle for this type of development has already been accepted under planning reference P/2013/0519/F which permitted a two storey changing facility located adjacent and N/ NW within the grounds of the new leisure centre, albeit detached from the new leisure centre.

Overall proposals fully met planning policy and there have been no third party representations in relation to proposals. On this basis it is therefore recommended to approve the application.

Conditions:

Conditions

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

Reason: Time Limit.

Informatives

1. This notice relates to drawing Nos. 01, 02, 04, 05, 06 and 07 which were received on 1st October 2015.

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.

Signature(s)

Date:

ANNEX	
Date Valid	23rd October 2015
Date First Advertised	4th November 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	No
Planning History	
<p>P/2014/0355/O - Demolition of existing Newry Swimming Pool to facilitate proposed new Newry Community Treatment and Care Centre with associated site works and car parking. (Additional information/amended drawings received). Newry Swimming Pool and lands to rear at Jennings Park, Clanrye Avenue, Newry. Approval 14.05.15</p> <p>P/2014/0310/RM - Phase 2 of New Leisure Centre (follow on application to P/2011/0293/RM) comprising new sports halls, fitness suites, cafe, multi-purpose rooms, associated changing facilities and car park. Rooney's Meadow, Clanrye Avenue, Newry incorporating Frank Curran Park and Jennings Park with new access to site taken off Cecil Street. Approval 23.07.15</p> <p>P/2013/0519/F - New changing room facility and associated site works. Rooneys Meadow, Newry (between Frank Curran Soccer Field and Jack Mackin Gaelic Football Pitch) using existing access from Clanrye Avenue, Newry. Approval 24.09.13 (Located adjacent and N/ NW within the grounds of the new leisure centre but detached from it the building is two storey changing facilities)</p> <p>P/2011/0293/RM - Erection of Replacement swimming pool building and associated car parking. (Phase 1). Rooney's Meadow, Newry incorporating Frank Curran Park and Jennings Park. Approval 14.07.11</p> <p>P/2008/1579/O - New leisure centre, car park and new playing fields. Rooney's Meadow, incorporating Frank Curran Park and Jennings Park with new access to site from Cecil Street Newry. Approval 14.01.10</p>	

Summary of Consultee Responses Transport NI in comments dated 10th November 2015 have no objection
Drawing Numbers and Title
Drawing No. 01 Type: Site plan 1-1250 Status: Submitted 1st October 2015 Drawing No. 02 Type: Site plan 1 -500 Status: Submitted 1st October 2015 Drawing No. 04 Type: Ground floor plan Status: Submitted 1st October 2015 Drawing No. 05 Type: First floor plan Status: Submitted 1st October 2015 Drawing No. 06 Type: Roof plan Status: Submitted 1st October 2015 Drawing No. 07 Type: N, W and S Elevation Status: Submitted 1st October 2015
Notification to Department (if relevant) Date of Notification to Department: Response of Department:

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

Council Newry, Mourne and Down

Date 12/16/15

ITEM NO	D1			
APPLIC NO	P/2014/0042/F	Full	DATE VALID	12/31/13
COUNCIL OPINION	APPROVAL			
APPLICANT	Feithlinn McCullagh 19 Seafields Warrenpoint		AGENT	Quinn Design and Engineering Services 36 Corrags Road Burren Warrenpoint BT34 3PY 41772377

LOCATION 65 metres south west of no 22 Donaghaguy Road
Warrenpoint.

PROPOSAL Re-location of existing horse shelter, retention of hardcored area, proposed storage
shed midden and underground slurry tank (Amended Scheme)

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	26	3	0	0
			Addresses	Signatures
			0	0
			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: 16th December 2015	Item Number:
Application ID: P/2014/0042/F	Target Date:
Proposal: Re-location of existing horse shelter, retention of hardcored area, proposed storage shed midden and underground slurry tank (Amended Scheme)	Location: 65 metres south west of no 22 Donaghaguy Road Warrenpoint.
Referral Route: Application falls within the category of a major application as defined within the Development Management Regulations 2015 by reason of its site area.	
Recommendation:	Approval
Applicant Name and Address: Feithlinn McCullagh 19 Seafields Warrenpoint	Agent Name and Address: Quinn Design and Engineering Services 36 Corrags Road Burren Warrenpoint BT34 3PY
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Rivers Agency	Substantive Response Received
Non Statutory	DARDNI - Downpatrick	No Objection
Non Statutory	NI Transport - Downpatrick Office	Substantive Response Received
Non Statutory	Env Health Newry & Mourne District Council	Substantive Response Received
Non Statutory	NI Water - Single Units West - Planning Consultations	No Objection
Non Statutory	Water Management Unit	Substantive Response Received

Representations:

Letters of Support	3
Letters of Objection	26
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

The application has received numerous objections, and had a further application on site to rectify the infilling on the land under P/2015/0159/F

Characteristics of the Site and Area

The site to be developed is located 65m south west of No.22 Donaghaguy Road. This is a field approx. 115m x 80m and set back 80m from Donaghaguy Road. It is accessed via a laneway gated at both ends land within the site rises in a southerly direction. Field boundaries are defined by mature hedgerows. The development area within the site is proposed in the northern corner this area is 30m x 44m at its

widest points. This portion of the field sits at a lower level than Donaghaguy Road and the remainder of the site. On inspection the development area has been stripped back and a stone bed laid; the existing horse shelter sits on a concrete base it is 7.5m in length, 3.8m wide with a height of 3m. The walls and roof are constructed from corrugated metal cladding coloured green, a galvanised gate forms an entrance at the front and a small canopy overhangs. The shelter is 61m from No.22 Donaghaguy Road. The existing storage container is 59m from No.22 and takes the form of a steel shipping container. Views of the site are limited due to the topography of the land and the siting of the structures, with the main view being from the access point with Donaghaguy Road. The site to be developed is located within the Mourne Area of Outstanding Natural Beauty as defined in Banbridge Newry & Mourne Area Plan 2015. The site is within a Rivers Agency Flood Zone 2030 Q100 (Fluvial) Flood 03 zone - Rivers Agency have been consulted.

Planning Assessment of Policy and Other Material Considerations

The principle of this development will be assessed under Planning Policy Statement 21 policy CTY 1. This policy refers to acceptable uses and development within the countryside. These include recreation uses which are in compliance with those set out within Planning Policy Statement 8 Open Space, Sport & Outdoor Recreation. Policy OS 3 Outdoor recreation within the countryside would be the applicable policy test in this instance. The keeping and riding of horses for recreational purposes is increasingly popular in many parts of the countryside. Outdoor participatory recreational uses such as riding schools will normally be considered acceptable in principle, provided the scale of ancillary buildings is appropriate to its location and can be integrated into their landscape surroundings. Wherever possible, consideration should be given to the reuse of existing traditional or redundant farm buildings in association with such proposals, however this is not a necessity. The Planning Department has carried out consultation with statutory bodies to assess whether this proposal will have an adverse impact on features of nature conservation, archaeology or built heritage. NIEA have returned their comments with no objection subject to appropriate condition being attached to prevent pollution into adjacent waterways. A Habitats Regulations Assessment was completed by NIEA which stated that there was no likely effect on the SPA of Carlingford Lough. This proposal is also therefore compliant with PPS 2. This proposal would not result in the unacceptable loss of versatile agricultural land nor would it have an adverse impact on the visual amenity or the character of the local landscape. The proposal has three elements to it, the storage building which is 56m away from the neighbouring dwelling, the building to house the horses which is 65m away from the neighbouring dwelling and the slurry tank and midden which is 76m away from the neighbouring dwelling. Environmental Health have been consulted and are content that the element most likely to cause nuisance is the slurry tank and midden, which are more than 75m away from the dwelling. The store and shed, as they will not continually house horses and due to the size of them will not represent a nuisance. This proposal will therefore not affect the amenity of any nearby residents. Transport NI have been consulted on the access to the proposed development and as this is for a small domestic scale horse shelter they have no concerns in relation to the access or service arrangements. The Planning department also acknowledge that while this proposal does not meet the criteria in relation to having disabled access arrangements, however given that this is for a domestic use only this will not be critical and limit material weight will be afforded to this criteria point.

The existing horse shelter has been moved 3.1m in a southerly direction along the existing concrete base. The new store is 4.3m x 4.9m and is 3.3m in height, there is a door on the southern elevation and finishes are a base of smooth rendered block and dark green metal non-drip cladding to sides and roof, in keeping with the existing horse shelter. The store is 56m from the existing dwelling at 22 Donaghaguy road. A wall 1.5m in height x 7m length is proposed attached to the store along the northern elevation. A similar 2m long wall is proposed to connect / close off the area between the shelter and store. The structures will sit on concrete base slabs, with a yard / slabbed area to the side of the store with a concrete apron running along the front of the shelter.

The site area is to be defined by a fence formed with 150 x 150mm concrete posts set in concrete, spaced at max 2.1m c/c. The posts will be faced with 100 x 50mm softwood timbers into which 4 D-rail timbers will be fixed.

The total height of the fence will not exceed 1.4m above adjacent ground level and all timbers will be preservative treated.

The design and finishes of the proposal are in keeping with existing buildings found within the rural area. These are situated behind an existing hedgerow and will have sufficient integration when viewed from public vantage points along the road frontage. This proposal will not have a detrimental impact on the rural character by reason of build up or integration. This proposal complies with policies CTY 13 and CTY of PPS 21.

Objections:

1. Buildings are an eyesore

The existing buildings of a horse shelter and storage container are barely visible from Donaghaguy Road, they sit approx 80m from the road, are integrated by the rising land to the rear and natural hedgerows surrounding the site, the main views are from the access point. The shelter has been designed in keeping with agricultural sheds common in the countryside. The storage container is a steel shipping unit, this would not be an acceptable material in the rural area. Throughout the course of this application the container was removed as part of this application and the shed is proposed. Therefore the proposal as submitted is acceptable in terms of design and finishes.

2. Infilling of land.

On inspection the land has been stripped back and a stone / hardcore base laid, together with an area infilled. An accompanying application was submitted and assessed under P/2015/0159/F. This was recommended as an approval on the delegated list for the 26th November 2015. Therefore the levels on the submitted drawings for this application are accurate.

3. Container not of acceptable design.

The Planning Department agreed within this objection and requested amendments where submitted. These amendments have been submitted and are acceptable.

4. Reference to equine business and PPS 21

DARD have confirmed that the business has not been active or established for more than 6 years, however PPS 21, CTY 10 & 12 are not the defining policies. PPS Policy OS3 is the appropriate policy for determining this application.

5. Impact on Area of Outstanding Natural Beauty

The existing buildings of a horse shelter and storage container are barely visible from Donaghaguy Road, they sit approx. 80m from the road, are integrated by the rising land to the rear and natural hedgerows surrounding the site, the main views are from the access point. The shelter has been designed in keeping with agricultural sheds common in the countryside. The storage container is a steel shipping unit. This would not be an acceptable material in the rural area, and the proposal has been amended to remove this and have a building which meets the policy requirements. There is no impact on the AONB from this small scale development.

6. Need of proposal

Need is not a material consideration. Policy OS3 applies.

7. Concerns over future development.

The Planning Department can only deal with the information currently held on file and cannot take decisions or form opinions on speculation.

8. Impact on residential amenity - noise, pollution and smell.

Environmental Health have been consulted and have no objections to the proposal. Rivers Agency and NIEA Water Management unit have no objections, informatives have been added should approval be granted for the safeguarding of the natural watercourse.

9. Flooding and pollution from slurry / midden

The site lies in close proximity to an undesignated watercourse. Rivers Agency and NIEA Water

Management Unit were consulted with objectors comments. Both agencies have no objections to the proposal, however informatives have been added should approval be granted.

10. Access

Roads Service have been consulted with the objectors comments. No objection to the proposal.

11. Lane ownership

Access is achievable through land owned by the applicant. The red line on the application does not extend outside the applicants ownership, therefore all details on the P1 form are correct. The adjacent land owner is aware of the application regardless and has made representation to the planning department on this application.

12. Impact on natural habitats

NIEA Natural heritage have been consulted and have no objections.

The proposal is small scale and in keeping with traditional development in the countryside and this rural area.

Mr Mc Convilles concerns:

The concrete base will lead to flooding / ponding and impact on his garden, Rivers Agency have been consulted about this and have no objections.

Why is there a need for a wall at the store, this is not appropriate in the countryside - The wall is to form a boundary along the edge of the yard and will form a shelter. It is not unusual for walls to be erected in farm yards and adjacent to farm buildings, the wall is 1.5m x 7ml and will not be visible from the public road, given the scale of development I feel that the wall is acceptable.

PD rights. Objector wishes that there be no Permitted Development rights with this proposal. Should approval be granted under Policy OS3, recreational buildings there are no PD rights attached. The buildings cannot be classed as farm buildings as the proposal does not meet the Policy requirements of PPS 21 CTY10 therefore should the applicant wish to extend or erect additional buildings even if her farm business was active and established Planning Permission would be required.

Other issues raised by Mr McConville have already been dealt with above.

The proposal meets the policy requirements of PPS 8 Policy OS 3. The store has been amended to a more traditional building in the countryside, the development is set back 80m from the public road and is barely visible, any trees or vegetation that has been removed has not severely impacted on this site or surrounding area. Hedgerows have been planted along the boundary adjacent to No.22.

Neighbour Notification Checked	Yes
Summary of Recommendation:	
Given the small nature of the proposal, together with the siting and the existing vegetation, this proposal complies with Planning Policy Statements 2, 3, 8 and 21. Approval is recommended.	
Conditions Standard Time Condition	
Informatives WMU informatives NIEA Informatives	
Signature(s)	
Date:	

ANNEX	
Date Valid	31st December 2013
Date First Advertised	24th January 2014
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>Gavin Garvey 10 Donagh Grove Donaghaguy Warrenpoint The Owner/Occupier, 18 Donaghaguy Road Donaghaguy Warrenpoint Tom Mc Conville 19 Ashley Heights Dromore Warrenpoint Feithlinn McCullagh 19 Seafields Clonallan Glebe Warrenpoint The Owner/Occupier, 2 Ballydesland Road, Donaghaguy, Warrenpoint, Down, BT34 3QD, E Qunn 20 Donaghaguy Road, Donaghaguy, Warrenpoint, Down, BT34 3RZ, Peter McConville 22 Donaghaguy Road Donaghaguy Warrenpoint The Owner/Occupier, 23 Donaghaguy Road, Donaghaguy, Warrenpoint, Down, BT34 3RZ, P Magee 28 Manse Road Magheramurphy Kilkeel Harry McArdle 3 Treanors Villas Burren Warrenpoint The Owner/Occupier, 34 Hill Street Carneyhough Newry PP Magee 6 Bayview Park Magheramurphy Kilkeel The Owner/Occupier, 6 Donaghaguy Road, Donaghaguy, Warrenpoint, Down, BT34 3RZ, The Owner/Occupier, 7 Donaghaguy Road, Donaghaguy, Warrenpoint, Down, BT34 3RZ, Bernadette Trainor 84 Lower Dromore Road Dromore Warrenpoint The Owner/Occupier, Clonallon Rectory, Donaghaguy Road, Donaghaguy, Warrenpoint, Down, BT34 3RZ, Brendan Quinn Quinn Design & Engineering Services, 36 Carrogs Road, Burren, Warrenpoint, BT34 3PY Ciaran McArdle</p> <p>Brendan Carty</p> <p>Brendan Carty</p>	

Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: P/2014/0042/F Proposal: Retention of a horse shelter, a hardcored area, a storage container. Proposed manure midden and underground slurry tank. Address: 65 metres south west of no 22 Donaghaguy Road, Warrenpoint., Decision: Decision Date:</p>	
<p>Ref ID: P/2004/2681/O Proposal: Site for farm retirement dwelling Address: Adjacent to and North of No.18 Donaghaguy Road, Warrenpoint Decision: Decision Date: 20.02.2006</p>	
<p>Ref ID: P/2006/1784/RM Proposal: Erection of farm retirement dwelling Address: Adjoining and north of 18 Donaghaguy Road, Warrenpoint Decision: Decision Date: 16.01.2007</p>	
<p>Ref ID: P/2003/2593/F Proposal: Erection of replacement dwelling and garage with granny unit Address: No.22 Donaghaguy Road, Warrenpoint Decision: Decision Date: 26.07.2004</p>	
Summary of Consultee Responses	
Drawing Numbers and Title	

Drawing No.
Type:
Status: Submitted

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Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department: