

October 15th, 2015

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 28th October 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 September 2015. (Attached).**

Planning Minutes - 30-9-2015.pdf

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For Noting

4. **Action Sheet of the Members' Briefing Panel Meeting held on Tuesday 6 October 2015. (Attached).**

Action Sheet - 6 October 2015.pdf

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5. **Planning Performance Figures. (Report to follow).**

Development Management

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

- P/2006/2023/0 - McGreevy Construction Ltd - site for 65 detached dwellings with associated site works on lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No. 37 Crieve Road). **REC: REFUSAL. (Case Officer report attached).**
- P/2014/1025/F - Chris McKeown - erection of poultry shed, underground wash water tank, 2 feed silos, sorting/packing area and concrete yard with alterations to access onto public road 50 metres east of No. 10 Drumhariff Road, Whitecross, Newry. **REC: APPROVAL. (Case Officer report attached).**

***** 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/>

For Discussion

- 7. The Planning Department is now finalising draft conditions for Plannig Application R/2014/0487 (Alternative Heating Kane Heating) for consideration by the Planning Committee at its next meeting on 28 October 2015.**

The draft conditions, when finalised, will be circulated in advance of the next Plannig Committee Meeting, in the week beginning 19 October 2015.

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
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Cllr. Garth Craig	garth.craig@downdc.gov.uk
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Mr. Eddie Curtis	eddie.curtis@newryandmourne.gov.uk
Mr. Andrew Davidson	andrew.davidson@nmandd.org
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Cllr. Gillian Fitzpatrick	gillian.fitzpatrick@newryandmourne.gov.uk
Mr. Patrick Green	patrick.green@downdc.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
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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
Eileen McParland	eileen.mcparland@newryandmourne.gov.uk
Ms. Jacqui McParland	jacqui.mcparland@nmandd.org
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
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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 30 September 2015 at 10.00 am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor J Tinnelly (10.00am – 11.45am)
 Councillor V Harte (11.45am – 12.25pm)
 Councillor J Tinnelly (12.25pm – 12.55pm)

Deputy Chairperson: Councillor W Clarke

In attendance: (Committee Members)

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

(Officials)

Mr L Hannaway	Chief Executive
Mr A McKay	Head of Planning
Mr J Farrell	
Mr C Jackson	Assistant Director Building Control/Regulation
Mr P Green	Legal Officer
Mr P Rooney	Principal Planning Officer
Ms J McParland	Senior Planning Officer
Mr A Davidson	Senior Planning Officer
Mr M Keane	Acting Senior Planning Officer
Ms A McAlarney	Senior Planning Officer
Ms E McParland	Democratic Services Manager
Ms C McAteer	Democratic Services Officer
Ms L Dillon	Democratic Services Officer

Also in attendance: Mr R McLaughlin Transport NI
 Mr S Grant Transport NI
 Mr S Milligan Transport NI

P/47/2015: APOLOGIES / CHAIRMAN'S REMARKS

No apologies were received.

P/48/2015: DECLARATIONS OF INTEREST

Councillor L Devlin declared an interest in Planning Application P/2010/1041/F in respect of a proposed motor home site at lands at Ballagh Road Newcastle for reasons as previously outlined at the Planning Committee Meeting held on 5 August 2015, and stated she would be withdrawing from the meeting during discussion on this application.

Councillor J Tinnelly declared an interest in Planning Application P/2010/1041/F in respect of a proposed motor home site at lands at Ballagh Road Newcastle due to reasons he previously alluded to at the Planning Committee Meeting held on 5 August 2015.

Councillor W Clarke declared an interest in Planning Application P/2010/1041/F in respect of a proposed motor home site at lands at Ballagh Road Newcastle as he had been involved in written correspondence concerning this application during his time as a MLA.

Councillor V Harte declared an interest in Planning Application P/2014/0293/F in respect of proposed extension of existing approved housing development (P/2011/1067) on lands between the Sacred Heart Grammar School and Newry High School Ashgrove Avenue Newry, as she had met on a number of occasions with residents regarding this planning application.

Councillor Ruane declared an interest in Planning Application P/2010/1041/F in respect of a proposed motor home site at lands at Ballagh Road Newcastle due to prior involvement he has had regarding this planning application.

**P/49/2015: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 2 SEPTEMBER 2015**

Read: Minutes of Planning Committee Meeting held on Wednesday 2 September 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 2 September 2015 as a true and accurate record.

**P/50/2015: ACTION SHEET
RE: MEMBERS' BRIEFING PANEL MEETING
TUESDAY 8 SEPTEMBER 2015**

Read: Action Sheet of Members' Briefing Panel held on Tuesday 8 September 2015. (Copy enclosed)

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

P/51/2015: PLANNING PERFORMANCE FIGURES

Read: Planning Department Performance Indicators.
(Copy circulated)

AGREED: It was agreed to note the Planning Performance Figures.

Councillor McAteer asked for details showing the final total of outstanding applications at the end of each month.

Noted: A total of 1480 live applications were in the system during the month of September 2014. 119 applications had been issued with determinations which was an increase in the figures for July and August 2015. Additional staff resources have been provided and it is hoped that productivity will continue to increase and by the end of the financial year there will be a significant improvement on Planning Department performance.

P/52/2015: APPLICATIONS FOR DETERMINATION

The following Applications were considered by the Committee:

(1) LA07/2015/0499/ FULL***Location:***

No. 10 Mount Crescent, Downpatrick

Proposal:

Increase in size of recently approved bitmac playground to give an additional 27.5 x 17 metres of area.

Conclusion and recommendation from Planning Official:

Approval.

AGREED: On the proposal of Councillor McKee seconded by Councillor Craig it was agreed to approve Planning Application No. LA07/2015/0499 as per the Development Management Officer Report.

Noted: No abstentions

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

No. 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 and extension to existing car park.

Conclusion and recommendation from Planning Official

Refusal.

Considerable discussion then followed regarding the above Planning Application.

Councillor Murnin said the application had exceptional circumstances and the Planning Department needed to ensure the economic considerations of this application were taken into account together with the importance of this company to the rural community. He said the company employed 112 people who resided within a 10 mile radius of the site and who therefore made a significant contribution to businesses in the local town. He said the applicant had tried to identify alternative sites within Castlewellan, but none were available.

Councillor Murnin said he was satisfied the applicant has taken on board concerns regarding the visual impact on the AONB and taken measures to address this aspect. He suggested making revised elevations for the office block a condition of the planning conditions.

Councillor Craig enquired if staff location and storage was an integral facility of this business or not, at Burrenreagh Road. He referred to PED3 and asked how the proposed development integrated into the countryside.

Councillor Craig said he believed there were exceptional circumstances why this application should be given approval, including the significant contribution it made to the local economy. He stated he was in favour to grant an approval in respect of this application and would be minded to vote to overturn the officer's recommendation. He asked for clarification on the statutory responses received in respect of the application.

Mr Rooney - gave a summary of the statutory responses received:

- Transport NI – no objections in terms of impact on the road network.
- Environmental Health (Down District Council) – No objections but recommended restrictions on:
 - hours of operation
 - exit doors on west elevation to be kept closed but not locked

Councillor McAteer referred to PPS 1 and asked if there was sufficient industrial space to serve the population in the Castlewellan area. He said the application was exceptional as this business had outgrown its existing 3 sites which demonstrated there was not sufficient industrial space in the area.

Additionally, the application was exceptional given that the average number of employees for small businesses in Northern Ireland was between 5 – 10 employees and this particular business had 112 employees working in a rural area. He questioned whether it would be right to ask these people to relocate to Newry or Downpatrick, which in turn could compromise the skill pool of the business.

Councillor McAteer said evidence had been given to demonstrate that the business had made attempts to integrate buildings into the surrounding area -agricultural sheds would be similar in size to the sheds being proposed in this application. He added that costs for the business to remain at Burrenreagh Road would be much

lower than to relocate elsewhere and therefore relocation would present risk in terms of being an economically viable option.

Mr Rooney referred to the Area Plan context and said under the provisions of the relevant Planning Act 2011, decision makers on planning applications must have regard to the Area Plan. He said the Area Plan 2000-2015 was adopted in 2009 and therefore was up to date and material. The Plan sought to zone land in accordance with the Regional Development Strategy. He advised the Area Plan had identified sufficient land throughout the District.

Mr Rooney said that there was considerable undeveloped, zoned employment lands in the main towns and the relocation of the business to the main towns would not jeopardise jobs to the local workforce or to the economy. The Plan had also designated an area of mixed use in nearby Annesborough.

The information, submitted in support of the application, on the distribution of the workforce, shows that a lot of people live as close to Downpatrick as to Castlewellan.

The applicants say that approval was required as a low cost option on the basis that they owned the land. Planning approvals on the basis of land ownership would lead to planning for demand in the absence of justifiable need.

Mr Rooney referred to the scale of the sheds and said Planning Officers were of the opinion the sheds, as proposed, would appear as industrial units. Whilst the application stated the current site size of 0.64 hectares, this was not factually correct in planning terms, as there was no approval for production on the site.

Councillor McKee said this company had a turnover of about £37m, had 112 employees and paid around £2.6m in wages. The Council's mission statement stated the Council wanted to create opportunity to allow substantial economic growth and support peoples lifestyles.

The company had demonstrated they have attempted to integrate the proposal into the area by agreeing to move a shed and the apex cannot be seen from the Dublin Road.

Councillor McKee said the company was working for the benefit of the environment across the UK and reducing carbon omissions by way of the product they are providing. He said he was concerned at the consequences if this business were to move out of the area in terms of detrimental economic impact.

Councillor Devlin said this application was exceptional in terms of the Company's outstanding value to the District. For this company to move elsewhere would come with great risk.

Councillor W Clarke said the application is relevant to community needs, economic development and viability of rural communities. The Area Plan made no provisions for industrial manufacturing in the Newcastle, Dundrum and Kilcoo areas of the District. He said consideration should be given to ways of limiting carbon footprint in the District and prevent people having to travel to towns and cities to their place of work. The proposal contained in the application was to provide a new production

unit to improve the economic wellbeing and sustainability of a local company, involved in green technology.

Councillor Clarke said there was not enough space to facilitate this business in Annsborough nor was there an adequate infrastructure. He said Downpatrick did not have a good road infrastructure and was an area already subject to considerable traffic congestion.

Councillor Clarke advised that the company competed for major contracts in London and Scotland and working on split sites would mean it would not be fit for production in terms of health and safety. He said the company proposed to undertake extensive landscaping to improve the appearance of the site.

Councillor Clarke referred to the employing of 112 people with the potential to increase this number to 150. He said no objections had been received from neighbours living in the vicinity of the site, nor from Transport NI and he considered not enough weighting had been given to this application in terms of the economic opportunities the application presented.

Councillor Clarke made reference to 2 No. previous applications which he believed were of a similar nature and were granted approved, ie, Watson Steel Works and a fabrication building in Kilkeel and in these cases considerable weighting had been given as to the economic benefits of these applications.

Mr McKay cautioned Councillors that if they overturned the Planning Officers recommendation in relation to Planning Application R/2014/0487/F they must exercise care in how they arrived at such a decision, and provide clear reasoning for doing so. He said Area Plans and Policies set out the preferred approach in determining an application and to achieve broader social environmental goals in relation to developments in the countryside.

Mr McKay said it was incumbent on the Members of the Council's Planning Committee to consider the 10 reasons for refusal of planning application R/2014/0487/F as outlined by Planning Officers and express their views on these 10 reasons. He referred to the status of the Area Plan and to the provisions of Policy, in particular PED 3, "Expansion of economic development use in the Countryside", and added it was clear from visiting the site, there was office headquarter provision and a storage element but there was no production taking place on site.

Mr McKay also referred to the actual site itself and explained the site was 0.22 of a hectare. The reference to 0.64 of a hectare included rear buildings and car park which were not part of the site and it was the view of the Planning Department that this application was an expansion of a site which comprised of 0.22 of a hectare. If it was accepted that the application was a major expansion of an industrial enterprise, and it was demonstrated that relocation was not possible, then the following 3 elements must be considered for the purposes of a decision which the Committee could have clear basis for arriving at a decision:

- Relocation is not possible
- The enterprise makes a significant contribution to the area
- The proposed development will not undermine the rural character of the area

Mr McKay said there was an expectation that the Planning Department must have regard to the Policy, the Area Plan and other material considerations and, in the interests of a clear decision, the Planning Officials needed to know where the Committee stand in regard to these areas.

Mr Rooney said that the Planning Department had considered the findings of the PAC in respect of the 2 planning appeals referred to by Councillor Clarke. It had concluded that the circumstances of both planning applications and therefore the findings of the PAC were not comparable to the application by Alternative Heat Kane Heating.

Councillor Murnin outlined the following reasons why he believed weight should be given the exceptional circumstances of Planning Application R/2014/0487/F:

Economic benefit to local areas had been demonstrated

- Risk to employment
- Environmental impact has been taken into account by the application by way of the measures proposed by the Company in reducing this impact.

Councillor McAteer gave the following reasons why he believed Planning Application R/2014/0487/F should be considered an exceptional case:

It was grossly unfair to expect this company to spend a large amount of money to relocate elsewhere in Northern Ireland and to operate in a market which is elsewhere. This would risk losing this firm from the region.

Councillor Ruane proposed and Councillor Larkin seconded to accept the Planning Officers' recommendation in respect of Planning Application R/2014/0487/F, and issue refusal for this application.

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

For	3
Against	9

The proposal was declared lost

Councillor Murnin proposed and Councillor McAteer seconded not to accept the Planning Officers recommendation in respect of Planning Application R/2014/0487/F and to approve this application for the following reasons:

- The application would bring significant economic benefit to the area
- Risk of loss of employment if the company had to relocate
- Proposed changes to the application which have been made by the applicant in consideration of the local environment.

It was also proposed by the same proposer and seconder that Planning Officers consider the inclusion of conditions for Planning Application P/2014/0487/F to address issues regarding hours of operation, lighting in a rural area, low lighting and elevations. These conditions to be reported back for consideration at the Planning Committee Meeting to be held on Wednesday 28 October 2015.

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

For: 9
Against: 3

The proposal was declared carried.

AGREED: It was therefore agreed on the proposal of Councillor Murnin seconded by Councillor McAteer to approve Planning Application R/2014/0487/F contrary to Officer recommendations as this application was exceptional based on the following reasons:

- The application would bring significant economic benefit to the area.
- Risk of loss of employment if the company had to relocate.
- Proposed changes to the application which have been made by the applicant in consideration of the local environment.

It was also agreed that Planning Officers consider the inclusion of conditions for Planning Application P/2014/0487/F to address issues regarding hours of operation, lighting in a rural area, low lighting and elevations. These conditions to be reported back for consideration at the Planning Committee Meeting to be held on Wednesday 28 October 2015.

Noted: The Chairperson, Councillor J Tinnelly vacated the Chair and left the meeting (11.45am).

The Deputy Chairperson, Councillor W Clarke left the meeting (11.45am).

Councillor Devlin left the meeting (11.45am).

Councillor Ruane left the meeting (11.45am).

AGREED: On the proposal of Councillor McAteer seconded by Councillor McKee it was agreed to appoint Councillor V Harte to chair the meeting from this point.

Noted: Councillor V Harte chaired the meeting from this point (11.45am).

(3) P/2010/1041/ FULL

Location:

Lands to rear of 35 Ballagh Road Ballaghanery Newcastle BT33 0LA.

Proposal:

Proposed motor home site (amended P2 form).

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor Craig seconded by Councillor McAteer it was agreed to adjourn the meeting for ten minutes.

Noted: The Meeting resumed at 11.50am.

Discussion then followed regarding the above Planning Application during which some members raised a number of issues as follows:

Councillor Craig referred to environmental and noise issues and asked if this was a general recommendation covered in legislation which needs to be complied with.

Ms J McParland said Environmental Health must issue a licence for a motor home site to open and operate. These licences were subject to nuisance regulations which were monitored by Environmental Health should an issue arise.

Councillor McAteer asked for details from Transport NI regarding their opinion on the visibility splays at the site, given that the speed of a motorhome vehicle entering or exiting the site would be much slower than that of an average vehicle and asked would greater visibility be required in this case?

Mr Laughlin Transport NI said the site lines for this application as assessed under criteria were adequate for the volumes of traffic along this road and added that the speed of a vehicle exiting the site was not a factor to be taken into consideration. He further confirmed Transport NI were satisfied the application met the requirements as set out in DCAN 15.

Councillor McKee expressed concerns regarding a hill on the road in the direction of Kilkeel; motorhome vehicles having to manoeuvre out into the middle of the road in order to make the turn into the site and the surfaces in the site being slippery.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Craig it was agreed to approve Planning Application No. P/2010/1041/ F, subject to conditions as outlined in the Development Management Officer Report

Noted: No abstentions.

Noted: Councillors Ruane, Devlin, Tinnelly and Clarke re-joined the meeting at this point (12.25pm).

Councillor Harte vacated the chair (12.25pm)

Councillor Tinnelly chaired the meeting from this point onwards (12.25pm).

Councillor Harte left the meeting at this point (12.30pm).

(4) P/2014/0293/ FULL***Location:***

Lands between the Sacred Heart Grammar School and Newry High School
Ashgrove Avenue Newry.

Proposal:

Proposed extension of existing approved housing development, planning ref: P/2011/1067, to incorporate relocated entrance and repositioning of 6 No. dwellings with amendments to house types A,F,G and B. Nos 42-47.

Conclusion and recommendation from Planning Official

Refusal

Councillor Craig proposed and Councillor Murnin seconded to accept the Officers' recommendation and refuse Planning Application P/2014/0293/F as per the Development Management Officer Report.

Councillor McAteer proposed that Planning Application P/2014/0293/F be deferred for a traffic survey to be carried out. The proposal received no seconder.

The proposal from Councillor Craig, seconded by Councillor Murnin, was put to a vote by way of a show of hands, and voting was as follows:

For	10
Against	1

The proposal was declared carried.

AGREED: It was therefore agreed on the proposal of Councillor Craig seconded by Councillor Murnin it was agreed to refuse Planning Application P/2014/0293/F as per the Development Management Officer Report.

Noted: Councillor Harte re-joined the meeting (12.40pm)

P/53/2015: CONSULTATION RESPONSE
RE: PLANNING APPLICATION P/2015/0218/F

Read: Consultation Response from Planning Department on Planning Application P/2015/0218/F – lands approximately 650m south west of 40 Mullaghgarraff Road Newry in the town lands of Gruggandoo Grugganskeagh and Mullaghgarve BT34 5LT – construction of a wind farm comprising 12 No. wind turbines (tip height not exceeding 125 metres) and electrical substation and control building, construction of internal access tracks, spoil deposition areas, temporary construction compound, formation of passing bays on the Mullaghgarraff Road, and all associated ancillary works. (Copy circulated)

AGREED: On the proposal of Councillor Harte seconded by Councillor Larkin it was agreed to accept the Consultation Response from Planning Department, which was approved at the Special Council Meeting held on Monday 28 September 2015, as the Council’s corporate response to Planning Application P/2015/0218/F, ie, the Council Planning Department recommend this proposal would be contrary to RE1 of PPS 18, CTY1 of PPS 21, NH6 of PPS 2, TSM 8 of PPS 16, Policy COU 1 of the Banbridge/Newry and Mourne Area Plan and possibly depending on whether further information is provided in relation to the latest response from Natural Environmental Divisions comments policies NH2 and NH5 of PPS 2.

Noted: No abstentions.

P/54/2015: **PLANNING APPLICATION: P/2015/0056/0**
- JOSEPH MCGREEVY – LANDS TO REAR OF
105 MANSE ROAD, CROSSGAR

Agreed: On the proposal of Councillor Ruane seconded by Councillor McAteer 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 1 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to any individual.

Agreed: On the proposal of Councillor Ruane seconded by Councillor McAteer it was agreed the Committee come out of closed session.

Agreed: When the Committee came out of closed session, the Chairman reported that on the proposal of Councillor W Clarke seconded by Councillor McKee it had been agreed to accept the Planning Officers recommendation and refuse Planning Application P/2015/0056/O, as per the Development Management Officers Report.

Noted: No abstentions.

There being no further business the meeting concluded at 12.55pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 28 October 2015.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**

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

ACTION SHEET – from Meeting held on Tuesday 6 October 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 P Rooney, Principal Planning Officer Ms J McParland, Senior Planning Officer Mr A Davidson, Senior Planning Officer Mr M Keane, Senior Planning Officer Mrs A McAlarney, Senior Planning Officer Mr P Green, Legal Advisor Mrs E McParland, Democratic Services Manager Ms C McAteer, Democratic Services Officer

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

DETAILS OF APPLICATION	ACTION
<p>Application ref: P/2012/0845/F</p> <p>Applicant Name: Mr Clarke</p> <p>Proposal: Erection of a single wind turbine</p> <p>Site Location: Approx. 150m north east of 31 Tullyneill Road, Newtownhamilton -</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Referred to the Briefing Panel as it has received more than 6 objections from 6 different addresses)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>

DETAILS OF APPLICATION	ACTION
<p>Application ref: P/2014/0054/F</p> <p>Applicant Name: Mr McCarthy</p> <p>Proposal: Erection of 2 No. dwellings</p> <p>Site Location: 40m north east and adjoining 11 Rock Road, Newry</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representations made by Councillor Fitzpatrick supporting the application)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>
<p>Councillor W Clarke declared an interest in this application as he had facilitated a site meeting on behalf of objectors and he withdrew from the meeting for the discussion.</p> <p>Application ref: R/2014/0403/0</p> <p>Applicant Name: Mr C Rodgers</p> <p>Proposal: Proposed infill dwelling and garage</p> <p>Site Location: Approx. 50m nww of 53 Tullyree Road, Kilcoo</p> <p>Recommendation from Planning Officer: APPROVAL</p>	

DETAILS OF APPLICATION	ACTION
<p>Briefing Panel Decision: (This application was presented to the Briefing Panel in May 2015 as it had more than 6 representations received and it was agreed it be held for clarification from Transport NI and then to be returned to the Briefing Panel, once this information had been received).</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – APPROVAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – APPROVAL</p>
<p>Application ref: P/2014/0438/0</p> <p>Applicant Name: Mr J McCreesh</p> <p>Proposal: Proposed dwelling and garage</p> <p>Site Location: 140m north of 86 Benagh Road, Newry</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor Casey)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>
<p>Application ref: P/2015/0037/0</p> <p>Applicant Name: Mr C McCrink</p> <p>Proposal: New dwelling and detached garage on a gap site</p>	

DETAILS OF APPLICATION	ACTION
<p>Site Location: Adjacent to and south and west of 61 Betty's Hill Road, Ballyholland</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor Fitzpartrick)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>
<p>Application ref: P/2015/0043/F</p> <p>Applicant Name: James and Corina Trainor</p> <p>Proposal: Removal of condition no. 2 on planning permission granted P/2009/0365/F and retention of existing structure as domestic garages, workshop studio and storage</p> <p>Site Location: 33 Old Road, Kilbodagh, Poyntzpass, Armagh</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor Taylor)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>

DETAILS OF APPLICATION	ACTION
<p>Application ref: R/2015/0072/0</p> <p>Applicant Name: Mr D Russell</p> <p>Proposal: Infill dwelling and garage</p> <p>Site Location: 40m south east of 25 Lessans Road, Saintfield</p> <p>Recommendation from Planning Officer: APPROVAL</p> <p>Briefing Panel Decision: (Representation of support for objectors received from Councillor Walker)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – APPROVAL</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – APPROVAL</p>
<p>Application ref: LA07/2015/0723/NMC</p> <p>Applicant Name: Mr P McKeown</p> <p>Proposal: Extension and alterations to dwelling including conversion of existing garage and shower room and store</p> <p>Site Location: 1 Magennis Villas, Newry</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor Casey)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed</p>	<p>Agree with the decision as proposed by the</p>

DETAILS OF APPLICATION	ACTION
<p>by officers under delegated powers – REFUSAL</p> <p>It was noted that the Senior Planning Officer advised that the NIHE had incorrectly submitted this application as a non-material change. They had now submitted a second planning application for this proposal and this would be fast-tracked and given approval.</p>	<p>Officers under delegated powers – REFUSAL</p>

For noting at the Planning Committee Meeting to be held on Wednesday 30 September 2015.

**Signed: Mr A McKay
Head of Planning**

Newry, Mourne and Down Council

Applications for Planning Permission

and

Applications deferred from previous meetings

10/28/15

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

Council Newry, Mourne and Down

Date 10/28/15

ITEM NO	1			
APPLIC NO	P/2006/2023/O	Outline	DATE VALID	10/12/06
COUNCIL OPINION	REFUSAL			
APPLICANT	McGreevy Construction Ltd 24 Main Street Hilltown Co. Down BT34 5UH		AGENT	FW Consulting / Macrae Hanlon Spence 2 Bellsbridge Office Park 100 Ladas Drive Belfast BT6 9FH

LOCATION Lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No.37 Crieve Road).

PROPOSAL Site for 65 No. detached dwellings with associated site works

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	8	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to the Banbridge/Newry and Mourne Area Plan 2015 and Planning Policy Statement 21 Policy CTY 1 in that there is no overriding reason why this proposal is required within the rural area.
- 2 The proposal is contrary to Planning Policy Statement 21 policy CTY 8 in that this proposal would result in the creation of ribbon development along Crieve Road and Monks Hill Road.
- 3 The proposal is contrary to Planning Policy Statement 21 policy CTY 13 in that this proposal would result in development which would by a result of its mass scale and form have an adverse impact on the rural area by reason of integration.
- 4 The proposal is contrary to Planning Policy Statement 21 policy CTY 14 in that this proposal would result in development which would by a result of its mass scale and form have an adverse impact on the rural area by reason of ribbon development and suburban form of development.
- 5 The proposal is contrary to Planning Policy Statement 21 policy CTY 15 in that this proposal would result in development which would mar the distinction of the rural area and the settlement limit.
- 6 The proposal is contrary to the Department's Planning Policy Statement 2: Planning and Nature Conservation Policy NH 2, in that development would, if permitted, likely have a detrimental impact on bats and Newts, which are protected under The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and no information has been submitted to establish otherwise.

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

- 7 The proposal is contrary to the Department’s Planning Policy Statement 2: Planning and Nature Conservation, in that the development would, if permitted, damage the nature conservation value of lowland meadow habitat within the site and no information has been submitted to establish otherwise and the that the site lies contains a wooded stream, watercourses, springs and ponds of local nature conservation importance and would, if permitted, adversely affect these habitats and features worthy of protection and no information has been submitted to establish otherwise.
- 8 The proposal is contrary to Planning Policy Statement 3 polices AMP 2 in that no concept has been submitted demonstrating how this proposal will access out onto a public road without prejudice to Roads Safety.
- 9 This proposal is contrary to Planning Policy Statement 3 AMP 6 in that a Traffic Assessment has not been submitted for this proposal.
- 10 The proposal is contrary to Planning Policy Statement 15 policy FLD 3 in that a Drainage assessment has not been submitted.
- 11 This proposal is contrary to Planning Policy Statement 7 Policy QD 1 in that it has not been demonstrated that this proposal would have an adequate layout which meets the criteria a to i.

ITEM NO	2			
APPLIC NO	P/2014/1025/F	Full	DATE VALID	12/18/14
COUNCIL OPINION	APPROVAL			
APPLICANT	Chris McKeown 10 Drumharriff Road Whitecross Newry		AGENT	Quinn Design & Engineering Services 36 Corrags Road Burren Warrenpoint BT34 3PY 41772377
LOCATION	50 metres east of No10 Drumhariff Road Whitecross Newry.			
PROPOSAL	Erection of poultry shed, underground wash water tank, 2 feed silos, sorting/packing area and concrete yard with alterations to access onto public road.			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



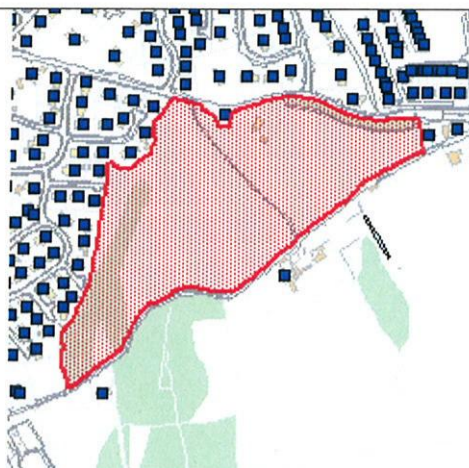
Newry, Mourne and Down District
Council
Planning Office
O'Hagan House
Monaghan Row
Newry
BT35 8DL

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 28th October 2015	Item Number:
Application ID: P/2006/2023/O	Target Date: <Please enter>
Proposal: Site for 65 No. detached dwellings with associated site works	Location: Lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No.37 Crieve Road).
Referral Route: Application is for a Site over 2 Hectares and 50 houses, which means it falls into a Major application category as per The Planning (Development Management) Regulations 2015.	
Recommendation:	Refusal
Applicant Name and Address: McGreevy Construction Ltd 24 Main Street Hilltown Co. Down BT34 5UH	Agent Name and Address: FW Consulting / Macrae Hanlon Spence 2 Bellsbridge Office Park 100 Ladas Drive Belfast BT6 9FH
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	NI Transport - Downpatrick Office	Add Info Requested
Non Statutory	NI Water - Multiple Units South	Statutory
Non Statutory	NI Water - Multiple Units South	Superseded by further Consultation
Non Statutory	Craigavon Development Plan	Refusal Recommended
Non Statutory	Water Management Unit	Statutory
Non Statutory	Water Management Unit	Superseded by further Consultation
Non Statutory	Newry & Mourne District Council	No Objection
Non Statutory	DARDNI - Fisheries Division	No Response Received
Non Statutory	Rivers Agency	Statutory
Non Statutory	Landscape Architects Branch	Refusal Recommended
Non Statutory	Foyle Carlingford & Irish Lights Commission	Substantive Reply
Non Statutory	Natural Heritage	Superseded by further Consultation
Non Statutory	Protecting Historic Buildings	Superseded by further Consultation

Representations:

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

signatures	
Number of Petitions of Objection and signatures	No Petitions Received
Summary of Issues	
Characteristics of the Site and Area	
<p>The roughly triangular appeal site of 8.4 ha is rough grassland, bisected by a tree lined avenue leading from Crieve Road to the north to Monks Hill Road to the south. The northern, Crieve Road boundary consists of a hedgerow, a narrow verge and a belt of mature trees. The western boundary follows a watercourse, backed by a tree lined hedgerow. The south eastern, Monks Hill Road, boundary comprises hedgerows, stone walls and fencing along its westernmost portion, and mature trees along the easternmost portion. The western part of the site has significant changes in level with rocky outcrops. The eastern part of the site is flatter. There are housing areas to the north and west and open countryside to the southeast.</p> <p>This site is located within the open countryside and outside the Newry development limit as designated by the Banbridge/Newry and Mourne Area Plan. There is also an LLPA covering the site within the Area Plan. This will all be material considerations when assessing this application.</p>	
Planning Assessment of Policy and Other Material Considerations	
<p>This proposal is for the outline permission of 65 dwellings within the rural area. This proposal will be assessed against the Banbridge/ Newry Area Plan, PPS 1, PPS 21, PPS 3, PPS 6, PPS 2 and PPS 7.</p> <p>The principle of development on this site will be assessed through the Banbridge and Newry Area Plan. The site lies outside the settlement limit as designated within the Area Plan and therefore the principle of development will be assessed through proposals for sustainable development under CTY 1 of PPS 21. No case has been put forward as to how this application meets one of the set criteria for development in the country as outlined by CTY 1, however having regard to all the criteria outlined, the proposal as submitted does not meet the criteria set within CTY 1. Therefore the principle of the development on this site is not met.</p> <p>The impact of this proposal if approved would have a detrimental impact on the rural character by reason of it marring the distinction between the settlement limit and the rural area, being contrary to CTY 15 of PPS 21. The proposal would if permitted have an adverse impact on the rural character by reason of lack of integration given the mass and scale of the development proposed together with the significant suburban style of development which would result if such a proposal was allowed. This would clearly be contrary to CTY 13, CTY 14 and CTY 8. Transport NI have requested a Transport Assessment and a Concept Plan to accurately assess how the proposal was to access the public road and how this together with the internal layout arrangements meets AMP 2 and AMP6 of PPS 3. This information was not requested as the principle of the development was not met. Therefore AMP 2 and AMP 6 are both added as refusal reasons.</p> <p>Rivers Agency have also requested a Drainage Assessment under FLD 3 of PPS 15. This was also not requested given that the principle of the development is not acceptable. Therefore this proposal is contrary to FLD 3 of PPS 15.</p> <p>NIEA have been consulted in relation to the impact this proposal will have on the natural and built heritage. They have returned their consultation response with objections and four refusal reasons relating to two protected species, a lowland meadow habitat and a wooden stream which would adverse effect the habitats and features worthy of protection. Therefore this proposal fails to meet Criteria NH 2 and NH 5 of PPS 2.</p>	

For the purposes of clarity these will be condensed into two reasons in relation to the protected species and the habitats.
 There has been no layout submitted and therefore the proposal cannot be fully assessed against QD 1 of PPS 7.
 There have been several objections submitted which raise the following points:
 Countryside area, not within the Town;
 Increased traffic;
 Tree Preservation Order on the site;
 Roads Safety Issues regarding the access;
 Lack of open space within existing developments;
 Loss of privacy; loss of amenity;
 Given that the opinion is to refuse this application on several grounds above and that the proposal does not meet the principle for development within the area, then the applicant has not been asked to provide additional information to demonstrate road safety or amenity issues. However as the application stands these are still outstanding.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Given that the proposal is within the rural area and contrary to the refusal reasons below, refusal is recommended.

Reasons for Refusal:

Refusal Reasons

1. The proposal is contrary to the Banbridge/Newry and Mourne Area Plan 2015 and Planning Policy Statement 21 Policy CTY 1 in that there is no overriding reason why this proposal is required within the rural area.
2. The proposal is contrary to Planning Policy Statement 21 policy CTY 8 in that this proposal would result in the creation of ribbon development along Crieve Road and Monks Hill Road.
3. The proposal is contrary to Planning Policy Statement 21 policy CTY 13 in that this proposal would result in development which would by a result of its mass scale and form have an adverse impact on the rural area by reason of integration.
4. The proposal is contrary to Planning Policy Statement 21 policy CTY 14 in that this proposal would result in development which would by a result of its mass scale and form have an adverse impact on the rural area by reason of ribbon development and suburban form of development.
5. The proposal is contrary to Planning Policy Statement 21 policy CTY 15 in that this proposal would result in development which would mar the distinction of the rural area and the settlement limit.
6. The proposal is contrary to the Department's Planning Policy Statement 2: Planning and Nature Conservation Policy NH 2, in that development would, if permitted, likely have a detrimental impact on bats and Newts, which are protected under The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and no information has been submitted to establish otherwise.

7. The proposal is contrary to the Department's Planning Policy Statement 2: Planning and Nature Conservation, in that the development would, if permitted, damage the nature conservation value of lowland meadow habitat within the site and no information has been submitted to establish otherwise and the that the site lies contains a wooded stream, watercourses, springs and ponds of local nature conservation importance and would, if permitted, adversely affect these habitats and features worthy of protection and no information has been submitted to establish otherwise.

8. The proposal is contrary to Planning Policy Statement 3 polices AMP 2 in that no concept has been submitted demonstrating how this proposal will access out onto a public road without prejudice to Roads Safety.

9. This proposal is contrary to Planning Policy Statement 3 AMP 6 in that a Traffic Assessment has not been submitted for this proposal.

10. The proposal is contrary to Planning Policy Statement 15 policy FLD 3 in that a Drainage assessment has not been submitted.

11. This proposal is contrary to Planning Policy Statement 7 Policy QD 1 in that it has not been demonstrated that this proposal would have an adequate layout which meets the criteria a to i.

Signature(s)

Date:

ANNEX	
Date Valid	12th October 2006
Date First Advertised	17th November 2006
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
The Owner/Occupier 1 Cairn Hill, Crieve Road, Newry, Co. Down The Owner/Occupier 1 Oakvale Avenue, Crieve Road, Newry, Co. Down The Owner/Occupier 10 Cairn Hill, Crieve Road, Newry, Co. Down R McKenna 10 Crieve Court Ballynacraig Newry The Owner/Occupier 10 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier 16 Monks Hill, Newry, Co. Down T Marner 17 Cairn Hill Carneyhough Newry Frances Morgan 18 Crieve Court Ballynacraig Newry The Owner/Occupier 18 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier 2 Cairn Hill, Crieve Road, Newry, Co. Down The Owner/Occupier 2 Oakvale Avenue, Crieve Road, Newry, Co. Down The Owner/Occupier 20 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier 20 Oakvale Avenue, Crieve Road, Newry, Co. Down S O'Hanlon 21 Oak Vale Avenue Carneyhough Newry O' Hanlon 21 Oakvale Avenue, Crieve Road, Newry, Co. Down The Owner/Occupier 22 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier 24 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier 26 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier 26 Crieve Road, Newry, Co. Down The Owner/Occupier	

29 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

29 Crieve Road, Newry, Co. Down
The Owner/Occupier

3 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

3 Oakvale Avenue, Crieve Road, Newry, Co. Down
The Owner/Occupier

30 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

31 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

31 Crieve Road, Newry, Co. Down
J Mulgrew

32 Crieve Court Ballynacraig Newry
The Owner/Occupier

32 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

34 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

37 Crieve Road, Newry, Co. Down
The Owner/Occupier

38 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

39 Crieve Road, Newry, Co. Down
The Owner/Occupier

4 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

40 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

41 Crieve Road, Newry, Co. Down
The Owner/Occupier

42 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

44 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

46 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

48 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

5 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

50 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

52 Crieve Court, Crieve Road, Newry, Co. Down
The Owner/Occupier

6 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

8 Cairn Hill, Crieve Road, Newry, Co. Down
The Owner/Occupier

<p>83 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier</p> <p>85 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier</p> <p>87 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier</p> <p>93 Crieve Court, Crieve Road, Newry, Co. Down The Owner/Occupier</p> <p>95 Crieve Court, Crieve Road, Newry, Co. Down John Casey Urpa@btinternet.com</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: P/2006/1409/F Proposal: Erection of housing development (comprising 77No. dwellings) and site works to include new roundabout on Crieve Road and an amended junction at Crieve Road / Hilltown Road. Address: Crieve Road, Newry (lands between Nos. 1, 3 & 5 Cairn Hill and No. 1 Crown Crescent and adjacent to No. 50 Crieve Road) Decision: Decision Date: 06.12.2007</p>	
<p>Ref ID: P/2004/2132/F Proposal: Erection of replacement dwelling and detached garage Address: No.31 Crieve Road, Newry Decision: Decision Date: 08.01.2005</p>	
<p>Ref ID: P/1986/0977 Proposal: SITE FOR DWELLING WITH DETACHED GARAGE Address: OPPOSITE CRIEVE HOUSE MONKS HILL ROAD, NEWRY Decision: Decision Date:</p>	
<p>Ref ID: P/1992/0743 Proposal: Erection of domestic garage Address: NO44 CRIEVE COURT NEWRY Decision: Decision Date:</p>	

Ref ID: P/1995/1472

Proposal: 1 No Dwelling (Change of House Type)

Address: SITE NO 5 CRIEVE COURT CRIEVE ROAD NEWRY

Decision:

Decision Date:

Ref ID: P/2006/2023/O

Proposal: Site for 65 No. detached dwellings with associated site works

Address: Lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No.37 Crieve Road).

Decision:

Decision Date:

Ref ID: P/2005/1845/O

Proposal: Site for Housing Development -115 Dwellings with associated open space.

Address: Lands between Crieve Road and Monks Hill Road and immediately east of Crieve Court, Newry

Decision:

Decision Date:

Ref ID: P/1980/0668

Proposal: PROPOSED SITE FOR HOUSING DEVELOPMENT

Address: GRIEVE ROAD, NEWRY

Decision:

Decision Date:

Ref ID: P/1987/0191

Proposal: Site For 45 No Detached Bungalows With Garages

Address: LAND OPPOSITE ELECTRICTY SUB STATION MONKS HILL NEWRY

Decision:

Decision Date:

Ref ID: P/1987/0736

Proposal: Site for housing development (31 Houses)

Address: ADJACENT TO CRIEVE COURT CRIEVE ROAD NEWRY

Decision:

Decision Date:

Ref ID: P/1991/1124

Proposal: Housing Development (17 dwellings-phase 3)

Address: SITE NOS 5-21 CRIEVE COURT CRIEVE ROAD NEWRY

Decision:

Decision Date:

Ref ID: P/1980/1054
Proposal: PROPOSED FARM WORKERS BUNGALOW
Address: MONKSHILL, NEWRY
Decision:
Decision Date:

Ref ID: P/1980/0454
Proposal: PROPOSED SITE FOR HOUSING DEVELOPMENT
Address: MONKSHILL, BALLINACRAIG, NEWRY
Decision:
Decision Date:

Ref ID: P/2003/1337/F
Proposal: Erection of Housing Development (115 No dwellings)
Address: Crieve Road, Newry (land between 1 Crown Crescent and 1,3 and 5 Cairn Hill)
Decision:
Decision Date: 16.02.2005

Ref ID: P/2009/0968/F
Proposal: Erection of dwelling
Address: 18 Crieve Court, Newry
Decision:
Decision Date: 22.10.2009

Ref ID: P/2004/1381/LDP
Proposal: Alterations to dwelling
Address: 18 Crieve Court, Newry, Co Down
Decision:
Decision Date:

Ref ID: P/1991/0102
Proposal: Relocation of N.I.E. Tower
Address: CARNEYHOUGH CRIEVE ROAD NEWRY
Decision:
Decision Date:

Ref ID: P/1978/0797
Proposal: PROPOSED HOUSING DEVELOPMENT
Address: CRIEVE ROAD, NEWRY
Decision:
Decision Date:

Ref ID: P/1991/0739

Proposal: 33 kv overhead line

Address: CREEVE CARNEYHOUGH DAMOLLY DRUMCASHALLONE
CLOUGHANRAMMER AND CARNBANE

Decision:

Decision Date:

Ref ID:

Proposal: Site for 65 No. detached dwellings with associated site works

Address: Lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No.37 Crieve Road).

Decision:

Decision Date:

Ref ID:

Proposal: Site for 65 No. detached dwellings with associated site works

Address: Lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No.37 Crieve Road).

Decision:

Decision Date:

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No. 01

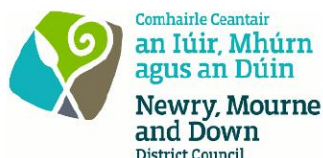
Type: Site Location Plan

Status:

Notification to Department (if relevant)

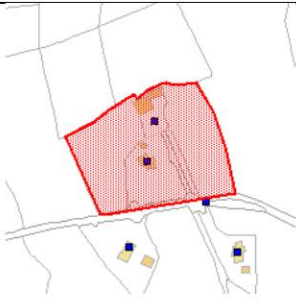
Date of Notification to Department:

Response of Department:



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 28 th October 2015	Item Number:
Application ID: P/2014/1025/F	Target Date:
Proposal: Erection of poultry shed, underground wash water tank, 2 feed silos, sorting/packing area and concrete yard with alterations to access onto public road.	Location: 50 metres east of No10 Drumhariff Road Whitecross Newry.
Referral Route: Application falls within the schedule of major development under The Planning (Development Management) Regulations (Northern Ireland) 2015	
Recommendation:	APPROVAL
Applicant Name and Address: Chris McKeown 10 Drumharriff Road Whitecross Newry	Agent Name and Address: Quinn Design & 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	NI Transport - Downpatrick Office	Substantive Response Received
Non Statutory	NI Water - Single Units East - Planning Consultations	Consulted in Error
Non Statutory	Env Health Newry & Mourne District Council	Add Info Requested
Non Statutory	Protecting Historic Monuments	No Objection
Non Statutory	Water Management Unit	Add Info Requested
Non Statutory	DARDNI - Downpatrick	No Objection
Non Statutory	Land and Resource Management	Substantive Response Received
Advice and Guidance	Env Health Newry Mourne And Down District Council	Add Info Requested
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Non Statutory	NIEA	Substantive Response Received
Non Statutory	Rivers Agency	Add Info Requested
Non Statutory	Industrial Pollution & Radio Chemical Inspectorate	Substantive Response Received
Non Statutory	Rivers Agency	Add Info Requested
Non Statutory	NIEA	Substantive Response Received
Advice and Guidance	NI Water - Single Units West - Planning Consultations	
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
<p>Summary of Issues</p> <p>No objections received, consultees have raised no concerns and application fully complies with current planning policy</p>	
<p>Characteristics of the Site and Area</p> <p>The application site lies 0.9 miles SE of Whitecross within the open countryside. The site fronts onto the Drumhariff Road comprising of an existing roadside agricultural field with lane access to the west that links to existing farm buildings to the rear of No. 10 Drumhariff Road. An existing dry storage shed is located to the northern portion of the site (this shed will be utilised for the storage of poultry manure and manure trailer) this building is constructed in concrete block and corrugated iron lean to roof and sliding door entrance.</p> <p>The existing agricultural field where development is proposed is situated immediately to the SE of existing buildings, the topography has a gently rising landform from SW to E, boundaries comprise of post and wire fencing along the western portion and whin bushes to the north. The eastern boundary comprises of a mix of whin and deciduous trees. The roadside boundary comprises of roadside verge with native hedge and trees along the frontage.</p> <p>The general area has a dispersed settlement pattern with a number of agricultural holdings/ farm buildings within a predominantly agricultural landscape.</p>	
<p>Planning Assessment of Policy and Other Material Considerations</p> <p>Banbridge/ Newry and Mourne Area Plan 2015 - Site is within the open countryside with no land zonings.</p> <p>Policy Consideration:</p> <p>Strategic Planning Policy Statement, PPS21: Sustainable Development in the Countryside, DCAN 10: Environmental Impact Assessment and DCAN 15: Vehicular Access Standards</p> <p>SPPS – Paragraph 6.73 Non-residential Development (Agriculture and Forestry development) and 6.77, CTY 13, 14 and 16</p> <p>DARD confirm in their consultation response dated 18th February 2015 that the farm business is currently active and has been established for over 6 years. Existing activities at the site includes egg production, the new building is required to facilitate the efficient running of the egg producing element of the holding. Development will involve the erection of a new building as there are no existing buildings within the holding which would be suitable for the nature and scale of the poultry house development. The proposed building will be located within the existing holding located immediately east of existing farm buildings with utilisation of an existing dry storage shed to facilitate the storage of poultry manure.</p> <p>The site benefits from a natural sense of enclosure due to rising land to the north of the site which provides a level of backdrop accompanied with existing vegetation along the southern and</p>	

eastern portions of the site, new development will be visually read with existing farm buildings and therefore integrate into the local landscape.

The natural topography shields views of the site, on approach from west to east the development will be set to the rear of No. 10 and visually linked with existing farm buildings, the development will be set against a backdrop of existing vegetation appearing as a farm group. On approach in the other direction the building will be set behind and below existing vegetation again reading with the farm holding.

Following discussion with TransportNI on the 30.09.15 the original access arrangements are acceptable and do not require amendment. Land to the opposite side of the road comprises of an existing grass verge where there is adequate forward visibility, there is also sufficient room within the site for turning and manoeuvring of attending vehicles, the existing entrance and exit points already adequately serve the existing agricultural activities.

Development at Surface Water (Pluvial) Flood Risk outside Flood Plains

Rivers Agency in their consultation response dated 25th March 2015 have advised there are no watercourses within or adjacent to the site and that the site does not lie within a 1 in 100 year fluvial flood plain and the site is not shown to be affected by pluvial flooding. In further correspondence dated 24th August 2015 Rivers Agency has consented to discharge and culverting proposals.

Amenity (Paragraph 4.11 and 4.12 Safeguarding residential and work environs)

The nearest neighbours to the proposed development are located at Nos. 9 and 11 Drumharriff Road both of which have presented letters of support to proposals (letters dated 18th December 2014) and have raised no concerns in relation to noise, air quality etc. Furthermore Environmental Health in their consultation response dated 28th July 2015 have no objections in principle.

Development proposals fully meet with the requirements of the Strategic Planning Policy Statement and PPS21

Waste / Chicken Litter

NIEA Water Management Unit were consulted on the application for comments on the potential impact of the proposed development on water quality, caused by the generation, treatment and disposal of chicken litter, the washings from the cleaning of the chicken houses and the discharge and treatment of effluent from the proposed septic tank. NIEA Water Management comments dated 10th September 2015 on the basis of information provided is content with proposals subject to conditions that the applicant strictly adheres to all mitigation and disposal methods as detailed within the Nutrient Management Plan.

Sewage Disposal

The applicant will use an underground tank and drainage channel to the front to ensure waste water is captured and dealt with appropriately. Sewerage from the shower room will pump effluent to the existing septic tank negating the need for an additional sewerage system.

Representations

No objections received however two letters of support were provided from neighbours at 9 and 11 Drumharriff Road

<p>Planning History</p> <p>Adjacent and west of the proposed poultry house permission was granted for a replacement dwelling (the applicant's home: P/2002/1165/F approved 14.08.2002 and P/2001/0043/O approved 21.05.2001).</p> <p>The site is affected by pipeline from Jerretspass Water Pumping Station, Jerretspass, Newry to Jonesborough Road, Belleeks, Newry - 13km long. Construction of a 300mm and 250mm diameter trunk main from JerretspassWPS, Jerretspass to Belleeks (Informative can be attached that if during the course of development of the site the developer uncovers a pipe that NIW should be notified)</p> <p>Consultations: Consultations have been carried out with NIEA (Water Management/ Waste Management/ Historic Monuments/ IPRI), Rivers Agency, Environmental Health, TransportNI, DARD and NIW all have no objection in principle subject to conditions in some instances.</p>	
Neighbour Notification Checked	Yes
<p>Summary of Recommendation:</p> <p>Proposals fully meet the requirements of the current planning policy provisions; amenity concerns have been addressed and generally consultees have no objections in principle subject to condition. In light of this it is recommended to approve the application</p>	
<p>Conditions/Reasons for Refusal:</p> <p>Conditions</p> <p>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.</p> <p>Reason: Time Limit.</p> <p>2. The applicant must adhere to all mitigation and disposal methods for poultry waste generated by the proposal as detailed within the Nutrient Management Plan documents dated 12th August 2015 for the use of Poultry Manure from the Poultry Farm of Chris Mc Keown of 10 Drumharriff Road, Whitecross for the Land Banks under the control of James Mc Keown of 1 Rockview Crescent, Newry; Thomas Mackin, Cavan Road, Knockbridge, Dundalk; Eamon Kirk, Christianstown, Readypenny, Dundalk; Kenneth Lambe, Rossmakea, knockbridge, Dundalk and Kenneth Quigley, Darver, Readypenny, Dundalk (Litter Utilisation Information documents published on the Planning NI Portal on 19th August and 3rd September 2015)</p> <p>Reason: To ensure that the poultry litter arising from this proposal will be utilised in a sustainable manner and in compliance with legislative requirements, therefore providing protection of the aquatic environment</p> <p>3. The existing hedgerow along the road-side frontage of the site as well as the eastern boundary shall be retained and appropriately supplemented, in accordance with Drawing 01 (Site</p>	

Plan and Location Plan Layout) date stamped 2nd October 2015, other than to provide the requisite sight-lines.

Reason: To ensure the maintenance of screening to the site and to help the development integrate into the countryside.

4. No importation of fill material shall be permitted on to the application site, to facilitate the proposed development, without the express permission of the Council.

Reason: To ensure the control of fill material.

5. Only 16,000 birds are permitted at any one time within the poultry shed.

Reason: To restrict poultry waste generated by the proposal and to meet the requirements of the Nutrient Management Plan

Informatives

1. This notice relates to drawing No. 01 dated 2nd October 2015 and drawing No. 02 which was received on 15th December 2014.

2. NIEA Water Management comments dated 10th September 2015 are enclosed for your attention

- 3.
- 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
 - All waste should be collected and disposed of on a regular basis to prevent accumulation. The waste should be removed and disposed by a licensed operator.
 - Odour mitigation measures should be in place to prevent offensive odours discharging into the air.

4. The development hereby permitted allows for a maximum of 16000 egg-laying hens in total to be contained within the facility at any one time. As such, the installation has a capacity below the threshold above which intensive poultry units require a Pollution Prevention and Control (PPC) Permit to operate (ie. 40000 birds). Therefore the proposed development will not be subject to regulation by NIEA Industrial Pollution and Radiochemical Inspectorate. Subject to the necessary planning permission, any future expansion above 40000 birds would require a PPC Permit prior to operating

5. Each consignment of litter shall be subject to the disposal laws pertained to the jurisdiction of either the Republic of Ireland or Northern Ireland.

Reason: To prevent an unacceptable impact on the environment.

6. The proposed poultry house and its operation should be maintained in such a manner as to prevent nuisance from noise, dust and odour

Reason: In the interests of residential amenity

<p>7. 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.</p> <p>8. 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.</p>
<p>Signature(s)</p> <p>Date:</p>

ANNEX	
Date Valid	18th December 2014
Date First Advertised	14th January 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Drumharriff Road Drumharriff Whitecross The Owner/Occupier, 11 Drumharriff Road Drumharriff Whitecross The Owner/Occupier, 16 Drumharriff Road,Drumharriff,Whitecross,Armagh,BT60 2TE, The Owner/Occupier, 19 Drumharriff Road,Drumharriff,Whitecross,Armagh,BT60 2TE, The Owner/Occupier, 34 Drumharriff Road,Drumharriff,Whitecross,Armagh,BT60 2TE, The Owner/Occupier, 9 Drumharriff Road Drumharriff Whitecross	
Date of Last Neighbour Notification	28th January 2015
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: P/2014/1025/F Proposal: Erection of poultry shed, underground wash water tank, 2 feed silos, sorting/packing area and concrete yard with alterations to access onto public road. Address: 50 metres east of No10 Drumhariff Road, Whitecross, Newry., Decision: Decision Date: Ref ID: P/2010/0243/F Proposal: Construction of a 300mm and 250mm diameter trunk main from JerretspassWPS, Jerretspass to Belleeks. Address: Pipeline from Jerretspass Water Pumping Station, Jerretspass, Newry to Jonesborough Road, Belleeks, Newry - 13km long. Decision: Decision Date: 08.02.2011 Ref ID: P/1977/0693	

Proposal: PROPOSED EXTENSION TO EXISTING FARM DWELLING

Address: DRUMHARRIFF, WHITECROSS

Decision:

Decision Date:

Ref ID: P/2002/1165/F

Proposal: Erection of replacement dwelling

Address: 10 Drumharriff Road, Whitecross

Decision:

Decision Date: 14.08.2002

Ref ID: P/2001/0043/O

Proposal: Site for Replacement Dwelling.

Address: 10 Drumharriff Rd., Whitecross.

Decision:

Decision Date: 21.05.2001

Summary of Consultee Responses

10.09.15 - Water Man Unit:

Impact of proposals on surface water environment and on the basis of info provided is content with proposals subject to conditions

05.08.15 – Rivers

Drainage assessment states plan for construction of adequately sized culvert and discharge to this culvert. As no correspondence with Rivers Agency Area Office is contained within assessment, including area office response stating wither full agreement in principle to either culverting or discharge, consider the drainage assessment incomplete

28.07.15 – Environmental Health

No environmental health objection subject to condition/ informatives

27.03.15 – TransportNI

Sightlines of 2.4 by full frontage setback at both accesses

Parking and turning facilities to include for largest vehicle attending site

26.03.15 – Historic Monuments

No objection

<p>23.03.15 – IRPI</p> <p>The installation will not be subject to the Inspectorate</p> <p>Operator should be aware that expansion over 40000 will require a PPC permit</p> <p>05.03.15 – Waste Unit</p> <p>No record of previous potentially contaminating land use on this application site or adjacent sites. No objection to planning subject to conditions and informative</p> <p>18.02.15 – DARD</p> <p>Business Id in existence for 6 yrs and SFP claimed within 6 yrs</p>
<p>Drawing Numbers and Title</p>
<p>Drawing No. 01 Type: Site Plan and Location Map Status: Submitted</p> <p>Drawing No. 02 Type: Elevations and Floor Plans Status: Submitted</p>
<p>Notification to Department (if relevant)</p> <p>Date of Notification to Department: Response of Department:</p>