



January 29th, 2016

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Thursday, 4th February 2016** at **10:00 am** in the **Boardroom, Monaghan Row, Newry.**

The Members of the Planning Committee are:-

Chair: Councillor J Tinnelly

Vice Chair: Councillor W Clarke

Members: Councillor M Larkin

Councillor M Ruane

Councillor V Harte

Councillor D McAteer

Councillor K Loughran

Councillor L Devlin

Councillor M Murnin

Councillor G Craig

Councillor H McKee

Councillor P Brown

Agenda

1. **Apologies.**
2. **Declarations of Interest.**
3. **Minutes of the Planning Committee Meeting held on Wednesday 20 January 2016. (Attached).**

[Planning Minutes - 20-01-2016.pdf](#)

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For Noting

4. **Action Sheet of the Members' Briefing Panel Meeting held on Friday 29 January 2016. (Attached).**

[MBP Action Sheet - 29-01-2016.pdf](#)

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Development Management - Planning Applications for determination

5. **Schedule of applications for consideration by the Planning Committee. (Schedule attached).**

[Council Schedule 4th February 2016.pdf](#)

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6. **LA07/2015/0430/F - Trustees of St. Bronagh's Primary School - 53 Church Street, Rostrevor - demolition of existing school buildings and rear return of existing convent building. Construction of new single storey 7 classroom school building including school meals accommodation. Construction of new stair and lift extension to the rear of the convent building. Provision of new site car parking facilities and playgrounds. (Case Officer report attached).**

Rec: Approval

[LA07-2015-0430-F - St. Bronagh's PS.pdf](#)

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7. **LA07/2015/1032/F - Frazer Ferries - lands adjacent to 80 Greencastle Road, Greencastle - planning application to modify planning condition 15 (correction of typing error) and condition 24 (Clarification of permitted vehicular usage) and to remove planning condition 22 (control of vessel propeller design) in respect of planning permission granted under planning reference P/2013/0434/F. (Case Officer report attached).**

Rec: Approval

[LA07-2015-1032-F - Frazer Ferries.pdf](#)

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8. **LA07/2015/1126/F - Cadogan Enright - extension to dwelling (retrospective) at 43 St Patrick's Avenue, Downpatrick. (Case Officer report attached).**

Rec: Approval

[LA07-2015-1126-F - Cadogan Enright.pdf](#)

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9. **LA07/2015/1286/F - Newry, Mourne and Down District Council - Warrenpoint Square Toilet Block - proposed installation of a "4 faced clock and cupola" on top of the Warrenpoint Square Toilet Block. This is a bespoke 3 dimensional metal weathervane representing a rabbit, while the clock is done in Oxford Style. (Case Officer report attached).**

Rec: Approval

[LA07-2015-1286-F - Newry, Mourne, Down Council.pdf](#)

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Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
Cllr. Naomi Bailie	naomi.bailie@nmandd.org
Cllr. Patrick Brown	patrick.brown@nmandd.org
Cllr. Robert Burgess	robert.burgess@downdc.gov.uk
Cllr. Stephen Burns	stephen.burns@downdc.gov.uk
Cllr. Michael Carr	michael.carr@newryandmourne.gov.uk
Cllr. charlie casey	charlie.casey@newryandmourne.gov.uk
Cllr. Patrick Clarke	patrick.clarke@downdc.gov.uk
Cllr. Garth Craig	garth.craig@downdc.gov.uk
Cllr. Dermot Curran	dermot.curran@downdc.gov.uk
Mr. Andrew Davidson	andrew.davidson@nmandd.org
Cllr. Laura Devlin	laura.devlin@downdc.gov.uk
Ms. Louise Dillon	louise.dillon@newryandmourne.gov.uk
Cllr. Geraldine Donnelly	geraldine.donnelly@newryandmourne.gov.uk
Cllr. Sean Doran	sean.doran@newryandmourne.gov.uk
Cllr. Sinead Ennis	sinead.ennis@nmandd.org
Cllr. Cadogan Enright	cadogan.enright@downdc.gov.uk
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
Cllr. David Hyland	david.hyland@newryandmourne.gov.uk
Mrs. Patricia Kelly	patricia.kelly@newryandmourne.gov.uk
Cllr. Liz Kimmins	liz.kimmins@nmandd.org
Cllr. Mickey Larkin	micky.larkin@nmandd.org
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
Carmel Morgan	carmel.morgan@newryandmourne.gov.uk
Cllr. Roisin Mulgrew	roisin.mulgrew@nmandd.org
Cllr. Mark Murnin	mark.murnin@nmandd.org
Mrs. Aisling Murray	aisling.murray@newryandmourne.gov.uk

Cllr. Barra O Muiiri	barra.omuiiri@nmandd.org
Cllr. Pol O'Gribin	pol.ogribin@nmandd.org
Mr. Canice O'Rourke	canice.orourke@downdc.gov.uk
Cllr. Brian Quinn	brian.quinn@newryandmourne.gov.uk
Cllr. Henry Reilly	henry.reilly@newryandmourne.gov.uk
Pat Rooney	pat.rooney@nmandd.org
Cllr. Michael Ruane	michael.ruane@newryandmourne.gov.uk
Cllr. Gareth Sharvin	gareth.sharvin@downdc.gov.uk
Cllr. Gary Stokes	gary.stokes@nmandd.org
Sarah Taggart	sarah-louise.taggart@downdc.gov.uk
Cllr. David Taylor	david.taylor@newryandmourne.gov.uk
Caroline Taylor	Caroline.Taylor@downdc.gov.uk
Cllr. Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Cllr. William Walker	william.walker@nmandd.org
Cllr. Clarke William	william.clarke@downdc.gov.uk

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

1

Ref: PL / DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 20 January 2016 at 10.00 am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor J Tinnelly

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 H McKee	Cllr M Ruane
Cllr M Murnin	Cllr D McAteer

(Officials)

Mr C O'Rourke	Director of RTS
Mr A McKay	Area Planning Manager
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
Mr M Keane	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 Jim MacKinnon, Independent Planning Expert

P/77/2015: APOLOGIES / CHAIRMAN'S REMARKS

Noted: No apologies.

Councillor Tinnelly welcomed Mr Jim MacKinnon, Independent Planning Expert, to the Meeting. He advised that a Taskforce had been set up to carry out a review of the Planning processes and procedures and the Taskforce was being assisted by Mr MacKinnon.

Councillor Ruane said he had been approached by a number of people expressing concerns about the delays in getting planning applications processed. He said the delays were having an adverse effect on applicants who were looking to build houses in the countryside and who had obtained a building quote which was time limited and also on contractors who were unable to commence housing developments and this was having a knock on effect on young couples who were looking to get on the property ladder.

Councillor Ruane said the review was needed and the Council needed to hit the ground running with solutions.

P/78/2015: DECLARATIONS OF INTEREST

Councillor L Devlin declared an interest in Planning Application P/2014/0120/F – Glasgiven Contracts Ltd – commercial village retail store with first floor apartments and associated car park (amended plans) on vacant site fronting onto Glassdrumman Road, Annalong – as she had been involved in discussions with the applicant and advised she would be leaving the meeting for the discussion on this application.

**P/79/2015: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 16 DECEMBER 2015**

Read: Minutes of Planning Committee Meeting held on Wednesday 16 December 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 16 December 2015 as a true and accurate record.

**P/80/2015: ACTION SHEET
RE: MEMBERS' BRIEFING PANEL MEETING
FRIDAY 5 JANUARY 2016**

Read: Action Sheet of Members' Briefing Panel Meeting held on Friday 6 January 2016. (Copy circulated)

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

P/81/2015: PLANNING PERFORMANCE FIGURES

Read: Planning Department Performance Indicators.
(Copy circulated)

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

AGREED: On the proposal of Councillor Ruane, seconded by Councillor Larkin, it was agreed a summary report, including a short summary of the discussions, be brought to the monthly Planning Committee Meetings detailing the meetings which Planning staff held with Political representatives in relation to individual planning applications.

AGREED: At the request of Councillor W Clarke it was also agreed that a report detailing the outcome of Planning Appeals also be brought on a monthly basis to the Planning Committee.

P/82/2015: APPLICATIONS FOR DETERMINATION

The following Applications were considered by the Committee:

(1) LA07/2015/0065/F – Newry, Mourne and Down District Council***Location:***

Drumnakelly Landfill Site, Demesne Road, Seaforde, BT30 8SE

Proposal:

Proposed Waste transfer Station.

Conclusion and recommendation from Planning Official:

Approval

AGREED: On the proposal of Councillor McKee, seconded by Councillor Craig, it was agreed to issue an approval in respect of planning application LA07/2015/0065/F as per the Development Management Report.

Noted: No abstentions.

(2) LA07/2015/0096/F – ABO Wind Ltd.***Location:***

Land approximately 1.33km South West of 40 Mullaghgariff Road, Hilltown, BT34 5LT

Proposal:

Installation of a meteorological monitoring mast comprising an 80m high lattice mast supported by cable stays anchored at 21m, 42m and 56m radii from the base for a temporary period.

Conclusion and recommendation from Planning Official

Temporary Approval for 2 years

AGREED: On the proposal of Councillor Craig, seconded by Councillor Murnin, it was agreed to issue a temporary approval of 2 years in respect of planning application LA07/2015/0096/F subject to conditions 1-3 and informatives 1-6 as per the Development Management Report.

Noted: No abstentions.

(3) P/2014/0296/O – Mr Eamon Clerkin***Location:***

285 metres East of No. 127 Kilbroney Road, Rostrevor, BT34 3BW

Proposal:

Erection of a dwelling on a farm.

Conclusion and recommendation from Planning Official

Refusal.

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Brown, it was agreed to issue a refusal in respect of planning application P/2014/0296/0 as per the Development Management Report.

Noted: No abstentions.

(4) P/2014/0471/F and P/2012/0797/0 – Mr M Farnon

Location:

30 metres East of No. 41 Ballygorian Road, Hilltown, BT34 5TD

Proposal:

Proposed dwelling and detached garage (amended P2)

Conclusion and recommendation from Planning Official

Refusal.

Noted: Ms J McParland outlined the background to this application. She said the outline application had previously been dealt with by the DoE who had recommended an approval. This decision had been subject to a challenge through Judicial Review and as a result the permission had been quashed and the DoE has to reassess the file. In the meantime the full application had been submitted and had been assessed by the Council's Planning Department with a recommendation to refuse.

Councillor Tinnelly advised the Members' Briefing Panel had asked that an opinion be sought from Patrick Green, Legal Advisor, on any possible issue of administrative unfairness in light of the Department of the Environment's previous decision to approve P/2012/0797/O and subsequent Judicial Review which resulted in the Department's approval being impugned.

Mr P Green, Legal Advisor, read legal advice from the Council's Solicitors, Legal Services Department of Belfast City Council. The current application is a fresh one in respect of which the Council is required to consider all of the relevant issues and planning policy and guidance as it currently stands. The Council cannot be bound by the impugned decision made by the Department of the Environment.

Councillor Craig proposed and Councillor Larkin seconded that a refusal be issued on planning applications P/2014/0471/F and P/2012/0797/0 as per the recommendation in the Development Manager Officer Reports.

Councillors McAteer, McKee and Tinnelly asked to be recorded as abstaining from this proposal.

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

For the Officer's recommendation:	9
Against the Officer's recommendation:	Nil
Abstentions:	3

AGREED: It was agreed to issue a refusal in respect of planning applications P/2014/0471/F and P/2012/0797/0 as per the Development Manager Officer Reports.

Noted: Abstentions: 3

(6) P/2014/0791/F – Mr and Mrs T Magill

Location:

91A Ballagh Road, Newcastle

Proposal:

Erection of replacement dwelling

Conclusion and recommendation from Planning Official

Refusal.

Noted: Ms McParland said following submission of new information she would like this application to be deferred for a further site visit and re- assessment.

AGREED: On the proposal of Councillor W Clarke, seconded by Councillor McAteer, it was agreed that in light of the new information submitted a site visit would be undertaken by the Senior Planning Officer and that the application then be considered under delegated authority with a view to issuing an approval.

Noted: No abstentions.

(7) P/2014/0853/F – S Meade

Location:

To the immediate north and east of 16 Rostrevor Road, Hilltown

Proposal:

Retention of two light industrial units, erection of three light industrial units

Conclusion and recommendation from Planning Official

Refusal.

Noted: Mr R Laughlin, Transport NI, updated Members on the reasons why Transport NI were recommending a refusal on this application and confirmed a robust assessment had been carried out to obtain the speed of traffic. He said the difficulty in this case was that it was the actual road alignment which prevented visibility of traffic coming from the main street.

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Murnin, it was agreed to issue a refusal in respect of planning application P/2014/0853/F as per the Development Management Report.

Noted: No abstentions.

(8) P/2014/1040/F - MJM

Location:

100m north east of No. 9 Shepherds Way and adjacent to MJM Group Carnbane Industrial Estate, Newry

Proposal:

Temporary road entrance

Conclusion and recommendation from Planning Official

Approval.

AGREED: On the proposal of Councillor McKee, seconded by Councillor Devlin, it was agreed to issue an approval in respect of planning application P/2014/1040F as per the Development Management Report.

Noted: No abstentions.

(9) R/2013/0559/F – John Watson**Location:**

23 Manse Road, Seaforde

Proposal:

Retrospective application to retain change of use from domestic garage to Class B2 light industry (noise survey received)

Conclusion and recommendation from Planning Official

Refusal.

AGREED: On the proposal of Councillor W Clarke, seconded by Councillor Brown it was agreed that this planning application be deferred for one month to give the applicant an opportunity to demonstrate the economic benefits this industry brings to the area and also to give Planning Officers an opportunity to look at conditions which could be imposed to negate any negative impact on neighbouring properties if this planning application were to be given approval (including the possibility of a temporary approval).

Noted: No abstentions.

(10) R/2014/0094/F – OBC Development Company**Location:**

10 – 14 Church Street, Downpatrick

Proposal:

Erection of restaurant with drive-thru

Conclusion and recommendation from Planning Official

Refusal.

AGREED: On the proposal of Councillor W Clarke, seconded by Councillor Brown, it was agreed to issue a refusal in respect of planning applications R/2014/0094/F as per the Development Manager Officer Report.

Noted: No abstentions.

(11) R/2015/0058/LBC – Down District Council***Location:***

North Quay, Newcastle Harbour, Ballaghbeg, Co. Down

Proposal:

Repairs to the existing tarmac surface for maintenance and health and safety matters

Conclusion and recommendation from Planning Official

Consent.

AGREED: On the proposal of Councillor McKee, seconded by Councillor Clarke, it was agreed to issue consent in respect of planning application R/2015/0058/LBC as per the Development Manager Officer Report.

Noted: No abstentions.

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

(12) P/2014/0120/F – Glasgiven Contracts Ltd

Noted: In response to a query from Councillor McAteer, Mr McKay advised there was provision for a pre determination hearing in the Protocol. However this was a provision designed for major developments which were initially called in by the DoE but were subsequently referred back to the Council for consideration.

Location:

Vacant site fronting onto Glassdrumman Road, Annalong adjacent/between No. 2 Kelly's Brae and No. 3 Mullartown Heights, Annalong

Proposal:

Commercial village retail store with first floor apartments and associated car park (amended plans)

Conclusion and recommendation from Planning Official

Refusal

AGREED: On the proposal of Councillor W Clarke, seconded by Councillor Brown, it was agreed to defer this planning application to allow for a site visit by the Planning Committee Members.

It was noted that the site meeting would be based on the scheme as submitted under planning application P/2014/0120/F – commercial village retail store with first floor apartments and associated car park (amended plans) – non food retail.

Noted: No abstentions.

There being no further business the meeting concluded at 1.15 pm.

For adoption at the Planning Committee Meeting to be held on Thursday 4 February 2016.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**

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

ACTION SHEET – from Meeting held on Friday 29 January 2016

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 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/2013/0855/F</p> <p>Applicant Name: Mr C Meehan</p> <p>Proposal: Erection of housing development consisting of 30 No. dwellings (4 detached and 26 semi-detached dwellings)</p> <p>Site Location: Adjacent and east of No. 18 Derramore Crescent and north of Woodvale, Derrymore Road, Bessbrook</p> <p>Recommendation from Planning Officer: Approval</p> <p>Briefing Panel Decision: (This application was an automatic referral to the Briefing Panel)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – APPROVAL</p> <p>No abstentions</p>	<p align="center">Agree with the decision as proposed by the Officers under delegated powers - APPROVAL</p>

DETAILS OF APPLICATION	ACTION
<p>Noted: Councillor McKee and Councillor McAteer declared an interest in planning applications LA07/2015/1032/F and LA07/2015/1358/F and left the Meeting for the discussion on these applications.</p> <p>Application ref: LA07/2015/1032/F</p> <p>Applicant Name: Frazer Ferries</p> <p>Proposal: Planning application to modify planning condition 15 (correction of typing error) and condition 24 (clarification of permitted vehicular usage) and to remove planning condition 22 (control of vessel propeller design) in respect of planning permission granted under planning reference (P/2013/0434/F</p> <p>Site Location: Lands adjacent to 80 Greencastle Pier Road, Greencastle</p> <p>Recommendation from Planning Officer: Approval</p> <p>Briefing Panel Decision:</p> <p>It was unanimously agreed to refer the decision to the Planning Committee for determination.</p> <p>No abstentions</p>	<p>Refer to the Planning Committee for determination</p>

DETAILS OF APPLICATION	ACTION
<p>Application ref: LA07/2015/1358/F</p> <p>Applicant Name: Frazer Ferries Ltd</p> <p>Proposal: To allow essential marine works to take place in advance of the completion of road works and also to amend the road specification drawings previously approved.</p> <p>Site Location: Lands adjacent to 80 Greencastle Pier Road, Greencastle – variation of condition 2 and 3 of P2013/0434/F</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision:</p> <p>Officers advised the applicant has asked that this application be taken off the Members Briefing Panel list.</p>	<p>Application withdrawn from the Members Briefing Panel List</p>
<p>Councillor McKee and Councillor McAteer returned to the meeting – 10.30 am</p> <p>Application ref: P/2015/0121</p> <p>Applicant Name: Mr Slane</p> <p>Proposal: Proposed site for infill dwelling and detached garage</p> <p>Site Location: Land 30m north west of 1 Tullyet Road, Newtownhamilton</p>	

DETAILS OF APPLICATION	ACTION
<p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision:</p> <p>It was unanimously agreed to refer the decision to the Planning Committee for determination.</p> <p>No abstentions</p>	<p>Refer to the Planning Committee for determination and Planning Officers to provide additional information clarifying Policy CTY8 and the interpretation of the Policy</p>
<p>Noted: Planning Officers advised that this was not a planning application but an application of Certificate of Lawful Use or Development (CLUD)</p> <p>Application ref: LA07/2015/0107/LDP</p> <p>Applicant Name: CEMES</p> <p>Proposal: Air Storage containers; cylinders and a portacabin</p> <p>Site Location: Site situated 1100 m west of 77 Ardglass Road, Bishopscourt</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision:</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL but asked that it be noted that Planning Officials had confirmed if a planning application was submitted for this proposal it would be prioritised.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers - REFUSAL</p>

DETAILS OF APPLICATION	ACTION
No abstentions	

For noting at the Planning Committee Meeting to be held on Thursday 4 February 2016.

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

Newry, Mourne and Down Council

Applications for Planning Permission

and

Applications deferred from previous meetings

2/4/16

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

Council Newry, Mourne and Down

Date 2/4/16

ITEM NO	1			
APPLIC NO	LA07/2015/0430/F	Full	DATE VALID	6/5/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Trustees Of St Bronagh's Primary School C/o Fr B Kearns 44 Church Street Rostrevor BT34 3BB		AGENT	Donnelly O'Neill Architects Ltd Unit 2 Conway Mill 5-7 Conway Street Belfast BT13 2DE 028 9024 8144

LOCATION St Bronagh's Primary School
53 Church Street
Rostrevor
Newry
Co Down
BT34 3BB

PROPOSAL Demolition of the existing school buildings and rear return of existing convent building. Construction of new single storey 7 classroom school building including school meals accommodation. Construction of new stair and lift extension to the rear of the convent building. Provision of new site car parking facilities and playgrounds.

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	6	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

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

ITEM NO 2
APPLIC NO LA07/2015/1032/F Full **DATE VALID** 10/13/15
COUNCIL OPINION **APPROVAL**
APPLICANT Frazer Ferries C/O Agent **AGENT** RPS Elmwood House
 74 Boucher Road
 Belfast
 BT12 6RZ
 028 90667914

LOCATION Lands adjacent to 80 Greencastle Pier Road
 Greencastle

PROPOSAL Planning Application to modify planning condition 15 (correction of typing error) & condition 24 (clarification of permitted vehicular usage) and to remove planning condition 22 (control of vessel propeller design) in respect of planning permission granted under planning reference P/2013/0434/F.

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	39	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

ITEM NO 3
APPLIC NO LA07/2015/1126/F Full **DATE VALID** 10/29/15
COUNCIL OPINION **APPROVAL**
APPLICANT Cadogen Enright 43 St Patrick's Avenue
 Downpatrick
 BT30 6DN **AGENT** Aedan Mackel 16
 Demesne Link
 Downpatrick
 BT30 6UW
 07878539605

LOCATION 43 St Patrick's Avenue
 Downpatrick
 BT30 6DN

PROPOSAL Extension to dwelling (Retrospective)

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

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

ITEM NO	4			
APPLIC NO	LA07/2015/1286/F	Full	DATE VALID	12/7/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Seamus Crossey Newry Mourne and Down District Council Greenbank Industrial Estate Newry BT34 2QU		AGENT	
LOCATION	Warrenpoint Square Toilet Block Warrenpoint County Down.			NA
PROPOSAL	Proposed installation of a '4 Faced Clock and Cupola' on top of the Warrenpoint Square Toilet Block. This is a bespoke 3 dimensional metal weathervane representing a Rabbit, while the Clock is done in an Oxford Style.			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



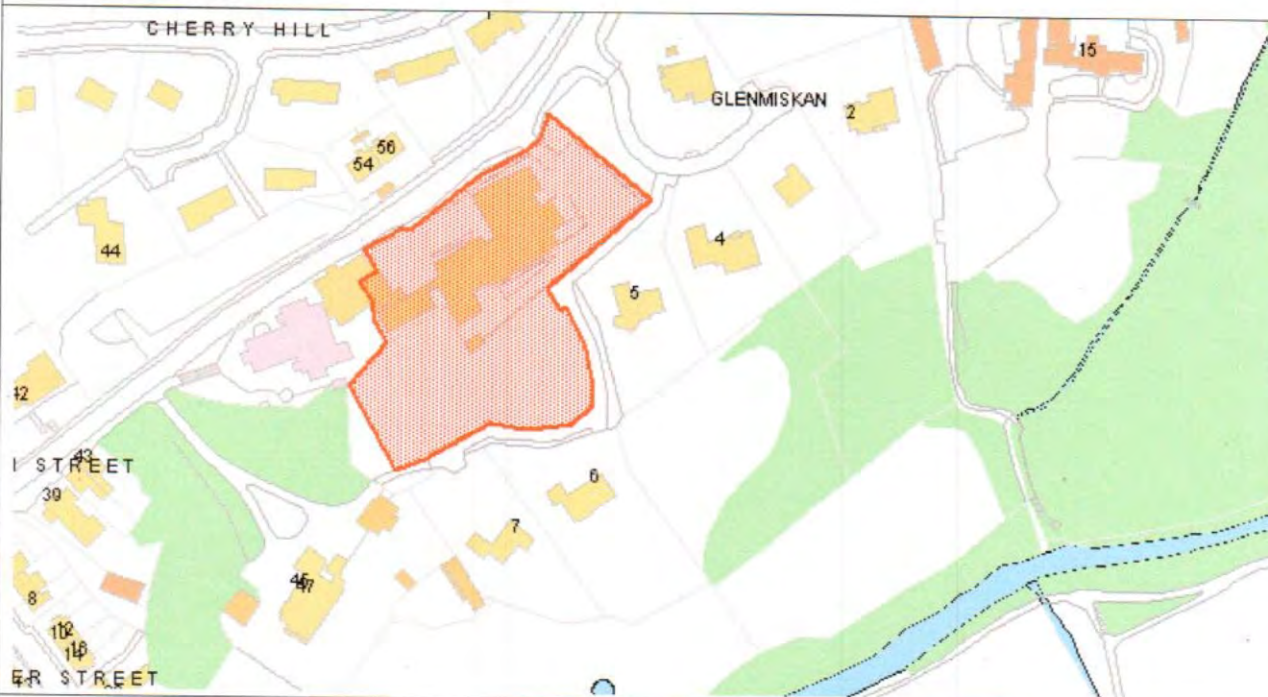
Newry, Mourne and Down District Council
Planning Office
O'Hagan House
Monaghan Row
Newry
BT35 8DJ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 4 th February 2016	Item Number:
Application ID: LA07/2015/0430/F	Target Date:
Proposal: Demolition of the existing school buildings and rear return of existing convent building. Construction of new single storey 7 classroom school building including school meals accommodation. Construction of new stair and lift extension to the rear of the convent building. Provision of new site car parking facilities and playgrounds.	Location: St Bronagh's Primary School, 53 Church Street, Rostrevor, Newry, Co Down
Referral Route: This is a Major application as defined by the Planning (Development Management) Regulations (Northern Ireland) 2015 as it is for community use and exceeds 1000 sq.m of floorspace.	
Recommendation:	Approval
Applicant Name and Address: Trustees Of St Bronagh's Primary School C/o Fr B Kearns 44 Church Street Rostrevor BT34 3BB	Agent Name and Address: Donnelly O'Neill Architects Ltd Unit 2 Conway Mill 5-7 Conway Street Belfast BT13 2DE
Executive Summary: Development of a new primary school on an established school site zoned for educational use. Proposal in compliance with the requirements of the Area Plan. Acceptable access and parking arrangements. Impacts on listed building acceptable to NIEA. Some adverse impact on conservation area, but this cannot be given determining weight in view of the economic, educational and community benefits of the scheme. Objections from two properties fully considered but cannot be given determining weight.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Water - Strategic Applications	Standard informatives
Statutory	NI Transport - Downpatrick Office	Approve subject to conditions
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Statutory	NIEA	Advice
Statutory	NIEA	Content

Representations:

Letters of Support	None Received
Letters of Objection	6
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues:

The proposed school building is a modern L-shaped single storey split level structure. It will have a gently sloping green roof with roof lights. The walls will be part smooth rendered and part clad with larch. Windows will be double glazed aluminium frames with powder coating. The new rear return to the convent building will be a 2 storey larch clad block to incorporate a staircase, kitchen and lift, with a linking lobby on both floors into the main building. Objections have been received from two properties, principally regarding the amenity impact on the properties.

Characteristics of the Site and Area

The site contains a vacant primary school with associated parking and play areas, an attached convent building and a grassed field to the rear. The site fronts onto Church Street to the NW and sits a little below the road level. It then slopes down towards the SE, particularly in the grass field. The school building is mainly single storey with brown brick walls and a low pitched roof covered with flat brown concrete tiles. The convent is a 3 storey flat roofed building with substantial glazing to each floor. The walls are roughcast rendered and painted cream. It is attached to the adjacent parish hall which is a curtilage structure of the listed church to the SW. The site is bounded to the roadside by a retaining wall and red painted railings. There is a 2.5m conifer hedge to the NE. There is no defined boundary to the south side of the field.



The site is located within the development limit of Rostrevor. It is zoned for educational use (zoning RR05) on the Banbridge, Newry and Mourne Area Plan 2015. Most of the site is within the Rostrevor Conservation Area and the Mourne Area of Outstanding Natural Beauty. There is an historic monument (DOW 054:010) to the SW of the site. Part of the curtilage of a listed church building (HB16/06/006) is included within the site. The centre of the settlement is located to the SW of the site, though this main route out of the village towards Hilltown has a range of land uses including public buildings and residential use.

Planning Assessment of Policy and Other Material Considerations

The application has been assessed under the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Banbridge / Newry & Mourne Area Plan 2015, PPS2 – Natural Heritage, PPS3 – Access, Movement and Parking, DCAN15 – Vehicular Access Standards, Parking Standards, PPS6 – Planning, Archaeology and the Built Heritage, the Rostrevor Conservation Area Guide and the Living Places Urban Stewardship and Design Guide.

Planning History

The majority of the existing school building on the site is the result of an extension to an older

school in the 1980s approved under application P/1981/0574. This building does not contribute significantly to the character of the conservation area.

As the current scheme proposes works to the parish hall, it requires listed building consent. This has been sought under application LA07/2015/0634/LBC.

As the scheme involves demolition of buildings within a conservation area, an application for Conservation Area Consent was requested (LA07/2015/0908/DCA). The three applications will be determined in parallel, though the latter two are subject to the Council's Scheme of Delegation. The full application is a Major application as defined by the Planning (Development Management) Regulations (Northern Ireland) 2015 as it is for community use and exceeds 1000 sq.m of floorspace. Therefore it will be determined by the planning committee.

The proposal is financially linked to a scheme on another site opposite for a youth club on the site of the present primary school (LA07/2015/0556/F).

Area Plan

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge / Newry & Mourne Area Plan 2015 as the new council has not yet adopted a local development plan. The site is located within the development limit of Rostrevor. It is zoned for educational use (zoning RR05). Therefore the principle of use of this site for a school is acceptable, being in accordance with policy SMT2 of the plan.

The plan also has a specific policy for Education, Health, Community and Cultural Uses within development limits (policy ECU1). The proposal meets the relevant criteria as follows:

- No adverse impacts on biodiversity have been identified. Impacts on the amenity of neighbouring residents have been considered with respect to the proposed boundary treatments (including a retaining wall opposite 6 and 7 Glenmiskan), and noise generated by children and vehicles at the school. Environmental Health have no objections on these grounds and the noise level should not be in excess of that expected in an urban area, and will only be for short periods of the day. The separation distance from the retaining wall to the dwellings (30 metres) is sufficient to ensure that their amenity will not be unacceptably affected.
- The proposal is in keeping with the land zoning for this site and will not prejudice the development of any surrounding land.
- The scale of the development is appropriate to the size and character of the settlement and its surroundings. It will not be a prominent feature compared to other surrounding buildings and the low floor level and flat roof will permit views over the building towards Rostrevor Forest.
- Given the central location of the site within the settlement, and the range of local services available, there is no need for the developer to provide additional infrastructure directly related to the scheme. However, the proposal is financially linked to a separate planning proposal for a youth club across the street. It will be determined on its own merits.
- Following amendments to the access and parking arrangements, they are now acceptable to TransportNI under PPS3 and DCAN15 - see consultation response received 21 October 2015. There will be a one way entry and exit system with visibility splays of 2.4m x 60m from the exit. 32 car parking spaces and a 20m deep turning head will be provided. This exceeds the requirements of the Department of the Environment's Parking Standards (approx 24 spaces).

Impact on Listed Building

As there is no significant change to the policy requirements for works to listed buildings following the publication of the SPPS and it is arguably less prescriptive, the retained policies of PPS6 will

be given substantial weight in determining the application in accordance with paragraph 1.12 of the SPPS. Three policies from PPS6 are applicable to this proposal with regard to the listed church building and its curtilage structures including the hall.

Policy BH10 relates to demolition of listed buildings. The existing rear return on the convent hall is to be demolished. This appears to be a later addition to the building that does not share the architectural qualities of the main block. Following consideration of the rationale for demolition of this part of the building, it has been found acceptable by NIEA - see consultation response dated 14 October 2015.

The new extension to the rear of the hall must be assessed under policy BH8. The essential character of the building (as seen from Church Street) will be retained and NIEA have accepted the design of the proposed works including the use of larch cladding. This smaller return is more appropriate to the scale of the building and will help to make way for the new school and its access road and parking.

The overall scheme must be assessed against policy BH11 as it will affect the setting of the listed church. It is considered that the demolition and re-development will enhance the role of the prominent church building in the streetscape by removing some of the more unsightly development of the original school and convent. The new low-set building will open up views of the church when approaching from the north-east. This is considered a better approach than trying to compete with the height and scale of the listed church. The nature of the proposed use continues the historic use of the site for educational purposes and the historic link between the school and the church. While some traditional building materials and techniques are used, (e.g. smooth render to some external walls and random rubble cladding to the retaining wall), it is acknowledged that there also a number of non-traditional materials, particularly the green roof and larch cladding. Following detailed discussions with the agent and applicant representatives, the rationale for these materials has been presented to and accepted by the Planning Authority based on the engineering and space requirements of the building, and giving weight to the educational and community benefits of the overall scheme. Paragraph 6.30 of the policy permits some variation in materials stating that *"This does not mean however that new buildings have to copy their older neighbours in detail. Some of the most interesting streets in our towns and villages include a variety of building styles, materials and forms of construction of several different periods, which together form a visually harmonious group."* While this scheme introduces some new styles and materials, it is considered to be within the scope of the policy having regard to its landscape setting, position in the street and juxtaposition with the listed church.

Impact on Conservation Area

This scheme represents an opportunity to enhance the character and appearance of the Rostrevor Conservation Area, as noted in paragraph 6.18 of the SPPS and Section 104 of the Planning Act (Northern Ireland) 2011. The overarching requirement to enhance the character of the area is a higher test than under PPS6, however, the remainder of the retained policies BH12 and BH14 will be applied.

The first matter to be considered is the demolition of the existing building under policy BH14. The existing school building is a 1980s structure that does not make a material contribution to the character of the conservation area. It has a heavy roof and modernist materials that will not be a loss to the character of the area when it is demolished. The areas to the side and rear of the convent hall also have limited architectural merit, and given that the main part of the hall can be retained, the loss of the convent and returns to the hall will not harm the character of the area. The proposal is clearly linked to the redevelopment of the site as required under policy BH14 and funding for the works is in place with the Department of Education.

We must then consider the design and nature of the new development proposed, having regard to the requirements of policy BH12, modified only at criteria (a) as the legislation and SPPS now require the proposal to enhance the character of the area, not simply preserve it. The form and

materials used in the development are a departure from the main building forms and materials in the Rostrevor Conservation Area. The agent has presented examples of the use of timber cladding in other conservation areas. These do not necessarily support the circumstances of this proposal as there is very limited use of wood in Rostrevor. It is acknowledged that the nature of the development (over 1700 sq.m of floorspace) cannot be readily forced into the normal mould of buildings within the village and that the client's requirements in terms of classroom, administration and multi-purpose hall space do not suit the finer urban grain generally found in the conservation area. The agents explained that the use of larch cladding to the administration block in particular was in part a response to the structure of the building and that the replacement of this light-weight finish with traditional block and render construction would increase costs, future maintenance requirements (e.g. painting) and would require a substantial re-design of the building. The cladding will weather over time to take on a colour, texture and appearance not dissimilar to stone. This can be considered to meet the Conservation Area Booklet's requirement that *"Materials should generally be sympathetic in texture, colour and quality to traditional local usage,"* even though it is not one of the local materials specifically listed in the booklet.

The Council also asked that a pitched roof at least to the Church Street elevation, could be considered, but it would have been difficult to engineer a suitable structure for the span required. It would also have been of such a height as to block views across the valley and would have dominated the building and wider streetscape because of its massing, aside from the high costs of such a design. Paragraph 7.7 states, *"The development of new buildings in a conservation area should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own."* A modern school cannot directly imitate the historic core of the settlement. Weight can be given to the scale of this site and the use proposed, and also that it is located at the very edge of the Conservation Area where you do find large one-off buildings like the church and the former schools. Views from Church Street will be filtered to an extent by the landscaping scheme now proposed. There are no existing trees that need to be protected.

The form and materials of the building do not fully meet the requirements of policy BH12 and the Conservation Area booklet, though these policies do not require slavish adherence to the building styles of the past and it can be argued that this scheme does take the opportunity to enhance the character of the conservation area by introducing a modern element which, while not identical to the characteristic built form of the area, is in sympathy with it and the important buildings that form the context of the site. The policy states that proposals will *"normally"* only be permitted when they meet all the stipulated requirements, but in this case, it is judged that the scheme is an exception to the norm in view of other important material considerations which should be given greater weight. It is accepted that the use of larch cladding on the smaller blocks reduces their scale and massing in relation to the larger rendered block. It is also accepted that the function of the building will to an extent dictate its external appearance and it is difficult in a building of this scale and width to provide the finer urban grain and pitched roofs that are characteristic of the historic Georgian core of the settlement. However, these matters cannot be a reason to reject the proposal since it is on a zoned educational site and meets the requirements of the adopted Area Plan, the Council's primary consideration under the new planned system.

Substantial weight must also be given to the community and educational benefits of the scheme for Rostrevor, and the fact that funding is in place from the Department of Education if the scheme can be started in the current financial year. The Council is very mindful of these benefits for the wider community, particularly the opportunity to create a new community centre and youth club on the site of the current school through application P/2015/0556/F. This can only happen if the new school is approved and built. The planning decision must balance social, economic, environmental and heritage factors, with appropriate weight attributed to each. The weight given

to each is a matter of planning judgement in each case. The planning system operates in the public interest of local communities and this interest is best served by approving this application, notwithstanding the deficiencies identified.

Natural Heritage

Policy NH6 of PPS2 applies to development within Areas of Outstanding Natural Beauty. The proposal is of an appropriate design, size and scale for the locality, its siting is appropriate for a replacement building and it respects local character. There are no features of importance to the character, appearance or heritage of the landscape that need to be preserved.

The NI Biodiversity Checklist has been considered in relation to the site and no likely significant effects on designated sites or protected habitats and species were identified.

Archaeology

NIEA Historic Monuments Unit considered the impacts of the application on the Monument to the SW of the site (DOW 054:010) and has no archaeological objections to the proposal under PPS6.

Representations

A number of objection letters were received from the owners of 6 and 7 Glenmiskan (to the south of the site), and also from a solicitor on their behalf. A counter-representation addressing some of the points made by the solicitor was received from the agent. The agent has also pointed out that a public meeting was held prior to submission of the application at which there was very positive feedback for the design and overwhelming local support for the scheme. There has been no further objection to the final set of amended plans advertised in the press on 8th January 2016 and the consultation period has now expired. The objections raised and the Council's consideration of them is as follows:

ISSUE	CONSIDERATION
Additional details required to show the location of neighbouring houses and enable proper assessment of the impact on surrounding property (including boundary treatments)	The totality of the information submitted with the application can easily be interpreted to assess the impact on neighbouring properties, particularly the longitudinal section in Drawing 09 which includes relative levels. Boundary treatments are further clarified on the landscape plan (No. 12) received 23 December 2015.
Possible effects on established oak trees	These trees are outside the site (to the west) and should not be affected by the application.
Concern about retaining walls facing the dwellings and suggestion that they are softened with planting	The development steps down the site so the retaining structure is the minimum required height and it will be clad with locally distinctive stone. There will also be overhanging planting.
Impacts on the narrow laneway leading to the objectors' houses	There will be no significant changes to the laneway other than fencing one side of it. The wall is opposite only 1 dwelling and would not therefore cause a traffic hazard.
A Design and Access Statement was not initially provided as required by legislation	This oversight by the agent has now been corrected and neighbours have had the opportunity to comment on the statement.
The scheme will harm visual and residential amenity	Visual amenity in the area will be enhanced by the replacement of the current large building with a lower one facilitating views

	over it from the main public viewpoints on Church Street. Views from private properties are not a material consideration provided there is no loss of light or overlooking. The 30 metre separation distance ensures that this will not be the case.
There will be unacceptable noise impact from the Multi-Use Games Area	The noise generated will be at normal school times on an established school site within an urban environment. Indeed, this area presently operates as a youth club in the evenings whereas when the youth club moves down the street, there will be no after school hours impacts. Environmental Health has no concerns in this regard.
The proposal is contrary to policy BH12 and adversely affects the Rostrevor Conservation Area	The Council has acknowledged deficiencies in the design in relation to this policy and has explored solutions to these with the agent. However, in the final analysis, this consideration cannot be allowed to prevent the major investment on this site and the community benefits that will accrue from it, to which greater weight must be given in the public interest.
Full details of the proposal were not included in the press notice (e.g. boundary walls and fencing)	The application has been advertised in the press on several occasions with an extensive description that reflects the overall nature of the development. It is not possible to list every ancillary feature, but the full details were available on the public register and the Planning Portal for consideration by interested parties. The fact that the objector cites these particular matters in every letter demonstrates that they are aware of them and have not been prejudiced.

The matters raised by the objectors have been considered in detail and a number of them are material considerations, but they cannot be given determining weight in the final decision.

Case Officer Recommendation: Approval

Neighbour Notification Checked

Yes

Summary of Recommendation:

Development of a new primary school on an established school site zoned for educational use. Proposal in compliance with the requirements of the Area Plan. Acceptable access and parking arrangements. Impacts on listed building acceptable to NIEA. Some adverse impact on conservation area, but this cannot be given determining weight in view of the economic, educational and community benefits of the scheme. Objections from two properties fully considered but cannot be given determining weight.

Conditions:

1. As required by Section 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.

2. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the building.

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

3. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with the approved drawing 07 REV 1 date stamped 28th August 2015, prior to the occupation of the development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

4. The gradient of the accesses shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. The line, level and construction shall be agreed in advance with the TransportNI Section Engineer.

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

5. The building shall be provided with such sanitary pipework, foul drainage and rain water drainage as may be necessary for the hygienic and adequate disposal of foul water and rain water separately from that building. The drainage system should also be designed to minimise the risk of wrongly connecting the sewage system to the rain water drainage system, once the buildings are occupied.

REASON: In order to decrease the risk of the incorrect diversion of sewage to drains carrying rain/surface water to a waterway.

Informatives:

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

2. 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. The applicant's attention is drawn to:

- i. the relevant provisions of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and
- ii. the Code of Practice for Access for the Disabled to buildings.

The internal layout of the proposal should make adequate provision for the needs of people with disabilities.

4. Notwithstanding the terms and conditions of the Council's approval set out above, you are required under Article 71 - 83 inclusive of the Roads (NI) Order 1993 to be in possession of the DRD's consent before any work is commenced which involves making openings to any fence or hedge bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is 1 Cecil Street, Newry. A deposit will be required.
5. It is the responsibility of the developer to ensure that surface water does not flow from the site onto the public road, that the existing roadside drainage is accommodated and no water flows from the public road onto the site and that surface water from the roof of the development hereby approved does not flow onto the public road, including the footway.
6. The applicant is encouraged to consider the use of renewable energy and energy efficient materials and fittings in association with this development.
7. The premises must comply with food safety legislation. The applicant should liaise at an early stage with the Environmental Health Service of Newry, Mourne and Down District Council in relation to this matter.
8. Public water supply within 20m of your proposal, consultation with NIW is required to determine how your proposals can be served. Application to NIW is required to obtain approval to connect.
9. Foul sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served. There is available capacity at the receiving Waste Water Treatment Works.
10. Surface water sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served. Application to NIW is required to obtain approval to connect.
11. The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or waterline@niwater.com, upon receipt of this decision to discuss any areas of concern. Application forms and guidance are also available via these means.
12. If during the course of developing the site the developer uncovers a pipe not previously evident NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002.
13. Advice from NIEA:
 - (i) The storm drainage of the site, during site clearance, construction and operational phases of the development, should be designed to the principles of Sustainable Drainage Systems (SuDS) in order to minimise the polluting effects of storm water on waterways.
 - (ii) Construction of SuDS should comply with the design and construction standards as set out in the Construction Industry Research and Information Association (CIRIA) manual C697. A separate site handbook (C698) for the construction of SuDS has also been produced by CIRIA.
 - (iii) Should a sewage pumping station be required for this development then the applicant must apply to NIEA WMU for Water Order (1999) consent for an 'emergency overflow'.
 - (iv) The applicant should consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge

consent conditions.

- (v) The applicant should ensure that the management of all waste are suitably authorised through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999. This should be demonstrated through a Site Waste Management Plan (see <http://www.netregs.gov.uk>)
- (vi) The applicant should comply with all the relevant Pollution Prevention Guidelines (PPGs) in order to minimise the impact of the project on the environment, paying particular attention to:
 - PPG 01 - General guide to pollution prevention
 - PPG 02 - Above ground oil storage
 - PPG 04 - Disposal of sewage where no foul sewer is available
 - PPG 05 - Works in, near or liable to affect watercourses
 - PPG 06 - Working at demolition and construction sites
- (vii) Compliance with the advice in PPG 05 and 06 will help to minimise the impact of the site clearance and construction phases of the project on the environment. These PPGs can be accessed by visiting the NetRegs website at <http://search.netregs.org.uk/search?w=pollution%20prevention%20guidelines>
- (viii) The applicant should ensure that the kitchens associated with this development should have suitable, properly maintained grease traps on their effluent pipes.
- (ix) The applicant will be required to comply with the Control Of Pollution (Oil Storage) Regulations (NI) 2010. A key requirement of the Regulations is that oil storage containers (including temporary storage) must have a secondary containment system (a bund, which is an outer wall or enclosure designed to contain the contents of an inner tank, or a drip tray) to ensure that any leaking oil is contained and does not enter the aquatic environment.
- (x) The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.
- (xi) The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

Signatures:

Date:

ANNEX	
Date Valid	5th June 2015
Date First Advertised	24th June 2015
Date Last Advertised	6th January 2016
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1 Cherry Hill, Rosstrevor, Rostrevor, Down, BT34 3BD, The Owner/Occupier, 1 Glenmiskan, Rosstrevor, Rostrevor, Down, BT34 3FF, The Owner/Occupier, 2 Cherry Hill, Rosstrevor, Rostrevor, Down, BT34 3BD, The Owner/Occupier, 2 Glenmiskan, Rosstrevor, Rostrevor, Down, BT34 3FF, The Owner/Occupier, 3 Glenmiskan, Rosstrevor, Rostrevor, Down, BT34 3FF, McShane Solicitors 34 Hill Street, Newry, Down, Northern Ireland, BT34 1AR Paul O'Kane, McShanes 34, Hill Street, Newry, Down, Northern Ireland, BT34 1AR McShanes Solicitors 34, Hill Street, Newry, Down, Northern Ireland, BT34 1AR McShanes Solicitors 34, Hill Street, Newry, Down, Northern Ireland, BT34 1AR The Owner/Occupier, 4 Cherry Hill, Rosstrevor, Rostrevor, Down, BT34 3BD, The Owner/Occupier, 4 Glenmiskan, Rosstrevor, Rostrevor, Down, BT34 3FF, The Owner/Occupier, 47 Church Street Rosstrevor Rostrevor The Owner/Occupier, 5 Glenmiskan Rosstrevor Rostrevor The Owner/Occupier, 54 Church Street Rosstrevor Rostrevor The Owner/Occupier, 56 Church Street Rosstrevor Rostrevor Paul O'Kane, 6 Glenmiskan Rosstrevor Rostrevor The Owner/Occupier, 7 Glenmiskan Rosstrevor Rostrevor Ronald Doherty, 7 Glenmiskan, Rostrevor, Down, Northern Ireland, BT34 3FF Paul O'Kane, The Square, Kilkeel, Down, Northern Ireland, BT34 4AA</p>	
Date of Last Neighbour Notification	5th January 2016
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: P/2015/0016/PREAPP Proposal: New Primary School and youth club Address: 42 Church Street, Rostrevor, Newry, Decision: EOLI Decision Date:</p>	
<p>Ref ID: P/2014/0773/PREAPP Proposal: To carry out a feasibility study for a new build 7 classroom school Address: Convent of Mercy Primary School, Rostrevor, Decision: Decision Date:</p>	

Ref ID: P/2006/1668/F

Proposal: Erection of private housing development consisting of 4 detached dwellings with integrated garages

Address: Lands adjacent to and east of 6 Fairy Hill, Church Street, Rostrevor

Decision:

Decision Date:

Ref ID: P/2003/1877/F

Proposal: Storm glazing, flashings to copings, railings redecoration, repairs to flat roofs, car park resurfacing at parochial house and replastering of associated wall.

Address: St Mary's Star of the Sea Church (RC), Church Street, Rostrevor

Decision:

Decision Date: 10.12.2003

Ref ID: P/2003/0930/Q

Proposal: Amalgamation of Convent of Mercy & St Mary's Boys' Primary Schools

Address: Church Street, Rostrevor

Decision:

Decision Date:

Ref ID: P/1999/0511

Proposal: Site for dwelling

Address: 50M SOUTH OF NO 5 GLENMISKAN ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1999/0286

Proposal: Site for dwelling

Address: 50 METRES SOUTH EAST OF NO 5 GLENMISKAN, ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1997/0768

Proposal: Replacement Boiler House

Address: STAR OF THE SEA R.C. CHURCH CHURCH STREET ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1995/0726

Proposal: Erection of dwelling

Address: 50 METRES NORTH EAST OF NO 47 CHURCH STREET ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1993/0371

Proposal: Site for dwelling (access off Glenmiskan)

Address: 50 METRES NORTH EAST OF NO47 CHURCH STREET ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1993/0370

Proposal: Site for dwelling (access off Glenmiskan)

Address: 90 METRES NORTH EAST OF NO47 CHURCH STREET ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1993/0315

Proposal: Alterations and Improvements to Parochial House

Address: NO 51 CHURCH STREET ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1989/0618

Proposal: Extension to Church (LB)

Address: STAR OF THE SEA CHURCH CHURCH STREET ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1989/0521

Proposal: Extension to Church

Address: STAR OF THE SEA R.C. CHURCH, CHURCH STREET (LB) ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1989/0300

Proposal: Site for housing development(5no dwellings)

Address: ADJACENT TO CONVENT OF MERCY PRIMARY SCHOOL KILBRONEY ROAD ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1981/0832

Proposal: PROPOSED TEMPORARY CLASSROOM

Address: CONVENT OF MERCY SCHOOL, ROSTREVOR

Decision:

Decision Date:

Ref ID: P/1981/0574

Proposal: EXTENSION TO PRIMARY SCHOOL

Address: KILBRONEY ROAD, ROSTREVOR

Decision:

Decision Date:

Ref ID: N/1989/0511

Proposal: Extension to dwelling

Address: 51 KILVERGAN ROAD AGHACOMMON LURGAN

Decision:

Decision Date:

Drawing Numbers and Title

Drawing No. 01 REV 1

Type: Site Location Plan

Status: Submitted

Drawing No. 12

Type: Landscaping Plan

Status: Submitted

Drawing No. 11

Type: Proposed Plans

Status: Submitted

Drawing No. 10

Type: Further Particulars

Status: Submitted

Drawing No. 09

Type: Longitudinal Sections

Status: Submitted

Drawing No. 07 REV 1

Type: Road Access Plan

Status: Submitted

Drawing No. 08

Type: Additional Environmental Information

Status: Submitted

Drawing No. 06

Type: Proposed Elevations

Status: Submitted

Drawing No. 05

Type: Proposed Floor Plans

Status: Submitted

Drawing No. 04

Type: Longitudinal Sections

Status: Submitted

Drawing No. 03

Type: Site Layout or Block Plan

Status: Submitted

Drawing No. 02

Type: Existing Site Survey

Status: Submitted

Notification to Department

The Department will be notified of both the LBC and DCA applications (decided under delegated powers) following the decision of the Planning committee on the full application



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

Development Management Officer Report

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA07/2015/1032/F	Target Date:
Proposal: Planning Application to modify planning condition 15 (correction of typing error) & condition 24 (clarification of permitted vehicular usage) and to remove planning condition 22 (control of vessel propeller design) in respect of planning permission granted under planning reference P/2013/0434/F.	Location: Lands adjacent to 80 Greencastle Pier Road Greencastle
Referral Route: Application has a significant number of objections to it.	
Recommendation:	Approval
Applicant Name and Address: Frazer Ferries C/O Agent	Agent Name and Address: RPS Elmwood House 74 Boucher Road Belfast BT12 6RZ
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Transport - Downpatrick Office	
Statutory	NIEA	Advice
Statutory	NIEA	Advice

Representations:

Letters of Support	None Received
Letters of Objection	39
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

The application seeks to vary two conditions and to remove another condition from the previously approved application of P/2013/0434/F. Consultation with NIEA and TNI has been undertaken.

Characteristics of the Site and Area

The site is located between No's 80 and 88 Greencastle Pier Road, outside the small settlement of Greencastle in the Mourne Area of Outstanding Natural Beauty. It comprises an agricultural field that is situated between Greencastle Pier Road (on its northern boundary) and a sand and shingle beach on its southern side. There are residential properties to the immediate east and west of the site, and the site is approx. 200 metres to the south east of the settlement limit around Greencastle.

The site measures approx. 2.8 Ha. The road frontage is approx. 160 metres in length, and the site is approx. 60 metres deep at its widest point. The field is reasonably level in topography, and it is set at the same level as Greencastle Pier Road, however the land falls to the south, beyond the southern boundary, onto the beach. The difference in levels between the site and the low tide mark on the beach is approx. 5 metres.

The northern, southern and eastern boundaries are defined by post and wire fencing, which has been placed alongside the remains of a dry stone wall. There is a mature hedge along the

western boundary, adjacent to No 88 Greencastle Pier Road.

Access is presently gained via a field gate at the western part of the road frontage to the site, adjacent to No 88. There is an existing grass verge separating the field from the public road, and the verge varies in width, up to a maximum of approx. 2 metres.

The red line identifying the site runs from the eastern end of Greencastle Pier Road to the site, due to the fact that it is proposed to carry out road widening works between the Benagh Road junction and the application site.

There are no landscape features within the site although there is a belt of shrubs and wild flowers growing along the outside of the southern boundary, between the site and the shingle on the beach. There are no built heritage features within the site, and there are no known archaeological features within the site.

At the time of site inspection there was no evidence of wildlife or protected species within the main site, i.e. the field, however there are known wildlife and protected species habiting adjacent to the site – on the shore, in the sea and on Green Island, a small rock outcrop in the Lough, approx. 460 metres south west of the site.

The site is located in the open countryside, approx. 200 metres south east of the small settlement of Greencastle in the Mourne AONB.

It is situated immediately adjacent to a beach onto Carlingford Lough / the Irish Sea. The area is generally characterised by a dispersed pattern of settlement, and the site is located in a relatively flat coastal landscape (although there is a local ridge approx. 250 metres north of the site. This low ridge runs in a north west to south east axis).

Despite the generally dispersed pattern of settlement the area has experienced a moderate to high level of demand for new residential accommodation in particular, due to the coastal location and the area's high landscape value.

Greencastle Pier Road is not a through route – it links the small settlement of Greencastle with the road from Cranfield to the main Newry to Kilkeel route.

Given the coastal area within an AONB, the area has high scenic and amenity values.

Consequently, protection of the natural heritage and the environment are of paramount importance.

Planning Assessment of Policy and Other Material Considerations

Planning Application to modify planning condition 15 (correction of typing error) & condition 24 (clarification of permitted vehicular usage) and to remove planning condition 22 (control of vessel propeller design) in respect of planning permission granted under planning reference P/2013/0434/F.

This application will be assessed using the existing suite of Planning Policy Statements, the SPPS, the previous Environmental statement which was submitted under the original application and which remains a material consideration under Regulation 12 (2) of The Planning EIA Regulations (Northern Ireland) 2015.

The SPPS states that:

Planning Conditions

5.65 Planning authorities have the power to attach conditions to a grant of planning permission. This can enable planning authorities to approve development proposals where it would otherwise be necessary to refuse planning permission. However, conditions should only be imposed which are:

- necessary;
- relevant to planning;
- relevant to the development being permitted;
- precise;
- enforceable; and
- reasonable.

A Planning Condition must meet all of these tests prior to being attached to a Planning Decision.

Planning Condition 15 stated that:

No development shall take place on site until method of sewage disposal has been agreed in writing with Northern Ireland Water or a consent to discharge to demonstrate a waste water treatment solution that ensures <230 E.coli colony forming units (cfu) per 100 mls of water over the shellfish harvesting area for <75% of the time prior to commencement of development on site has been granted. This must be submitted to and agreed in writing by the Planning Authority.

Reason: To protect the designated sites.

This condition was taken directly from NIEA Marine Divisions last consultation with the Planning Authority. It has now come to light that there was a typo error in the Marine Divisions Consultation response. The applicant has applied to have this condition varied to ensure that it can be rectified. In doing so it allows the Planning Authority to have a reasonable, and enforceable condition. The condition is also relevant to the proposal as it is solely attached to the previous permission to ensure that the discharge from the proposed building on site would be of a quality which wouldn't have a detrimental impact on the EU Shellfish Waters can be protected from pollution. In correcting the typo initially made through the consultation response the Planning Authority recognises that the Applicant will now be held to a tighter control than that which was on the decision notice and in doing so secures the protection of the EU designated areas.

This condition will therefore be varied to read as follows:

No development of the welfare facilities hereby approved shall take place until either a relevant consent has been issued under the Water (NI) Order or a method of sewage disposal has been submitted, which does not involve a discharge and can be agreed in writing with the Planning Authority. This is to demonstrate that the waste water treatment solution ensures <230 E.coli colony forming units (cfu) per 100mls of water over the shellfish harvesting area for >75% of the time.

Reason: To protect the designated sites.

Condition 22 stated that

Any vessel that is intended to be used on this ferry route shall not be fitted with ducted/shrouded propellers.

Reason: To minimise impact to seal population.

NIEA and Marine division have both been consulted on this application and they have given the following explanation as to why they have agreed to have the condition removed.

This condition was first added in response to the advice note which Statutory Nature Conservation Bodies (SNCBs) were to follow - "Guidance for staff advising on the potential risk of seal corkscrew injuries, April 2012".

This advice note was applicable and enforced until 2015 when the SNCBs and Regulators were included in a meeting hosted by Marine Scotland in Edinburgh on 29th January 2015. At this meeting two research papers were considered:

1. Grey seal (*Halichoerus grypus*) predation on harbour seals (*Phoca vitulina*) on the island of Helgoland, Germany Abbo van Neer, Lasse Fast Jensen, Ursula Siebert, Journal of Sea Research, Volume 97, March 2015, Pages 1-4 and Preliminary report on predation by adult grey seals on grey seal pups as a possible explanation for corkscrew injury patterns seen in the unexplained seal deaths, Sea Mammal Research Unit Report to Scottish Government 12/01/15 0.1, Marine Mammal Scientific Support Research Programme MMSS/001/11, Dave Thompson, Joe Onoufriou, Andrew Brownlow and Amy Bishop. The paper can be obtained from the following website:

<http://www.smru.st-and.ac.uk/documents/2173.pdf>

Following the meeting, revised SNCB guidance was released in early February 2015.

The revised guidance considered it to be very likely that the use of vessels with ducted propellers may not pose any increased risk to seals over and above normal shipping activities. Instead the evidence pointed to grey seal predation as the cause of a proportion of corkscrew injuries observed in the UK.

The interim advice includes the sentence "As yet there is no direct evidence of grey seals preying on adult harbour seals although it is reasonable to consider that this is possible". Although direct observations had involved adult male Grey Seals preying on weaned Grey Seal pups and juvenile Harbour Seals, wound patterns similar in almost all respects have been seen on adult harbour seals too. We are not aware of any direct evidence for seals being killed by ducted propellers but this has not been ruled out as a possible cause of corkscrew type injuries. The initial conditions were therefore based on the advice dating from April 2012. Marine Division are content with this new interim advice and are therefore content for this condition to be removed. Marine Division now consider that ducted propellers do not pose a greater risk than non-ducted propellers.

Seals are not a site selection feature of either Carlingford SPA or the ASSI. However, seals are still a Schedule 5 species and it is the priority of the Department that sufficient mitigation is in place to ensure they are not intentionally or recklessly disturbed, injured or killed. Considerable research is currently being carried out to ensure this is the case. Likewise, mitigation will be in place during both the construction phase and operational phase of the project to minimise disturbance and injury to seals. For example, timing of works will be paramount and construction works will not be permitted during the breeding season, speed restrictions will be imposed on the ferry and the ferry route will be kept as far away as practicable from haul-out sites.

Given that NIEA and Marine division of the DOE are the expert consultees on the marine environment, The Planning Authority would accept their expert opinion that the removal of this condition would not be detrimental to the seal habitat or population within the immediate environment of the application site. Given the explanation of the expert consultee, it would be recommended that this condition is removed.

Condition 19 states that

No vehicle over 3.5 tonnes which has three axles or more shall be permitted to use the ferry and the proposed car parking facilities following the proposal becoming operational.

Reason: To protect residential amenity.

This condition was recommended as a result of debate throughout the Planning Committee discussion in June 2015, when the application was decided. This decision is not necessary to the proposal. At present the road is not restricted to the types or weights of vehicles which utilise the road which is essentially public infrastructure. The application of this condition relates solely to the use of the car park and the ferry. Larger vehicles being parked within the car park and using the ferry will not have a more detrimental impact than other types of vehicles, which can at present drive along the Greencastle Pier Road unrestricted. This was highlighted at the Planning Committee that the condition was not attached at within the case officers report as it did not meet the six tests required for a planning application to be attached. Transport NI have clearly stated that there is not a road safety concern for larger vehicles utilising the road network, as there are no road restrictions at present on the road. They have also stated that there is no concern over the structure of the listed bridge on the main route to the A2. This is also in keeping with the information submitted within page 29 of the FEI submitted within the previous application.

The condition should be amended to read as follows:

No category 2 Other Goods Vehicles (OGV2) as defined in the design manual for roads and bridges (DMRB) shall be permitted to use the ferry and the proposed car parking facilities

following the proposal becoming operational.

Reason: To protect residential amenity.

Substantial objection has been received in relation to this proposal. These objection letters have been referred to NIEA for comment. NIEA are content that the proposed amended or removed conditions would not have an adverse impact on the protect species or designations surrounding the site. I have considered the request that this would require an amended ES. I am satisfied that the information contained within the original ES remains relevant and that the EIA legislation allows for the Planning Authority to refer to it. The ES together with all material considerations in this application were fully assessed in reaching the recommendation below.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Following consultation on the initial documentation provided by the aplicant together with the consideration of the objections and furtehr consultation with NIEA in relation to this information, The Planning Authority would recommend approving the removal and variation of the conditions as listed within the report.

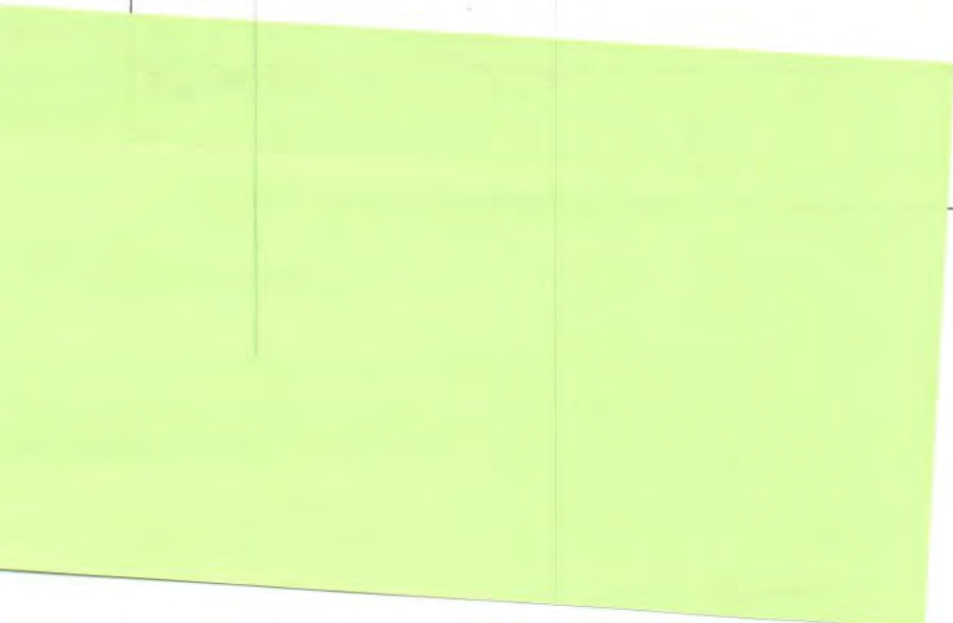
Conditions:

No development of the welfare facilities hereby approved shall take place until either a relevant consent has been issued under the Water (NI) Order or a method of sewage disposal has been submitted, which does not involve a discharge and can be agreed in writing with the Planning Authority. This is to demonstrate that the waste water treatment solution ensures <230 E.coli colony forming units (cfu) per 100mls of water over the shellfish harvesting area for >75% of the time.

Reason: To protect the designated sites.

No category 2 Other Goods Vehicles (OGV2) as defined in the design manual for roads and bridges (DMRB) shall be permitted to use the ferry and the proposed car parking facilities following the proposal becoming operational.

Reason: To protect residential amenity.



ANNEX	
Date Valid	13th October 2015
Date First Advertised	28th October 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 70 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR, The Owner/Occupier, 1 Greencastle Pier Road, Lurganreagh (Detached Portion), Kilkeel, Down, BT34 4LR, Sean O'Rourke 1, Benagh Road, Kilkeel, Cranfield, Down, Northern Ireland, BT34 4LT Christine McCormick 105, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR Ian Tookey 11 Greencastle Pier Road, Benagh Lower, Kilkeel, Down, BT34 4LR, Maura Keane 117, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR Thomas Cuningham 119, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR A.M Cunningham 119, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR Daiva Shepcar 123, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR Russell Shepcar 125, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR The Owner/Occupier, 16 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR, The Owner/Occupier, 17 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR, Daryl Mills 18, Rathmoyle Park West, Carrickfergus, Antrim, Northern Ireland, BT38 7NG Joanne White 19, Fair Road, Kilkeel, Down, Northern Ireland, BT34 4LS Joanne White 19, Fair Road, Kilkeel, Down, Northern Ireland, BT34 4LS The Owner/Occupier, 20 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR, White 21, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR Katherine Carlisle 23, Broomhill, Magheralin, Down, Northern Ireland, BT67 0UL The Owner/Occupier, 24 Grange Road, Lurganreagh (Detached Portion), Cranfield, Down, BT34 4LW, Thierry Bonnamy, Greencastle Oysters Limited.</p>	

27A Fair Road, Kilkeel, Co Down, BT34LS
McCartan Solicitor

28, Bridge Street, Kilkeel, Down, Northern Ireland, BT34 4AD
The Owner/Occupier,

3 Greencastle Pier Road, Lurganreagh (Detached Portion), Kilkeel, Down, BT34 4LR,
Colin Chestnutt

35, Fair Road, Kilkeel, Down, Northern Ireland, BT34 4LS
Robert Fearon

4 Lightkeepers Garden, Greencastle, Kilkeel, County Down, BT34 4LR
The Owner/Occupier,

41 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Niall Cunningham

41, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
The Owner/Occupier,

44 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
The Owner/Occupier,

44A Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
The Owner/Occupier,

45 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Diarmuid Cahill

45, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
Diarmuid Cahill

45, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
The Owner/Occupier,

47 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Martin O'Rourke

47, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
The Owner/Occupier,

48 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
The Owner/Occupier,

49 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Michael O'Rourke

49, Lurganconary Road, Kilkeel, Down, Northern Ireland, BT34 4LL
The Owner/Occupier,

51 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
The Owner/Occupier,

52 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Emma O'Rourke

52, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
Lee Maginnis

54, Mullantine Road, Portadown, Armagh, Northern Ireland, BT62 4EJ
The Owner/Occupier,

57 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Gary Taylor

57, Thornhill Parade, Belfast, Down, Northern Ireland, BT5 7AT
The Owner/Occupier,

58 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
Michelle and Desmond Cunningham

6, Light Keepers Garden, Kilkeel, Down, Northern Ireland, BT34 4GW
The Owner/Occupier,

60 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 The Owner/Occupier,
 62 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 Eileen Sloan
 62, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 Eileen Sloan
 62, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 The Owner/Occupier,
 64 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 Martin McKay
 7, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 Mary and Martin Jordan
 8, Oaklands, Newry, Down, Northern Ireland, BT34 2SS
 The Owner/Occupier,
 80 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 The Owner/Occupier,
 80A Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 The Owner/Occupier,
 88 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 Joan Thompson
 88, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 Joan Thompson
 88, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 The Owner/Occupier,
 9 Greencastle Pier Road, Lurganreagh (Detached Portion), Kilkeel, Down, BT34 4LR,
 Eamon O'Rourke
 9, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 The Owner/Occupier,
 90 Greencastle Pier Road, Greencastle, Kilkeel, Down, BT34 4LR,
 John F Cunningham
 90, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 Seamus Sloan
 97, Greencastle Pier Road, Kilkeel, Down, Northern Ireland, BT34 4LR
 Martin Flanigan
 Aquaculture Initiative (EEIG), Innovation House, Down Business Centre, 46 Belfast
 Road, Downpatrick, BT30 9UP
 Christine Gibson

 Emma Bamford

 Ian Tookey

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

Planning History
Summary of Consultee Responses
Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
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Status: Submitted

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Type:
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:



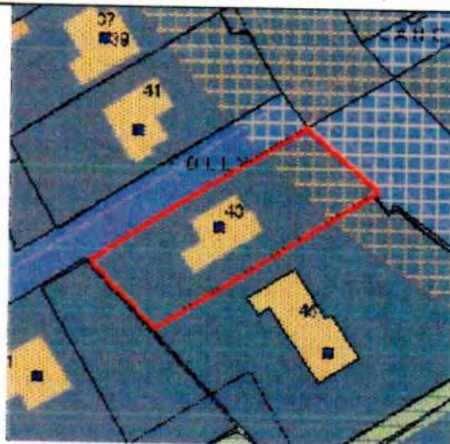
Newry, Mourne and Down District
Council
Planning Office
Downshire Civic Centre
Ardglass Road
Downpatrick
BT30 6GQ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 04/02/16	Item Number:
Application ID: LA07/2015/1126/F	Target Date:
Proposal: Extension to dwelling (Retrospective)	Location: 43 St Patrick's Avenue Downpatrick BT30 6DN
Referral Route: Applicant is serving Councillor for this Local Authority	
Recommendation:	Approval
Applicant Name and Address: Cadogen Enright 43 St Patrick's Avenue Downpatrick BT30 6DN	Agent Name and Address: Aedan Mackel 16 Demesne Link Downpatrick BT30 6UW
Executive Summary: This retrospective application was site inspected on 04/12/15. After being assessed against all relevant planning policy and with other material considerations taken into account this proposal is deemed to satisfy the requirements of the policy and as such is recommended for approval.	
Signature:	

Case Officer Report

Site Location Plan



Consultations: Yes

Consultation Type

Statutory

Consultee

NIEA

Response

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: None

Characteristics of the Site and Area

Characteristics of site:

The site is comprised of a large two storey detached dwelling and associate domestic curtilage. This property is within a primarily residential area with some commercial and business properties nearby. This is a corner site between St Patrick's Avenue and Folly Lane. The existing dwelling sits slightly lower than the road, is set back approximately 15.0m from St Patrick's Avenue and with front elevation facing this road.

The front boundary treatment (boundary to St Patrick's Avenue) is comprised of a 0.6m high natural stone wall with a variety of large shrubbery behind. The R.H.S boundary (boundary to Folly Lane) is comprised of a 0.6m high natural stone wall with mix of shrubbery behind to front garden and with un-rendered block work wall built on top of original natural stone wall giving a total height of 2.5m to rear amenity space. The treatment to rear boundary (boundary with No. 1 Folly lane) is comprised of a 1.8m high timber panel fence. The L.H.S boundary (boundary with No. 45 St Patrick's Avenue) is comprised of a 2.2m high mature hedge. This boundary treatment affords good privacy to the rear amenity space of this property.

Characteristics of area:

The site is located within the settlement limit of Downpatrick and near an existing amenity space as stated in the Ards and Down Area Plan 2015 and shown on Map No.3/002a. It is located just within the town centre as shown on Map No.3/002h – Downpatrick Town Centre. The site is located in an area with a mixture of residential, commercial and business properties.

Planning Assessment of Policy and Other Material Considerations

Policy for consideration of proposal:

SPPS – Strategic Planning Policy Statement for Northern Ireland

This policy provides overall context under which the Council will determine planning applications.

Addendum to PPS7 Residential Extensions and Alterations

The Addendum to Planning Policy Statement 7; residential Extensions and Alterations

Policy EXT 1 sets out the main considerations that the Council will take into account in assessing proposals for residential extensions and/or alterations. The provisions of this policy will prevail unless there are other overriding policy or material considerations that outweigh it and justify a contrary decision.

Consideration of the proposal:

This retrospective application concerns the construction single storey extension to the side of existing dwelling to provide a garage/store room space. This garage is at time of site inspection only partially constructed and is located between the R.H.S elevation of dwelling and the site boundary to Folly Lane and extends right to this boundary. The garage extension projects 3.6m from the side elevation to the boundary directly adjacent to public road.

Extension is full length of gable/ side elevation (9.2m in length) and is to have a flat roof finishing at a height of 3.2m above ground level. The ridge height to existing dwelling main roof is 8.45m above ground level and extension will be sub-ordinate to main roof by 5.25m. To the front elevation (elevation facing St Patrick's Avenue) there was originally proposed 1No. 1.8m wide x 2.1m high fully glazed set of double french doors. The agent was requested to amend this and replace with a garage door or amend proposal description and an amended drawing was subsequently received on 07/01/16 that showed a 1.8m wide x 2.1m high garage door to front elevation. The side elevation (elevation facing Folly Lane) is to be completely solid with no window or door openings. The rear elevation has 1No. 1.8m wide x 2.1m high fully glazed set of double french doors.

The existing dwelling is finished in white rough cast render with smooth rendered banding to corners and around windows to first floor level and red facing brick to ground floor level. It has natural slate roof tiles, black uPVC rainwater goods and white uPVC windows and doors. It has been stated by agent that the red facing brick to entire ground floor was originally covered with rough cast render but this was removed 12 months ago due to damage and disrepair. It is proposed to re-render the ground floor exterior walls with white rough cast render to match the first floor level and be in keeping with neighbouring properties. The new garage extension to side is to be finished in white rough cast render with 'Trocal' roof covering, white uPVC windows and doors and black uPVC rainwater goods.

With regard to policy EXT 1 set out in the PPS 7 addendum for achieving quality in relation to proposals for residential extensions and alterations (March 2008) the Council is satisfied that this proposal will not over develop the site and an acceptable proportion of amenity space will remain. The proposed extension is in keeping with the scale, style and materials of the existing dwelling and surrounding properties. No unacceptable damage will be caused to the local character and environmental quality or residential amenity of this established area. The proposal is not considered to offer any negative residential impact to surrounding neighbours, nor will this proposal cause any overlooking or overshadowing.

Notes:**Site history:**

R/2013/0364/F PERMISSION GRANTED 52 St Patrick's Avenue Downpatrick

Two storey office extension to the front of the building accommodating new offices

Permission Granted – 22.11.2013

R/2013/0245/F 45 St Patricks Avenue Downpatrick BT30 6DN. Upgrading of existing car parking to meet current parking standards. Permission Granted – 11.09.2013

R/2007/0499/F The Dental Surgery, 35 St.Patricks Avenue,Downpatrick.

An extension of the existing building is proposed to accommodate new surgery space.

Permission Granted – 08.10.2007

2005/0442/F 37 St.Patrick's Avenue,Downpatrick. Proposed alterations and extension of existing offices. Permission Granted – 13.06.2005

R/2001/0247/F 1 Folly Lane, Demesne Of Down, Downpatrick, Northern Ireland, BT30 6NF

Replacement garage. Permission Granted – 25.04.2001

6 No. neighbouring properties within proximity to this site were notified and no objections were received.

NIEA were consulted due to proposal being within the catchment area of nearby archaeological site and monument. Historic Monuments Unit considered the impacts of the application and on the basis of the information provided were content with the proposal.

Neighbour Notification Checked: Yes

Summary of Recommendation:

After consideration of all relevant planning policy and other material considerations this proposal satisfies the requirements of the policy and I therefore recommend it is granted approval.

Conditions/Reasons for Refusal:**Conditions :**

Planning permission is hereby granted in retrospect under Article 55 of the Planning Act (Northern Ireland) 2011 and takes effect from the date of this permission.

Reason: This development will have deemed to have begun on the date development was initiated.

Signature(s)

Date:

ANNEX	
Date Valid	29th October 2015
Date First Advertised	18th November 2015
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
<p>6 No. neighbouring properties within proximity to this site were notified and no objections were received.</p> <p>The Owner/Occupier, 1 Folly Lane, Downpatrick, Co. Down. BT30 6NF</p> <p>The Owner/Occupier, 12 St. Patricks Drive Demesne Of Down Acre Downpatrick</p> <p>The Owner/Occupier, 41 St. Patricks Avenue Demesne Of Down Acre Downpatrick</p> <p>The Owner/Occupier, 45 St. Patricks Avenue Demesne Of Down Acre Downpatrick</p> <p>The Owner/Occupier, 54-62 St Patrick's Avenue, Downpatrick, Co. Down. BT30 6DN</p> <p>The Owner/Occupier, Rathmore House 52 St. Patricks Avenue Demesne Of Down Acre</p>	
Date of Last Neighbour Notification	10th November 2015
Date of EIA Determination	N/A
ES Requested	No
Planning History: See report	
Summary of Consultee Responses:	
<p>NIEA were consulted due to proposal being within the catchment area of nearby archaeological site and monument. Historic Monuments Unit considered the impacts of the application and on the basis of the information provided were content with the proposal.</p>	

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

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Drawing No.
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Status: Submitted

Drawing No.
Type:
Status: Submitted

Notification to Department (if relevant)

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



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

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA07/2015/1286/F	Target Date:
Proposal: Proposed installation of a '4 Faced Clock and Cupola' on top of the Warrenpoint Square Toilet Block. This is a bespoke 3 dimensional metal weathervane representing a Rabbit, while the Clock is done in an Oxford Style.	Location: Warrenpoint Square Toilet Block Warrenpoint County Down.
Referral Route: Newry, Mourne and Down District Council are the applicants.	
Recommendation:	Approval
Applicant Name and Address: Seamus Crossey Newry Mourne and Down District Council Greenbank Industrial Estate Newry BT34 2QU	Agent Name and Address:
Executive Summary: Full planning permission is sought for the installation of a four faced clock and cupola on top of the Warrenpoint Square Toilet Block. The design and appearance of the four faced clock and cupola are considered to be acceptable.	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	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

Full planning permission is sought for the installation of a four faced clock and cupola on top of the Warrenpoint Square Toilet Block.

Characteristics of the Site and Area

The application site is a public toilet block that is located in Warrenpoint Square.

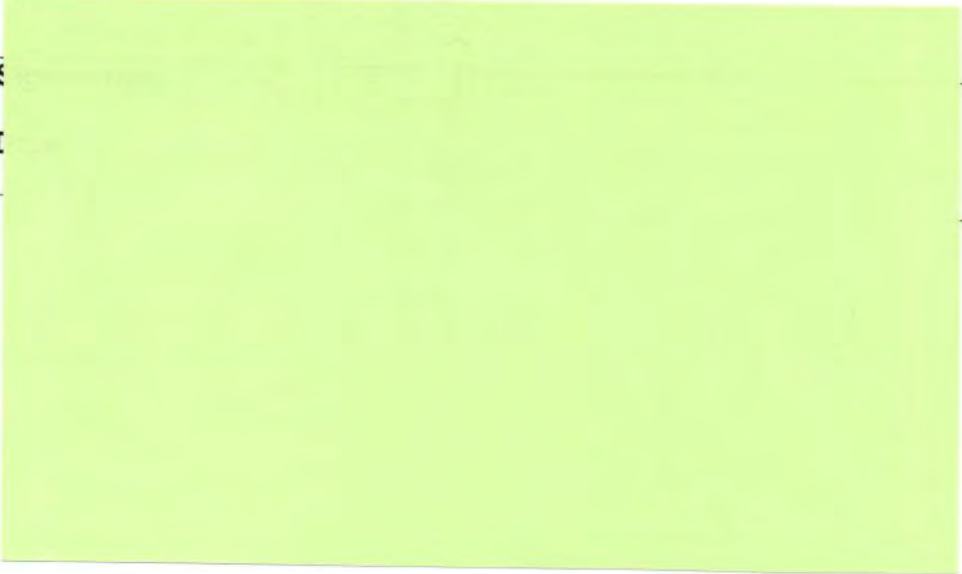
The site falls within the Settlement Development limits of Warrenpoint and the Mourne Area of Outstanding Natural Beauty as designated in the Banbridge, Newry and Mourne Area Plan 2015.

Planning Assessment of Policy and Other Material Considerations

The proposal is for the installation of a four faced clock and cupola on top of the existing toilet block. It is a bespoke 3 dimensional design made from metal. The clock will be done in an oxford style while the weathervane will represent a rabbit. The scale, design and appearance of the four faced clock and cupola will enhance the appearance of the toilet block. The materials used are suited to the building and are appropriate to its surroundings.

NIEA Historic Monuments Unit was consulted and is content with the proposal.

No objections or representation were received.

Case Officer Recommendation:	Approval
Neighbour Notification Checked:	Yes
Summary of Recommendation: The scale, design and appearance of the four faced clock and cupola will enhance the appearance of the toilet block. The materials used are suited to the building and are appropriate to its surroundings.	
<u>Conditions</u> 1. As required by Article 61 of the Planning (Northern Ireland) Act 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. REASON: Time Limit.	
	

ANNEX	
Date Valid	7th December 2015
Date First Advertised	23rd December 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1-3 The Square, Ringmackilroy, Warrenpoint, Down, BT34 3LY, The Owner/Occupier, 11 The Square, Ringmackilroy, Warrenpoint, Down, BT34 3LY, The Owner/Occupier, 13 The Square, Ringmackilroy, Warrenpoint, Down, BT34 3LY, The Owner/Occupier, 15-17 The Square, Ringmackilroy, Warrenpoint, Down, BT34 3LY, The Owner/Occupier, 20 The Square, Ringmackilroy, Warrenpoint, Down, BT34 3LY, The Owner/Occupier, 5 The Square Ringmackilroy Warrenpoint The Owner/Occupier, 7 The Square Ringmackilroy Warrenpoint The Owner/Occupier, 9 The Square Ringmackilroy Warrenpoint</p>	
Date of Last Neighbour Notification	22nd December 2015
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: LA07/2015/1286/F Proposal: Proposed installation of a '4 Faced Clock and Cupola' on top of the Warrenpoint Square Toilet Block. This is a bespoke 3 dimensional metal weathervane representing a Rabbit, while the Clock is done in an Oxford Style. Address: Warrenpoint Square Toilet Block, Warrenpoint, County Down., Decision: Decision Date:</p>	
<p>Ref ID: P/2007/0430/F Proposal: Erection of public safety CCTV cameras to be mounted on 8 metre poles where indicated on attached maps Address: Various locations around Warrenpoint town centre Decision:</p>	

Decision Date: 11.06.2007

Ref ID: P/2014/0159/F

Proposal: Replacement of existing paving with high quality stone kerbs and stone paving, semi mature tree planting and supply and installation of street furniture, signage, street lighting and feature lighting

Address: Charlotte Street, Newry Street, Duke Street, Dock Street, Church Street and The Square, Warrenpoint, Co Down,

Decision: PG

Decision Date: 09.05.2014.

Ref ID: P/2004/1727/Q

Proposal: Town dock development

Address: Warrenpoint Harbour

Decision:

Decision Date:

Ref ID: P/2000/0612/F

Proposal: Erection of bus shelter on public footpath, to replace existing shelter

Address: Car Park, The Square, Warrenpoint

Decision:

Decision Date: 20.07.2000

Ref ID: P/2000/0613/A

Proposal: 2 no. poster panels, 1.8m x 1.2m each, as integral part of bus shelter

Address: Car Park, The Square, Warrenpoint

Decision:

Decision Date: 24.07.2000

Ref ID: P/1975/0257

Proposal: PROPOSED AMUSEMENT FAIR

Address: THE SQUARE, WARRENPOINT

Decision:

Decision Date:

Ref ID: P/2008/1289/F

Proposal: Upgrade of existing toilets and conversion of one half of block to events area.

Address: The Square, Warrenpoint.

Decision:

Decision Date: 11.03.2009

Ref ID: P/2012/0295/F

Proposal: Change of use from events area with existing toilet block to retail units

Address: The Square, Warrenpoint,

Decision: PG
Decision Date: 22.08.2012

Ref ID: P/1997/1001
Proposal: Environmental Improvement Scheme
Address: THE SQUARE AND OPPOSITE NO 2-8 CHURCH STREET WARRENPOINT
Decision:
Decision Date:

Ref ID: P/1998/1580
Proposal: Environmental Improvements (Phase 2) including repaving, planting and alterations to street lighting
Address: The Square Warrenpoint
Decision:
Decision Date: 08.11.2001

Ref ID: P/2010/1505/F
Proposal: Erection of a new street cabinet to facilitate provision of new fibre optic infrastructure across the BT network. Cabinet dimensions approx. 1600mm high x 1200mm wide x 450mm deep
Address: The Square Warrenpoint,
Decision:
Decision Date: 06.04.2011

Summary of Consultee Responses

NIEA Historic Monuments Unit were consulted as part of the application process and are content with the proposl.

Drawing Numbers and Title

Drawing 01: Site location map
Drawing 02: Existing plans and elevations
Drawing 03: Proposed elevations