

## **NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

### **Minutes of the Planning Committee Meeting held on Wednesday 7 March 2018 at 10.00am in the Boardroom, Monaghan Row**

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**Chairperson:** Councillor G Craig  
**Deputy Chairperson:** Councillor K Loughran

**In attendance: (Committee Members)**

Councillor C Casey	Councillor W Clarke
Councillor L Devlin	Councillor G Hanna
Councillor V Harte	Councillor M Larkin
Councillor J Macauley	Councillor D McAteer
Councillor M Murnin	Councillor M Ruane

**(Officials)**

Ms M Ward	Director, Enterprise, Regeneration, and Tourism
Mr A McKay	Chief Planning Officer
Mr P Rooney	Principal Planning Officer
Ms A McAlarney	Senior Planning Officer
Ms L Coll	Legal Advisor
Ms E McParland	Democratic Services Manager
Mr A Donaldson	Professional Technical Officer
Ms C McAteer	Democratic Services Manager
Ms P McKeever	Democratic Services Manager

**P/019/2018: APOLOGIES AND CHAIRPERSON'S REMARKS**

No apologies were received – it was noted that Councillor Clarke would be late attending the meeting.

**P/020/2018: DECLARATIONS OF INTEREST**

No declarations were received.

**P/021/2018: DECLARATIONS IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL PARA. 19 – MEMBER TO BE PRESENT FOR ENTIRE ITEM**

- **Item No. 7 - LA07/2016/1261/0** – Mr Thomas Mageean – **Councillor Ruane** was not in attendance when this application was first discussed and advised he would not be taking part in the discussion/decision on this application.
- **Item No. 17 - P/2013/0242/F** – MJM Group – **Councillors Casey, Devlin and Clarke** were not in attendance when this application was first discussed and advised they would not be taking part in the discussion/decision on this application.
- **Item No. 12 - LA07/2016/0199/0** – Liam & Siobhan Boylan - **Councillors Macauley, Hanna, Harte and Clarke** were not present when this application

was first discussed/or at the site meeting and advised they would not be taking part in the discussion/decision

**P/022/2018:        MINUTES OF PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 7 FEBRUARY 2018**

Read:                Minutes of Planning Committee Meeting held on Wednesday 7 February 2018. **(Copy circulated)**

With regard to Planning Application LA07/2016/0199/O, Councillor McAteer asked that the decision in the Minutes be amended in line with the decision taken by Committee and recorded on the Meeting's audio recording to read:

"On the proposal of Councillor McAteer seconded by Councillor Larkin it was agreed to defer Planning Application LA07/2016/0199/O with the preamble that the Woodlands be discounted as the exit route of the new proposed site and the Applicant speaks to the Housing Executive and no other land owner before any final decision was made."

**AGREED:        On the proposal of Councillor McAteer, seconded by Councillor Murnin it was agreed to accept this amendment to the Minutes of the Planning Committee Meeting held on Wednesday 7 February 2018.**

**AGREED:        On the proposal of Councillor McAteer seconded by Councillor Murnin it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 7 February 2018 as a true and accurate record, subject to the decision on Planning Application LA07/2016/0199/O being amended to read "On the proposal of Councillor McAteer seconded by Councillor Larkin it was agreed to defer Planning Application LA07/2016/0199/O with the preamble that the Woodlands be discounted as the exit route of the new proposed site and the Applicant speaks to the Housing Executive and no other land owner before any final decision was made"**

**P/023/2018:        ADDENDUM LIST**

Read:                Addendum List of Planning Applications with no representations received or requests for speaking rights – **Wednesday 7 March 2018. (Copy circulated)**

**AGREED:        It was unanimously agreed to remove the following Planning Applications from the Addendum List: -**

- **Item 10 – LA07/2017/1588/F – Philip Young – storey side extension to a dwelling to allow kitchen/dining/living area with lounge above – 77a Cahard Road, Ballynahinch – **Removed from the addendum list at the request of Councillor Craig****

**for presentation at next Planning Committee Meeting.  
REFUSAL**

- **Item 19 – P/2014/0427/0** – Joseph McGivern – Site for dwelling – to the rear and south of 2 Berkley Grove, Warrenpoint – **Removed from the addendum list at the request of Councillor Loughran for presentation at next Planning Committee Meeting.  
REFUSAL**

**AGREED:** On the proposal of Councillor Hanna seconded by Councillor Macauley it was agreed to approve the Officer recommendation, as per the Development Management Officer Report, in respect of the following Planning Applications remaining on the Addendum List: -

- **Item 6** – LA07/2017/0746/O – Mrs Eileen Patterson – Dwelling on a farm – land east of and immediately adjacent to No. 10 Castleward Road, Strangford.  
**APPROVAL**
- **Item 8** – LA07/2017/1276/O – Mr & Mrs S McCartan – land between 49 Cargagh Road and 56 Rocks Chapel Road, Lisnamore, Crossgar.  
**REFUSAL**
- **Item 14** – LA07/2017/1162/F – Brendan Kelly – proposed erection of domestic shed and hard standing area (Amended proposal and plans) – 91 Chancellors Road, Lisdrumliska, Newry.  
**APPROVAL**

**P/024/2018:** **APPLICATIONS FOR DETERMINATION**

**AGREED:** On the advice of the Chief Planning Officer it was unanimously agreed to withdraw the following planning applications from the schedule:-

- **Item 15 – LA07/2017/1559/F** – EDB Construction Ltd – demolition of existing dwelling and provision of 9 No. 2 bedroom apartments and 1 No. 1 bedroom apartments (10 total) – 58 Armagh Road, Newry – **Removed from the schedule at the request of Councillor Ruane for presentation at next Planning Committee Meeting.**
- **Item 16 – LA07/2017/1707/F** – Kevin Teggart Snr – Erection of replacement dwelling with detached garage – approximately 270m SE of 51 Ayalogue Road, Newry – **Removed from the schedule at the request of Councillor Larkin for presentation at next Planning Committee Meeting.**

**(1) LA07/2016/1092/F – Fitzpatrick SSAS**

**Location:**

Lands to the north and west of and the existing Leode Quarry, Leode Road, Hilltown, Newry, Co. Down, BT34 5TJ The site is located approximately 2 miles west of Hilltown.

**Proposal:**

A lateral extension in a predominantly westerly direction to the existing quarry, the construction of a screening landform, followed by the deepening of the enlarged quarry floor and the provision of a holistic restoration concept for the entire mineral development site.

**Conclusion and Recommendation from Planning Official:**

Approval

**Speaking rights:**

Mandy McClean, resident, in objection to the application.

**Speaking rights:**

Andrew Scurfield, Agent, and Paul Fitzpatrick, Business Development Director, in support of the application.

**Speaking rights:**

DEA Councillor Gillian Fitzpatrick, in objection to the application.

**AGREED: On the proposal of Councillor Ruane seconded by Councillor Hanna it was unanimously agreed to defer Planning Application LA07/2016/1092/F to allow for a site visit to take place in order that Members could assess the overall visual impact and proximity of the quarry to the neighbouring residences from a health and safety perspective.**

Councillor Ruane withdrew from the meeting (11.10 am)

**(2) LA07/2016/1261/0 – Mr Thomas Mageean**

**Location:**

Site abutting 20 Junction Road, Saintfield

**Proposal:**

Proposed dwelling and garage

**Conclusion and Recommendation from Planning Official:**

Refusal

**Speaking rights:**

Sheila Curtin, Agent, in support of the application.

Councillor Larkin proposed and Councillor Hanna seconded to accept the Planning Officer's recommendation in respect of Planning Application LA07/2016/1261/O. The proposal was put to a vote by way of a show of hands and voting was as follows:

**FOR: 3**  
**AGAINST: 4**  
**ABSTENTIONS: 3**

**The proposal was declared lost.**

Councillor Devlin proposed and Councillor Larkin seconded to defer Planning Application LA07/2016/1261/O for a period of 4 weeks in order for additional information to be received from DAERA and to come back to Committee if, on receipt of additional information from DAERA, Planning Officials still recommended refusal.

Ms Coll advised the Committee that a decision should not be taken on an application if all information on which the decision was being based was not yet available.

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

**FOR: 5**  
**AGAINST: 5**

The Chairperson used his casting vote against the proposal and the proposal was declared lost.

Councillor Crag then proposed, and Councillor Larkin seconded, to defer Planning Application LA07/2016/1261/O for a period of 4 weeks in order for additional information to be received from DAERA and upon receipt of this information, Planning Officers be granted approval to issue the decision under delegated authority.

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

**FOR: 5**  
**AGAINST: 2**  
**ABSTENTIONS: 3**

**The proposal was declared carried.**

**AGREED: On the proposal of Councillor Craig seconded by Councillor Larkin it was agreed to defer Planning Application LA07/2016/1261/O for a period of 4 weeks in order for additional information to be received from DAERA.**

**It was also agreed that Planning Officers be granted approval to issue the decision under delegated authority.**

Councillor Ruane returned to the meeting (11.55 am)

**(3) LA07/2017/1551/0 – Mr & Mrs Hoey**

**Location:**

Between 43 and 45 Darragh Road, Darragh Cross, Saintfield

**Proposal:**

Proposed infill opportunity for 2 dwellings under planning policy PPS21

**Conclusion and Recommendation from Planning Official:**

Refusal

**Speaking rights:**

Hannah and Declan Hoey in support of the application.

**AGREED: On the proposal of Councillor Hanna seconded by Councillor Devlin it was agreed to issue a refusal in respect of Planning Application LA07/2017/1551/0 as per officer recommendation.**

**Abstentions: 0**

**(4) LA07/2017/1666/0 – Michael & Noleen Trainor**

**Location:**

Between 74 & 78 Clanmaghera Road, Tyrella, Downpatrick

**Proposal:**

2 infill dwellings

**Conclusion and Recommendation from Planning Official:**

Refusal

**Speaking rights**

Gerry Tumelty, Agent, in support of the application.

Councillor Hanna proposed and Councillor Macauley seconded to issue a refusal in respect of LA07/2017/1666/0 as per officer recommendation.

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

**FOR: 8**  
**AGAINST: Nil**  
**ABSTENTIONS: 1**

The proposal was declared carried.

**AGREED: On the proposal of Councillor Hanna seconded by Councillor Macauley it was agreed to issue a refusal in respect of LA07/2017/1666/0 as per officer recommendation.**

**(5) LA07/2016/0199/0 – Liam & Siobhan Boylan**

(Councillors Hanna, Harte and Macauley withdrew from the meeting as they were not at the site visit- 12.20 pm)

**Location:**

Land zoned for housing to the rear of nos. 68 – 132 Lower Dromore Road, Warrenpoint

**Proposal:**

15 new dwellings, 4750 sq mtrs (1.1 acres) of native tree planting, landscaping, walls, new estate road and ancillary development including regrading, with access from The Woodlands (Drainage Assessment received)

**Conclusion and Recommendation from Planning Official:**

Approval

**Speaking rights:**

Patrick Thornton, objecting to the application.

**Speaking rights:**

Brendan Quinn, Agent, in support of the application.

**Speaking rights:**

DEA Councillor M Carr, objecting to the application.

Discussion took place regarding the amendment that had been made to the February Planning Committee Minutes that "it was agreed to defer Planning Application LA07/2016/0199/O with the preamble that the Woodlands be discounted as the exit route of the new proposed site and the Applicant speaks to the Housing Executive and no other land owner before any final decision was made".

Ms Coll advised that a decision had been made at the previous Planning Committee Meeting to defer Planning Application LA07/2016/0199/O and this Minute had now been clarified in terms of what the Councillor had proposed and what the Committee had agreed.

Mr McKay said the Committee had previously agreed to defer the application with the direction that the Agent go off and consider an alternative access. He said whilst the Committee had agreed that the Woodlands should not be a means of

access, it was the means of access proposed in the application and the agent and his clients had confirmed they did not wish to explore an alternative means of access.

Mr McKay said a decision must therefore be taken to either approve or refuse the application before Committee.

Councillor Larkin proposed and Councillor Ruane seconded to issue an approval in respect of Planning Application LA07/2016/0199/O as per officer recommendation.

The proposal was put to a vote and voting was as follows:

**FOR: 4**  
**AGAINST: 4**

**The Chairperson used his casting vote in favour of the proposal and the proposal was carried.**

**AGREED: On the proposal of Councillor Larkin seconded by Councillor Ruane it was agreed to issue an approval in respect of Planning Application LA07/2016/0199/O as per officer recommendation.**

Councillor Clarke entered the meeting at 13.10

(Lunch 13.10 – 14.00)

**(12) P/2013/0242/F – MJM Group Ltd**

(Councillors Casey, Devlin and Clarke withdrew from the meeting 2.00 pm)

**Location:**

Lands at Watson Road/Dorans Hill, Newry including lands to the east of Watsons Road

**Proposal:**

Proposed residential housing development of 200 no. units comprising 61 detached, 126 semi-detached, 13 townhouses (some with garages) improvements and widening of existing Watsons Road and Dorans Hill, introduction of new roundabout and Distributer Road, planting of acoustic barrier along Distributer Road, proposed landscaping, open space, car parking, site and access works.

**Conclusion and Recommendation from Planning Official:**

Approval

**Speaking rights:**

A request for speaking rights had been received from Desmond O'Loan, Watson Road Residents Group, objecting to the application. Mr McKay said the Residents Group had emailed to advise they were withdrawing their request to speak as a



number of their concerns had been addressed by the applicant and the Residents Group were now generally content.

**Speaking rights:**

A request for speaking rights had been received from Richard O'Toole, MBA Planning, in objection to the application. Mr McKay said a submission from MBA objecting to the application was contained in the Members' papers for the meeting and that this objection remained. The representative from MBA had indicated they wished their objection to be taken as "read".

**Speaking rights:**

Deborah Loughran, agent in support of the application.

**Noted:**

Councillor Larkin asked for an affirmation from the residents present if they were happy with the proposals and this was received.

**AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application P/2013/0242/F as per officer's recommendation.**

**ABSTENTIONS: 0**

Councillors Casey, Devlin and Clarke re-joined the meeting (2.25 pm).

**(13) LA07/2017/1895/F – Brian & David Gallagher**

**Location:**

Approx. 55m SE of No. 6 Molly Road Lower, Jonesborough, Newry

**Proposal:**

Erection of dwelling and detached garage, new landscaping and associated site works, in compliance with PPS21-CTY6 – personal and domestic circumstances

**Conclusion and Recommendation from Planning Official:**

Refusal

**AGREED: On the proposal of Councillor Macauley seconded by Councillor McAteer it was agreed to exclude the public and press from the Meeting during discussion on the following matter which related to exempt information by virtue of Paragraph 1 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to any individual**

**Speaking rights:**

Stephen Hughes, Agent, in support of the application.

**On the proposal of Councillor McAteer, seconded by Councillor Macauley, it was agreed to come out of closed session.**

When the Committee was out of closed session the Chairperson reported the following decision had been taken:

**AGREED: On the proposal of Councillor Hanna seconded by Councillor Larkin it was agreed to defer planning application LA07/2017/1895/F for one month to give the agent/applicant an opportunity to submit to Planning Officers written evidence from relevant professionals to support and document the issues presented verbally to the Committee.**

**It was also agreed that Planning Officers be granted approval to issue the decision under delegated authority but if the opinion continued as a refusal, that the application come back to Committee.**

**Abstentions: 0**

#### **FOR NOTING**

#### **P/024/2018: PLANNING COMMITTEE MEETING PERFORMANCE REPORT FEBRUARY 2018**

Read: Planning Committee Performance Report February 2018. **(Copy circulated)**

**AGREED: It was agreed to note the Planning Committee Performance Report February 2018.**

#### **P/025/2018: MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES**

Read: Record of Meetings between Planning Officers and Public Representatives 2017-2018. **(Copy circulated)**

**AGREED: It was agreed to note the record of Meeting between Planning Officers and Public Representatives.**

#### **P/026/2018: APPEALS & DECISIONS**

Read: Report re: Appeals and Decisions – February 2018. **(Copy circulated)**

**AGREED: It was agreed to note the Appeals and Decisions February 2018.**

The Meeting concluded at 3.00 pm.

For confirmation at the Planning Committee Meeting to be held on Wednesday 11 April 2018.

**Signed:** \_\_\_\_\_ **Chairperson**

**Signed:** \_\_\_\_\_ **Chief Executive**