

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: PL / DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 13 April 2016 at 10am in the Boardroom, District Council Offices, Monaghan Row, Newry

In the Chair: Councillor J Tinnelly

In attendance: **(Committee Members)**

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

(Officials)

Mr C O'Rourke	Director of RTS
Ms D Carville	Director Corporate Services
Mr A McKay	Area Planning Manager
Mr P Rooney	Principal Planning Officer
Mr A Hay	Development Plan Manager
Mr P Green	Legal Officer
Ms E McParland	Democratic Services Manager
Ms C McAteer	Democratic Services Officer
Ms L Dillon	Democratic Services Officer

P/27/2016: APOLOGIES / CHAIRMAN'S REMARKS

Noted: Apologies were received from:
Councillor V Harte
Councillor D McAteer

Councillor Tinnelly thanked Councillor Clarke for chairing the Planning Committee Meeting on Wednesday 16 March 2016 in his absence.

He also welcomed Ms Dorinnia Carville, the newly appointed Director of Corporate Services.

Councillor Craig explained he had to leave today's meeting early and said he planned to leave at 12.15pm.

P/28/2016: DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor L Devlin declared an interest in Planning Application No: R/2015/0181/F (retrospective change of use from storage unit to fitness studio – Unit 21c Dundrum Road Newcastle), and advised she would be withdrawing from discussion and decision on this application.

Councillor L Devlin declared an interest in Planning Application No: R/2014/0271/F (D Rice - 2 storey residential development – apartments – Bryansford Road Newcastle) and advised she would be withdrawing from discussion and decision on this application.

Councillor L Devlin declared an interest in Planning Application No: R/2014/0100/O (Kelbourne Property Ltd - farm dwelling and garage – Clanvaraghan Road Castlewellan), and advised she would be withdrawing from discussion and decision on this application.

Councillor L Devlin declared an interest in Planning Application No: P/2014/0286/F (Carncastle Properties – retrospective permission for dwellings at Mullach Alainn Newry) and advised she would be withdrawing from discussion and decision on this application.

Councillor L Devlin declared an interest in Planning Application No: P/2013/0632/F (Carncastle Properties – retrospective permission for dwellings at Mullach Alainn Newry) and advised she would be withdrawing from discussion and decision on this application.

Councillor W Clarke declared an interest in Planning Application No: R/2014/0100/O (Kelbourne Property Ltd - farm dwelling and garage – Clanvaraghan Road Castlewellan), and advised he would be withdrawing from discussion and decision on this application.

Councillor H McKee declared an interest in Planning Application No: LA07/2015/1166/LDP (Warrenpoint Harbour Authority – 5 no. cement silos - Warrenpoint Harbour The Docks Warrenpoint), and advised he would be withdrawing from discussion and decision on this application.

**P/29/2016: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 16 MARCH 2016**

Read: Minutes of Planning Committee Meeting held on Wednesday 16 2016.
(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 March 2016 as a true and accurate record.

It was also agreed that details of representations made by Councillors on Planning Applications, as a result of the publication of the weekly list, are distributed with the agenda papers for the Planning Committee Meeting.

P/30/2016: PLANNING APPLICATION R/2014/0100/O

Mr McKay explained Planning Officers proposed that Planning Application R/2014/0100/O be removed from the agenda as additional information had been received which the Planning Department had not previously been aware of and in light of this information Planning

Officers wanted to clarify some issues and review the recommendation in respect of this Application.

AGREED: On the proposal of Councillor Craig seconded by Councillor Murnin it was agreed to withdraw Planning Application R/2014/0100/O from the agenda in light of additional information received by the Planning Department in respect of this Application.

P/31/2016: APPLICATIONS FOR DETERMINATION

The following Applications were considered by the Committee:

(1) R/2013/0146/F – Louis Givan

Location:

150m West of No. 16 Creevytenant Road, Ballynahinch

Proposal:

Proposed Agricultural Shed

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 R/2013/0146/F, subject to Conditions 1 - 2 as outlined in the Development Management Report.

NOTED: No abstentions

(11.20am – Councillor Devlin withdrew from the Meeting)

(2) R/2015/0181/F – David Rice

Location:

Unit 21C Dundrum Road, Newcastle

Proposal:

Retrospective change of use from storage unit to fitness studio

Conclusion and recommendation from Planning Official:

Refusal

AGREED: On the proposal of Councillor Craig seconded by Councillor Ruane it was agreed to issue a Refusal in respect of Planning Application No. R/2015/0181/F, as per the Development Management Officer Report.

NOTED: Councillor McKee abstained from the above decision.
Councillor Clarke abstained from the above decision.

(11.30am – Councillor Clarke withdrew from the meeting)

(3) R/2014/0271/F – Kelbourne Property Ltd

Location:

87 and 87e Bryansford Road, Newcastle, Co. Down

Proposal:

2 storey residential development comprising of 1 block of 8 apartments on No. 87. Redefining of boundary between 87 and 87e to accommodate proposed parking, landscaping and access on 87 and improved, retained parking, landscaping and access to 87e.

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor Craig seconded by Councillor Larkin it was agreed to issue an Approval in respect of Planning Application R/2014/0271/F, subject to Conditions 1 – 6 and Informatives 1 – 4, as outlined in the Development Management Report.

NOTED: Councillor Murnin abstained from the above decision.

(11.55am – Councillor W Clarke re-joined the meeting)

(11.55am – Councillor L Devlin re-joined the meeting)

(4) LA07/2015/0532/F – Mistco UK Ltd

Location:

Lands between 8-18 Comber Road, Killyleagh

Proposal:

Amendment to previously approved planning permission reference R/2004/0894/F for the erection of a residential development comprising 44 dwellings (14 no detached and 30 no semi detached), associated landscaping, site and access works.

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor Clarke seconded by Councillor Brown it was agreed to issue an Approval in respect of Planning Application LA07/2015/0532/F as outlined in the Development Management Report

NOTED: Abstentions 0

(5) LA07/2015/1287/A – Morrisions Vivoextra

Location:

Morrisions Vivoextra 1 Ballynahinch Road, Saintfield, BT24 7AE

Proposal:

Illuminated digital display panel to replace existing signage board on external totem adjacent to car park entrance

Conclusion and recommendation from Planning Official

Refusal

AGREED: On the proposal of Councillor Larkin seconded by Councillor Ruane it was agreed to issue a Refusal in respect of Planning Application No. LA07/2015/1287/A, as per the Development Management Officer Report.

NOTED: Abstentions 0

(6) LA07/2015/1327/F – Mr Elliot

Location:

12 The Quay Strangford

Proposal:

Proposal to remove and vary condition 3, all windows have to have a simple vertical emphasis appropriate to the form and design of the terrace. To be hardwood timber vertically sliding sash with glazing bars (maximum 18mm astragals) on planning approval R/2013/0154/F

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 LA07/2015/1327/F, as outlined in the Development Management Report, and subject to the inclusion of a condition that the applicant must install windows of a type as per material and design as submitted with the Application.

NOTED: Abstentions 0

(7) R/2014/0637/LBC – Down District Council

Location:

Down District Council, 24 Strangford Road, Downpatrick, Co. Down, BT30 0SJ

Proposal

Demolition works of buildings adjoining listed building at former Council Offices Strangford Road, Downpatrick

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor McKee seconded by Councillor Murnin it was agreed to issue an Approval in respect of Planning Application R/2014/0637/LBC, subject to condition as outlined in the Development Management Report

NOTED: Abstentions 0

(12.20pm – Councillor L Devlin left the meeting)

(8) P/2014/0286/F – Carncastle Properties

Location:

Adjacent to 20 and 25 Mullach Alainn, Carnagat Road, Newry, BT35 8UU

Proposal:

Retrospective permission for the relocation of dwelling numbers 22,24,26,28,29,30,32,34 and 36 of the original application P/2009/0278/F and external changes to gardens and driveways and area of open space. (amended plans and description)

Conclusion and recommendation from Planning Official

Approval

(9) P2013/0632/F – Carncastle Properties

Location:

Lands adjacent to 20 and 25 Mullach Alainn, Carnagat Road, Newry,

Proposal:

Retrospective application for the relocation of dwelling numbers 21,33,35 and 37 of the original approved application P/2009/0278/F and external rear return and area of open space (amended plans and description)

Conclusion and recommendation from Planning Official

Approval

Considerable discussion took place regarding the above Application during which several Members expressed concerns on the following issues:

- Enforcement of future maintenance of green area
- Provision of appropriate conditions to ensure all items would be addressed prior to any occupation of the dwellings taking place

(12.30pm – Councillor L Devlin returned to the meeting but withdrew from discussions)

- Health and safety issues regarding steep fall away of land at bottom of the development, inability to use pathway, insufficient fencing/barriers.
- Responsibility for clearing away illicit dumping on green area.
- Enforcement of ensuring the green space is kept for amenity space use.
- No boundary fencing at nearby derelict building and garage which raises health and safety issues.
- Porches
- Discussion needed regarding design/landscaping of green space.
- Blatent disregard shown by Developer for Planning Department regulations.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Murnin it was agreed as follows:

- (a) To withhold issuing a decision on Planning Application Nos P/2014/0286/F and P/2013/0632/F pending further engagement by Planning Department Officials with the Applicant regarding issues of concern as raised by Councillors as follows:
 - (i) Provision/landscaping/future maintenance of green amenity area
 - (ii) Health and safety areas regarding embankment, pathway, fencing, derelict building and garage.
 - (iii) Porches
 - (iv) Illicit dumping
- (b) It was also agreed that when detailed plans for regarding the above Planning Applications have been agreed with Planning Officials and the Applicant, that these plans are made available to the Planning Committee.
- (c) Planning Application Nos P/2014/0286/F and P/2013/0632/F to be tabled at the Planning Committee Meeting in due course for consideration.

NOTED: Abstentions 0

(12.55pm – Councillor L Devlin re-joined the meeting table)

(10) P/2013/0413/F – David Campbell

Location:

Approximately 12 metres south of 95 Leestone Road, Kilkeel

Proposal:

Proposed extraction of sand and gravel, erection of temporary processing plant and on site processing and subsequent restoration of site to agricultural use.

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor McKee seconded by Councillor Ruane it was agreed to issue an Approval in respect of Planning Application P/2013/0413/F, subject to conditions 1-10 as outlined in the Development Management Report

NOTED: Abstentions 0

(11) P/2013/0806/F – Milne Holiday Parks

Location:

Shanlieve Holiday Park, 69A Cranfield Road, Cranfield, Kilkeel, BT34 4LS

Proposal:

Extension to existing Caravan Park under PPS 16 (amended plans and drainage assessment)

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor Larkin seconded by Councillor Murnin it was agreed to issue an Approval in respect of Planning Application P/2013/0806/F, subject to conditions as outlined in the Development Management Report

NOTED: Abstentions 0

(12) LA07/2015/1143/F – Warrenpoint Golf Club

Location:

Warrenpoint Golf Club, Lower Dromore Road, Warrenpoint

Proposal:

New Buggy Store

Conclusion and recommendation from Planning Official

Approval

AGREED: On the proposal of Councillor McKee seconded by Councillor Murnin it was agreed to issue an Approval in respect of Planning Application LA07/2015/1143/F, subject to condition 1 and Informatives 1 and 2, as outlined in the Development Management Report

NOTED: Abstentions 0

(1.05pm – Councillor McKee withdrew from the meeting)

(13) LA07/2015/1166/LDP – Warrenpoint Harbour Authority

Location:

Warrenpoint Harbour, The Docks, Warrenpoint, Newry, Co. Down

Proposal:

Erect 5 No. 1100 m³ tonne cement silos constructed from steel as illustrated on the attached drawing 15-079-03 for the purpose of loading cement on to ships

Conclusion and recommendation from Planning Official

Approval

During discussions it was noted that under legislation, the Planning Department could not attach conditions to a Permitted Development planning application.

NOTED: It was noted an Approval be issued to Planning Application LA07/2015/1166/LDP under Permitted Development.

It was unanimously agreed that in light of Permitted Development approval being granted for additional operations at Warrenpoint Harbour under Planning Application LA07/2015/1166/LDP, ie, erection of 5 No. cement silos, that the Council's Environmental Health Department ensure operations at Warrenpoint Harbour are monitored following concerns raised by residents and Councillors in relation to ongoing nuisance issues, ie, dust, noise and flies.

NOTED: Abstentions 0

(1.20pm – Councillor McKee re-joined the meeting)

**P/32/2016: ACTION SHEET
MEMBERS BRIEFING PANEL
TUESDAY 22 MARCH 2016**

Read: Action Sheet arising from Members Briefing Panel held on Tuesday 22 March 2016. (Copy circulated)

AGREED: It was unanimously agreed to note the Action Sheet arising from Members Briefing Panel held on Tuesday 22 March 2016.

P/33/2016: PLANNING DEPARTMENT PERFORMANCE INDICATORS

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

AGREED: It was agreed to note the Planning Department Performance Indicators Report.

**P/34/2016: RECORD OF MEETINGS
PLANNING OFFICERS / PUBLIC REPRESENTATIVES – MARCH 2016**

Read: Record of meetings between Planning Officers and Public Representatives – March 2016. (Copy circulated)

AGREED: It was agreed to note the Planning Department Performance Indicators Report.

P/35/2016: PAC APPEALS

Noted: The Report on PAC Appeals was not available. Mr McKay said he hoped this report would be available for tabling at the next Planning Committee Meeting.

**P/36/2016: UPDATE RE:
PLANNING APPLICATION LA07/2015/1350/F (GREENCASTLE FERRY)
- VARIATION OF CONDITION 19 of P/2013/0434/F
TO ALLOW PILING TO TAKE PLACE DURING THE MONTH OF APRIL**

NOTED: It was noted that an Application for leave to apply for a Judicial Review is listed for hearing on Friday 15 April 2016 at the High Court Belfast. Council would be conceding the Application on one ground only in regard to to the Scheme of Delegation (Planning), and suggested that the Judge order the decision be referred back to the Council to be considered afresh.

P/37/2016: DATE FOR NEXT MEETING

NOTED: The next meeting of the Planning Committee will take place on Wednesday 27 April 2016.

There being no further business the meeting concluded at 1.35pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 27 April 2016.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**