

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 13th February 2019 at 10.00am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor M Larkin

Deputy Chairperson: Councillor D McAteer

In attendance: **(Committee Members)**

Councillor C Casey
Councillor W Clarke
Councillor L Devlin
Councillor G Craig
Councillor V Harte
Councillor K Loughran
Councillor J Macauley
Councillor M Murnin
Councillor M Ruane

(Officials)

Ms M Ward	Director, Enterprise, Regeneration & Tourism
Mr A McKay	Chief Planning Officer
Mr P Rooney	Principal Planning Officer
Ms A McAlarney	Senior Planning Officer
Ms J McParland	Senior Planning Officer
Mr A Davidson	Senior Planning Officer
Ms N Largey	Legal Advisor
Ms C McAteer	Democratic Services Officer
Ms P McKeever	Democratic Services Officer

P/012/2019: BEST WISHES

Councillor Casey extended his best wishes to Councillor Hanna and wished him a speedy recovery.

P/013/2019: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor Hanna.

P/014/2019: DECLARATIONS OF INTEREST

Declaration of Interest received from Councillor Devlin in respect of Item 10 - Planning Application LA07/2018/0221/O.

**P/015/2019: DECLARATIONS IN ACCORDANCE WITH PLANNING
COMMITTEE PROTOCOL PARA. 19
– MEMBER TO BE PRESENT FOR ENTIRE ITEM**

- **Item 6** – LA07/2018/0661/0 – erection of dwelling and domestic garage – between 17a and 17b Hilltown Road, Mayobridge – Members who were present for the entire item and who could take part in the discussion/decision on this application were **Councillors Clarke, Devlin, Larkin, Loughran, McAteer and Macauley.**
- **Item 7** – LA07/2018/0250/F – dwelling and garage on farm – lands 50m south of 30 Fofanny School Road, Newry – Members were present for the entire item and who could take part in the discussion/decision on this application were **Councillors Casey, Clarke, Craig, Devlin, Hanna, Larkin, Loughran, McAteer, Macauley and Ruane.**
- **Item 8** – LA07/2017/1494/0 – proposed one and a half storey dwelling and detached domestic garage – opposite and north of No. 43 Bryansford Road, Stang, Hilltown – Members who were present for the entire item and who could take part in the discussion/decision on this application were **Councillors Larkin, McAteer, Casey, Clarke, Craig, Devlin, Hanna and Murnin.**
- **Item 13** – LA07/2017/1030/0 – site for 100 bedroom hotel and spa – 200m east of No. 25 Greenpark Road, Rostrevor – Members who were present for the entire item and could take part in the discussion/decision on this application were **Councillors Larkin, McAteer, Casey, Clarke, Devlin, Hanna, Loughran, Craig, Macauley, Murnin and Ruane.**
- **Item 15** – P/2014/0427/0 – site for dwelling – to the rear and south of 2 Berkley Grove, Warrenpoint – Members who were present for the entire item and could take part in the discussion/decision on this application were **Councillors Casey, Clarke, Craig, Devlin, Hanna, Harte, Larkin, Loughran, McAteer, Macauley and Ruane**
- **Item 25** – LA07/2017/1895/F – erection of dwelling and detached garage, new landscaping and associated site works in compliance with PPS21-CTY6 – personal and domestic circumstances – approximately 55 metres south east of No. 6 Molly Road, Lower Jonesborough, Newry, BT35 8JR – **All Members were present for the entire item and could take part in the discussion/decision on this application.**

MINUTES FOR CONFIRMATION

**P/016/2019: MINUTES OF PLANNING COMMITTEE MEETING HELD ON
WEDNESDAY 16 JANUARY 2019**

Read: Minutes of Planning Committee Meeting held on Wednesday 16 January 2019. **(Copy circulated)**

**AGREED: On the proposal of Councillor Craig seconded by Councillor
Clarke it was agreed to adopt the Minutes of the Planning
Committee Meeting held on Wednesday 16 January 2019 as a
true and accurate record.**

FOR DISCUSSION/DECISION

P/017/2019: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or
requests for speaking rights – Wednesday 13 February 2019. **(Copy
circulated)**

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

Item 20 - LA07/2018/0753/F – Proposed new 'Sure Start' nursery building, with additional 3 No. parking spaces provided by extension of existing car park – lands immediately to the north of Bessbrook Community Centre within 'the Pond Field' park at No. 8 Mill road, Bessbrook.

REFUSAL

Removed from the Addendum List at the request of Councillor Larkin, to be presented at the next available Planning Committee Meeting.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Clarke it was agreed approve the Officer recommendation in respect of the following applications listed on the Addendum List for Wednesday 13 February 2019: -

- **Item 10** – LA07/2018/0221/0 – proposed off-site replacement dwelling and garage - Drumee Road, Castlewellan.

APPROVAL

- **Item 14** – LA07/2018/1834/F – proposed new village play park at Ballyholland Play Park, 11 Betty's Hill, Newry.

APPROVAL

- **Item 16** – P/2014/0276/0 – site for dwelling and detached garage – approx. 275m west of 79 Aughnahoor Road, Kilkeel.

REFUSAL

- **Item 21** – LA07/2018/1003/F – proposed change of house type at plot Nos 37, 41-43, 50, 51, 64-66, 71, 76, 77, 82, 91-94, 163, 170, 174-177, 180, 181, 186, 193, 194, 195, 196 and 208 (31 No. total) from these previously approved under LA07/2016/0617/F (see proposal below) lands under construction at Hillcrest Village McKnights Hill to the North Church of the Good Shepherd to the rear of Derramore Crescent and to the West of Brooklawns and Millvale Park, Bessbrook, Newry.

APPROVAL

- **Item 22** – LA07/2018/1103/F – erection of 11 dwellings (Proposed change of house types (T&S) at plot Nos 197-207 from those previously approved under ref. LA07/2016/0617/F – Plot Nos 197-207 at Hillcrest Village McKnights Hill to the north of Church of the Good Shepherd to the rear of Derramore Crescent and to the west of Brooklawns and Millvale Park.

APPROVAL

- **Item 23** – LA07/2018/1388/F – extraction of glacial aggregate – lands approximately 264m due NE of No. 88 Longfield Road, Forkhill.

APPROVAL

- **Item 24** – LA07/2018/1299/F – upgrade of existing pathway from the South Cairn to Calliagh Berra's Lough, Slieve Gullion, including remedial landscaping and all associated works – pathway located between Calliagh Berra's Lough and South Cairn, Slieve Gullion Mountain, Slieve gullion Forest Park, 89 Drumintee Road, Meigh.

APPROVAL

DEVELOPMENT MANAGEMENT - PLANNING APPLICATIONS FOR DETERMINATION

P/018/2019: PLANNING APPLICATIONS FOR DETERMINATION

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

Item 19 - LA07/2015/0149/F - Change of use of building to provide for storage and distribution of fuel with alterations, and new bulk fuel tank in yard – site between 54 and 58 Edenappa Road, Jonesborough.

REFUSAL

Withdrawn by the Planning Department to allow further consultation to be completed.

The following applications were then determined by the Committee:-

**(1) LA07/2018/0661/0
(Audio recorded – YES)**

(Councillors Casey, Harte, Craig, Murnin and Ruane withdrew from the meeting)

Location:

Between 17a and 17b Hilltown Road, Mayobridge

Proposal:

Erection of dwelling and domestic garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking Rights:

Mr J Young, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms J McParland, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Mr Young referred to medical evidence that had been submitted on 5 December 2018 regarding exceptional personal circumstances and said this information had not been considered by the Planning Officials in determining their recommendation.

Mr McKay said that as per planning protocol, no new information would be considered and there was an expectation in statute for planning applications to be delivered within a fifteen week period. He continued, saying a new application would have had to be submitted if there had been a substantial change in personal circumstances.

Councillor Macauley proposed and Councillor Clarke seconded to refuse Planning Application LA07/2018/0661/0.

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

FOR:	5
AGAINST	1

ABSTENTIONS 0

The proposal was declared 'carried'.

AGREED: On the proposal of Councillor Macauley seconded by Councillor Clarke it was agreed to issue a refusal in respect of Planning Application LA07/2018/0661/O — as per the information and recommendation contained in the Case Officer report presented to Committee.

(Councillors Casey, Craig and Ruane re-joined the Meeting
(Councillor Harte and Murnin remained withdrawn)

**(2) LA07/2018/0250/F
(Audio recorded – YES)**

Location:

Lands 50m south of No. 30 Fofanny School Road, Newry

Proposal:

Dwelling and garage on a farm

Conclusion and Recommendation from Planning Official:

Refusal

Speaking Rights:

Sam Hawthorne, agent, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms McAlarney, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Ms McAlarney said the main issue for consideration was the application site did not visually link or cluster with the established group of buildings on the farm. Councillor Clarke asked if the new dwelling could be located where the septic tank was currently sited. Ms McAlarney replied this option would have to be considered under a separate application.

Councillor Devlin referred to the existing laneway that was not in total control of the applicant and due to this restraint, the applicant could not avail of a mortgage and asked if this could be taken on board by Planning Officials.

Ms McAlarney again reiterated the main issue to be considered was that the application site did not visually link or cluster with the established group of buildings on the farm and the access issue would have to be dealt with separately.

Councillor Devlin referred to the agent's report which included five examples of previous applications with similar circumstances, all of which had been granted approval, Ms McAlarney said she had carried out a review of the five planning applications referred to in the agent's report but she could not find any comparisons in terms of clustering.

Mr Hawthorne said he considered No. 30 to be part of the original holding given that it was a replacement to the original farm dwelling and he asked for clarification regarding this.

Ms McAlarney said having looked at the farm maps that had been submitted and on carrying out a search of ownership, it was apparent that No. 30 was not linked to the farm owner.

Mr Hawthorne said the applicant's sister lived at No. 30 and that buildings and farm yards were not included on farm maps. In response to a query from Councillor Larkin as to whether the resident at No. 30 was named on the farm business, Mr Hawthorne replied that although this was not the case, the applicant's sister did participate on the farm.

Councillor McAteer asked for the legal position regarding the location of the septic tank and if it was deemed to have a discernible border between the original farm dwelling and the replacement dwelling.

Ms Largey said she agreed with the Officer's recommendation that No. 30 was not on the farm and any discussions relating to the siting of the septic tank were irrelevant.

Mr McKay said Planning Officials had established that No. 30 was not part of the farm business, he acknowledged it had been a replacement dwelling but said there were no restrictions as to who resided in the house. He continued, saying that to conform to policy, the dwelling at No. 30 would need to visually link or cluster with the established farm buildings, which in the case of Planning Application LA07/2017/0250F it did not.

Mr Hawthorne said he totally disagreed with the Planning Department's recommendation, saying he believed that No. 30 was part of the group of farm buildings.

Councillor Macauley proposed to issue a refusal in respect of Planning Application LA07/2018/0250/F as per the Officer recommendation, Councillor Larkin seconded the proposal.

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

FOR:	7
AGAINST:	1
ABSTENTIONS:	1

The proposal was declared 'carried'.

AGREED: On the proposal of Councillor Macauley seconded by Councillor Larkin it was agreed to issue a refusal in respect of Planning Application LA07/2018/0250/F as per the information and recommendation contained in the Case Officer report presented to Committee.

**(3) LA07/2017/1494/0
(Audio recorded – NO)**

(Councillors Loughran, Macauley and Ruane withdrew from the Meeting)
(Councillor Harte remained withdrawn)

Location:

Opposite and north of No. 43 Bryansford Road, Stang, Hilltown

Proposal:

Proposed one and a half storey dwelling and detached domestic garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Colin O'Callaghan, O'Callaghan Planning Consultants, agent, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms McAlarney, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Ms McAlarney said Planning Application LA07/2017/1494/O was before the Committee for reconsideration having previously been deferred to allow Planning Officials time to review the application and to look at the sight lines at no. 72 Kilkeel Road, Hilltown. Ms McAlarney continued, saying the current application was for the proposed dwelling to be located off site and it would have to be demonstrated why the dwelling could not be located on the original site.

General discussion took place regarding access and visibility splays. Mr O'Callaghan said the applicant had a signed declaration from the two relevant landowners which stated they would not provide the land to instate the visibility splays required. Mr O'Callaghan, continued, saying the existing lane was too narrow and the applicant would be unable to secure a mortgage due to lane access issues and the numbers of dwellings on the lane.

Ms McAlarney said the required 2.4m x 100m splays could be achieved by imposing negative conditions and she confirmed there were two outstanding planning applications for infill on the lane, both of which had negative conditions attached regarding visibility splays.

Ms Largey said it was not unlawful to impose negative conditions.

Mr O'Callaghan said there was no reliance on negative conditions and additionally, environmental health issues had been flagged up regarding the two infill applications currently being processed regarding their siting so close to the applicant's farm.

AGREED: On the proposal of Councillor Craig, seconded by Councillor Larkin it was unanimously agreed to issue a refusal in respect of Planning Application LA07/2017/1494/O as per the information and recommendation contained in the Case Officer report presented to Committee.

**(4) LA07/2018/0820/F
(Audio recorded – YES)**

(Councillors Harte, Loughran, Macauley and Ruane rejoined the Meeting)

Location:

Lands to the rear of Nos 1 and 2 Sally Gardens and 31-35 Mourne Rise, Newcastle

Proposal:

Erection of a semi-detached pair of dwellings and associated car parking

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Chris Brannigan, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms McAlarney, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Ms McAlarney acknowledged the history on the site saying there had been two previous approvals on the site and the application before the Committee had been submitted as a renewal application, however there had been a change in policy since the previous approvals had been granted.

During discussions, Ms McAlarney confirmed the expiry date of the most recent planning approval was June 2018 and she acknowledged the renewal application had been received by Planning Department in May 2018. She continued, saying the application then had to go through the consultation process which took time, but she did not believe there was any undue delay incurred by Officers during this time.

Councillor Clarke said flexibility should be afforded to the applicant as the renewal application had been received by Planning Department before the expiry date.

Ms McAlarney said that although the application had been submitted prior to the expiry date, it was important that a precautionary approach be taken in terms of the change to planning policy. She continued, saying that previous approvals had been granted in a previous policy context and due regard would have to be given in view of the revised policy now in place and that public safety was paramount in terms of potential flood risk. Ms McAlarney acknowledged the site was in a defended area but she said the site was not previously developed land and consequently the risk of flooding could not be eliminated.

Discussion took place regarding the revised PPS15 which required that all planning applications, including renewal applications would be determined with reference to the most up to date flood risk information available to the Planning Authority.

Particular reference was made to FLD 5 – Development in Proximity to Reservoirs, and concern was expressed by Members regarding the onus being on the applicant to provide assurance from a suitably qualified engineer with supporting evidence from DfI Rivers on the safety aspect of the reservoir. Ms McAlarney said FLD5 required the applicant to demonstrate the condition management of the reservoir, however she said this information should be available from the reservoir owner. Ms McAlarney also said the revised policy would require a working strip of 5-10m to facilitate maintenance, which in the case of Planning Application LA07/2018/0820/F would not be possible.

Councillor Clarke proposed to defer Planning Application LA07/2018/0820/F to allow time for a meeting to take place with the Rivers Agency and the applicant to discuss all flooding issues and that Council request an up to date safety report from NI Water regarding Lough Island Reavy Reservoir for all future applications.

Mr McKay advised against requesting a report from NI Water regarding Lough Island Reavy Reservoir as the report they would hold would not detail the condition of the dam but rather

the impact downstream if there was a failure of the dam. He continued, saying there would not be a report available that would be specific enough to be used for future applications.

AGREED: On the proposal of Councillor Clarke, seconded by Councillor Devlin it was agreed defer Planning Application LA07/2018/0820/F to allow for a meeting to take place with Rivers Agency and the applicant.

**(5) LA07/2018/0891/F
(Audio recorded – YES)**

Location:

30m SE of 22 Rossglass Road South, Killough, Downpatrick

Proposal:

Conversion and extension of existing vernacular structure to form a residential dwelling

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Barry Hillen, agent, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms McAlarney, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Ms McAlarney advised Members that as per protocol, late information received from the applicant had not been assessed when determining the application.

Councillor Devlin asked how the process worked regarding the submission of additional information by the applicant.

Ms McAlarney replied that the onus was on the applicant to submit all the required information with the application.

Mr Hillen said all issues raised by Planning in their correspondence dated 24 July 2018 had been addressed.

Discussion took place on whether the buildings to be converted were of local historical importance. Ms McAlarney said Planning had taken the view they did not have historical architectural merit, additionally Transport NI had also advised they did not consider the buildings to be locally important. Ms McAlarney continued, saying the design of the proposed conversion and extension was not sympathetic to the scale and massing of the existing buildings.

Councillor McAteer proposed to overturn the Officer's recommendation and issue an approval in respect of Planning Application LA07/2018/0891/F on the basis that he accepted the buildings were of local historical importance. Councillor Clarke seconded the proposal.

Mr McKay reminded Members the late information that had been submitted by the applicant had not been assessed by Planning officials. Councillor McAteer said he was content to

proceed with his recommendation as he had local knowledge of the area and he believed the buildings to have historical merit.

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

FOR:	10
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared 'carried'.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Clarke it was agreed issue an approval in respect of Planning Application LA07/2018/0891/F contrary to officer recommendation on the basis that the buildings were of local historical importance.

It was also agreed that officers be delegated authority to impose any relevant conditions.

**(6) LA07/2018/0915/F
(Audio recorded – YES)**

Location:

Land 15m north of 6 Largy Road, Kilcoo.

Proposal:

Provision of bunk house tourist accommodation and associated site works.

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Barry Fletcher, agent and the applicant, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms McAlarney, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Councillor Devlin in referring to policy TMS3 asked Ms McAlarney what she would deem to be significant environmental benefit. Ms McAlarney replied it would have to be demonstrated there was a benefit to the environment by removing the existing building.

Discussion took place regarding the interpretation of environmental benefit. Councillor Clarke said there was an increasing interest in this type of holiday accommodation in a remote area but close to tourism amenities, and he believed there were eco-tourism benefits to be had from a sustainability aspect.

The Applicant said the RDP funding stream would be opening shortly but he would not be eligible to apply for it unless he had planning permission in place.

Councillor Casey said the Council encouraged new start-up businesses and Councillor Craig said whilst he was very keen to support the potential for tourism development in the area, he also wanted to comply with policy.

In response to a query from Councillor McAteer as to the fact the application could not be assessed against a specific policy, Ms Largey said she agreed with the Planning Officer that the proposal was very similar to that of a hostel and therefore had been assessed correctly.

Mr McKay said the policy under which the application was assessed was entirely appropriate but he did not believe the agent had correctly addressed the policy.

Councillor Clarke referred to the RDP funding programme which the applicant could avail of, to secure funding and said this was also a Council led project.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Clarke it was unanimously agreed to issue an approval in respect of Planning Application LA07/2018/0915/F contrary to officer recommendation on the basis that the development would bring an environmental benefit to the area and that the proposed building would be well integrated

It was also agreed that officers be delegated authority to impose any relevant conditions.

(7) **LA07/2017/1030/0**
(Audio recorded – YES)

(Councillor Harte withdrew from the Meeting)

Location:

200m east of No. 25 Greenpark Road, Rostrevor

Proposal:

Site for 100 bedroom hotel and spa

Conclusion and Recommendation from Planning Official:

Approval

Speaking rights:

Michael Graham, WYG Planning; Andrew Bunbury, Park Hood Landscape Architects; John Cole, Cole Partnership and Miceal Tinnelly, Shoreside Developments, in support of the application.

Power-point presentation:

Ms J McParland, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

AGREED: On the proposal of Councillor Clarke seconded by Councillor McAteer it was unanimously agreed to issue an approval in respect of Planning Application LA07/2017/1030/0 as per the information and recommendation contained in the Case Officer report presented to Committee.

**(8) P/2014/0427/O
(Audio recorded – YES)**

(Councillor Harte rejoined the meeting)
(Councillor Murnin withdrew from the meeting)

Location:

To the rear and south of 2 Berkley Grove, Warrenpoint

Proposal:

Site for dwelling

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Brendan Quinn, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Speaking rights:

DEA Councillor M Carr, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms J McParland, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Ms McParland said the application had been previously discussed at length and had been deferred so that DFI Roads could review the visibility splays, this had been done and DFI Roads had reported they were content with the visibility splays.

Councillor Devlin referred to the improvement that would be made to the Well Road /Berkley Grove junction should the application be approved and asked what weight would have been given by Planning to this.

Ms McParland replied whilst she acknowledged the access was substandard, there was no evidence to suggest it was dangerous.

Councillor Devlin asked who would benefit if the Well Road / Berkley Grove junction was improved. Mr Quinn replied the occupants at the eleven dwellings at Well Road and the four dwellings at Broseley, Well Road plus anyone travelling North on the Well Road would all have the benefit of improved visibility.

Councillor McAteer asked for clarity on the different plot sizes on the development. Ms McParland said there were two policies that had to be applied, one was LC1 that applied to all residential development within the surrounding area and the second one was ATC policy which applied only to the ATC area. Ms McParland continued, saying she considered the plot to be below the average plot size when assessed under each of the policies.

Councillor McAteer proposed to defer Planning Application P/2014/0427/O to allow for a site visit to take place to assess the site in more detail. Councillor Macauley seconded the proposal.

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

FOR: 9
AGAINST: 1
ABSTENTIONS: 0

The proposal was declared 'carried'.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Macauley it was agreed to defer Planning Application P/2014/0427/O to allow for a site visit to take place so that Members could assess the site in more detail.

It was also agreed Planning Application P/2014/0427/O be brought back to Committee.

**(9) LA07/2018/0788/F
(Audio recorded – NO)**

(Councillor Murnin rejoined the meeting)

Location:

Lands adjacent to and NW of 10 Donaghaguy Road, Warrenpoint

Proposal:

Change of house type to approved reserved matters LA07/2015/0799/RM to detached storey and a half dwelling and detached garage and associated siteworks

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Seainin Hanna, O'Callaghan Planning, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Ms J McParland, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

Councillor Ruane said the agent had requested a deferral to allow time for discussion to take place regarding the amended plans.

AGREED: On the proposal of Councillor Ruane, seconded by Councillor McAteer it was agreed defer Planning Application LA07/2018/0788/F to allow time for discussion to take place on the amended plans.

It was also agreed that officers be delegated authority to impose any relevant conditions and issue the decision.

(10) LA07/2017/0810/F
(Audio recorded – YES)

Location:

Approximately 60 metres north of 9 Shepherds Way, Carnbane, Newry

Proposal:

Creation of new car park to provide additional car parking facilities at existing commercial premises, erection of bridge across Newry River, erection of perimeter fencing, erection of totem sign and associated site works.

Conclusion and Recommendation from Planning Official:

Approval

Speaking rights:

George Berry and David Berry presented in objection of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Speaking rights:

Deborah Loughran, MJM Group and Donald Walker, Newry & District Angling Association, in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Mr A Davidson, Senior Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

George and David Berry said whilst they did not object to the proposed car park or bridge, they had concerns regarding pollution in the river and access to the river was no longer possible due the erection by MJM Group of a perimeter fence.

Mr Davidson said there was no public Right of Way on the stretch of river bank that George and David Berry referred to and he was not aware of aware of an application for a private Right of Way.

Ms Loughran said MJM Group was an environmentally friendly company and the water way was a huge asset to it. She continued, saying the storm drains drained into the waterways using Class 1 Bypass Interceptors. She said for security reasons, there could not be open access, however Rivers Agency would have access along the bank.

Mr Walker said bailiffs from the Angling Society patrolled the river and were empowered to act on any pollution issues. Mr Walker continued, saying the Angling Society was engaged with the Loughs Agency in installing styles along the river to carry out any maintenance required. He said the Angling Society had a lease agreement with the owners Mourne Estate which gave it reparian rights and MJM were working alongside them to this end.

Councillor Murnin proposed to accept the officer's recommendation and issue an approval in respect of Planning Application LA07/2017/0810/F. Councillor Ruane seconded the proposal.

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

FOR:	9
AGAINST:	0

ABSTENTIONS: 2

The proposal was declared 'carried'.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Ruane it was agreed to issue an approval in respect of Planning Application LA07/2017/0810/F as per the information and recommendation contained in the Case Officer report presented to Committee.

(Councillor Casey left the Meeting – 3.20 pm)

(11) LA07/2017/1895/F
(Audio recorded – NO)

AGREED: On the proposal of Councillor Devlin seconded by Councillor Clarke 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.

Location:

Approximately 55 metres South East of No. 6 Molly Road Lower Jonesborough Newry BT35 8JR.

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

Speaking rights:

Stephen Hughes, agent; Barney McKevitt and Brian and Olive Gallagher, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Mr P Rooney, Principal Planning Officer gave a power point presentation on the application with supporting information including a site location plan, an aerial view of the site and photographs from various critical views of the site.

On the proposal of Councillor Macauley, seconded by Councillor Loughran, 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 following a vote:

FOR: 6
AGAINST: 2
ABSTENTIONS: 2

AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application LA07/2017/1895/F contrary to officer recommendation on the basis that genuine hardship would be caused if planning permission were refused. Any issues regarding integration could be resolved with relevant conditions.

It was also agreed that officers be delegated authority to impose any relevant conditions.

FOR NOTING

P/019/2019: HISTORIC ACTION SHEET

Read: Planning historic action sheet. **(Copy circulated)**

AGREED: **It was unanimously agreed to note the Planning historic action sheet.**

P/020/2019: PLANNING COMMITTEE MEETING PERFORMANCE REPORT JANUARY 2019

Read: Planning Committee Performance Report January 2019. **(Copy circulated)**

AGREED: **It was agreed to note the Planning Committee Performance Report January 2019.**

P/021/2019: MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES

Read: Record of Meetings between Planning Officers and Public Representatives 2018-2019. **(Copy circulated)**

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

P/022/2019: APPEALS & DECISIONS

Read: Report re: Appeals and Decisions – January 2019. **(Copy circulated)**

AGREED: **It was agreed to note the Appeals and Decisions January 2019.**

The Meeting concluded at 3.50pm

For confirmation at the Planning Committee Meeting to be held on 13 March 2019.

Signed: _____ Chairperson

Signed: _____ Chief Executive