

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: PL / DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 15 March 2017 at 10.00am in the Boardroom, District Council Offices, Monaghan Row, Newry

Deputy Chairperson: Councillor J Macauley

In attendance: (Committee Members)

Cllr G Craig	Cllr L Devlin
Cllr G Hanna	Cllr C Casey
Cllr M Larkin	Cllr K Loughran
Cllr D McAteer	Cllr M Ruane
Cllr M Murnin	Cllr V Harte

(Officials)

Mr C O'Rourke	Director Regulatory & Technical Services
Mr A McKay	Area Planning Manager
Mr A Donaldson	Senior Planning Officer
Ms N Largy	Legal Advisor
Ms E McParland	Democratic Services Manager
Ms L Dillon	Democratic Services Officer
Ms C McAteer	Democratic Services Officer

P/042/2017: APOLOGIES / CHAIRMAN'S REMARKS

The Deputy Chairperson, Councillor Macauley extended best wishes to Ms Jacqui McParland, Senior Planning Officer, on the birth of her daughter and asked that a letter of congratulations be sent to Ms McParland on behalf of the Planning Committee.

The following apology was received:

Councillor W Clarke Chairperson

P/043/2017: DECLARATIONS OF INTEREST

None

P/044/2017: MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY 1 MARCH 2017

Read: Minutes of Planning Committee Meeting held on Wednesday 1 March 2017.
(Copy circulated)

AGREED: On the proposal of Councillor Craig seconded by Councillor Hanna it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 1 March 2017 as a true and accurate record.

P/045/2017: ADDENDUM LIST

Read: Addendum list of planning applications with no representations received or requests for speaking rights – Wednesday 15 March 2017.
(Copy circulated)

Removals from Addendum List

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

- **Item 9 – LA07/2016/1106/F** – John Kelly – single storey detached farm dwelling and garage (amended plans) – land to the east of 58 Drumsnade Road, Ballynahinch. **REFUSAL**
(Removed from the Addendum List at the request of Councillor Murnin and be included at a future Planning Committee Meeting)

Approval of Addendum List

AGREED: On the proposal of Councillor Craig seconded by Councillor McAteer it was agreed to approve the Officer Recommendation, as per the Development Management Officer Report, in respect of the following Planning Applications listed on the Addendum List:

- **Item 12 – LA07/2015/0485/O** – Felix O'Hare & Company Ltd –proposed housing development 42 sites – at junction of Chancellors Road/Watsons Road, Newry and opposite Ashton Heights and Dunbrae Housing Developments.
APPROVAL
- **Item 15 – LA07/2016/0091/F** – Peter Clarke – proposed dwelling with amendments to access for No. 14 & 14a Upper Dromore Road, Warrenpoint – to the front of No. 14 Upper Dromore Road, and between Nos. 12 and 16 Upper Dromore Road, Warrenpoint.
REFUSAL
- **Item 19 - LA07/2016/0978/F** – Kilbroney Timber Frame Ltd – proposed food retail and off-sales building including associated site works (site address amended) – site at 76 Canal Street, Newry.
REFUSAL

P/046/2017: APPLICATIONS FOR DETERMINATION

AGREED: It was unanimously agreed to withdraw the following Planning Applications from the Schedule:

Item 7 – LA07/2015/1221/O – Mrs W Allen – dwelling and garage (amended layout) – 35m to rear (north) of 8 Comber Road, Saintfield – flat 24 Edgewater 61 South Promenade Newcastle.

REFUSAL

(Planning Officers advised this application be withdrawn from schedule to allow full assessment of additional information provided)

Item 10 – LA07/2016/1164/O – Mr & Mrs Gerard Hanna – proposed site for farm dwelling and domestic garage – 75m NE of No. 2 Carnacavil Road, Castlewellan.

REFUSAL

(Agent advised this application has been withdrawn from the planning process)

Item 13 – LA07/2015/0700/O – Derryogue Developments Ltd – site for housing development – lands at the junction of Greencastle Road and Kittys Road, Kilkeel (south of No. 39 Greencastle Road (Joinery Works) opposite and south-east of No's 18-21 Derryogue Park extending to opposite No's 5-11 Kittys Road.

REFUSAL

(Planning Officers advised this application be withdrawn from the schedule to allow a full assessment of additional information)

Item 17 – LA07/2016/0790/F – Conor Toale – erection of 2 agricultural sheds with internal underground slurry tank. Provision of cattle loading and handling facility with underground water wash water tank. Application submitted in substitution to approval granted under P/2010/1219/F – approximately 90m north of a Ballyholland Road, Newry.

REFUSAL

(Planning Officers advised this application be withdrawn from the schedule to allow a full assessment of additional information)

The following applications were then determined by the Committee:

(1) LA07/2015/0084/F – Ryan Morgan

Location:

60m North East of 3 Kirk Lane, Tullyree Road, Kilcoo

Proposal:

Proposed dwelling and garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

A request for speaking rights had been received from Martin Bailie, Agent and Ryan Morgan, Applicant, in support of the application but were not present at the meeting.

Noted:

Councillor T Andrews confirmed his support for this application.

AGREED: On the proposal of Councillor Hanna seconded by Councillor Craig it was agreed to issue a refusal in respect of Planning Application LA07/2015/0714/F, for the reasons recommended as per the Development Management Officer Report.

(2) LA07/2015/0714/F – Mr & Mrs Byrne**Location:**

180m NW of existing farm buildings adjoining 28 Ballyclander Road, Downpatrick

Proposal:

Proposed farm dwelling and garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Ms Brigin Byrne, Applicant/Agent, presented in support of the application.

AGREED: On the proposal of Councillor Hanna seconded by Councillor Craig it was agreed to defer Planning Application LA07/2015/0714/F and arrange a Members' site visit.

(3) LA07/2016/0821/F – C Canning**Location:**

24 Ringhaddy Road, Killinchy

Proposal:

Change of house type to that previously approved under R/2012/0323/F (further amended plans received): clarification re: finishes and levels

Conclusion and Recommendation from Planning Official:

Approval

Speaking rights:

Mr Andrew Ryan presented on behalf of the Concerned Ringhaddy Area Residents' Group in objection to the application.

Councillor Larkin proposed and Councillor Ruane seconded to issue an approval in respect of Planning Application LA07/2016/0831/F, as per the Development Management Officer Report.

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

For: 4
Against: 7
Abstentions 0

The proposal was declared lost.

AGREED: On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to defer Planning Application LA07/2016/0831/F, and arrange a Members' site visit.

(11.20am – The Meeting adjourned)

(11.30am – The Meeting resumed)

(4) LA07/2015/0084/F – Ryan Morgan

Location:

60m North East of 3 Kirk Lane, Tullyree Road, Kilcoo

Proposal:

Proposed dwelling and garage

Conclusion and Recommendation from Planning Official:

Refusal

Noted: Mr M Bailie Agent and Mr R Morgan Applicant, who had requested speaking rights in respect of the above application had not been present when the matter was discussed and decided upon by the Planning Committee but had arrived later in the meeting. The Deputy Chairperson therefore suggested that Committee go into closed session to discuss the particular circumstances that had arisen.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Murnin it was agreed to exclude the public and press from the Meeting during discussion on this Planning Application which related to exempt information by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information).

AGREED: On the proposal of Councillor Hanna seconded by Councillor Devlin it was agreed the Committee come out of closed session.

When the Committee came out of closed session the Deputy Chairperson advised that the Committee had noted information provided by Ms E McParland Democratic Services Manager, in relation to Standing Order 24 (rescission of a preceding resolution) and the particular circumstances that had arisen on this occasion and, as the Committee had already taken a decision on the application, the matter would not be further discussed.

(5) LA07/2015/0456/F – Richard Nummy

Location:

35m South of 93 Belfast Road, Newry

Proposal:

Relocation of access to that approved under planning application P/2010/1452

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Martin Byrne, Agent, Mr R Nummy Applicant and DEA Councillor David Taylor presented In support of the application.

Councillor Larkin proposed and Councillor Harte seconded to defer Planning Application LA07/2015/0456/F and await the submission of a roads safety expert report to be provided to Planning Department afterwhich Planning Department consult with Transport NI and Planning Department Officers be delegated authority to issue a decision thereafter in respect of this application.

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

For:	4
Against:	7
Abstentions:	0

The proposal was declared lost.

Councillor McAteer proposed and Councillor Hanna seconded to defer Planning Application LA07/2015/0456/F and arrange for this application to be re-tabled at a future Planning Committee Meeting with representatives from Transport NI in attendance and subject to the submission of a road safety report from the Agent/Applicant.

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

For:	7
Against:	1
Abstentions:	0

The proposal was declared carried.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Hanna it was agreed to defer Planning Application LA07/2015/0456/F and arrange for this application to be re-tabled at a future Planning Committee Meeting with representatives from Transport NI in attendance and subject to the Agent/Applicant arranging the submission of a road safety report.

(6) LA07/2016/0069/O – John McKibben

Location:

130m West of 40 Leestone Road, Kilkeel

Proposal:

Farm building

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

A request for speaking rights had been received from O'Callaghan Planning in support of the Application but they were not present at the meeting.

AGREED: On the proposal of Councillor Craig seconded by Councillor Hanna it was agreed to defer Planning Application LA07/2016/0069/O to allow further discussion between Planning Department, Applicant and Agent and that Planning Officers be delegated authority to issue decision thereafter.

(7) LA07/2016/0473/F – Cathal Murdock

Location:

Lands 70m SW of 35 Aughnagon Road, Warrenpoint

Proposal:

Proposed change of house type for dwelling previously approved under P/2009/0421/RM

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Colin D'alton Agent, presented in support of the application.

Councillor Larkin proposed and Councillor McAteer seconded to issue an approval in respect of Planning Application LA07/2016/0473/F, contrary to officer recommendation, on the basis that it is believed development has commenced on site at this location, and subject to the implementation of a condition that the unauthorised access be removed and the access that was previously approved, be constructed as soon as possible. Planning Officers be delegated authority to impose any other relevant conditions deemed appropriate to this application.

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 Larkin seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application LA07/2016/0473/F, contrary to officer recommendation, on the basis that it is believed development has commenced on site at this location and subject to the implementation of a condition that the unauthorised access be removed and the access that was previously approved be constructed as soon as possible.

(8) LA07/2016/0853/O – Mary Garvey

Location:

Adjacent and West of 38 Dernaroy Road, Killeavy, Newry

Proposal:

Erection of dwelling in compliance with PPCTY10

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Michael Toale, Agent, and Mary Garvey, Applicant, presented in support of the application

Councillor Murnin proposed and Councillor Craig seconded to issue a refusal in respect of Planning Application LA07/2016/0853/O, for the reasons recommended as per the Development Management Officer Report.

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

For: 8
Against: 3
Abstentions 0

The proposal was declared carried.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Craig it was agreed to issue a refusal in respect of Planning Application LA07/2016/0853/O, for the reasons recommended as per the Development Management Officer Report.

(1.15pm – Meeting adjourned)

(1.55pm – Meeting resumed)

(9) LA07/2016/1212/O – Thomas Grant

Location:

Adjacent and immediately South of 20 Ryan Road, Mayobridge, Newry

Proposal:

Replacement dwelling on farm (amended site address)

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

A request for speaking rights has been received from Collins & Collins, Agents, in support of the application, but they were not present at the meeting.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Hanna it was agreed to issue a refusal in respect of Planning Application LA07/2016/1212/O, for the reasons recommended as per the Development Management Officer Report.

(2pm – Councillor Casey withdrew from the Meeting)

(2pm – Councillor Devlin withdrew from the Meeting)

(2pm – Councillor Murnin withdrew from the Meeting)

(10) LA07/2016/1486/O – Mr & Mrs Jonathon Matthews

Location:

Lands immediately South of No 24 Lower Carrogs Road, Newry

Proposal:

Proposed corner infill site for a new dwelling & garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Jonathon Matthews, Applicant, presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application LA07/2016/1486/O, contrary to officer recommendation, on the basis that having established where the lane runs to and from, that this creates an infill site on the proposed site.

Planning Officers be delegated authority to attach appropriate conditions to this application.

(2.15pm – Councillor Casey re-joined the Meeting)
(2.15pm – Councillor Devlin re-joined the Meeting)
(2.15pm – Councillor Murnin re-joined the Meeting)

(11) LA07/2016/1501/0 – Kirsty Mooney and Ciaran O’Leary

Location:

20m North of No 6 Drumilly Road, Belleeks, Newry

Proposal:

Proposed one and a half storey dwelling with detached domestic garage (amended address)

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Joe Lynam, Agent, presented in support of the application

AGREED: On the proposal of Councillor Craig seconded by Councillor Hanna it was agreed to issue a refusal in respect of Planning Application LA07/2016/1501/O, for the reasons recommended as per the Development Management Officer Report.

FOR DISCUSSION/DECISION

**P/047/2017: SCHEDULE OF PLANNING COMMITTEE MEETINGS
- APRIL 2017 – JUNE 2017**

Read: Schedule of Planning Committee Meetings from April 2017 – June 2017.
(Copy enclosed)

AGREED: On the proposal of Councillor Craig seconded by Councillor Ruane it was agreed to revert to one meeting per month for the Planning Committee for the month of April 2017.

This arrangement can be reviewed at the Planning Committee Meeting to be held on Wednesday 26 April 2017.

**P/048/2017: PERFORMANCE REPORT
- FEBRUARY 2017**

Read: Planning Committee Performance Report – February 2017.
(Copy circulated)

AGREED: It was agreed to note Planning Committee Performance Report for February 2017.

**P/049/2017: MEETINGS BETWEEN
PLANNING OFFICERS/PUBLIC REPRESENTATIVES**

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

AGREED: It was agreed to note the Record of Meetings between Planning Officers and Public Representatives

P/050/2017: APPEALS & DECISIONS – FEBRUARY 2017

Read: Report regarding Appeals and Decisions for February 2017.
(Copy circulated)

AGREED: It was agreed to note the Report regarding Appeals and Decisions for February 2017.

There being no further business the meeting concluded at 2.40pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 29 March 2017

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**