

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

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/01/2016: 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/02/2016: 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/03/2016: 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/04/2016: 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/05/2016: 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/06/2016: 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 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**