

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 15th November 2023 at 10.00am in the Boardroom Council Offices, Monaghan Row, Newry

Chairperson: Councillor D Murphy

In attendance: (Committee Members)

Councillor P Byrne
Councillor P Campbell
Councillor C Enright
Councillor A Finnegan
Councillor G Hanna
Councillor M Larkin
Councillor C King
Councillor S Murphy
Councillor M Rice
Councillor J Tinnelly **(Deputy Chairperson)**

(Officials)

Mr J McGilly	Assistant Director of Regeneration
Mr Pat Rooney	Principal Planning Officer
Mr Peter Rooney	Legal Advisor
Ms A McAlarney	Senior Planning Officer
Mr M Keane	Senior Planning Officer
Ms G McEwen	Senior Environmental Health Officer
Ms S Taggart	Democratic Services Manager
Ms S Kieran	Democratic Services Officer

P/077/2023: APOLOGIES AND CHAIRPERSON'S REMARKS

The following apology was received:

- Councillor D McAteer

P/078/2023: DECLARATIONS OF INTEREST

No declarations of interest.

P/079/2023: DECLARATIONS OF INTEREST IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL- PARAGRAPH 25

Declarations of Interest in relation to Para.25 of Planning Committee Operating Protocol – Members to be present for entire item.

There were no declarations.

MINUTES FOR CONFIRMATION

P/080/2023: MINUTES OF PLANNING DEVELOPMENT COMMITTEE MEETING WEDNESDAY 18 OCTOBER 2023

Read: Minutes of Planning Committee Meeting held on Wednesday 18 October 2023. **(Copy circulated)**

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Enright, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 18 October 2023 as a true and accurate record.

P/081/2023: MINUTES OF SPECIAL PLANNING COMMITTEE MEETING HELD ON 26 OCTOBER 2023

Read: Minutes of Special Planning Committee Meeting held on Wednesday 26 October 2023. **(Copy circulated)**

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Enright, it was agreed to adopt the Minutes of the Special Planning Committee Meeting held on Wednesday 26 October 2023 as a true and accurate record.

FOR DISCUSSION/DECISION

P/082/2023: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 18 October 2023. **(Copy circulated)**

AGREED: On the proposal of Councillor Campbell, seconded by Councillor S Murphy, it was agreed to approve the Officer recommendation in respect of the following applications

listed on the Addendum List for Wednesday 15 November 2023:

- **P/2007/0422/F** - Erection of Residential Development with Access off Dublin Road, parking provision (part underground), associated site works and landscaping (revised scheme for 44 No. apartments (in two 4-storey blocks of 22 apartments) and 1 No. detached dwelling with individual access of Dublin Road, with demolition of the existing dwellings at Nos. 97 and 99 Dublin Road) - Nos.97 and 99 Dublin Road, Newry (extending to lands to the north (rear) of Nos. 1-8 Riverdale House, off Heslip's Lane)
APPROVAL
- **LA07/2021/0132/F** - Proposed new campsite, ancillary buildings and associated works – Killyleagh Outdoor Centre, Shore Road, Killyleagh
APPROVAL
- **LA07/2023/0903/F** – Erection of 1 No. 2 storey detached residential dwelling – adjacent and immediately south of 45 Park View, Cloughoge, Newry.
APPROVAL
- **LA07/2021/2056/F** - Erection of 18 no. dwellings with 15 no. detached garages and 3 no. garden rooms – Lands approximately 38m east of no. 22 Seafield, Warrenpoint
APPROVAL
- **LA07/2022/1474/F** - Additional trail networks comprising of 0.9 hectares of new basalt surface (as per existing trails) with associated wayfinding, signage, interpretation panels, benches and bins – Delamont Country Park, Downpatrick Road, Killyleagh.
APPROVAL

**DEVELOPMENT MANAGEMENT -
PLANNING APPLICATIONS FOR DETERMINATION (WITH PREVIOUS SITE VISITS)**

P/082/2023: PLANNING APPLICATIONS FOR DETERMINATION

(1) LA07/2019/1302/F

Location:

To the rear of no's 65-69 South Promenade, Newcastle

Proposal:

Full planning permission, provision of dwelling with associated parking and amendment of Application R/2011/0794/F to remove parking area for apartments and replace with shared amenity space.

Conclusion and Recommendation from Planning Official:

Refusal:

Power-point Presentation:

Ms A McAlarney 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 application had been before Committee in February and August 2020 and Members had visited the site.

Speaking rights:

In Objection

Mr Kieran Fitzpatrick, resident of 63 South Promenade, Newcastle gave a presentation in relation to his concerns relating to full planning permission to the rear of no's 65-69 South Promenade, Newcastle. Mr Fitzpatrick said his major concern was the access from the private laneway onto the busy South Promenade. He said due to parking demands along the stretch of the promenade combined with a limited splay width at the entrance to his driveway, negotiating a safe exit can be treacherous.

Mr Fitzpatrick stated the latest layout submitted by the applicant's agent to increase sight lines and improve visibility for drivers when exiting the laneway is not satisfactory. He said in November 2020 the applicant's agent had proposed to introduce double yellow lines alongside proposed kerbing to assist with both improving visibility and control parking. He said if double yellow lines were introduced this would significantly reduce the risk to both drivers and pedestrians on this busy stretch of road, by ensuring sight lines are clear from on-road vehicular obstructions.

In support

Mr Declan Rooney, Agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Mr Rooney outlined the background to the application and confirmed the applicant had been able to achieve adequate visibility splays onto South Promenade, and DFI Roads had returned no objections. He said the current proposal was similar to current schemes at this location.

Ms Roseanne Ireland, applicant spoke in support of her application and said if she was awarded planning permission it would mean she could care for her mother whose health had deteriorated.

After extensive debate and discussion, Councillor Hanna proposed and Councillor Rice seconded to issue an approval in respect of Planning Application LA07/2019/1302/F, contrary to Officer recommendation, on the basis that the proposed dwelling will not

be out of character with what is already along King Street and the South Promenade. The application complies with Strategic Planning Policy Statement and criteria A, C and F of Policy QD1 of PPS7. The residential environment and mandatory space is sufficient and the access to the road will be greatly improved when all the conditions that are in place are carried out before building commences as follows:

- **Access arrangements to include sight splay of 2.0 x 60m footway along the frontage of Ireland's shop and extended to Macken's Bar minimum of 2m, Kerbing and build out.**
- **Removal of Wall at Macken's Bar in full**
- **Existing telegraph poles to be set back behind visual splays.**

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

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

FOR:	11
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: On the proposal of Councillor Hanna, seconded by Councillor Rice it was agreed to issue an approval in respect of planning application LA07/2019/1302/F contrary to officer recommendation, on the basis that the proposed development will fit into the character and topography of the site and road safety will be greatly enhanced when all stipulations are completed.

Planning Officers be delegated authority to impose any relevant conditions.

(2) LA07/2023/2466/F (CLOSED SESSION)

The Chairperson, Councillor Declan Murphy advised it would be necessary to go into closed session for this application as some of the issues to be raised were personal to the applicant.

Agreed: On the proposal of Councillor Burns, seconded by Councillor Campbell, it was agreed to exclude the public and press from the meeting during discussion on the following Planning Application:

LA07/2023/2466/F

Location:

30 Carnmeen Road, Mayobridge

Proposal:

This is a Section 54 application for the removal of condition 7 of planning approval LA07/2022/1106/0 'The proposed dwelling and garage shall be sited in the area shaded brown on the approved plan 12610 Doyle Rev 1'

Conclusion and Recommendation from Planning Official:

Refusal

Power-point Presentation:

Mr M Keane, 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.

Speaking rights:

In support

Mr Declan Rooney, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee members.

On the proposal of Councillor Hanna, seconded by Councillor Larkin, it was agreed to come out of closed session.

When the Committee came out of closed session, the Chairman advised the following had been agreed:

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Byrne it was agreed to issue a refusal in respect of Planning Application LA07/2023/2466/F as per recommendation contained in the Case Officer Report.

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

FOR:	10
AGAINST:	0
ABSTENTIONS:	1

The proposal was carried.

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Byrne it was agreed to issue a refusal in respect of Planning Application LA07/2023/2466/F as per recommendation contained in the Case Officer Report.

(3) LA07/2022/1776/F

Location:

Site between 4 Tullymurry Road and 1 Tullymurry Cottages, Newry.

Proposal:

Proposed infill development for 2 No. two storey dwellings with detached garages.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point Presentation:

Mr M Keane, 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.

He said Environmental Health had requested a noise impact assessment to consider the potential sound which may be generated from the nearby commercial premises (approved under LA07/2018/1086/F). He said the proposed location of the 2 houses is too close to the already approved development which consists of a conference centre and wedding venue.

Speaking rights:

In support

Mr Rory Pepper, Agent, presented in support of the application, detailing, and expanding upon a written statement that had been circulated to Committee Members.

Mr Pepper said the site was assessed by an acoustic consultant, Rey Gaston, FR Marks and he found there would only be a 6dB level increase between 1 Tullymurry Cottages and the proposed nearest infill dwelling should the wedding venue go ahead.

In support

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

Councillor Taylor said as part of the approval for the wedding venue at Tullymurry House, noise-reducing infrastructure had been included such as an acoustic barrier/fence, a double lobby arrangement to the venue and additional insulation to the roof. He confirmed that there will be a lot of screening between the approved entertainments venue and the proposed site including a retained red barn on the site of Tullymurry House, an existing mature hedge, a proposed secondary hedge, an acoustic fence and proposed trees.

After extensive debate and discussion, Councillor Hanna proposed and Councillor D Murphy seconded to issue an approval in respect of Planning application LA07/2022/1776/F contrary to officer recommendation, on the basis that the proposals for the dwellings was done in accordance with the recommendations of the acoustic consultant and they would adequately mitigate any increased noise adversely impacting the proposed dwellings.

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

FOR: 11
AGAINST: 0
ABSTENTIONS: 0

The proposal was carried.

AGREED: On the proposal of Councillor Hanna, seconded by Councillor D Murphy, it was agreed to issue an approval in respect of Planning Application LA07/2022/1776/F contrary to officer recommendation, on the basis that the application will put adequate measures in place as recommended by the Acoustic Consultant.

Planning Officers be delegated authority to impose any relevant conditions.

P/082/2023: HISTORIC ACTION SHEET

Read: Historic Action Sheet. **(Copy circulated)**

AGREED: On the proposal of Councillor Byrne, seconded by Councillor Campbell it was agreed to not the Historic Action Sheet.

There being no further business the meeting ended at 12.02 pm

Signed: _____ Chairperson

Signed: _____ Chief Executive