

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: PL / DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 26 April 2017 at 10.00am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor W Clarke (10.00am – 11.50am)
Councillor J Macauley (11.50am – 12.20pm)
Councillor W Clarke (12.20pm – 4.15pm)

In attendance: (Committee Members)

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

(Officials)

Mr C O Rourke	Director of Regulatory Technical Services
Mr A McKay	Area Planning Manager
Mr P Rooney	Principal Planning Officer
Ms L O'Hare	Senior Planning Officer
Ms J McVeigh	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/060/2017: APOLOGIES / CHAIRMAN'S REMARKS

No apologies.

P/061/2017: DECLARATIONS OF INTEREST

Councillor M Ruane declared an interest in Application No. P/2009/1336/F – Mr J C Campbell.

Councillor D McAteer declared an interest in Application No. P/2009/1336/F – Mr J C Campbell.

Councillor L Devlin declared an interest in Application No. P/2009/1336/F – Mr J C Campbell.

Councillor W Clarke declared an interest in Application No. R/2014/0499/RM – Dunmore Construction.

Councillor L Devlin declared an interest in Application No. R/2014/0499/RM – Dunmore Construction.

**P/062/2017: MINUTES OF PLANNING COMMITTEE MEETING
WEDNESDAY 29 MARCH 2017**

Read: Minutes of Planning Committee Meeting held on Wednesday 29 March 2017.
(Copy circulated)

Discussion took place on the accuracy of Minute Number P/055/2017 – Planning Applications P/2013/0632/F and P/2014/0286/F – Carncastle Properties, during which specific reference was made to the inclusion of a condition for the provision of a brick wall to close off areas.

Councillors Murnin and Larkin advised their proposal, agreed by the Committee, had been that all areas of the open space, across the top and bottom, should be closed off with a wall, with the intention of removing any sections of the wooden fencing which was continually being vandalised.

Ms Largy gave advice on the matter and emphasised the importance of the Agent being advised of any correction to the Minute of the Committee's decision, as they were not currently present at the Meeting, but had been present at the Planning Committee Meeting on 29 March 2017.

Mr McKay advised that planning permission had not yet been issued in relation to the said applications and the Agent would be contacted to clarify the Committee's decision in relation to the wall.

AGREED: On the proposal of Councillor Hanna seconded by Councillor Craig it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 29 March 2017 as a true and accurate record, subject to Minute Number P/055/2017- Planning Applications P/2013/0632/F and P/2014/0286/F – Carncastle Properties, being amended to read as follows:

On the proposal of Councillor Murnin, seconded by Councillor Larkin it was agreed to issue an Approval in respect of Application P/2013/0623/F, subject to Conditions 1-12 and to issue an Approval in respect of Application P/2014/0286/F, subject to Conditions 1-12, as per the Development Management Officer Reports.

The above decisions are subject to the inclusion of a Condition for the provision of a 2 metre high brick wall to be provided across the entire length of the top of the open space, and the entire length of the bottom of the open space, to close these areas off and that a locked gate to be provided at the top end of the open space for access purposes. Planning Officials be delegated authority to agree access arrangements to the open space for the relevant authorities regarding servicing works to utilities.

It was also agreed the condition regarding pre-occupancy must be retained and all other conditions must be implemented.

P/063/2017: ADDENDUM LIST

Read: Addendum List of Planning Applications with no Representations received or requests for speaking rights – Wednesday 26 April 2017. **(Copy circulated)**

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

- **Item 16 – LA07/2017/0252/F** – Mr Paul Hart – proposed new 2 storey replacement dwelling and associated site works – 3 Vale Road, Listooder, Crossgar. **REFUSAL**
(Removed from the Addendum List at the request of Councillor W Clarke for presentation in due course)
- **Item 18 – LA07/2015/0150/O** – Mr Clark McCourt – dwelling and garage – lands 30m NE of 32 Cullentragh Road, Jerrettspass, Newry. **REFUSAL**
(Removed from the Addendum List at the request of Councillor Loughran and Councillor Macauley for full presentation at Planning Committee Meeting)
- **Item 23 – LA07/2016/0748/O** – Mr Andrew Henry and Miss Emma Clarke – erection of dwelling and detached garage – 150m north of 81 Dundalk Road, Newtownhamilton. **REFUSAL**
(Removed from the Addendum List at the request of Councillor Macauley for full presentation at Planning Committee Meeting)
- **Item 30 – P/2015/0167/F** – James Morgan – dwelling and detached garage on a farm – 290m SE of 52 Benagh Road, Mayobridge. **REFUSAL**
(Removed from the Addendum List at the request of Councillor McAteer for full presentation at Planning Committee Meeting)

AGREED: On the proposal of Councillor McAteer seconded by Councillor Craig 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 for Wednesday 26 April 2017:

- **Item 5 – LA07/2015/0103/F** – KCD Homes Limited – residential development of 11 No. dwellings, on lands to the rear of 14 – 21 Woodvale

Burrenwood Road Castlewellan, with access between No. 14 and 18 Woodvale.

APPROVAL

- **Item 9 – LA07/2016/1157/F** – Howell Ltd – 19 apartments, 5 retail units, 23 car parking spaces & associated works, on lands at 87-95 Main Street and 18-20 Valentia Place, Newcastle.(Renewal of planning approval R/2010/0510/F).

APPROVAL

- **Item 10 – LA07/2016/1405/F** – Mr W Herron – proposed detached office block, car parking facility and vehicular entrance to create a larger modern working facility for existing and additional office staff, on lands 200m south east of 15 Herons Road, Leitrim, Castlewellan.

APPROVAL

- **Item 11 – LA07/2016/1485/F** – Mr W Herron – extension to the existing manufacturing/light engineering works to create additional R&D manufacturing and storage facility, also upper level office space and canteen to meet increased export demand and upgrade the existing company corporate image, on lands at 15 Herons Road, Leitrim, Castlewellan.

APPROVAL

- **Item 12 – LA07/2016/1635/O** – Eileen Leckey – erection of an infill dwelling – adjacent to No. 16 Rossglass Road, Killough.

REFUSAL

- **Item 14 – LA07/2017/0065/O** – Mr Jim Andrews – 1 No. new dwelling – land adjacent to 9 Larchfield Park, Tollymore, Newcastle.

REFUSAL

- **Item 19 – LA07/2015/0276/F** – Briege and Terry Rafferty – conversion of existing 1 and 3/4 storey garage and store to self contained 1 bedroom town house – St. Andrews, 13 Seaview, Warrenpoint.

REFUSAL

- **Item 21 – LA07/2015/1360/O** – Mr D K S Halliday – single storey dwelling with detached garage – site adjacent to and east of 195 Bessbrook Road, Mounthorris, Armagh.

REFUSAL

- **Item 28 – P/2014/1076/F** – Habinteg Housing Association – erection of residential development and associated parking provision, landscaping and site works (comprising 27 No. 2-bed apartments (in 3 No. blocks), 5 No. 2-bed detached dwellings and 10 No. 3-bed semi-detached dwellings (42 units in total) (Amended proposal) – Lands opposite Spring Farm Heights and to the rear of no's 2-20 Laurel Hill and no's 1-4 Gortmore Villas, Newry.

APPROVAL

P/064/2017: 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 as refusal reason regarding CTY 8, ie, infill and ribboning, was not included in the Development Management Officer Report, and therefore requires further discussion:

- **Item 15 – LA07/2017/0131/O** – Mr & Mrs McKeown – proposed dwelling on a farm under Planning Policy CTY10 of PPS 21 – opposite 67 and adjacent to 62 Rocks Chapel Road Crossgar. **REFUSAL**

The following applications were then determined by the Committee:

(1) LA07/2015/1381/O – Mr & Mrs E Kerr

Location:

154a Downpatrick Road, Teconnaught, Ballynahinch

Proposal:

Conversion and extension of existing stone building to form dwelling plus detached garage and associated site works

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

A request for speaking rights was received from Mr Nigel Coffey Agent, in support of the application, but it was noted the Agent was not present at the meeting.

AGREED: On the proposal of Councillor Craig seconded by Councillor McAteer it was agreed to issue a refusal in respect of Planning Application LA07/2015/1381/O, for the reasons recommended as per the Development Management Officer Report.

(2) LA07/2016/0645/F – Mr Thomas Mageean

Location:

Adjacent to 20 Junction Road, Saintfield

Proposal:

Proposed conversion and extension vernacular outbuilding into single dwelling and

associated site works

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Ms Sheila Curtin Agent, presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Murnin it was agreed to defer Planning Application LA07/2016/0645/F, to allow further discussion with Planning Department and Applicant/Agent regarding size and design of the proposed extension.

(3) LA07/2016/1106/F – John Kelly

Location:

Lands to east of 58 Drumsnade Road, Ballynahinch

Proposal:

Single storey detached farm dwelling and garage (amended plans)

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr John Kelly, applicant, presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Murnin it was agreed to issue an approval in respect of Planning Application LA07/2016/1106/F, contrary to Officer recommendation, on the basis that the site was visually linked to yards and farm buildings.

Planning Officers be delegated authority to impose any necessary conditions.

(4) LA07/2017/0061/O – Anthony Gibson

Location:

70m NE of 195 Clay Road, Crossgar, Downpatrick

Proposal:

2 dwellings on infill site.

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Stephen Dickson, Architectural Services, presented in support of the application.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Larkin it was agreed to issue a refusal in respect of Planning Application LA07/20170061/O, for the reasons recommended, as per Development Officer Management Report.

(11.50am – Councillor W Clarke vacated the Chair and withdrew to the public gallery)

(11.50am – Councillor J Macauley Chaired the meeting from this point)

(11.50am – Councillor L Devlin withdrew to the public gallery)

(5) R/2015/0499/RM – Dunmore Construction

Location:

On lands adjacent to 8 Middle Tollymore Road, and opposite no. 11, 13, 15 Middle Tollymore Road, Newcastle

Proposal:

Proposed housing development including alterations to existing junction on Middle Tollymore Road and Tollymore Road, 56 units in total (amended site/access plans received)

Conclusion and Recommendation from Planning Official:

Approval

Speaking rights:

Mr Ciaran MacFerran presented in objection to the application.

AGREED: On the proposal of Councillor Craig seconded by Councillor Larkin it was agreed to issue an approval, in principle, in respect of Planning Application R/2015/0499/RM, subject to Conditions as outlined in Development Officer Management Report, and subject to the Chief Planning Officer reporting back to the Planning Committee Meeting on Wednesday 24 May 2017 confirming the position in regard to roads and visibility matters.

(12.20am – Councillor J Macauley vacated the Chair)

(12.20am – Councillor W Clarke Chaired the meeting from this point onwards)

(12.20am – Councillor L Devlin re-joined the meeting)

(6) LA07/2015/0910/F – Kieran O'Callaghan

Location:

Site adjacent to and south of 20 Chapel Road, Camlough

Proposal:

2 storey farm dwelling & double garage (amended plans)

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Ms Siobhan Olarte, Applicant and Mr Paul McAllister Architect, presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Loughran it was agreed to issue an approval in respect of Planning Application LA07/2015/0910/F, contrary to Officer Recommendation, on the basis as follows:

- The separation buffer zone between the proposed site and road side would not create ribbon development.
- The site can integrate with the countryside and would not have a detrimental change to the character of the road.
- The site being suggested by Planning Department would have detriment to the countryside.

Planning Officers be delegated authority to impose any necessary conditions.

(7) LA07/2015/1363/F – Henderson Group**Location:**

8 The Commons Tullyvallen Newtownhamilton

Proposal:

Proposed new petrol station with associated supermarket and car parking and development.

Conclusion and Recommendation from Planning Official:

Approval

Speaking rights:

Ms J Hughes, Mr C Devlin and Mr G Parkes, Business Owners, presented in objection to the application.

Mr D Mountstephen Agent, presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to defer Planning Application LA07/2015/1363/F for a period of

one month, to enable the objectors to undertake and submit to the Planning Department, the findings of, an analysis of the impact the proposed development would have on existing businesses in Newtownhamilton if the application was approved.

It was also agreed the Planning Department review the Planning Application in light of comments made by Members at the Meeting regarding the impact of Planning Policy SPPS, with particular reference to points 6.278; 6.285 and 6.290, and an updated Development Management Officer Report be brought back to the Planning Committee for further consideration.

(8) LA07/2016/1323/F – Cathal Sloan

Location:

14 Sandy Brae, Attical, Kilkeel

Proposal:

Partial conversion of existing domestic garage to provide ancillary residential accommodation

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Colin O'Callaghan Agent, presented in support of the application.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Macauley it was agreed to issue a refusal in respect of Planning Application LA07/2016/1323/F, for the reasons recommended in the Development Management Officer Report.

(9) LA07/2016/1353/F – Seamus Parr

Location:

109 Rostrevor Road, Hilltown

Proposal:

Change of house type in substitution for previous application P/2006/1811/RM and removal of occupancy condition

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Karl Sherry Agent, 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

LA07/2016/1353/F, contrary to Officer Recommendation, on the basis that construction on site showed that development had progressed.

The above decision is subject to the inclusion of a Condition that sight lines must be provided before any further development commences.

Planning Officials be delegated authority to issue any other Conditions as necessary.

(10) LA07/2017/0077/F – Gary O’Hare

Location:

Lands between No. 20B and No. 22 Derrycraw Road, Newry

Proposal:

Construction of 2 No. new detached 1 1/2 storey infill dwellings with detached double garages, associated site works and new access to public road

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Gavin McGill Agent and Mr Gary O’Hare Applicant, presented in support of the application.

Noted:

Councillor Kimmins has advised of her support for this application

AGREED: On the proposal of Councillor Craig seconded by Councillor Hanna it was agreed to issue a refusal in respect of Planning Application LA07/2017/0077/F, for the reasons recommended as per the Development Management Officer Report.

(11) P/2015/0090/F – Mr B Grant

Location:

6 Hilltown Road Mayobridge

Proposal:

Part demolition of existing garage block to facilitate the erection of two No. retail units with single apartment above. Extensions and alterations to existing convenience shop with parking provision and associated site works.

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Cathal Grant Agent and Mr Brian Grant Applicant, presented in support of the

application.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Casey it was agreed to issue an Approval in respect of Planning Application P/20150090/F, contrary to Officer Recommendation, on the basis of the information presented to Committee regarding ensuring the retention and expansion of a family business.

Planning Officials be delegated authority to impose any necessary Conditions including the removal of a window to address issues regarding overlooking.

(3.20pm – Councillor Ruane; Councillor Devlin; Councilor McAteer withdrew from the Meeting)

(12) P/2009/1336/F – Mr J C Campbell

Location:

68 to 72 & 74 Shore Road, Rostrevor

Proposal:

Proposed new 70 bed nursing home together with 41 no. 2 & 3 bedroom apartments with associated site works, landscaping and car parking (including at grade and undercroft car parking)

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Mr Colum Sands presented in objection to the Application.

Mr Richard O'Toole MBA Planning and Mr Eamon Larkin Milligan Reside Larkin, presented in support of the application.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Hanna it was agreed to issue an Approval in respect of Planning Application P/2009/1336/F, contrary to Officer recommendation, on the basis that refusal reasons had been addressed and this development would enhance economic development in the village of Rostrevor and add to the vibrancy of the community that already existed.

Planning Officers to be delegated authority to issue any necessary Conditions.

(4.15pm – Councillor M Ruane and Councillor D McAteer rejoined the meeting.

FOR DISCUSSION/DECISION

**P/065/2017: SCHEDULE OF PLANNING COMMITTEE MEETINGS
MAY 2017 – MAY 2018**

Read: Schedule of Planning Committee Meetings – May 2017 – May 2018.
(Copy circulated)

AGREED: On the proposal of Councillor Hanna seconded by Councillor Murnin it was agreed to approve the Schedule of Planning Committee Meetings for May 2017 – May 2018.

**P/066/2017: PLANNING COMMITTEE MEETING
PERFORMANCE REPORT**

Read: Planning Committee Performance Report. (Copy circulated)

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

**P/067/2017: REGISTER OF CONTACTS
QUARTER 4 – JANUARY – MARCH 2017**

Read: Register of Contacts for Quarter 4 (January – March 2017).
(Copy circulated)

AGREED: It was agreed to note the Register of Contacts for Quarter 4 (January – March 2017).

P/068/2017: APPEALS & DECISIONS

Read: Report re: Appeals and Decisions – March 2017. (Copy circulated)

AGREED: It was agreed to note Appeals and Decisions March 2017.

It was also agreed to provide an update to the Committee showing the number of Appeals that had been successful / unsuccessful.

**P/069/2017: LOCAL DEVELOPMENT PLAN
- PREPARATORY STUDIES – PAPER 12 (PART 2)
- COUNTRYSIDE: DEVELOPMENT PRESSURE ANALYSIS**

Read: Local Development Plan – Preparatory Studies Paper 12 (Part 2) – Countryside – Development Pressure Analysis. (Copy enclosed)

AGREED: It was agreed to note Local Development Plan Preparatory Studies – Paper 12 (Part 2) – Countryside: Development Pressure Analysis.

There being no further business the Meeting concluded at 4.15pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 24 May 2017.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**