

**NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

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**Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 26 July 2023 at 10.00am in the Boardroom, Monaghan Row, Newry and via Microsoft Teams.**

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**Chairperson:** Councillor D Murphy

**In attendance: (Committee Members)**

Councillor P Byrne  
Councillor P Campbell  
Councillor G Hanna  
Councillor C King  
Councillor M Larkin  
Councillor D McAteer  
Councillor M Rice  
Councillor J Tinnelly

**(Officials)**

Mr J McGilly	Assistant Director of Regeneration
Mr Pat Rooney	Principal Planning Officer
Mr Peter Rooney	Legal Advisor
Mr M McQuiston	Senior Planning Officer
Ms A McAlarney	Senior Planning Officer
Mr A Donaldson	Senior Planning Officer (Acting)
Ms M Fitzpatrick	Senior Planning Officer
Ms P Manley	Senior Planning Officer
Ms C McCoy	Planning Assistant
Ms S Fegan	Planning Assistant
Mr P Smyth	Development Management
Mr M Oliver	Planning Officer
Mr James Campbell	Environmental Health
Mr Conor Morgan	Environmental Health
Ms S Taggart	Democratic Services Manager
Ms L Dillon	Democratic Services Officer
Ms L Cummins	Democratic Services Officer
Ms D Starkey	Democratic Services Officer

**P/048/2023: APOLOGIES AND CHAIRPERSON'S REMARKS**

The following apologies were received:

Ms N Largey, Legal Services  
Councillor C Enright  
Councillor S Murphy  
Councillor A Finnegan

**P/049/2023:           DECLARATIONS OF INTEREST**

No declarations of interest.

**P/050/2023:           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.**

No declarations.

**MINUTES FOR CONFIRMATION**

**P/051/2023:           MINUTES OF PLANNING COMMITTEE MEETING WEDNESDAY 28 JUNE 2023**

Read:                   Minutes of Planning Committee Meeting held on Wednesday 28 June 2023. (Copy circulated)

**AGREED:               On the proposal of Councillor Hanna, seconded by Councillor McAteer, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 28 June 2023 as a true and accurate record.**

**FOR DISCUSSION/DECISION**

**P/052/2023:           ADDENDUM LIST**

Read:                   Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 26 July 2023. (Copy circulated)

**AGREED:               At the request of Councillor Tinnelly, seconded by Councillor Hanna, it was unanimously agreed to remove the following applications listed on the Addendum List for Wednesday 26 July 2023 and be deferred to the next Meeting of the Planning Committee.**

- **LA07/2022/0819/F** – Proposed rear extension – 7 Courtney Hill, Newry.  
**REFUSAL**
- **LA07/2022/1261/F** – Proposed side extension to dwelling and new vehicular access – 4 Majors Hill, Annalong.  
**REFUSAL**

**AGREED:               On the proposal of Councillor Hanna, seconded by Councillor McAteer, it was agreed to approve the Officer recommendation in respect of the following application listed on the addendum list for Wednesday 26 July 2023:**

- **LA07/2022/1330/LBC** – Replacement of existing iron handrails to a similar rail with closer spacing between bars to ensure health and safety standards are met. Currently the spacing of railing bars presents a hazard as they are too wide and could allow a small child to slip into the water. The railings are also in an extremely deteriorated condition and therefore require replacement - Annalong Corn Mill, Marine Park, Annalong, BT34 4RH.

**APPROVAL**

**LOCAL DEVELOPMENT PLAN (CLOSED SESSION)**

**Agreed:** On the proposal of Councillor McAteer, seconded by Councillor Hanna, it was agreed to exclude the public and press from the meeting during discussion on the following items:

**Agreed:** On the proposal of Councillor McAteer, seconded by Councillor Campbell, 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:

**P/053/2023:** **LDP PLAN STRATEGY STRATEGIC POLICIES**

**Read:** Report dated 26 July 2023 from Mr J McGilly, Assistant Director Regeneration, regarding the Local Development Plan: Progress Report on Revised Timetable and Work Programme for finalising the draft Plan Strategy.  
**(Copy circulated)**

**AGREED:** On the proposal of Councillor Hanna, seconded by Councillor Campbell, it was agreed to accept the recommendations contained in the above report.

**DEVELOPMENT MANAGEMENT -  
PLANNING APPLICATIONS FOR DETERMINATION**

**P/054/2023:** **PLANNING APPLICATIONS FOR DETERMINATION**

**(1) LA07/2022/1182/O**

**Location:**

Between 12 & 16 Windmill Road, Kilkeel

**Proposal:**

Proposed new infill dwelling in accordance with PPS21 CTY8.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Mr 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.

**Speaking rights:**In support

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

Councillor Hanna proposed to issue an approval in respect of Planning Application LA07/2022/1182/O, contrary to Officer recommendation, on the basis he accepted the building was a permanent building as it has been there for a substantial period of time with sewerage, water and electricity connections; CTY8 makes no reference as to what type of building is required or the level of permanence needed; this type of building has been accepted in the past; Policy CTY8 is met in terms of the site having 3 frontages and will not be prominent in the area subject to implementation of appropriate conditions. Councillor Larkin seconded the proposal adding that officers be delegated to impose any necessary conditions.

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

FOR:	9
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

**AGREED:**                    **On the proposal of Councillor Hanna, seconded by Councillor Larkin, it was agreed to issue an approval in respect of planning application LA07/2022/1182/O, contrary to officer recommendation, on the basis it was accepted the building is a permanent building as it has been there for a substantial period of time with sewerage, water and electricity connections; CTY8 makes no reference as to what type of building is required or the level of permanence needed; this type of building has been accepted in the past; Policy CTY8 is met in terms of the site having 3 frontages and will not be prominent in the area subject to implementation of appropriate conditions.**

**Planning Officers be delegated authority to impose any relevant conditions.**

**(2)    LA07/2022/0934/F****Location:**

32D Mill Road Mullartown, Annalong, Co. Down.

**Proposal:**

Proposed replacement dwelling under PPS21: Policy CTY3

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Mr 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.

**Speaking rights:**In support

Mr Liam Milling, Agent, presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

Councillor Larkin proposed to issue a refusal in respect of Planning Application LA07/2022/0934/F, as per the recommendation contained in the Case Officer Report presented to Committee. Councillor McAteer 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:	0
ABSTENTIONS:	2

The proposal was carried.

**AGREED:**                    **On the proposal of Councillor Larkin, seconded by Councillor McAteer, it was agreed to issue a refusal in respect of Planning Application LA07/2022/0934/F, as per the recommendation contained in the Case Officer Report presented to Committee.**

**(3)    LA07/2022/1384/F****Location:**

50 Carrickbroad Road, Drumintee, Newry.

**Proposal:**

Proposed replacement dwelling & associated site works with retention of existing dwelling for ancillary use.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Ms Maria Fitzpatrick, 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 Mark Tumilty, Agent, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Councillor Larkin proposed to defer Planning Application LA07/2022/1384/F for a site visit by Members. Councillor McAteer 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: 0

The proposal was carried.

**AGREED:** On the proposal of Councillor Larkin, seconded by Councillor McAteer, it was agreed to defer Planning Application LA07/2022/1384/F for a site visit by Members.

**(4) LA07/2022/1433/F**

**Location:**

80 Upper Dromore Road, Warrenpoint

**Proposal:**

Extension of curtilage, proposed erection of detached garage (in substitution of that approved under LA07/2016/0442/RM) and associated landscaping.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Mr Pat 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.

**Speaking rights:**

In support

Mr Colin O Callaghan, Agent, presented in objection to the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Councillor Larkin proposed to issue a refusal in respect of Planning Application LA07/2022/1433/F, as per the recommendation contained within the Case Officer report and presented to Committee. Councillor Hanna 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: 0

The proposal was carried.

**AGREED:** On the proposal of Councillor Larkin, seconded by Councillor Hanna, it was agreed to issue a refusal in respect of Planning

**Application LA07/2022/1433/F, as per the information contained within the Case Officer report and presented to Committee.**

**(5) LA07/2022/1808/F**

**Location:**

Approximately 15m north east of 10 Billy's Road, Newry, Co Down.

**Proposal:**

Erection of dwelling and detached garage on a farm.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Mr 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.

**Speaking rights:**

In support

Mr Colin O Callaghan, Agent, presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

Councillor McAteer proposed to issue an approval in respect of Planning Application LA07/2022/1808/F, contrary to Officer recommendation, on the basis as this is an unusual case for farm dwelling as the host farm dwelling at No.5 is a considerable distance away from the main farm building and any other alternatives would create ribbon development along Billy's Road adjacent to No.5. The application site, therefore, was less offending to policy where it was currently located close to another participant in the farm business, and is visually linked to the farm business buildings along a very narrow road and existing laneway. Councillor Larkin seconded the proposal with the inclusion that, due to the health and safety aspect in relation to loading/unloading of cattle along the road, the proposed site is acceptable.

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

FOR:	9
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

**AGREED:**

**On the proposal of Councillor McAteer, seconded by Councillor Larkin, it was agreed to issue an approval in respect of Planning Application LA07/2022/1808/F, contrary to Officer recommendation, on the basis this is an unusual case for a farm dwelling as the host farm dwelling at No.5, is a considerable distance away from the main farm building and any other alternatives would create ribbon development along Billy's Road adjacent to No.5; the application site is less offending to policy**

**where it currently is located, and is close to another participant in the farm business; it is visually linked to farm business buildings along a very narrow road and existing laneway; due to the health and safety aspect in relation to loading/unloading of cattle along the road, the proposed site is acceptable.**

**(6) LA07/2022/0309/O**

**Location:**

Approx. 30m south of No. 131 High Street, Bessbrook, Newry.

**Proposal:**

Proposed housing development.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Ms Maria Fitzpatrick, 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

Ms Margaret Smith presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

Councillor Hanna proposed to defer Planning Application LA07/2022/0309/O, in order to allow the applicant to provide further information on the proposed social housing provider for the Committee to consider. Councillor D Murphy seconded the proposal.

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

FOR:	9
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

**AGREED:                    On the proposal of Councillor Hanna, seconded by Councillor D Murphy, it was agreed to defer Planning Application LA07/2022/0309/O, in order to allow the applicant to provide further information for the Committee to consider.**

(13.12 – the meeting adjourned)

(13.44 – the meeting resumed)



**(7) LA07/2023/2071/F**

**Location:**

Royal County Down 36 Golf Links Road, Newcastle, Down.

**Proposal:**

Proposed erection of an extension to the existing Greenkeepers storage and maintenance building, formation of vehicular laneway, re- profiling of land, erection of boundary fencing/gates, landscaping and associated development.

**Conclusion and Recommendation from Planning Official:**

Approval

**Power-point Presentation:**

Ms Annette 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.

**Speaking rights:**

In objection

Ms Brigid McCaw presented in objection to the application, detailing and expanding upon a written statement circulated to Committee Members.

In support

Mr Clyde Shanks Agent, presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

Environmental Health representatives were in attendance for discussion on this application.

Councillor Hanna proposed to issue an approval in respect of Planning Application LA07/2023/2071/F, as per recommendation contained in the Case Officer Report, and requested that the applicants co-operate with the objector to resolve the issues raised. Councillor Rice seconded the proposal.

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

FOR:	9
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 LA07/2023/2071/F, as per recommendation contained in the Case Officer Report, and requesting that the applicants co-operate with the objector to resolve the issues raised.**

**(8) LA07/2022/1891/O**

**Location:**

30m west of 55 Creevyargon Road, Ballynahinch.

**Proposal:**

Farm dwelling.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Ms Annette McAlarne, 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 James Anderson, Agent, presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

Councillor McAteer proposed to issue an approval in respect of Planning Application LA07/2022/1891/O, contrary to officer recommendation, on the basis the proposed dwelling was situated beside a clustered group of buildings on the farm; evidence has shown no objections within the stipulated period for buildings that cannot be enforced upon; the proposal does cluster with buildings on the farm. Councillor Hanna seconded the proposal.

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

FOR:	9
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

**AGREED:**

**On the proposal of Councillor McAteer, seconded by Councillor Hanna, it was agreed to issue an approval in respect of Planning Application LA07/2022/1891/O, contrary to officer recommendation, on the basis the proposed dwelling is situated beside a clustered group of buildings on the farm; evidence has shown no objections within the stipulated period for buildings that cannot be enforced upon; the proposal does cluster with buildings on the farm.**

The meeting concluded at 2.30 pm.

**Signed:** \_\_\_\_\_ **Chairperson**

**Signed:** \_\_\_\_\_ **Chief Executive**