

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 October 2016 at 10.00am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor W Clarke

In Attendance: **(Committee Members)**

Cllr C Casey	Cllr G Craig
Cllr V Harte	Cllr M Larkin
Cllr K Loughran	Cllr D McAteer
Cllr J Macauley	Cllr M Murnin
Cllr M Ruane	

(Officials)

Mr C O'Rourke	Director of RTS
Mr A McKay	Chief Planning Officer
Mr P Rooney	Principal Planning Officer
Mr A Hay	Principal Planning Officer
Ms A McAlarney	Senior Planning Officer
Ms J McParland	Senior Planning Officer
Mr A Davidson	Senior Planning Officer
Ms N Largy	Legal Advisor
Ms E McParland	Democratic Services Manager
Ms C McAteer	Democratic Services Officer

P/110/2016: APOLOGIES/CHAIRMAN'S REMARKS

Apologies were received from:

Councillor Devlin
Councillor Hanna

P/111/2016: DECLARATIONS OF INTEREST

Noted: There were no declarations of interest.

**P/112/2016: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 28 SEPTEMBER 2016**

Read: Minutes of Planning Committee Meeting held on Wednesday 28 September 2016. (Copy circulated).

AGREED: On the proposal of Councillor Craig, seconded by Councillor McAteer, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 28 September 2016 as a true and accurate record.

**P/113/2016 MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 5 OCTOBER 2016 (continuation of Planning Committee Meeting held on 28 September 2016)**

Read: Minutes of Planning Committee Meeting held on Wednesday 5 October 2016. (Copy circulated).

AGREED: On the proposal of Councillor Craig, seconded by Councillor McAteer, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 5 October 2016 as a true and accurate record.

P/114/2016: ADDENDUM LIST

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

Agreed: On the proposal of Councillor Craig, seconded by Councillor Murnin, it was unanimously agreed to remove the following planning applications from the addendum list for full presentation at a future Planning Committee Meeting:-

- Item 11 – LA07/2016/0201/F – Alterity Developments Ltd. – new café on ground floor with 3 apartments over first and second floors addressing the Main Street, the rear building has 2 apartments over ground and first floor (amended plans received) – 115-117 Main Street, Newcastle. **APPROVAL (removed from the addendum list at the request of Councillor W Clarke)**
- Item 17 – R/2014/0159/A - Philip Patterson – replacement agricultural shed – 31 Brae Road, Ballynahinch, Co Down. **REFUSAL (removed from the addendum list to be represented at the Planning Committee Meeting on 10-11-2016)**
- Item 29 - LA07/2016/0889/F - Telefonica UK Limited - proposed 25m telecommunications mast to carry 3 No. antennae and 2 No. radio dishes and associated works including 3 No. equipment cabinets and site compound - lands 157m south west of Fernhill House, 83

Clonallon Road, Warrenpoint. **APPROVAL** (removed from the addendum list at the request of Councillor McAteer).

Agreed: It was unanimously agreed to approve the Officer recommendation, as per the Development Management Officer report, in respect of the following planning applications on the addendum list:-

- Item 9 – LA07/2016/1015/F – Mr & Mrs Lipsett – change of house type “dwelling 02” approved under planning approval R/2014/0293/F – lands contained between 25 and 27 Rocks Road, Ballyhornan. **APPROVAL**
- Item 15 – LA07/2016/0606/F – Mr B Boyd – replacement of existing turbine approved under R/2012/0330/F with a Vestas V52 measuring 40m to hub with 26m blade length. Output not to exceed 250kw – lands 320m ne of 45 Church Road, Rademon, Crossgar. **APPROVAL**
- Item 18 – LA07/2015/0656/A – Colm McAvoy – shop sign – Bridge Bar – 53 North Street, Newry. **REFUSAL**
- Item 20 – LA07/2015/1391/0 – Seamus McLoughlin – proposed dwelling on a farm – 70m nw of 10 Mayo Road, Mayobridge. **REFUSAL**
- Item 21 – LA07/2016/0381/0 – Matt Burns – proposed farm retirement dwelling – opposite No. 107 Kilbroney Road, Rostrevor. **REFUSAL**
- Item 22 - LA07/2016/1058/F - C&G Tinnelly & Mr K Morgan - removal of condition No. 17 (with regard to social housing) on approval No. P/2007/1732/F - 50m south of No. 25 Greenpark Road, Rostrevor. **REFUSAL**
- Item 23 - LA07/2016/0132/F - Mr & Mrs Murphy - Extension to existing camper van site - to the rear of 35 Ballagh Road, Newcastle. **REFUSAL**
- Item 24 - P/2014/0769/0 - Mr Kevin Cunningham - site for dwelling on a farm - 210 m south of No. 36 Belmont Road, Kilkeel. **REFUSAL**
- Item 34 - P/2015/0182/F - Norman Reilly - Proposed development of 4 dwellings - 26 Shore Road, Annalong. **APPROVAL**
- Item 35 - P/2013/0102/F - Patricia McAvoy & Ursula McGivern - proposed change of use from domestic store to coffee bar - 103 Greencastle Pier Road, Greencastle. **REFUSAL**

P/115/2016: APPLICATIONS FOR DETERMINATION

Agreed: On the advice of the Chief Planning Officer it was unanimously agreed to withdraw the following planning applications from the schedule:-

- LA07/2015/1346/F – Brian McAlerney – proposed replacement dwelling – lands 235m south west of 117 Bann Road, Castlewellan.
Recommendation: Refusal
Planning Officers advised that in response to an amended proposal that seeks to address the reason for refusal; this application has been removed from the agenda. The application will be reconsidered.
- LA07/2016/0739/F - Mr H Edenmen – proposed dormer to the rear to allow for roof space conversion – 3 Lislane Court, Saintfield.
Recommendation: Refusal
The Planning Department agreed to remove this application from the agenda following a review of their assessment of the proposal. This application will be reconsidered.
- LA07/2016/0523/F – Naoimh Morgan – dwelling house – adjacent to 13 Crieve Road, Newry.
Recommendation: Refusal
The Planning Department agreed to remove this application from the agenda and re-present at the Planning Meeting to be held on 10 November 2016.
- LA07/2016/0802 – Darren O’Hagan – site for dwelling and detached garage –60m ne of 11a New Line Road, Hilltown, Newry.
Recommendation: Refusal
The Planning Department agreed to remove this application from the agenda and re-present at the Planning Meeting to be held on 10 November 2016.

The following applications were then determined by the Committee:-

(1) LA07/2015/1307/F - Mr & Mrs L McBride

Location:

40m south of 35 Ballynahinch Road, Castlewellan.

Proposal:

Proposed conversion and reuse of existing building and extension to that as single dwelling –

Conclusion and Recommendation from Planning Official:
Refusal

Speaking rights:

Mr Sam Hawthorne, Agent, presented in support of the application.

Councillor Larkin proposed and Councillor Ruane seconded to issue a refusal in respect of planning application LA07/2015/1307/F, as per the Development Management Officer Report.

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

FOR: 5
AGAINST: 5
ABSTENTIONS: Nil

The Chairman used his casting vote in favour of the proposal which was declared carried.

Agreed: On the proposal of Councillor Larkin, seconded by Councillor Ruane, it was agreed to issue a refusal in respect of planning application LA07/2015/1307/F, as per the Development Management Officer Report.

(2) LA07/2016/0365/0 - Mr & Mrs McCluskey

Location

Lands between 1 Brae Road and 212 Belfast Road, Ballynahinch.

Proposal:

2 No. proposed dwelling houses -

**Conclusion and Recommendation from Planning Official:
Refusal**

Speaking rights:

Mr Paul Hamilton, Agent, presented in support of the application.

Councillor Larkin proposed and Councillor Harte seconded to issue a refusal in respect of planning application LA07/2016/0365/0, as per the Development Management Officer Report.

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

FOR: 6
AGAINST: 3
ABSTENTIONS: 1

The proposal was declared carried.

Agreed: On the proposal of Councillor Larkin, seconded by Councillor Harte, it was agreed to issue a refusal in respect of planning application LA07/2016/0365/0, as per the Development Management Officer Report.

(3) LA07/2016/0474/0 - Mr C Hanna

Location:

Lands between 55 Mountview Road and 1 Martinpoole Road, Ballynahinch.

Proposal:

2 dwellings and garages

Mr Hay, Principal Planning Officer, said there was a full revised reason for refusal as follows and that the Agent had been advised:-

- ***The proposal is contrary to the SPPS and Policies CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal would, if permitted, add to a ribbon of development along Mountview Road, and does not represent a gap site within a substantially and continuously built up frontage, along a road frontage.***

**Conclusion and Recommendation from Planning Official:
Refusal**

Speaking rights:

Mr Sam Hawthorne, Agent, presented in support of the application.

Agreed: On the proposal of Councillor Ruane, seconded by Councillor Larkin it was agreed to issue a refusal in respect of planning application LA07/2016/0474/0, as per the Development Management Officer report.

Abstentions:0

(4) LA07/2016/0313/F – Mr Colin Bell

Location:

2 Ballynahinch Road, Crossgar.

Proposal

Proposed car wash and valeting centre

**Conclusion and Recommendation from Planning Official:
Refusal**

Speaking rights:

Mr Gerry Tumelty, Agent presented in support of the application.

Agreed: On the proposal of Councillor Larkin, seconded by Councillor McAteer, it was agreed to issue a refusal in respect of planning application LA07/2016/0313/F, as per the Development Management Officer report.

Abstentions:0

(5) LA07/2016/0590/F and LA07/2016/0590/F – Niall Waters

Location:

3 Green Road, Ardglass

Proposal:

Replacement dwelling and garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

Conor McKenna, Agent presented in support of the application.

Agreed: **On the proposal of Councillor Craig, seconded by Councillor Casey, it was agreed to defer the application with a direction for additional information/clarification particularly in relation to a UKAS Registered Asbestos Survey and conservation issues.**

Abstentions:0

(6) LA07/2015/1317/0 – Paul & Diane Kelly

Location:

25m south of 162 Tandragee Road, Jerrettspass, Newry

Proposal:

1 No. infill 1.5 storey dwelling and garage

Conclusion and Recommendation from Planning Official:

Refusal

Speaking rights:

- John Richardson, Agent presented in support of the application.
- A submission of support was received from Councillor G Stokes.
- A submission of support was received from Councillor R Mulgrew.

Councillor Craig proposed and Councillor Macauley seconded to issue a refusal in respect of planning application LA07/2015/1317/0, as per the Development Management Officer Report.

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

FOR:	7
AGAINST:	3

ABSTENTIONS: Nil

The proposal was declared carried.

Agreed: On the proposal of Councillor Craig, seconded by Councillor Macauley, it was agreed to issue a refusal in respect of planning application LA07/2015/1317/0, as per the Development Management Officer Report.

(7) LA07/2016/0716/F – Peter Collins

Location:

Main Road, Ballymartin – immediately to the east of its junction with Wrack Road.

Proposal:

Replacement dwelling

Conclusion and Recommendation from Planning Official:
Refusal

Speaking rights:

Mr Keith Sommerville presented in support of the application.

Agreed: On the proposal of Councillor Murnin, seconded by Councillor McAteer, it was agreed to issue an approval on planning application LA07/2016/0716/F, contrary to Officer recommendation, subject to a condition being added that the proposal must commence within one year of the approval being issued.

Abstentions:0

(8) P/2015/0136/F – Mr L Magennis

Location:

43 Forkhill Road, Ellisholding, Newry.

Proposal:

Use of existing first floor offices for Class A (2) use of (Financial and Professional Services)

Recommendation and Conclusion from Planning Official:
Refusal

Speaking rights:

It was noted a request for speaking rights had been received from Colin O'Callaghan, Planning Consultant, in support of the application but he was unable to attend the meeting.

Noted:

Mr Davidson, Senior Planning Officer, advised there was a factual error in the Case Officer report – page 2 (Site History) – P/2013/0064/F had been withdrawn and LA07/2015/0579/F had not been refused but was deferred at a previous meeting and would come back to Committee.

Mr Davidson advised the written submission from Mr O’Callaghan had been circulated to the Committee Members and all the issues raised in it had been fully considered by Planning Officers but had not changed their opinion to issue a refusal.

Agreed: On the proposal of Councillor Harte, seconded by Councillor McAteer, it was agreed to issue a refusal in respect of planning application P/2015/0136/F, as per the Development Management Officer Report.

Abstentions:0

(9) LA07/2016/0927/A – Newry, Mourne and Down District Council
P/2014/0681/F – Newry, Mourne and Down District Council

Location:

Approximately 7m west of 10a/10b Marcus Square, Newry.

Proposal:

Free standing electronic display screen

Recommendation and Conclusion from Planning Official:

Consent

Approval (temporary approval with the screen to be removed by 10 March 2017)

Speaking rights:

A written submission was received from O’Callaghan Planning on behalf of objectors although speaking rights was not requested.

Noted:

Ms J McParland, Senior Planning Officer, advised that all issues raised in the written submission had been considered and a response would issue to O’Callaghan Planning in response to the queries he had raised. Issues raised in relation to enforcement were separate from the planning application and would be dealt with. Ms McParland said that a written response would be issued to Mr OCallaghan prior to the decision being issued.

Agreed: On the proposal of Councillor Murnin, seconded by Councillor McAteer, it was agreed to issue a Consent in respect of planning application LA07/2016/0927/A with conditions as recommended and to issue an Approval in respect of planning application P/2014/0681/F with conditions as recommended in the Development Management Officer Report.

Abstentions:0

(10) P/2011/0845/F – Cloghoge Enterprises Ltd

Location:

Site within Cloughoge Business Park, Ellisholding, Newry.

Proposal:

Erection of new building to be used for Class B4 storage and distribution use with car parking facility, ancillary offices, trade counter and staff facilities.

Recommendation and Conclusion from Planning Official:

Refusal

Speaking rights:

Michael Worthington, Planning Consultant, presented in support of the application.

Noted:

Mr Davidson, Senior Planning Officer, advised there was a factual error in the Case Officer report – page 6 Refusal Reason – No. 2 should read “The proposal is contrary to paragraph 3.8 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) in that the proposal conflicts with an up-to-date development plan.

Councillor Larkin proposed and Councillor Craig seconded to issue a refusal in respect of planning application P/2011/0845/F, as per the Development Management Officer Report.

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

FOR:	6
AGAINST:	4
ABSTENTIONS:	Nil

The proposal was declared carried.

Agreed: On the proposal of Councillor Larkin, seconded by Councillor Craig, it was agreed to issue a refusal in respect of planning application P/2011/0845/F, as per the Development Management Officer Report.

(11) P/2014/0653/0 – Anthony Havern

Location:

Corrinshego GFC, 40A Chancellors Road, Newry.

Proposal:

Proposed 6 No. sites for dwellings

Conclusion and Recommendation from Planning Official:

Approval

Speaking rights:

A request for speaking rights had been received from Pete Kenny/Sharon Mullan objecting to the application.

A request for speaking rights had been received from Anthony Havern in support of the application.

It was noted that the objectors were not present at the meeting and Mr Anthony Havern, applicant, then withdrew his request for speaking rights.

Agreed: On the proposal of Councillor Casey, seconded by Councillor Murnin, it was agreed to approve planning application P/2014/0653/0 as per the Officer's recommendation subject to appropriate conditions.

Abstentions:0

FOR NOTING

P/116/2016:- INVEST NORTHERN IRELAND RE: APPROVAL OF PLANNING APPLICATION R/2015/0093/f (proposed fitness facility and associated parking) at Invest NI's Down Business Park.

Read: Letter dated 21 September 2016 from Invest NI regarding Planning Application R/2015/0093/F and expressing disappointment with the Council's decision to approve this planning application at Invest NI's Down Business Park in Downpatrick.

Agreed: It was agreed Mr L Hannaway, Chief Executive arrange to meet with Mr William McCulla, Director Invest NI to discuss this and any other issues of concern.

P/117/2016:- PLANNING DEPARTMENT PERFORMANCE INDICATORS

Read: Planning Committee Performance Report for September 2016. (Copy circulated).

Agreed: It was agreed to note the above report.

P/118/2016:- REPORT – CONTACT FROM PUBLIC REPRESENTATIVES – SEPTEMBER 2016 AND REGISTER OF CONTACT Q2 JULY-SEPTEMBER 2016

Read: Report on Record of meetings between Planning Officers and Public Representatives (Copy circulated).

Agreed: It was agreed to note the above report.

P/119/2016:- CURRENT PLANNING APPEALS

Read: Report regarding Current Planning Appeals. (Copy circulated).

Agreed: It was agreed to note the above report.

There being no further business the meeting concluded at 4.35 pm.

For adoption at the Planning Committee Meeting to be held on Wednesday
10 November 2016.

Signed: ----- **Chairperson**

Signed: ----- **Chief Executive**