NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: PL/DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 28 September 2016 at 9.30am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson:	Councillor W Clarke	
In Attendance:	(Committee Memb Cllr C Casey Cllr G Hanna Cllr M Larkin Cllr D McAteer Cllr M Murnin (Officials) Mr C O'Rourke Mr A McKay Mr P Rooney Mr A Hay Ms A McAlarney Ms A McAlarney Ms N Largy Ms E McParland Ms L Dillon Ms C McAteer	Director of RTS Chief Planning Officer Principal Planning Officer Principal Planning Officer Senior Planning Officer Legal Advisor Democratic Services Manager Democratic Services Officer

P/95/2016: TRAINING FOR MEMBERS OF THE PLANNING COMMITTEE

ITEM RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2016

Agreed: On the proposal of Councillor McAteer, seconded by Councillor Murnin, it was agreed to exclude the public and press from the meeting during discussion on the following matters which related to exempt information under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to the financial or business affairs of any particular person (including the Council holding that information).

Mr Hannaway gave an update on the performance of the Planning Department to date and also on training requirements for Members of the Committee on policies/procedures/speaking rights etc.

- Agreed: On the proposal of Councillor Hanna, seconded by Councillor McAteer, it was agreed to come out of closed session.
- Agreed: When the Committee was out of closed session, the Chairman reported it had been agreed:-
 - To note the progress made by the Planning Department in reducing the backlog of applications from 1600 to 1000 within a 6 month period. The Chairman acknowledged the hard work of Council officials in reaching this target and thanked staff for their efforts. He thanked the agents/applicants for their co-operation and also his fellow Committee Members.
 - Mr Hannaway to raise an issue at a Party Representatives' Forum Meeting regarding an invitation to Mr Stewart Beattie to observe and review the operation of the Planning Committee and give some independent legal advice after analysing procedures, policies and interaction with the public and identify if there were any areas which would benefit from improvements.
 - Consideration be given to any capacity training which would be of benefit to Planning Committee Members.
 - No change be made to the current procedures for dealing with refusals but a review of the planning process, including speaking rights and the format of written submissions, be carried out early in 2017.
 - Mr Hannaway and Mr McKay and representatives from the Planning Committee meet with representatives from the various political parties to brief them on the how the Planning Committee operates.

P/96/2016: APOLOGIES / CHAIRPERSON'S REMARKS

Apologies were received from:

Councillor Devlin Councillor Ruane

P/97/2016: DECLARATIONS OF INTEREST

There were no declarations of interest.

P/98/2016: MINUTES OF PLANNING COMMITTEE MEETING - <u>WEDNESDAY 31 AUGUST 2016</u>

Read: Minutes of Planning Committee Meeting held on Wednesday 31 August 2016 (Copy enclosed).

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 31 August 2016 as a true and accurate record.

P/99/2016: 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 McAteer, it was unanimously agreed to remove the following planning applications from the addendum list for full presentation at a future Planning Committee Meeting:-
 - LA07/2016/0739 Mr H Edemen (removed from the addendum list at the request of Councillor Hanna).
 - LA07/2016/0091/F Mr Peter Clarke (removed from the addendum list at the request of Councillor McAteer)
 - LA07/2015/0704/0 Damien Murphy (removed from the addendum list on the advice of Mr McKay on the basis that late information had been submitted which would be considered by Planners and the application brought back to a future Committee Meeting).
- Agreed: On the proposal of Councillor Craig, seconded by Councillor McAteer, it was unanimously agreed to approve the Officer recommendation, as per the Development Management Officer Report, in respect of the following planning applications:-

LA07/2015/0083/F

Applicant: Paul McKeown
 Proposal: Change of use from shop to hot food carry out with sit in facility
 Location: 16 Dromore Street, Ballynahinch
 Recommendation: APPROVAL

LA07/2015/0575/F

- Applicant: Shimna Integrated College
- **Proposal:** Proposed development of grassed area to synthetic training area, including perimeter fencing and flood lighting –
- Location: Shimna Integrated College, The Lawnfield, King Street, Newcastle

Recommendation: APPROVAL

LA07/2015/1021/O

Applicant: Mr Desmond McAuley

Proposal: Proposed dwelling under Policy CTY10 of PPS21

Location: Approximately 50m southwest of 15a Loughinisland Road, Downpatrick

Recommendation: REFUSAL

LA07/2016/0101/O

Applicant:W J JamisonProposal:Single dwellingLocation:36 Killyleagh Road, CrossgarRecommendation:REFUSAL

LA07/2016/0197/0

Applicant: Mr David Chambers
Proposal: Dwelling and garage
Location: Adjacent to 1 Holly Lane, Ballyhossett Road, Downpatrick
Recommendation: REFUSAL

LA07/2016/0572/0

Applicant:Kathleen LyonsProposal:Proposed farm dwelling and garageLocation:41 Saintfield Road, BallynahinchRecommendation:REFUSAL

LA07/2016/0671/F

Applicant: Newry, Mourne & Down District Council

Proposal: Dismantling and reconstruction of an existing stone wall and gate posts to upgrade the existing entrance to Council depot and provide the required sight line requirements.

Location: Lands to the front of Council Offices at 24 Strangford Road, Downpatrick

Recommendation: APPROVAL

R/2013/0427/F

Applicant: Mr Kenneth Martin

Proposal: Dwelling and garage on a farm

Location: 45m south east of 53 Drumaghlis Road, Crossgar

Recommendation: REFUSAL

R/2014/0288/F

Applicant: Oliver Curran Proposal: New detached dwelling and garage Location: 104 Saul Street, Downpatrick **Recommendation: REFUSAL**

R/2014/0541/F

Applicant: Down District Council Proposal: Refurbishment of existing playground facility Location: Lislea Drive Recreation Area, Crossgar Recommendation: APPROVAL

LA07/2015/0495/F

Applicant: Ms Denise Kelly

- Proposal: Erection of new equine shed for the storage of fodder (hay) and for horses to shelter in.
- Location: Opposite and 100 metres east of No. 12 Commons Hall Road, Newry

Recommendation: APPROVAL

LA07/2015/1217/0

Applicant:	Mr & Mrs Quinn	
Proposal:	Site for replacement dwelling and garage (off site	
	replacement due to current proximity to public road)	
Location:	Land adjacent to and north east of 20 Crohill Road,	
	Crobane, Newry	
Recommendation: REFUSAL		

LA07/2016/0663/RM

Applicant: Peter McShane

Proposal: Erection of a dwelling and detached domestic garage Location: Adjacent to and north of No. 29 Low Road, Avallogue, Newry **Recommendation: REFUSAL**

LA07/2016/0826/0

Applicant: Kevin Donaghy Proposal: Proposed erection of detached dwelling and garage -Location: Lands to the west and rear of Nos.22 and 24 Ballynabee Road, Maghernahely, Bessbrook

Recommendation: REFUSAL

LA07/2016/0875/F

Applicant: Community Rescue Service

- **Proposal:** Erection of building occupied by South Down Community Rescue Service for the purposes of training and to store water safety/rescue equipment –
- Location: Hardstanding located between playing fields at Fathom Line and to the rear of Nos. 31-65 Drumalane Park, Newry

Recommendation: APPROVAL

LA07/2015/0162/F

Applicant:Denis RobbProposal:Proposed erection of farm dwellingLocation:Lands approximately 41m west of No. 54 Edenappa Road,
JonesboroughRecommendation:REFUSAL

P/100/2016: 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:-

- LA07/2015/0583/F Mr & Mrs J Lambe replacement garage and first floor den/games room ancillary to use of existing farm dwelling (amended description and plans) - 121 Ballynahinch Road, Crossgar. Application removed from the agenda to address an issue with the proposal description which inaccurately describes the proposal, and to include an additional reason for refusal.
- LA07/2015/0703/F Mr J Lambe existing temporary storage of waste construction and demolition material - land 65m south of 9 Vale Road, Crossgar.
 Application removed from the agenda to include an additional reason for refusal.
- LA07/2015/1211/F Mr & Mrs J Lambe proposed new access and laneway -121 Ballynahinch Road, Crossgar. **Application removed from the agenda for further consideration**.
- LA07/2015/1307/F Mr & Mrs L McBride proposed conversion and reuse of existing building and extension to that as single dwelling - 40m south of 35 Ballynahinch Road, Castlewellan. Application deferred to the next Planning meeting as the agent is on holiday.
- LA07/2016/0182/F Mr S C Graham proposed farm dwelling approx 180m southeast of 31 Ringhaddy Road, Killinchy. Application withdrawn by the applicant - written instruction received 21/09/2016.
- LA07/2016/0365/0 Mr & Mrs McCluskey 2 No. proposed dwelling houses lands between 1 Brae Road and 212 Belfast Road, Ballynahinch. Application deferred to the next Planning meeting as the agent is on holiday.

- LA07/2016/0447/0 Mr & Mrs Shields proposed 2 infill sites lands approx 100m north of No. 22 Teconnaught Road, Loughinisland. Application removed from the agenda for further consideration and review of the recommendation.
- LA07/2016/0474/0 Mr C Hanna 2 dwellings and garages lands between 55 Mountainview Road and 1 Martinpoole Road, Ballynahinch. Application deferred to the next Planning meeting as the agent is on holiday.
- R/2014/0159/F Philip Patterson replacement agricultural shed 31 Brae Road, Ballynahinch. Application deferred to the next Planning meeting as the agent is on holiday.
- R/2014/0566/F Canon McCrory replacement of existing primary school with single dwelling - 167 Dunmore Road, Guiness, Ballynahinch. Application will be removed from the agenda for further consideration of the amended plans received which seek to address the reasons for refusal.
- LA07/2015/0196 Mr A McParland demolition of an existing garage and provision of a new town house – adjacent to No. 22 Erskine Street, Newry.
 Application removed from the agenda as applicant will submit an amended scheme.
- LA07/2015/1171/F Mr J Hughes proposed two storey dwelling and detached garage (renewal of current approval P/2010/0629/F) 30m north east of 6 Main Street, Camlough. Take this application off the Committee agenda to allow for the submission of a flood risk assessment by the agent.
- LA07/2015/1181/F Stuart Moffett erection of a dwelling on a farm to comply with policy PPS 21 (CTY10) - adjacent to 77 Cloughanramer Road, Newry.
 Application to be removed from the addendum list to consider additional information submitted by the agent/applicant.
- LA07/2016/0579/0 Sean & Eamon McGeeney farm dwelling with domestic garage - adjacent and immediately north east of No. 37 Loughross Road, Crossmaglen. Application to be removed from the agenda.
- LA07/2016/0798/F Timothy McGinn removal of occupancy condition on previous approval P/2010/1012/RM - west of and adjacent to No. I Cullentragh Road, Lissummon, Co. Armagh. Application taken off the Committee agenda and a Planning Officer to contact Mr McGinn to discuss the application with him.

The following applications were then determined by the Committee:-

(1) <u>LA07/2015/0308/0 – David and Maura De Mello</u>

Location:

In front of 113 Dunmore Road, Ballynahinch

Proposal:

Replacement dwelling and refurbishment of outhouse

Conclusion and recommendation from Planning Official: REFUSAL

Speaking rights:

Karl Sherry, Agent, presented in support of the application.

AGREED: On the proposal of Councillor Larkin, seconded by Councillor Craig, it was agreed to issue a Refusal in respect of planning application LA07/2015/0308/0, as per the Development Management Officer Report.

Abstentions: 0

(2) <u>LA07/2015/1187/0 – Mr Seamus O'Rourke</u>

Location:

15m north and to the rear of 98 Drumlee Road, Kilcoo

Proposal:

Replacement dwelling and garage

Mr Hay, Principal Planner, advised that on further consideration and review of their assessment, Planners had amended their reason for refusal; they had changed the reference from 'substantially rebuilt' to 'partially rebuilt'. The full revised wording of the reason for refusal was as follows:

• The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the existing structure has been partially rebuilt and therefore all external structural walls are not substantially intact.

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

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

AGREED: On the proposal of Councillor Murnin, seconded by Councillor Craig, it was agreed to issue a Refusal in respect of planning application LA07/2015/1187/0, as per the Development Management Officer Report.

Abstentions: 0

(3) <u>LA07/2015/1315/0 – Clare Ferris</u>

Location:

Between 16 and 20 Lough Road, Crossgar

Proposal:

Proposed dwelling on in-fill site under Policy CTY8 Ribbon Development

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

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

Councillor Hanna proposed and Councillor Larkin seconded that a Refusal be issued in respect of planning application LA07/2015/1315/0 as per the Development Management Officer Report.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR	7
AGAINST	3
ABSTENTIONS	0

The proposal was declared carried.

AGREED: It was agreed to issue a Refusal in respect of planning application LA07/2015/1315/0, as per the Development Management Officer Report.

(4) LA07/2016/0039/0 - Mr Paul Smith

Location:

Adjacent to and north of 84 Castlewellan Road, Dromara

Proposal:

New farm dwelling and garage

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Robert Martin, Agent, presented in support of the application.

AGREED: On the proposal of Councillor Craig, seconded by Councillor McAteer, it was agreed to defer application LA07/2016/0039/0 to allow Nora Largey, Legal Services, to investigate correspondence received from Mr Martin in relation to land ownership issues and also to consider the evidence presented by the Case Officer on this issue.

> It was agreed the application be brought back to a future Planning Committee Meeting for determination.

Abstentions:

0

(5) <u>LA07/2016/0559/F – O J W & S Watson</u>

Location:

90m north of 121 Ballylough Road, Castlewellan

Proposal:

Dwelling with amended siting and change of house type in substitution for approval.

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

- Ewart Davis, Agent, presented in support of the application.
- Councillor D Curran advised of his support for this application.
- Councillor H Harvey advised of his support for this application.

AGREED: On the proposal of Councillor Craig, seconded by Councillor Hanna, it was agreed to defer application LA07/2016/0559/F for a Members' site visit.

It was agreed the application be brought back to a future Planning Committee Meeting for determination.

Abstentions: 0

(6) <u>R/2013/0217/F – Mr Tony Steel</u>

Location:

120m east of No. 18 Moneylane Road, Dundrum

Proposal:

Erection of agricultural shed (Amended address)

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Mr Gerry Tumelty, Planning Consultant, presented in support of the application.

Councillor Murnin proposed and Councillor McAteer seconded that planning application R/2013/0217/F be deferred for one month to allow the applicant/agent to provide evidence of an established farm business.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR:	3
AGAINST:	7
ABSTENTIONS:	0

The proposal was declared lost.

Councillor Larkin proposed and Councillor Macauley seconded that the application be refused for the reasons recommended.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR:	7
AGAINST:	3
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: It was agreed to issue a Refusal in respect of planning application R/2013/0217/F, as per the Development Management Officer Report.

(7) <u>R/2015/0078/0 – Mrs M Dodds</u>

Location:

Lands 20m North east of 65 Tollymore Road, Newcastle

Proposal:

Proposed infill site for 1 No. dwelling and garage within gap site along an existing continuously built up frontage (amended proposal)

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Andy Stephens, Matrix Planning Consultancy presented in support of the application.

AGREED: On the proposal of Councillor Murnin, seconded by Councillor Hanna, it was agreed to issue a Refusal in respect of planning application R/2015/0078/0, as per the Development Management Officer Report.

Abstentions: 0

(8) <u>LA07/2015/0144/F – Frank Newell</u>

Location:

Approximately 130m south/south-west of No.338 Newry Road, Kilkeel.

Proposal:

Erection of dwelling for guest house accommodation (with demolition of existing dwelling at No. 338 Newry Road) with access via existing laneway to No. 338 Newry Road

Conclusion and recommendation from Planning Official:

REFUSAL

Speaking Rights:-

- Mr Stephen Hughes, Agent, presented in support of the application.
- DEA Councillor H Reilly spoke in support of the application.

AGREED: On the proposal of Councillor McAteer, seconded by Councillor Macauley, it was agreed to defer planning application LA07/2015/0144/F to seek clarification from officers on the issue of commencement and the replacement dwelling.

It was agreed the application be brought back to a future Planning Committee Meeting for determination.

Abstentions: 0

(10) <u>LA07/2015/0232/F – Francis McGuinness</u>

Location:

10m west of 43 Newtown Road, Killeen, Newry

Proposal:

Retention of existing shed for installation of timber biomass heating system with associated drying floor for timber biomass and agricultural crops, including ancillary plant machinery storage area.

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Mr Stephen Hughes, Agent, presented in support of the application.

AGREED: On the proposal of Councillor Murnin, seconded by Councillor Hanna, it was agreed to issue a Refusal in respect of planning application LA07/2015/0232/F, as per the Development Management Officer Report.

Abstentions:

(11) LA07/2015/0694/F – Turlough Kennedy

0

Location:

Dairy Lane, Newtownhamilton.

Proposal:

Proposed dwelling and garage.

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Mr Martin Bailie, Agent, presented in support of the application.

AGREED: On the proposal of Councillor Larkin, seconded by Harte, it was agreed to defer application LA07/2015/0694/F until all relevant information and visuals were available to the Committee Members.

It was agreed the application be brought back to a future Planning Committee Meeting for determination.

Abstentions: 0

(12) <u>LA07/2015/0776/F – John McBride</u>

Location:

To the rear of 83 & 85 Kilkeel Road, Annalong

Proposal:

Construction of 1 No. 2 storey dwelling with associated landscaping and car parking (revised description).

Conclusion and recommendation from Planning Official: APPROVAL

Speaking Rights:-

Mr David Archer presented in objection to the application.

Councillor Hanna proposed and Councillor Macauley seconded that planning application LA07/2015/0776/F be deferred for a Members' site visit.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR:	2
AGAINST:	8
ABSTENTIONS:	0

The proposal was declared lost.

Councillor Murnin proposed and Councillor Larkin seconded that the officer's recommendation to approve planning application LA07/2015/0776/F with conditions be accepted.

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

FOR:	8
AGAINST:	2
ABSTENTIONS:	0

AGREED: It was agreed to approve planning application LA07/2015/0776/F with conditions as per the Development Management Officer report.

(13) <u>LA07/2015/1209/0 – Ciaran Hughes</u>

Location:

Blackrock Road, Crossmaglen

Proposal:

Proposed family dwelling on a farm, with associated garage and garden

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

- Fearghal Murray, Agent, presented in support of the application.
- DEA Councillor T Hearty, in support of the application.
- AGREED: On the proposal of Councillor Larkin, seconded by Councillor Murnin, it was agreed to approve planning application LA07/2015/1209/0 contrary to Officers recommendation on the basis that the agent's presentation demonstrated that the proposed site was visually linked with existing farm buildings; integration was helped by existing vegetation and the proposed siting would deter the creation of ribbon development.

It was noted that any relevant conditions would be imposed by Planners in the reserved matters application.

Abstentions: 0

(14) <u>LA07/2015/1244/F – Barney Mackin</u>

Location:

Approximately 19.3m north-east of No. 27b Derrycraw Road, Newry

Proposal:

Farm dwelling and garage

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Mr Stephen Hughes, Agent, presented in support of the application.

Councillor McAteer proposed and Councillor Loughran seconded that planning application LA07/2015/1244/F be deferred for additional information from the applicant regarding the verification of the farm business.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR:	3
AGAINST:	6
ABSTENTIONS:	0

The proposal was declared lost.

Councillor Larkin proposed and Councillor Hanna seconded that a Refusal be issued in respect of planning application LA07/2015/1244/F, as per the Development Management Officer Report.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR:	6
AGAINST:	3
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: It was agreed to approve planning application LA07/2015/0776/F with conditions as per the Development Management Officer report.

(15) <u>LA07/2016/0557/F – Mr & Mrs Oliver Reavey</u>

Location:

85 Newtown Road, Camlough

Proposal:

Retention of dwelling as constructed previously approved under planning ref *P*/2015/0186/RM

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Sarah McDowell, representing Collins & Collins, Agent, presented in support of the application.

Councillor Casey proposed and Councillor Loughran seconded that planning application LA07/2016/0557/F be deferred to enable discussions between Senior Planning Officers and the agent/applicant in relation to agreeing a design for the house that is acceptable for everyone.

The proposal was put to a vote by a show of hands and voting was as follows:-

FOR: 10

AGAINST: 0 ABSTENTIONS: 0

AGREED: It was unanimously agreed that planning application LA07/2016/0557/F be deferred to enable discussions between Senior Planning Officers and the agent/applicant in relation to agreeing a design for the house that is acceptable for everyone.

Councillor Casey left the meeting – 5.50 pm.

(16) LA07/2016/0602/0 – Martin & Lorraine McNeill

Location:

Between 8 & 16 Goragh Road, Newry

Proposal:

Erection of dwelling with domestic garage

Conclusion and recommendation from Planning Official: REFUSAL

Speaking Rights:-

Sarah McDowell, representing Collins & Collins, 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, for the reasons recommended, in respect of application LA07/2016/0602/O, as per the Development Management Officer Report, on the understanding Planning Department will meet with the Applicant as soon as possible to discuss making another planning application more appropriate to the applicant's personal circumstances.

P/101/2016: ADJOURN MEETING

Agreed: It was unanimously agreed to adjourn the meeting and reconvene on Wednesday 5 October 2016 at 10.00 am to determine the following planning applications:-

- LA07/2016/0716/F Peter Collins
- LA07/2016/0731/0 Sheena Gribben
- LA07/2016/0812/0 George Kelly
- P/2014/0071/F Mr John Perry
- P/2014/0670/F Mr Frank King
- P/2014/0678/F Mr Frank King
- P/2014/0859/F Brendan Carr
- P/2015/0095/F Geraldine Fearon
- P/2015/0136/F Mr L Magennis
- P/2014/0894/F Hilary McCamley

There being no further business the meeting concluded at 6.10 pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 26 October 2016.

Signed:	 Chairperson
Signed:	 Chief Executive