

- Noted:** Councillor Devlin declared an interest in Planning Application No. R/2012/0081/F (Applicant: Oaklee Homes Group Ltd), and said she would remove herself from the meeting during discussion on this application.
- Noted:** Ms E McParland Democratic Services Manager declared an interest in Planning Application No. LA07/2015/1109/F (Applicant: McKinley Contracts).
- Noted:** Councillor W Clarke declared an interest in Planning Application R/2012/0081/FNo. (Applicant: Oaklee Homes Group Ltd), and said he would remove himself from the meeting during discussion on this application.

**P/64/2016: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 8 JUNE 2016**

Read: Minutes of Planning Committee Meeting held on Wednesday 8 June 2016 .

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 8 June 2016 as a true and accurate record.

P/65/2016: 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 agreed to approve the Officer recommendation, as per the Development Management Officer Report, in respect of the following Planning Applications:

LA07/2015/0310/O

Applicant: Pdraig and Adrian Walsh

Proposal: Proposed single storey detached dwelling

Location: Land 175m nw of 196 Lackan Road Kilcoo Newry

Recommendation: REFUSAL

LA07/2015/0877/F

Applicant: Dairmid Sloan

Proposal: Roof space conversion, replacement roof and 2 storey extension

Location: 10 Tullybrannigan Brae Newcastle

Recommendation: REFUSAL

LA07/2015/1246/O

Applicant: Terence J O Hare

Proposal: Replacement dwelling and garage on farm land –

Location: 60m north west of 25 Church Road Camlough Newry

Recommendation: REFUSAL

LA07/2016/0138/O

Applicant: Mr & Mrs Armstrong
Proposal: Dwelling and garage
Location: lands between 69 and 73 Tullyree Road Kilcoo
Recommendation: REFUSAL

LA07/2016/0144/A

Applicant: Newry Coarse Fish Angling Club
Proposal: Vinyl graphics mounted on steel container advertising
Newry Coarse Fish Angling Club
Location: Middlebank Albert Basin Newry
Recommendation: APPROVAL

LA07/2016/0153/A

Applicant: Newry Coarse Fish Angling Club
Proposal: Steel frame with steel panels container to be used as a kiosk
for an angling club to be used as an administration post
during fishing competitions.
Location: Middlebank Albert Basin Newry
Recommendation: APPROVAL

LA07/2015/0259/O

Applicant: Mr M Fearon
Proposal: Proposed dwelling and detached garage(CYT2A)
Location: 25m south of Lisvaragh Lislea newry
Recommendation: REFUSAL

LA07/2016/0330/O

Applicant: Newry Mourne & Down District Council
Proposal: Proposed open space development, provided designed
green spaces including new planting and seating areas
connected by a series of pedestrian footpaths
Location: Former Barracks Site School Road Forkhill
Recommendation: APPROVAL

LA07/2016/0340/O

Applicant: Mr A Gallagher
Proposal: Proposed dwelling and garage under infill policy (CTY8) and
clustering (CTY2a)
Location: 50m east of 31 Ballymaderphy Road Kilkeel
Recommendation: REFUSAL

LA07/2016/0421/O

Applicant: Fiona Doyle
Proposal: Proposed infill dwelling and detached garage
Location: Site adjacent to and west of No 25 Tamnaharry Hill
Mayobridge
Recommendation: REFUSAL

R/2013/0208/F

Applicant: Liam Lavery

Proposal: Proposed change of use from horse training facilities to
campsite and caravan park with associated amenity facilities

Location: Lands immediately north west of Woodlodge Stables
Drumbuck Road Castlewellan.

Recommendation: APPROVAL

P/66/2016: APPLICATIONS FOR DETERMINATION

(1) LA07/2015/0009/F – Kathleen McKeivitt

Location:

Approx 75m north of 26 Jack's Road (access from Clontigora Road), Killeen, Armagh

Proposal:

Erection of farm dwelling and garage

Speaking rights/Representations:

Mr Barney McKeivitt, ERES Limited, Agent presented in support of the application.

Conclusion and recommendation from Planning Official

Refusal

Councillor Casey proposed, seconded by Councillor Hanna, to overturn the Officer's recommendation and grant an Approval in respect of Application Number LA07/2015/0009/F based on the grounds that there were no issues concerning prominence in the landscape and that there is clustering to an extent with the houses in the area.

Mr McKay referred to the reasons given to overturn the Officer's recommendation in respect of Application LA07/2015/0009/F and asked that Members note that the proposal sought to cluster with existing developments. He also added that Planning Department had no information on file regarding leasing out of land in conacre in respect of this application and he advised that the issues raised did not address the policy by which development in the countryside is regulated nor had regard to the Development Plan and the Planning Department, therefore were not content that the reasons offered were sound planning reasons in this instance.

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

For	6
Against	6

The Chairperson used his casting vote against the proposal.

The proposal was declared lost.

AGREED: It was therefore subsequently agreed to issue a Refusal, for the reasons recommended, in respect of Planning Application LA07/2015/0009/F, as per the Development Management Officer Report.

(2) LA07/2015/0511/0 – Peter McEvoy

Location:

Adjacent and immediately north of 147 Rathfriland Road, Newry

Proposal:

Dwelling and detached garage

Speaking rights/Representations:

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

Conclusion and recommendation from Planning Official:

Refusal

AGREED: On the proposal of Councillor Hanna seconded by Councillor Casey it was agreed to defer Application LA07/2015/0511/O and the Planning Committee attend a site meeting to further examine issues regarding clustering.

Noted: Abstentions 0

(3) LA07/2015/0546/F – Jane Magee

Location:

Approx 70m south east of 71 Ardglass Road, Ballyhornan

Proposal:

Retention of building with alterations to be used as a farm shed and animal handling facility in substitution for agricultural building granted permission under R/2007/1021/F

Conclusion and recommendation from Planning Official

Refusal

Representations:

Speaking rights/Representations:

Representation was received from former Councillor, Mr C McGrath, in support of the application.

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

AGREED: On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to defer Application LA07/2015/0546/F to allow the applicant an opportunity to submit further information to provide evidence of an active and established farm business.

Noted: Abstentions 0

(4) LA07/2015/0579/F – Laurence McGuinness

Location:

43 Forkhill Road, Cloghogue, Newry

Proposal:

Proposed retention of existing buildings for the retail selling of household fuel and vehicle fuel and fuel pump

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

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

Noted: Mr McKay stated there were planning enforcement issues on this site and that Application No. LA07/2015/0579/F was submitted to seek to remedy these breaches. He advised the best process to follow in this instance would be for the applicant to withdraw the application and comply with the Enforcement Notice and allow the enforcement matters to be dealt with.

AGREED: It was agreed to adjourn discussion on Application LA07/2015/0579/F until after lunch.

(5) LA07/2015/0809/F – Michael Magennis

Location:

Lands 55m east of 63 Forkhill Road, Newry

Proposal:

Proposed stables for domestic use

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights:

Mr Barry Gray, Gray Design Ltd presented in support of the application.

AGREED: On the proposal of Councillor Craig seconded by Councillor Hanna it was agreed to issue a Refusal, for the reasons recommended, in respect of Application LA07/2015/0809/F, as per the Development Officer Management Report.

Noted: Abstentions 0

(6) LA07/2015/0936/0 – Owen Gribben

Location:

50m south of 100 Burren Road, Ballydesland, Warrenpoint

Proposal:

Site for dwelling with detached garage on a farm

Conclusion and recommendation from Planning Official:

Refusal

Speaking Rights/Representations:

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

AGREED: On the proposal of Councillor Craig seconded by Councillor McAteer it was agreed to issue an Approval in respect of Application LA07/2015/0936/0, contrary to Officer recommendation, on the basis that this application is deemed exceptional circumstances in view of the significant health and safety issues in respect of access.

AGREED: It was also agreed that a condition be included under planning approval for Application LA07/2015/0936/0 that planting and landscaping must be agreed in advance with the Planning Department prior to the commencement of development.

Noted: Ms Largey pointed out the application was being recommended for Refusal based on 3 additional reasons as it was also Contrary to CTY8, CTY13 and CTY14.

Noted: Mr McKay asked that it be recorded that in light of the decision agreed and seconded by Members, it remained the view of the Planning Department that the health and safety case presented was not exceptional circumstances and therefore was setting a new benchmark and this gave rise to concerns on their behalf. He also said that with regard to Policy issues, he asked it be recorded that Planning Department believed sufficient planning reasons has not been achieved to override CTY10, CTY8, CTY13 and CTY14.

(7) LA07/2015/1016/F – Parish of Saul and Ballee

Location:

Adjacent to 10 St Patrick's Road, Saul

Proposal:

Proposed new Pastoral Hall

Conclusion and recommendation from Planning Official

Refusal

Speaking Rights/Representations:

Representation was made by Councillor Sharvin in support of the application

Michael Bailie, Agent presented in support of the application.

AGREED: On the proposal of Councillor Murnin seconded by Councillor McAteer it was agreed to issue a temporary Approval for a period of 2 years, in respect of Application LA07/2015/1016/F, contrary to Officers recommendation, to give the applicant an opportunity to submit an application for a more suitable building design.

(1.10pm – The meeting adjourned)

(1.55pm – The meeting recommenced at 1.55pm)

(8) LA07/2015/1071/F – E Flynn

Location:

Site No. 39 Inishmore, Killyleagh

Proposal:

2 No. semi detached dwellings (in substitution of detached dwelling previously approved under R/2007/0310/F – corrected description received)

Conclusion and recommendation from Planning Official

Refusal

Speaking rights/Representations

Representation was made by Councillor Andrews in support of the application

A request for speaking rights had been received from Mr Eugene Flynn, Applicant, in support of the application.

NB: Eugene Flynn, did not speak .

Kieran Dempsey, Architect, presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to issue a Refusal for the reasons recommended, in respect of Application LA07/2015/1071/F, as per the Management Development Officer Report.

Noted: Abstentions

(2.15pm – Ms E McParland Democratic Services Officer left the meeting room)

(9) LA07/2015/1109/F – McKinley Contracts

Location:

Adjacent to No. 24 and opposite Nos. 19 & 20 Tudor Mews, Upper Dromore, Warrenpoint

Proposal:

Proposed 2 No. apartments

Conclusion and recommendation from Planning Official:

Refusal

Speaking Rights:

A request for speaking rights has been received from Diarmid Sloan and from Shauna Murphy (objecting to the application)

Ms S Murphy gave a presentation outlining her reasons for objecting to the application.

AGREED: On the proposal of Councillor Ruane seconded by Councillor Murnin it was agreed to issue a Refusal in respect of Application LA07/2015/1109/F, for the reasons recommended as per the Management Development Officer Report.

(2.20pm – Ms E McParland Democratic Services Officer re-joined the meeting)

(10) LA07/2015/1346/F – Brian McAlerney

Location:

Lands 235m south west of 117 Bann Road, Castle

Proposal:

Proposed replacement dwelling

Conclusion and recommendation from Planning Official:

Refusal

Noted: An additional reason for Refusal in respect of Application LA07/2015/1346/F has been added as follows:
“The proposal is contrary to Planning Policy Statement 21, Sustainable Development in the Countryside, Policy CTY3, in that it would, if permitted, prejudice road safety by the creation of an additional access onto the public road.”

Speaking Rights/Representations:

Mr Barry Gray presented in support of the application.

Councillor P Clarke presented in support of the application.

Councillor Hanna proposed and Councillor Craig seconded to issue a Refusal in respect of Application LA07/2015/1346/F, for the reasons recommended as per the Management Officer Development Report.

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

For: 4
Against: 7

The proposal was declared lost.

AGREED: On the proposal of Councillor Hanna seconded by Councillor Ruane it was agreed to defer Application LA07/2015/1346/F, to allow the applicant/agent to submit further information to demonstrate the existence of a vehicular access from the public road and serving the dwelling to be replaced, and that the Planning Department further consult Transport NI in respect of this access.

Noted: Abstentions 0

(11) LA07/2016/0111/F – Mr McEvoy

Location:

No. 158 Crawfordstown Road, Drumaness

Proposal:

Change of use from shop to 2 dwellings, using existing parking (amended proposal)

Conclusion and recommendation from Planning Official:

Refusal

Speaking Rights/Representations:

A request from speaking rights has been received from Michael Bailie, Agent (in support of the application)

AGREED: It was agreed to withdraw Application LA07/2016/0111/F.

(12) LA07/2016/0315/F – Mr & Mrs Bennett

Location:

28 Lisgarvagh, Lislea, Newry

Proposal:

2 storey rear extension to form new ground floor kitchen and first floor bedrooms

Conclusion and recommendation from Planning Official:

Approval

Speaking rights/Representations:

Ms Kathleen O Hare presented in objection to the application.

Councillor P Byrne presented on behalf of the objectors to this application.

Mr Aodhan Bennett presented in support of the application.

Mr Mark Tumilty presented in support of the application.

Noted: Ms J McParland advised that the Planning Department were giving weight to personal circumstances in respect of Application LA07/2016/0315/F and were recommending an Approval of the amended proposals submitted.

Councillor Larkin proposed and Councillor Casey seconded to issue an Approval in respect of Application LA07/2016/0315/F, with the conditions as recommended in the Management Development Officer Report.

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

For: 6
Against: 4
Abstentions 1

The proposal was declared carried.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Casey it was agreed to issue an Approval in respect of Application LA07/2016/0315/F, with the conditions as recommended in the Management Development Officer Report.

(3.30pm – Councillor C Casey left the meeting)

(13) LA07/2016/0346/0 – Mr McKnight

Location:

Lands approx 20m north east of 40 Ballycoshane Road, Hilltown

Proposal:

Proposed erection of detached farm dwelling

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

Mr Mc Knight presented in support of the application.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Hanna it was agreed issue a Refusal in respect of Application No. LA07/2016/0346/0, for the reasons recommended as per the Management Development Officer Report.

NOTED: Abstentions 0

(14) LA07/2015/0579/F – Laurence McGuinness

Location:

43 Forkhill Road, Cloghogue, Newry

Proposal:

Proposed retention of existing buildings for the retail selling of household fuel and vehicle fuel and fuel pump

Conclusion and recommendation from Planning Official:

Refusal

Noted: It was noted it had been agreed earlier in the Meeting to adjourn discussion on Application LA07/2015/0579/F until after lunch to allow the Agent the

opportunity to discuss the possibility of withdrawing the application as suggested by Mr McKay Chief Planning Officer.

Noted: Mr O Callaghan Agent reported the applicant was not in favour of withdrawing Application LA07/2015/0579/F.

Councillor Larkin proposed and Councillor Loughran seconded to defer application LA07/2015/0579/F with a direction for the Planning Department to arrange further discussions with the Agent.

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

For	5
Against	2
Abstentions	0

The proposal was declared carried.

AGREED: Councillor Larkin proposed and Councillor Harte seconded to defer application LA07/2015/0579/F with a direction for the Planning Department to arrange further discussions with the Agent.

(15) LA07/2016/0406/0 – Martin Farnon

Location:

100m north west of No. 42 Ballygorian Road, Hilltown

Proposal:

Site for replacement dwelling and detached garage using existing un-altered access to public road

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

A submission of support had been received from Sinead Bradley, MLA
Mr B Quinn presented in support of the application.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Murnin it was agreed that the Committee would accept that all four walls were substantially intact and that the application be referred back to the Planning Department to discuss the access concerns in relation to CTY3 and AMP2.

(16) LA07/2016/0421/0 – Fiona Doyle

Location:

Site adjacent to and west of No. 25 Tamnaharry Hill Road, Mayobridge

Proposal:

Proposed infill dwelling and detached garage

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

A request for speaking rights has been received from Bernard Dinsmore, Architect (in support of the application)

AGREED: This application was withdrawn.

(4.10pm – Councillor V Harte left the meeting)

(17) LA07/2016/0556/0 – J & J McKibben

Location:

40m south east of 181 Moyad Road, Kilkeel

Proposal:

Site for dwelling and garage

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

Mr Richard O Toole presented in support of the application,

Councillor Hanna proposed and Councillor Craig seconded to approve application LA07/2016/0556/0 contrary to Officer recommendations on the grounds that clustering already exists at this location and that the proposal would have no significant visual impact.

Noted: Ms Largey cautioned the Committee to be mindful Officers had advised that this application had been adjudicated on by the Planning Appeals Commission and suggested the Committee be given an opportunity to read the Planning Appeals Commission determination in this case.

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

For	2
Against	5
Abstentions	2

The proposal was declared lost.

Councillor Larkin proposed and Councillor Ruane seconded to issue a Refusal in respect of Application LA07/2016/0556/0, for the reasons recommended as per the Development Management Officer Report.

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

For	5
Against	4
Abstentions	0

The proposal was declared carried.

AGREED: Councillor Larkin proposed and Councillor Rune seconded to issue a Refusal in respect of Application LA07/2016/0556/0, for the reasons recommended as per the Development Management Officer Report.

(18) P/2013/0140/F – Lawrence McGuinness

Location:

43a Forkhill Road, Newry

Proposal:

Retention of and change of use of land for car sales

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

Mr B McKeivitt presented in support of the application.

Noted: Mr McKay informed the Committee Application P/2013/0140/F was the subject of a Planning Enforcement Notice and which was being heard by the Courts.

Noted: Ms Largey reminded the Committee during the course of discussion that Enforcement was a fully delegated function for Officers.

AGREED: On the proposal of Councillor Macauley seconded by Councillor Craig it was agreed to issue a Refusal in respect of Application P/2013/0140/F, for the reasons recommended as per the Development Management Officer Report.

NOTED: Abstentions 0

(5.10pm – Councillor Hanna withdrew to the Public Gallery)

(19) P/2013/0752/F – Ulster Small Arms Shooting Club

Location:

60m north west of Aughnaloopy Road, Kikeel

Proposal:

Erection of shooting shed and alternations to existing banks/slopes with retention of car park and pathway including proposed planting scheme (amended plans/additional information)

Conclusion and recommendation from Planning Official:

Approval

Speaking rights/Representations:

Ms A Colgan presented in objection to the application.

Mr P Quinn presented in support of the application.

Councillor Craig proposed and Councillor Macauley seconded to issue an Approval in respect of Application P/2013/0752/F, subject to conditions as per the Development Management Officer Report.

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

For: 5
Against: 3
Abstentions 1

The proposal was declared carried.

AGREED: On the proposal of Councillor Craig seconded by Councillor Macauley it was agreed to issue an Approval in respect of Application P/2013/0752/F, subject to conditions as per the Development Management Officer Report.

(5.50pm – Councillor G Hanna re-joined the meeting)

(5.50pm – Councillor W Clarke withdrew to the Public Gallery)

(5.50pm – Councillor L Devlin withdrew to the Public Gallery)

(5.50pm – Councillor Macauley chaired the meeting from this point)

(20) R/2012/0081/F – Oaklee Homes Group Ltd

Location:

Sites 2 and 4 Donard Street, Newcastle

Proposal:

15 no. apartments and 1 no. house

Conclusion and recommendation from Planning Official:

Approval

Speaking rights/Representations:

Mr E Davis presented an objection to the application, on behalf of Ms Anne Callan.

Noted:

Councillor Devlin submitted a statement of objection
Councillor P Clarke submitted a statement of objection

Councillor Larkin proposed and Councillor seconded to issue an Approval in respect of Application R/2012/0081/F, subject to conditions, as per the Development Management Officer Report.

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

For	7
Against	1
Abstentions	0

The proposal was declared carried.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Hanna seconded to issue an Approval in respect of Application R/2012/0081/F, subject to conditions, as per the Development Management Officer Report.

(6.15pm – Councillor J Macauley left the Chair and also left the meeting)

(6.15pm – Councillor W Clarke Chaired the Meeting from this point)

(6.15pm – Councillor L Devlin left the meeting)

(21) P/2014/0328/F – Ciaran McEntee

Location:

To the rear of 47 Ballsmill Road, Crossmaglen

Proposal:

Retention of building for the purposes of agriculture

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

Mr C O Callaghan presented in support of the application.

AGREED: On the proposal of Councillor Hanna seconded by Councillor Craig it was agreed to issue a Refusal in respect of Application P/2014/0328/F, for the reasons recommended as per the Development Management Officer Report.

NOTED: Abstentions 0

(22) P/2014/0649/0 – Joseph Walls

Location:

60m east of No. 20 Sandbank Road, Hilltown

Proposal:

Site for farm dwelling (amended address)

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

Mr C O Callaghan presented in support of the application.

Councillor Murnin proposed and Councillor Hanna seconded to issue a Refusal in respect of Application P/2014/0649/0 for the reasons recommended, as per the Management Development Officer Report.

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

For	7
Against	1
Abstentions	0

The proposal was declared carried.

AGREED: On the proposal of Councillor Murnin seconded by Councillor Hanna it was agreed to issue a Refusal in respect of Application P/2014/0649/0 for the reasons recommended, as per the Management Development Officer Report.

(23) R/2014/0576/F – Mr D Orr

Location:

West of 109 Barnamaghery Road, Crossgar

Proposal:

Erection of wintering shed for livestock and retention of existing fodder storage shed on part foundation of original shed site

Conclusion and recommendation from Planning Official:

Refusal

Speaking rights/Representations:

Councillor Harvey has advised of his support for this planning application
Mr Gary Thompson presented in support of the application.

AGREED: On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to defer Application R/2014/0576/F to allow the applicant an opportunity to produce further information in relation to this application.

There being no further business the meeting concluded at 7pm.

For adoption at the Planning Committee Meeting to be held on Wednesday 6 July 2016.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**