

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 8 January 2020 at 10.30am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor M Larkin

Deputy Chairperson: Councillor H Reilly

In attendance: **(Committee Members)**

Councillor W Clarke
Councillor L Devlin
Councillor V Harte
Councillor G Hanna
Councillor C Mason
Councillor D McAteer
Councillor H McKee
Councillor M Ruane
Councillor J Trainor

(Officials)

Mr C Mallon	Director, Enterprise, Regeneration & Tourism
Mr A McKay	Chief Planning Officer
Mr P Rooney	Principal Planning Officer
Ms A McAlarney	Senior Planning Officer
Mr M Keane	Senior Planning Officer
Mr D Fitzsimon	Planning Consultant
Mr F O Connor	Legal Advisor
Ms L Coll	Legal Advisor
Ms N Largey	Legal Advisor
Ms C McAteer	Democratic Services Officer
Ms P McKeever	Democratic Services Officer

P/001/2020: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor Brown.

P/002/2020: DECLARATIONS OF INTEREST

Councillor Mason declared an interest in Item 9 – LA07/2019/1234/O.

P/003/2020: DECLARATIONS IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL PARA. 25 – MEMBER TO BE PRESENT FOR ENTIRE ITEM

Declarations in relation to Para.25 of Planning Committee Operating Protocol –

Members to be present for entire item:-

- Item 7 - LA07/2019/1142/0 – proposed gap site for 1 No. dwelling – side garden at 75 Station Road, Saintfield - **Councillors Brown, Devlin, Hanna, Reilly and Ruane** would not take part in the discussion/decision on this application.
- Item 8 – LA07/2019/1231/0 – dwelling and garage on a farm – 80m south of 22 Drumgooland Road, Downpatrick – **Councillors Brown, Devlin, Hanna, Reilly and Ruane** would not take part in the discussion/decision on this application.
- Item 9 – LA07/2019/1234/0 – dwelling and garage on an infill site – adjacent and south of 22 Rocks Chapel Road, Crossgar – **Councillors Brown, Devlin, Hanna, Reilly and Ruane** would not take part in the discussion/decision on this application.
- Item 10 – LA07/2019/1257/F – two storey extension to side of dwelling – 87 Seaview, Killough – **Councillors Brown, Devlin, Hanna, Reilly and Ruane** would not take part in the discussion/decision on this application.

MINUTES FOR CONFIRMATION

P/004/2020: MINUTES OF PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 11 DECEMBER 2019

Read: Minutes of Planning Committee Meeting held on Wednesday 11 December 2019. **(Copy circulated)**

Ms Largey advised the following amendment should be made to the Minutes:

P/129/2019: LA07/2016/1074/RM – Development of a Community Treatment and Care Centre

To include the following wording in the 'Agreed' section:

'or to enter into a planning agreement if it was considered necessary to do so to ensure all the conditions raised by Members were adequately addressed'.

The amended Minutes should read as follows:

Agreed: On the proposal of Councillor Clarke seconded by Councillor Hanna it was unanimously agreed to issue an approval in respect of Planning Application LA07/2016/1074/RM as per the information and recommendation contained in the Case Officer report presented to Committee.

It was also agreed that Officers be delegated authority to impose any relevant conditions to cover all the issues raised by Members at the meeting or to enter into a planning agreement if it was considered necessary to do so to ensure all the conditions raised by Members were adequately addressed.

AGREED: On the proposal of Councillor Hanna, seconded by Councillor Clarke, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 11 December 2019 as a true and accurate record subject to the amendment recommended by Ms Largey being made.

FOR DISCUSSION/DECISION

P/005/2020: **ADDENDUM LIST**

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 8 January 2020. **(Copy circulated).**

AGREED: On the proposal of Councillor Devlin seconded by Councillor Hanna it was agreed to remove the following Planning Applications from the addendum list for presentation at the February 2020 Planning Committee Meeting:

- LA07/2019/1302/F - provision of dwelling with associated parking and amendment of Application R/2011/0794/F to remove parking area for apartments and replace with shared amenity space - to the rear of nos 65-69 South Promenade Newcastle. **REFUSAL**
- LA07/2019/1362/0 - infill dwelling and garage - adjacent and immediately south of No. 64 The Heights, Loughbrickland. **REFUSAL**

AGREED: On the proposal of Councillor Devlin seconded by Councillor Hanna it was agreed to approve the Officer recommendation in respect of the following applications listed on the addendum list for Wednesday 8 January 2020: -

- LA07/2018/0231/F - development of 5 detached dwellings and all associated access, parking and site works (amended proposal) - lands adjacent and to the west of No. 10 Balmoral Avenue, Newry. **APPROVAL**
- LA07/2019/0036/F - upgrade to an existing path network around the Kilbroney Park hub to 'The Fairy Glen Walking Trail' in Kilbroney Park - A walk trail network which will be made up of existing trail walks with some new build on sections of the trail" - The Fairy Glen Walking Trail' Kilbroney Forest Park Shore Road Rostrevor Co Down BT34 3AA. **APPROVAL**
- LA07/2019/0253/F - proposed upgrade of an existing path network around the Kilbroney Park hub - "The Fallows Walking Trail" Kilbroney Forest Park Shore Road Rostrevor BT34 3AA. **APPROVAL**
- LA07/2019/1398/F - Environmental Improvements to include new granite paving, kerb trims and dished channels, tactile paving - section along Chapel Road, Meigh. **APPROVAL**

**DEVELOPMENT MANAGEMENT -
PLANNING APPLICATIONS FOR DETERMINATION**

P/006/2020: PLANNING APPLICATIONS FOR DETERMINATION

The following applications were determined by the Committee:-

- (1) LA07/2018/0001/O
(Audio recorded -YES)**

Location:

Site of former St Mary's Primary School (opposite and east of 1-15 Shan Slieve Drive and south of 32-38 Bryansford Road and 2-8 Tullybrannigan Road) and portion of Bryansford Road, Newcastle.

Proposal:

Demolition of former school building, erection of food store and mountain rescue centre, provision of car parking and associated site works (Revised access position Shan Slieve Drive to be no longer used).

Conclusion and Recommendation from Planning Official:

Approval

Mr McKay advised Members that Planning Application LA07/2018/0001/O had been withdrawn from the agenda as Planning Officials needed to review all the information that had been submitted and additionally, the applicant had indicated they would be submitting further information which would need to be considered by Planning Officials.

(Councillors Devlin, Hanna, Reilly and Ruane withdrew from the Meeting).

- (2) LA07/2019/1142/O
(Audio recorded -YES)**

Location:

Side garden at 75 Station Road, Saintfield.

Proposal:

Proposed gap site for 1 No. dwelling.

Conclusion and Recommendation from Planning Official:

Refusal

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.

Agreed: On the proposal of Councillor Clarke seconded by Councillor McAteer it was unanimously agreed to issue a refusal in respect of Planning Application LA07/2010/1142/O as per the information and

recommendation contained in the Case Officer report presented to Committee.

**(3) LA07/2019/1231/O
(Audio recorded -YES)**

Location:

80m South of 22 Drumgooland Road, Downpatrick.

Proposal:

Dwelling and garage on a farm.

Conclusion and Recommendation from Planning Official:

Refusal

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.

Issues raised:

- Ms McAlarney considered there were alternative sites that could be explored.

Agreed: On the proposal of Councillor Clarke seconded by Councillor Trainor it was unanimously agreed to issue a refusal in respect of Planning Application LA07/2019/1231/F as per the information and recommendation contained in the Case Officer report presented to Committee.

(Councillor Mason withdrew from the Meeting)

**(4) LA07/2019/1234/O
(Audio recorded -YES)**

Location:

Adjacent and south of 22 Rocks Chapel Road, Crossgar.

Proposal:

Dwelling and garage on an infill site.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Ms Annette McAlarney, 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.

Issues raised:

- Ms McAlarney advised the site comprised one dwelling with its own established curtilage and two stable outbuildings along the road with no defined curtilage.

- Planning Officials did not consider the proposed application would respect the development pattern along the frontage.
- The shrubbed area could be amalgamated into the current plot thereby increasing the overall plot size.
- It was for the Committee to decide if the proposed dwelling could be accommodated and if it would respect the dwelling at no. 22 in terms of frontage and plot size.

Agreed: On the proposal of Councillor McKee seconded by Councillor Larkin it was unanimously agreed to issue an approval in respect of Planning Application LA07/2019/1234/O contrary to Officer recommendation on the basis that it complied with Policy CTY8 in terms of scale, mass and plot size.

It was also agreed that Officers be delegated authority to impose any relevant conditions.

(Councillor Mason rejoined the Meeting)

**(5) LA07/2019/1257/F
(Audio recorded -YES)**

Location:
87 Seaview, Killough.

Proposal:
Two storey extension to side of dwelling.

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Ms Annette McAlarney, 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.

Issues raised:

- Ms McAlarney acknowledged that although there were a number of two storey extensions in the area, none of them resulted in a terracing effect the proposed application would have if it were to proceed.
- A single storey extension would not result in a terracing effect.

Agreed: On the proposal of Councillor McAteer seconded by Councillor Larkin it was unanimously agreed to issue a refusal in respect of Planning Application LA07/2019/1257/F as per the information and recommendation contained in the Case Officer report presented to Committee.

(Councillor Reilly left the meeting – 11.30 am).
(Councillors Devlin, Hanna and Ruane re-joined the meeting).

(6) LA07/2019/1221/F
(Audio recorded -YES)

Location:

Land 10m NW of 180 Tullybrannigan Road, Newcastle

Proposal:

Proposed guest house tourist accommodation and associated site works

Conclusion and Recommendation from Planning Official:

Refusal

Speaking Rights:

In support

Barry Fletcher, agent and Colin Adams, applicant presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Mrs A 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.

Issues raised:

- The proposed application would be located within the prime tourism area of Tollymore.
- Planning Officials' considered the proposed application was self-catering accommodation as opposed to a guest house.
- Ms Largey said the owner of a guest house would typically live in the house, and therefore she supported the Officer's view the proposed application did not fit the criteria for a guest house but rather for self-catering accommodation.
- Dfl requirement was for 2 x 45m visibility access splays which they did not consider was achievable.
- The sight visibility splays were not in the applicant's ownership.
- Ms Largey advised the sight visibility splays would have to be secured and maintained by the applicant prior to commencement of development.
- A traffic survey had not been conducted.

Councillor Hanna proposed to defer Planning Application LA07/2019/1221/F for a site visit. Councillor Clarke said whilst a site visit could address issues regarding sight visibility lines, it was vitally important Council support the tourism industry and therefore further discussions needed to be had involving the applicant, agent and Planning Department regarding the correct planning category under which the application should be assessed. Councillor Hanna said evidence of a traffic survey would have to be submitted. Councillor Larkin said evidence would also have to be provided that the 2 x 45m sight visibility splays would be achievable and within the control of the applicant.

Agreed: On the proposal of Councillor Hanna, seconded by Councillor Clarke it was agreed to defer Planning Application LA07/2019/1221/F in order for a site visit to take place and further discussion to take place involving the applicant, agent and Planning Department regarding the correct planning category for the proposal.

A traffic survey to be submitted and evidence that 2 x 45m sight visibility splays were achievable and within the control of the applicant.

(7) LA07/2019/1001/F
(Audio recorded -YES)

Location:

To the rear of 2 Windsor Court, Rathfriland Road, Newry.

Proposal:

Proposed one and a half-storey dwelling with attached single storey garage

Conclusion and Recommendation from Planning Official:

Approval

Speaking Rights:

In objection

Mr John Harkness presented in opposition to the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

In support

Ms Grainne O'Hagan, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Mr Mark Keane, 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.

Issues raised:

- Mr Harkness considered the proposed application contravened the Addendum to PPS7 and the proposal was not in keeping with the pattern of development in the area. He also said a design and access statement should have been submitted.
- Ms O'Hagan said the application was a modest proposal with a lower density to others in Windsor Court and measures had been taken to reduce the overlooking issues. She said the proposed ridge height was lower than existing surrounding dwellings.
- Mr Keane said he was aware of the site history in that planning permission had originally been granted in 2008 but had expired in 2013, he said this was not a determining factor in the recommendation.

Agreed: On the proposal of Councillor McAteer seconded by Councillor Larkin it was unanimously agreed to issue an approval in respect of Planning Application LA07/2019/1001/F as per the information and recommendation contained in the Case Officer report presented to Committee.

(8) LA07/2019/1069/F
(Audio recorded – NO)

Location:

Lands approx. 20m NE of 31A Quarter Road, Glassdrumman, Annalong.

Proposal:

Proposed one and a half-storey dwelling with attached single storey garage.

Conclusion and Recommendation from Planning Official:

Refusal

Speaking Rights:

In support

Colin O'Callaghan, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Power-point presentation:

Mr Mark Keane, 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.

AGREED: On the proposal of Councillor Clarke, seconded by Councillor Hanna it was unanimously agreed to defer Planning Application LA07/2019/1069/O for a site visit to take place to allow Members could assess the site in more detail.

FOR NOTING

P/007/2020: HISTORIC ACTION SHEET

Read: Planning historic action sheet. (Copy circulated)

AGREED: It was unanimously agreed to note the Planning historic action sheet.

P/008/2020: PLANNING COMMITTEE MEETING PERFORMANCE REPORT – DECEMBER 2019

Read: Planning Committee Performance Report December 2019.
(Copy circulated)

AGREED: It was agreed to note the Planning Committee Performance Report December 2019.

P/009/2020: MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES

Read: Record of Meetings between Planning Officers and Public Representatives. **(Copy circulated)**

AGREED: It was agreed to note the record of Meeting between Planning Officers and Public Representatives.

P/010/2020: APPEALS & DECISIONS

Read: Report re: Appeals and Decisions – December 2019. **(Copy circulated)**

AGREED: It was agreed to note the Appeals and Decisions December 2019.

The Meeting concluded at 12.30pm.

For confirmation at the Planning Committee Meeting to be held on Wednesday 12 February 2020.

Signed: _____ Chairperson

Signed: _____ Chief Executive