

## **NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

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**Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 11 May 2022 at 10.00am in Boardroom, Monaghan Row, Newry and via Microsoft Teams.**

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**Chairperson:** Councillor D McAteer

**In attendance: (Committee Members)**

Councillor R Burgess  
Councillor P Byrne  
Councillor L Devlin  
Councillor G Hanna  
Councillor V Harte  
Councillor M Larkin  
Councillor D Murphy  
Councillor L McEvoy  
Councillor G O'Hare

**(Officials)**

Mr C Mallon	Director, Enterprise, Regeneration & Tourism
Mr A McKay	Chief Planning Officer
Mr P Rooney	Principal Planning Officer
Mr A Hay	Principal Planning Officer
Mr M McQuiston	Senior Planning Officer
Ms A McAlarney	Senior Planning Officer
Mr M Keane	Senior Planning Officer
Ms P Manley	Senior Planning Officer (via Teams)
Mr F O'Connor	Head of Legal Administration
Ms L Coll	Legal Advisor
Ms S Taggart	Democratic Services Manager (Acting) (via Teams)
Ms C McAteer	Democratic Services Officer
Ms L Dillon	Democratic Services Officer
Ms L Cummins	Democratic Services Officer (via Teams)
Ms P McKeever	Democratic Services Officer

**P/043/2022: APOLOGIES AND CHAIRPERSON'S REMARKS**

No apologies were received

Councillor McAteer asked that a letter of condolence be sent to Nora Largey on the recent sad passing of her mother.

**P/044/2022: DECLARATIONS OF INTEREST**

Councillor Devlin declared an interest in Item 12 – LA07/2021/1712/F

Councillor Burgess declared an interest in Item 13 – LA07/2021/0394/F

**P/045/2022:            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.**

- **Item 6** - LA07/2019/1134/O - Replacement Dwelling - 90 Manse Road Darraghcross Crossgar – Councillors Byrne, Devlin, Hanna, Larkin, Murphy, McAteer, McEvoy and O’Hare attended a site visit on 13-04-2022
- **Item 7** – LA07/2020/1161/F - Councillors Devlin, Hanna, Murphy, McAteer, McEvoy and O’Hare attended a site visit on 30-03-2022
- **Item 8** – LA07/2020/1370-0 – Councillors Hanna, Larkin, Murphy, McAteer, McEvoy and O’Hare attended a site visit on 30-03-2022

**MINUTES FOR CONFIRMATION**

**P/046/2022:            MINUTES OF PLANNING COMMITTEE MEETING HELD ON  
WEDNESDAY 6 APRIL 2022**

Read:                    Minutes of Planning Committee Meeting held on Wednesday 6 April 2022.  
(Copy circulated)

**AGREED:                On the proposal of Councillor Hanna, seconded by Councillor  
McEvoy, it was agreed to adopt the Minutes of the Planning  
Committee Meeting held on Wednesday 6 April 2022 as a true  
and accurate record.**

**FOR DISCUSSION/DECISION**

**P/047/2022:            ADDENDUM LIST**

Read:                    Addendum List of Planning Applications with no representations  
received or requests for speaking rights – Wednesday 11 May 2022.  
**(Copy circulated).**

Councillor Larkin proposed Item 13- LA07/2021/0394/F be removed from the Addendum List and presented at the next Planning Committee Meeting. In response to a query from Councillor McAteer as to the reason for requesting it be removed, Councillor Larkin said he had been advised that an objector to the application had not been aware it was to be heard at the Meeting today and had not been able to engage in the process to date. Councillor McEvoy seconded the proposal.

Councillor Devlin asked what the precedent was in determining if a Planning Application be removed from the Addendum List. Councillor McAteer said requests were usually accepted providing there was a reasonable explanation for doing so and it was usual practice to try to facilitate people who were not familiar with the planning system.

Councillor Hanna stated an email had been circulated from an objector thereby indicating the objector had been involved in the process and he said the onus was on her to secure speaking rights.

The Chairperson put Councillor Larkin's proposal to a vote by way of a show of hands and voting was as follows:

FOR: 8  
AGAINST: 1  
ABSTENTIONS: 0

The proposal was carried.

**AGREED:** On the proposal of Councillor Larkin, seconded by Councillor McEvoy it was agreed to remove the following application listed on the addendum list for Wednesday 11 May 2022 and be given a full presentation at the June Committee Meeting

- **LA07/2021/0394/F** - Change of use of lands to Public Park (used in conjunction with Saintfield Community Centre) - Lands to the rear of Saintfield Community Centre and to the south of 8-11 Windmill Grange with access onto Belfast Road. **APPROVAL**

**AGREED:** On the proposal of Councillor Devlin, seconded by Councillor Harte, it was agreed to approve the Officer recommendation in respect of the following application listed on the addendum list for Wednesday 11 May 2022:

- **LA07/2022/0201/LBC** - Removal of tiered seating and steps. Widening of corridor between theatre and display room. Create new store using a section of existing store - Newcastle Centre 10-14 Central Promenade Newcastle **GRANTED**

## **DEVELOPMENT MANAGEMENT - PLANNING APPLICATIONS FOR DETERMINATION**

### **P/048/2022: PLANNING APPLICATIONS FOR DETERMINATION**

#### **(1) LA07/2019/1134/O**

As agreed at the Planning Meeting on 6 April 2022, a full presentation and speaking rights were permitted.

Councillors Burgess and Harte withdrew from the discussion/decision on this application.

**Location:**  
90 Manse Road Darraghcross Crossgar

**Proposal:**  
Replacement Dwelling

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

Refusal

### **Power-point presentation:**

Ms 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.

### **Speaking rights:**

Mr G Tumelty, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members. Mr Mageean was in attendance to answer any questions from Members.

### **Issues Raised:**

- Councillor Byrne referred to the term 'reasonably capable' as outlined in the engineer's report and asked what constituted 'reasonably capable'. In response Mr McKay said the decision taken by Planning was assessed on all considerations and the information that had been made available to officers, but ultimately it was up to the Committee where to place reliance, any material consideration could be taken into account, but it would have to be rooted in planning policy.
- Councillor Byrne considered there was a lot of ambiguity around the term 'reasonably'.
- Mr McKay it was a feature of policy to have ambiguity, however he considered the policy was clear and that Planning considered the subject building contributed to the heritage, appearance and character of the locality and it was reasonably capable of being made structurally sound, the financial aspect was not considered as it was not part of the planning process.
- Ms McAlarney acknowledged there was very little room to the rear of the building to extend and said it was important to note it was only half of the building being considered.
- Mr Tumelty said to work within the red line would be very restricted and would require excavation works to the rear which he said would further weaken the back wall of the building.
- Mr Tumelty said the red line was not defined by any area on the ground, a replacement building could be pulled forward giving it a more level surface to work within.
- Mr Tumelty said a replacement dwelling would need to have a higher ridge height to meet current regulations, but he would be happy to work with Planning on design.

Councillor Hanna proposed to issue an approval in respect of Planning Application LA07/2019/1134/O contrary to officer recommendation on the basis that he considered, the building was not fit for the purpose of being restored, the survey reflected the poor state of the building, the front wall was lying out and an extension would be very restricted. He said a replacement dwelling should be similar in design. Councillor Larkin seconded the proposal.

Mr McKay asked Councillor Hanna to address the refusal reasons. Councillor Hanna said there was only one refusal reason to address as the second one had been removed. Councillor Hanna said he considered the current building was very small and the integrity and structure were in question. He said if the replacement building was single storey, slightly larger, of similar design and using sympathetic materials it would be sustainable, would integrate into the countryside and comply with CTY3.

Before going to a vote, Councillor Byrne asked it was noted that his reason for supporting the decision to overturn the Planning Officer's recommendation was that he considered the building to be structurally unsound, which was cited as an exception contained within CTY3.

Councillor Hanna's 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 carried.

**AGREED:** **On the proposal of Councillor Hanna, seconded by Councillor Larkin it was agreed to issue an approval in respect of Planning Application LA07/2019/1134/O contrary to officer recommendation on the basis that the integrity and structure of the subject building were in question, a replacement dwelling should be single storey, slightly larger, of similar design and sympathetic materials should be used.**

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

## **(2) LA07/2020/1161/F**

(Councillors Burgess, Byrne, Harte and Larkin withdrew from discussion/decision on this application).

### **Location:**

Adjacent to No.11 Altnadue Road Castlewellan

### **Proposal:**

Change of use from rough grazing to motorhome park

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

Refusal

### **Power-point Presentation:**

Mr A McKay, Chief Planning Officer provided Members with a short recap on the power point presentation previously presented to Committee.

### **Speaking rights:**

In line with the updated Operating Protocol no further speaking rights were permitted on this application.

Mr Sean O'Hare, agent and Ms Margaret Brannigan, applicant were in attendance to answer any questions from Members.

Councillor McAteer proposed to issue an approval in respect of Planning Application LA07/2020/1161/F contrary to officer recommendation, as, having been to the site, he considered the development would not be as prominent as outlined in the case officer report, it was far enough away from the main road and appropriate screening would aid integration, additionally he said planning conditions should be attached. Councillor Devlin seconded the proposal saying the visual impact would not be unduly prominent from either the Dublin Road or the Market Road.

Mr McKay asked Councillor McAteer to address the policies upon which the recommendation was placed, notably, CTY 13 and CTY14 which dealt with integration in the countryside and the tourism policies, TSM 6, which dealt with holiday parks, TSM 7 which dealt with general criteria for tourism and TSM 8 safeguarding tourism assets.

Councillor McAteer said he considered the amended plans addressed all concerns and further conditions could be imposed. He said the vernacular in the area was stone ditching and stones could be used on the three levels of the site to aid with integration and that officers, agent and applicant worked together to bring that forward.

**AGREED:**                                **On the proposal of Councillor McAteer seconded by Councillor Devlin it was agreed to issue an approval in respect of Planning Application LA07/2021/1161/F contrary to officer recommendation on the basis that the development would not be unduly prominent in the area and the use of stone screening would further aid with integration.**

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

### **(3)    LA07/2021/1370/O**

((Councillors Burgess, Byrne, Devlin and Harte withdrew from discussion/decision on this application).

#### **Location:**

Land located between No. 22 and No. 22B Lurgan Road, Silverbridge, Newry

#### **Proposal:**

Infill development of 2 no. dwellings

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

Refusal

#### **Power-point Presentation:**

Mr P Rooney, Principal Planning Officer provided Members with a short recap (via Teams) on the power point presentation previously presented to Committee.

#### **Speaking rights:**

In line with the updated Operating Protocol no further speaking rights were permitted on this application.

Ms Colleen Savage, agent and Mr Michael McLoughlin, applicant were in attendance to answer any questions from Members.

#### **Issues Raised:**

- Ms Savage said sites along the Lurgan Road ranged from 0.7 hectares to 0.354 hectares and the proposed sites were 0.27 and 0.31 hectares respectively.
- Ms Savage said the plot widths along the Lurgan Road varied and planning had previously granted approval for the largest gap site along this stretch of road.

- Ms Savage confirmed the proposed site spanned 110m and the red line boundary omitted a sliver of land to the North at the request of the landowner for access to farmland to the East.
- Mr Rooney said it was important how the site appeared visually. He considered it to be an extensive gap with a frontage measuring 117m, compared to an average of 37m on either side and he said it could accommodate 3 or possibly 4 dwellings.
- Mr Rooney said the key element to consider was the width of the gap as opposed to the size of the site.
- Ms Savage said her interpretation of the policy differed to that of the planning officers and a precedent had been set in an approval previously having been granted for the largest site along the road.
- Ms Coll said the interpretation of the policy had been demonstrated in terms of precedent and it was up to the Committee to decide how much weight should be given to this.
- Mr McKay said it was a written policy and it needed to be applied as it appeared.
- Councillor Hanna referred to the variety of site sizes along the Lurgan Road and Mr McKay said should the Committee decide to issue an approval, the policy provisions would need to be addressed.

Councillor Larkin proposed to issue an approval in respect of Planning Application LA07/2021/1370/O contrary to officer recommendation on the basis that he considered the application was an exception to CTY8, it represented an opportunity for two sites in keeping with the existing development along the Lurgan Road and in relation to the third refusal reason, he said a suitable design could be built that would integrate into the surrounding landscape and be sympathetic to the character of the area. The proposal was seconded by Councillor Hanna.

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

FOR: 5  
 AGAINST: 1  
 ABSTENTIONS: 0

The proposal was carried.

**AGREED:** **On the proposal of Councillor Larkin seconded by Councillor Hanna, it was agreed to issue an approval in respect of Planning Application LA07/2021/1370/O contrary to officer recommendation on the basis that it represented an opportunity for two sites in keeping with the existing development along the Lurgan Road and sympathetic house design would ensure integration into surrounding area.**

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

(All Councillors re-joined the meeting)

**(4) LA07/2021/1318/O**

**Location:**

Site between 11 and 13 Tullydonnell Road, Silverbridge, Newry

**Proposal:**  
Infill Dwelling

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

**Power-point Presentation:**

Mr Pat Rooney, Principal Planning Officer gave a power point presentation via Teams 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:**

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

**Issues Raised:**

- Ms Smith confirmed the only entrance to No. 11 Tullydonnell Road was the one identified in the presentation, she said both the lane and hedges bordering it were well maintained and the bins were brought to the bottom each week for emptying by Council.
- Ms Smith said the adjacent building to the East of No. 11 was a farm building and it had a different access.
- Mr Rooney said the main concern was that of the three buildings being relied on by the agent, to comply with policy, only one had road frontage, the other two were set back and accessed by a private lane.
- Mr Rooney said the agent, in referring to 5.33 of CTY8 had given an incorrect interpretation of the policy and said in this instance, there were not three dwellings situated along either a laneway or a footpath and consequently he considered the application contravened policy.
- Councillor Byrne said there was a lot of ambiguity around 5.33, and his interpretation of the policy was that the buildings were visually linked.
- Mr McKay said it was important the Committee considered the context of the policy and that 5.33 did not fall within the main body of the policy but was within justification and amplification and he said the policy when read in its entirety was very clear.
- Mr Rooney said 5.33 was irrelevant to Planning Application LA07/2021/1318/O as it was about ribbon development and not built up road frontage.
- Mr McKay said property No. 13 had road frontage in that it had a driveway and the garden extended to the road, however, No. 11 did not have road frontage, it just had an access lane.
- Mr McKay said the starting point for the Committee was to decide if there were three properties forming a continuous and substantial built up frontage and he said Planning considered there was not.
- Ms Smith said the dwelling to the North with its own access and the dwelling and outbuilding to the South sharing an access were the three buildings that she considered had road frontage, and she said there did not have to be three separate accesses to comply with policy.
- Mr Rooney acknowledged, that previously where an outbuilding was linked to a dwelling and read as a separate building it would be considered as two separate buildings for the purposes of complying with policy, however, he said in this instance the buildings on the other side of the road, did not have road frontage.
- Mr McKay said Planning Policy PPS21 was a restrictive policy and permission was granted by exception.



**AGREED:**

**On the proposal of Councillor Murphy seconded by Councillor O'Hare, it was unanimously agreed to defer Planning Application LA07/2021/1318/O for a site visit so that Members could assess the site in more detail.**

(Break 11.40am – 11.50am)

**(5) LA07/2021/1171/F**

**Location:**

Lands adjacent and 64m SW of no.22 Donaghaguy Road Warrenpoint

**Proposal:**

Proposed farm dwelling with associated site works and landscaping

**Conclusion and Recommendation from Planning Official:**

Refusal

**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.

**Speaking rights:**

In objection

Mr Peter McConville presented in objection to the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

In Support

Mr Tony O'Hare, agent and Mr Paul McCreanor, agent presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

**Issues Raised:**

- Mr O'Hare said the applicant had a farm business that included growing, cutting and selling grass, additionally there was a farm store that was used for horses for hobby purposes.
- Mr Keane said CTY10 was entirely assessed to ascertain if there were any grounds to justify an approval in respect of the application.
- Mr Keane said the letter provided by the agent provided further evidence that for several years a third party had been farming the lands and claiming the Single Farm Payment subsidy.
- Mr O'Hare said the letter also stated the owner, Mrs McCullough had employed the third party as a contractor to do agricultural works on her land.
- Mr O'Hare said DAERA had confirmed the farm had been established for more than 6 years, that Mrs McCullough was a farmer and it could be backed up by invoices.
- Mr O'Hare said although full tax accounts had not been submitted to Planning, they could be made available if required.
- Mr O'Hare said the third party had included Mrs McCullough's land as part of his farm so he could comply with the Nitrates Directive.
- Councillor McAteer said a Nitrates subsidy did not exist and slurry could be gifted to a neighbouring farmer using slurry licences.

- Mr McCreanor said water / rates bills and invoices from the third party contractor as well as for construction work carried out on the farm had been submitted to Planning.
- Ms Coll said it was not enough to provide a DARD number, evidence of active farming would also have to be provided, examples of which included accounts, herd books, insurance and rates information and to accept just a verbal confirmation without hard evidence would be unlawful.
- Mr Keane said Policy CTY10 required a farm to be active for at least 6 years. DAERA confirmed that although the farm had been established as Category 3 in 2013, prior to 2021, it was located on land associated with another farm business.
- Mr Keane said some of the evidence provided to Planning included invoices relating to the third party.
- Mr O'Hare read a letter that had been submitted to Planning but had not been uploaded to the Planning portal at the request of the agent that stated whilst the third party had included the land in his farm, it was solely for the purpose of complying with the Nutrients Action Programme Regulations and if required, bank statements could be provided as evidence that no monetary gain had been made from the inclusion of the holding within his Single Farm Payments.
- By way of clarity, Ms Coll read out the definition of agricultural activity, concluding that cutting hedges was not deemed to be agricultural activity and the main purpose of the policy was to provide a farm dwelling for the farmers that operated the farm business.

Councillor Hanna proposed to issue a refusal in respect of Planning Application LA07/2021/1171/F as per officer recommendation, Councillor O'Hare 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:	1
ABSTENTIONS:	0

The proposal was carried.

**AGREED:** **On the proposal of Councillor Hanna seconded by Councillor O'Hare it was agreed to issue a refusal in respect of Planning Application LA07/2021/1171/F as per the information contained within the Case Officer report and presented to Committee.**

**(6) LA07/2021/0461/F**

**Location:**

Adjacent to and east of 10 Meadow View Close Kilcoo

**Proposal:**

Single dwelling using existing foundations from previously approved (R/2012/0301/F)

**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.

### **Speaking rights:**

Mr Declan Rooney, agent and Mr Jerome Johnston, applicant presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

### **Issues Raised:**

- Ms McAlarney said the proposed house type was unacceptable and although she acknowledged planning had previously been granted for a terrace of three dwellings, the current application was for one dwelling and she said in the absence of a certificate of lawfulness, Planning Department would be wary of reliance being placed on extant approval.
- Ms McAlarney said when assessing the proposed house design, a wide residential area had been considered specific to where the site could be read in terms of context.
- Mr Rooney said the proposed design reflected modern living and any further amendments to the design would have to be discussed with the applicant.
- Ms McAlarney advised NI Water had responded with concerns about the proximity of the site to a waste water treatment plant and the potential for odour and noise and it had requested further information which had not been forthcoming.
- The agent said he was not aware of any complaints of noise or odour from neighbouring properties.
- Ms Coll said there was a gap in information and it was important the Committee focus on what was relevant, which was the outstanding response from NI Water.
- Mr McKay confirmed that should the Committee decide to issue an approval in respect of Planning Application LA07/2021/0461/F, a negative condition could be attached whilst awaiting the response from NI Water.

Councillor Larkin proposed to issue an approval in respect of Planning Application LA07/2021/0461/F contrary to officer recommendation on the basis that a negative condition be attached in relation to the outstanding report from NI Water. Councillor Larkin said he was content with the proposed size and design, he considered it to be suitable for the site, it was within view of other similar size houses and it reflected local development. He said it was not unsympathetic to the AONB as there were a variety of styles in the area. 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:	8
AGAINST:	1
ABSTENTIONS:	1

The proposal was declared carried.

### **AGREED:**

**On the proposal of Councillor Larkin, seconded by Councillor Hanna it was agreed to issue an approval in respect of Planning Application LA07/2021/0461/F contrary to officer recommendation on the basis that a negative condition be attached in relation to the outstanding report from NI Water. The proposed size and design were in keeping with neighbouring properties and it was sympathetic to the character of the area and AONB.**

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

**(7) LA07/2021/1712/F**

(Councillor Devlin withdrew from the meeting)

**Location:**

Lands approximately 20m NE of no. 32 Ballykeel Road Cabra

**Proposal:**

Erection of farm dwelling and garage

**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.

**Speaking rights:**

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

**Issues Raised:**

- Mr O'Callaghan said the applicant did not have any road frontage on to the Ballykeel Road, he only had frontage on to a private lane situated off a public road.
- Mr McKay said he did not accept there were health and safety cases that would demand that dwellings be located at least 75m from a farm business.
- Mr McKay said there were many examples in the district of newly constructed houses in close proximity of farm businesses, which evidenced that farm dwellings and farm businesses could happily co-exist close to each other.
- Mr McKay referred to the health and safety guidance from Environmental Health regarding dwellings built within 75m of farms and said often complaints of noise and odour may have arisen due to a dwelling not being in the farms ownership.
- Councillor Byrne said the 75m safe distance rule should apply to all whether they were actively farming or not.

Councillor O'Hare proposed to issue an approval in respect of Planning Application LA07/2021/1712/F contrary to officer recommendation on the basis that he considered it met the requirements of CTY10 in that the farm had been active and established for at least 6 years, no dwelling or development opportunities out of the settlement limits had been sold off from the farm holding, the health and safety concerns had been clearly demonstrated, it would not be unduly prominent in the area and it would not add to ribbon development. Councillor McEvoy 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 O'Hare seconded by Councillor McEvoy it was agreed to issue an approval in respect of Planning Application LA07/2021/1712/F**

**contrary to officer recommendation on the basis that the farm had been active and established for at least 6 years, no dwelling or development opportunities out of the settlement limits had been sold off from the farm holding, the health and safety concerns had been demonstrated, it would not be unduly prominent in the area and it would not add to ribbon development.**

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

(Lunch 1.35pm – 2.00pm)

(Councillor Devlin re-joined the meeting)

### **LOCAL DEVELOPMENT PLAN (CLOSED SESSION)**

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

**P/049/2022:** **LDP: Progress Report - Quarterly Update**

Read: Report dated 11 May 2022 by Mr A McKay, Chief Planning Officer regarding the Local Development Plan: Progress Quarterly Update

**P/050/2022:** **LDP: Planning Policy Review – Retail**

Read: Report dated 11 May 2022 by Mr A McKay, Chief Planning Officer regarding the Local Development Plan: Planning Policy Review – Retail

On the proposal of Councillor Byrne, seconded by Councillor Burgess, 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/049/2022:** **LDP: Progress Report - Quarterly Update**

**AGREED:** On the proposal of Councillor Byrne, seconded by Councillor Burgess, it was agreed to note the quarterly update provided in Report dated 11 May 2022 from Mr A McKay, Chief Planning Officer regarding the Local Development Plan.

**P/050/2022:** **LDP: Planning Policy Review – Retail**

**AGREED:** On the proposal of Councillor Byrne, seconded by Councillor Burgess, it was agreed to note the LDP: Planning Policy Review – Retail:

- Agree the proposed draft policies for inclusion within the draft Plan Strategy, and

- Authorise the Development Plan Team to amend the proposed draft planning policies as necessary (i.e. subject of further consultation engagement, sustainability appraisal, and any change to overarching regional policy) and report back to Members any substantive changes to proposed policy wording or direction.

**FOR NOTING**

**P/051/2022: HISTORIC ACTION SHEET**

Read: Historic Action Sheet. **(Copy circulated)**

**AGREED: It was unanimously agreed to note the Historic Action Sheet**

**P/052/2022: PLANNING COMMITTEE PERFORMANCE REPORT - APRIL 2022**

Read: Planning Committee Performance Report for April 2022. **(Copy circulated)**

**AGREED: It was unanimously agreed to note the Planning Committee Performance Report April 2022.**

**P/053/2022: CURRENT APPEALS AND DECISIONS**

Read: Planning Appeals and Decisions Report. **(Copy circulated)**

**AGREED: It was unanimously agreed to note the Report on Planning Appeals and Decisions.**

The meeting concluded at 3.07pm.

For confirmation at the Planning Committee Meeting to be held on Wednesday 1 June 2022.

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

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