

## **NEWRY MOURNE AND DOWN DISTRICT COUNCIL**

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**Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council  
held on Wednesday 18 October 2023 at 10.00am in the Boardroom, Monaghan Row,  
Newry and via Microsoft Teams.**

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**Chairperson:** Councillor D Murphy

**In attendance: (Committee Members)**

Councillor P Byrne  
Councillor C Enright  
Councillor A Finnegan  
Councillor G Hanna  
Councillor C King  
Councillor M Larkin  
Councillor D McAteer  
Councillor S Murphy  
Councillor M Rice  
Councillor J Tinnelly

**(Officials)**

Mr J McGilly	Assistant Director of Regeneration
Mr A McKay	Chief Planning Officer
Mr Pat Rooney	Principal Planning Officer
Mr Peter Rooney	Legal Advisor
Ms A McAlarney	Senior Planning Officer
Ms M Fitzpatrick	Senior Planning Officer
Mr Mark Keane	Senior Planning Officer
Ms P Manley	Senior Planning Officer
Ms S Taggart	Democratic Services Manager
Ms L Dillon	Democratic Services Officer

**P/069/2023: APOLOGIES AND CHAIRPERSON'S REMARKS**

The following apology was received:

- Councillor P Campbell

**P/070/2023: DECLARATIONS OF INTEREST**

No declarations of interest.

**P/071/2023: 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.**

There were no declarations.

The Chairperson reminded those Councillors who were not in attendance at site visits, to be mindful of this when deciding to take part in any voting process in relation to these applications.

### **MINUTES FOR CONFIRMATION**

**P/072/2023: MINUTES OF PLANNING DEVELOPMENT COMMITTEE MEETING WEDNESDAY 20 SEPTEMBER 2023**

Read: Minutes of Planning Committee Meeting held on Wednesday 20 September 2023. **(Copy circulated)**

On a point of accuracy, Councillor Tinnelly referred to Planning Application LA07/2023/2525/F, and stated he had queried the position of the red line within the application with regard to Mary Street but this was not reflected within the minutes.

Officers gave an assurance that the position of the red line would be rectified in due course in relation to the area at Mary Street, which had been omitted from the application, but which would be included in the overall scheme.

**AGREED: On the proposal of Councillor Hanna, seconded by Councillor McAteer it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 20 September 2023 as a true and accurate record, subject to the above amendment.**

### **FOR DISCUSSION/DECISION**

**P/073/2023: ADDENDUM LIST**

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 18 October 2023.  
**(Copy circulated)**

**AGREED: On the proposal of Councillor McAteer, seconded by Councillor Hanna, it was agreed to approve the Officer recommendation in respect of the following application listed on the Addendum List for Wednesday 18 October 2023:**

- **LA07/2023/2409/F** - Partial Demolition of Two Storey Library to Create Single Storey Eco Library Building - KILLYLEAGH LIBRARY 52 HIGH STREET KILLYLEAGH  
**APPROVAL**
- **LA07/2019/0549/F** - Residential development to comprise 18 Nr. semi-detached dwellings 3 nr detached dwellings. - Lands at No. 15 Old Warrenpoint Road, Newry BT34 2TD.  
**APPROVAL**

- **LA07/2021/0167/F** -Demolition of existing dwelling and erection of 6 new dwellings - 32 Ballyholland Road, Ballyholland.  
**APPROVAL**
- **LA07/2022/1763/F** - Public realm improvement scheme comprising resurfacing of the existing breakwater; refurbishment of railings; replacement lighting; installation of new street furniture including seats, wind breaks, bins, cycle stands and bollards; - Lands at the breakwater along Warrenpoint Front Shore located approximately 12 metres south west of 3 Osborne Promenade Warrenpoint, BT34 3NQ.  
**APPROVAL**
- **LA07/2023/2527** - Environmental improvements comprising the installation of new planting schemes to existing open space, improvements to existing uncontrolled crossing points, refurbishment works to the fountain area, refurbishment of existing street lighting, refurbishment of existing finger posts, installation of heritage style planters and all associated works - Lands adjacent to 1-12 Main Street, 1-45 Church Road, 2 Dale Terrace, 21-6 Wakefield Terrace, 1-23 Charlemont Square West, 1-8 Charlemont Square.  
**APPROVAL**
- **LA07/2021/0480/F** - Erection of 12 houses, housing development and associated site works - 9 & 11 Rathfriland Road, Hilltown. Lands zoned for housing immediately adjacent to and north of 11a Rathfriland Road, Hilltown. Public footpath opposite and immediately east of no. 13 Rathfriland Road, Hilltown. Public footpath on Rathfriland Road Hilltown immediately NW of the Downshire Hotel.  
**APPROVAL**
- **LA07/2023/2528/F** - Environmental improvements comprising the installation of new heritage style street lighting, remedial works to existing footpaths, improvements to existing uncontrolled crossing points, and all associated works - Lands adjacent to 1-92 Main Street, 33-37 Saintfield Mill, 1-11 Fairview, 2 Comber Street, Saintfield, BT24.  
**APPROVAL**
- **LA07/2023/2529/F** - Environmental improvements comprising the refurbishment of street lighting to the Upper Square Carpark, installation of heritage style bus shelters to Upper and Lower Square, installation of heritages style street furniture including pedestrian guard rails - Lands adjacent to 15-101 Main Street, 1-29 Upper Square, 2-44 Lower Square, Castlewellan.  
**APPROVAL**
- **LA07/2021/1350/O** - Replacement Dwelling - Between 38 & 40 Ballygoskin Road, Crossgar.  
**REFUSAL**
- **LA07/2022/0959/F** - Replacement of existing turbine approved under R/2012/0153/F with a Vestas V52 Wind turbine comprising of a 50m Hub height and Blade Span of 26m (overall tip height of 76m) - Approx. 650m South East of No 4 New Line, Crossgar.  
**APPROVAL**

## **LOCAL DEVELOPMENT PLAN ITEMS EXEMPT INFORMATION**

The Chairperson advised the following was for noting:

### **P/074/2023: LDP UPDATE – PRESENTATION OF FUTURE PAPERS**

Read: Report dated 18 October 2023 from Mr J McGilly, Assistant Director Regeneration, regarding the Local Development Plan: presentation of future papers and Local Development Plan Work  
**(Copy circulated)**

**AGREED: On the proposal of Councillor Tinnelly, seconded by Councillor King, it was agreed to note the content of the officer's report.**

### **P/075/2023: CONSULTATION RESPONSE: REVIEW OF THE PLANNING (LOCAL DEVELOPMENT PLAN) REGULATIONS (NORTHERN IRELAND) 2015**

Read: Report dated 18 October 2023 from Mr J McGilly, Assistant Director Regeneration, regarding the Consultation Response: Review of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015

**AGREED: On the proposal of Councillor Finnegan, seconded by Councillor Murphy, it was agreed to note the content of the officer's report.**

## **DEVELOPMENT MANAGEMENT - PLANNING APPLICATIONS FOR DETERMINATION (WITH PREVIOUS SITE VISITS)**

### **P/076/2023: PLANNING APPLICATIONS FOR DETERMINATION**

#### **(1) LA07/2022/1714/F**

#### **Location:**

Lands 71m South-West of existing agricultural building which are immediately adjacent to No. 52 Ribadoo Road, Ballyward, Castlewellan

#### **Proposal:**

New Dwelling and Garage

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

Refusal

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

Councillor Declan Murphy explained this application had been previously presented to Committee and deferred for a site visit which had since taken place.

#### **Note:**

Cllrs Campbell, Enright; Finnegan; Larkin; D Murphy; D McAteer attended site visit on 9<sup>th</sup> October 2023. It was noted that Councillor Campbell was not present in the Chamber, however Councillor Hanna who had not been on the site visit but had previously heard the presentation in the Boardroom agreed to make up the quorum for voting on the decision.

**Speaking rights:**In support

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

Mark Hanvey, Agent was in attendance to provide clarification if required.

Councillor Larkin proposed and Councillor Hanna seconded to issue an approval in respect of Planning Application LA07/2022/1714/F, on the basis that having visited the site and taking into account the vantage point; the proposed dwelling site; the existing dwelling; and the shed on the farm; the site could be clearly seen and was visually linked.

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

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

FOR:	5
AGAINST:	0
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 LA07/2022/1714/F, contrary to officer recommendation, on the basis that having seen the site it was apparent that the proposed new building would be visually linked to the other group of buildings on the farm.**

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

**(2)    LA07/2022/1384/F****Location:**

50 Carrickbroad Road, Drumintee, Newry

**Proposal:**

Proposed replacement dwelling and associated sit works with retention of existing dwelling for ancillary use.

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Councillor Declan Murphy explained this application had been previously presented to Committee and deferred for a site visit which had since taken place.

**Note:**

Cllrs Enright; Finnegan; Larkin; king; D Murphy; J Tinnelly attended site visit on 7<sup>th</sup> September 2023

**Speaking rights:**In support

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

Mark Tumilty, Agent was in attendance to provide clarification if required.

Councillor Larkin proposed, seconded by Councillor King to overturn the officer's recommendation and issue an approval in respect of Planning Application LA07/2022/1384/F. This was on the basis that, having visited the site, the proposal did reflect the existing development at that part of the road in relation to the proposed replacement dwelling to the north and to the existing development to the west of the site. Councillor Larkin stated both site sizes and frontages were identical, as was previously shown in the Agent's presentation, and the proposed retention of the existing dwelling sits well on the site. He stated the new dwelling will be visually integrated into the surrounding landscape.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	1

The proposal was carried.

**AGREED:**                   **On the proposal of Councillor Larkin seconded by Councillor King it was agreed to issue an approval in respect of Planning Application LA07/2022/1384/F, contrary to Officer recommendation, on the basis that having visited the site it complied with the policy and will visually integrate into the area and AONB.**

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

**DEVELOPMENT MANAGEMENT -  
PLANNING APPLICATIONS FOR DETERMINATION****(1)   LA07/2022/1285F****Location:**

Lands Approximately 60m South-West of no. 89 Cullaville Road, Crossmaglen

**Proposal:**

Erection of dwelling and detached garage

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point Presentation:**

Ms M Fitzpatrick, 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 support

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.

After extensive debate and discussion, Councillor Hanna proposed and Councillor Finnegan seconded to issue an approval in respect of Planning Application LA07/2022/1384/F, contrary to Officer recommendation, on the basis that the planning application complied with CTY8 and would have a positive impact in terms of road safety.

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

FOR:	11
AGAINST:	0
ABSTENTIONS:	0

The proposal was carried.

**AGREED:**                    **On the proposal of Councillor Hanna, seconded by Councillor Finnegan, it was agreed to issue an approval in respect of Planning Application LA07/2022/1285/F contrary to officer recommendation, on the basis that the application does comply with planning policy CTY8 and the development will have a positive impact on road safety in the area.**

**(2)    LA07/2023/2587/F****Location:**

Land at the Fathom Line (B79), Newry City

**Proposal:**

Carlingford Lough Greenway connecting Victoria Lock with NI/ROI Border.

**Conclusion and Recommendation from Planning Official:**

Approval

**Power-point Presentation:**

Ms P Manley, 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 Adrian O'Hare, presented in objection of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Councillor Tinnelly clarified whether the objector was permitted to attend a site visit in order for the them to outline the issues that exist at the site.

Mr Pat Rooney stated it would be unusual for this to occur, however it would be possible in terms of a request from an objector. He did clarify that these issues had been considered as part of the assessment of the planning application.

Following further discussions, Councillor Hanna proposed to defer a decision in order that Members could complete a site visit. This was seconded by Councillor Enright.

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

FOR:	11
AGAINST:	0
ABSTENTIONS:	0

The proposal was carried.

Councillor Enright asked whether it was possible for the objector to attend the site visit along with Members. The Chairperson stated this was completely against the protocols.

**AGREED:**                    **On the proposal of Councillor Hanna, seconded by Councillor Enright, it was agreed to defer Planning Application LA07/2023/2587/F for a site visit.**

**There being no further business the meeting ended at 12.16pm**

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

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