

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 21 October 2020 at 10.00am in Council Offices Monaghan Row Newry and via Microsoft Teams

Chairperson: Councillor R Burgess

In attendance: (Committee Members)

Councillor P Brown
Councillor S Doran
Councillor G Hanna
Councillor V Harte
Councillor M Larkin
Councillor D McAteer
Councillor D Murphy
Councillor G O'Hare
Councillor J Tinnelly
Councillor J Trainor

(Officials)

Mr C Mallon	Director Enterprise Regeneration & Tourism
Mr A McKay	Chief Planning Officer
Ms A McAlarney	Senior Planning Officer (via Teams)
Mr M Keane	Senior Planning Officer (via Teams)
Ms N Largey	Legal Advisor
Mr F O Connor	Legal Advisor (via Teams)
Ms S Taggart (via Teams)	Democratic Services Manager
Ms C McAteer	Democratic Services Officer
Ms P McKeever	Democratic Services Officer

Others: Mr S Stevenson DfI Roads
Mr J Killen DfI Roads

P/085/2020: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor G Stokes.

Councillor Burgess advised Members that Item 6 - LA07/2020/0372 - change of use of first floor storage to 4 self-contained residential units first floor to rear of 71-73 Main Street Castlewellan had been removed from the addendum list and item 7 - P/2013/0189/F - Sports Complex to include 1 no full size pitch, club house, floodlighting and private entrance onto Warrenpoint Road, and all associated site works. had been removed from the agenda. Mr McKay clarified these applications had been removed at the request of Councillor Doran.

P/086/2020: DECLARATIONS OF INTEREST

Councillor Tinnelly declared an interest in Item 11 – LA07/2020/0492.

P/087/2020: DECLARATIONS IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL PARA. 25 – MEMBER TO BE PRESENT FOR ENTIRE ITEM

Declarations in relation to Paragraph 25 of Planning Committee Operating Protocol – Members to be present for entire item:-

There were no declarations.

MINUTES FOR CONFIRMATION

P/088/2020: MINUTES OF PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 23 SEPTEMBER 2020

Read: Minutes of Planning Committee Meeting held on Wednesday 23 September 2020. **(Copy circulated)**

Councillor Brown proposed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 23 September 2020 as a true and accurate record, however as he was not present at the meeting, his proposal could not be accepted.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Doran it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 23 September 2020 as a true and accurate record.

FOR DISCUSSION/DECISION

P/089/2020: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 23 September 2020. **(Copy circulated)**.

AGREED: On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to approve the Officer recommendation in respect of the following application listed on the addendum list for Wednesday 21 October 2020:

- Item 8 - LA07/2020/0667/LBC - undertake remedial works to the existing Annalong North Pier, including removal and rebuilding of sections of existing masonry wall, anchoring of rock outcrops, filling voids with concrete. Undertake masonry remedial works to the North East Quay - Annalong Harbour. **APPROVAL**

DEVELOPMENT MANAGEMENT - PLANNING APPLICATIONS FOR DETERMINATION

P/090/2020: PLANNING APPLICATIONS FOR DETERMINATION

The following applications were determined by the Committee:-

(1) LA07/2019/0585/O

Location:

9 Derryleckagh Road, Newry

Proposal:

Detached house and garage

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mark Keane, Senior Planning Officer gave a power point presentation via Skype 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:
(via Teams)**

In support:

Nigel Cathers, applicant presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

DEA Councillor Taylor presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Issues raised:

- **The applicant considered he had complied with requests regarding the submission of maps / drawings.**
- **Planning had issued a letter to the applicant in February 2020 advising that DfI Roads considered the drawings submitted by him to be unacceptable. The letter also referred the applicant to the policy test, PPS21, and afforded an opportunity to provide comment/justification regarding the principle, but no comment in policy terms was received.**
- **Planning were not aware of the medical and farming needs that had been raised by the applicant during his presentation.**
- **No pre planning meetings had taken place with the applicant.**
- **Although the applicant was in possession of six acres of land within the red line, there was only a small portion that was positioned alongside the road.**
- **Planning had written to the applicant requesting more detail but had not received a response.**
- **The applicant stated he had not been made aware he should have been in contact with Planning Officers regarding his application.**
- **DfI requirements were 2.4m x 80m and the access widened to 4.8m.**
- **The applicant considered the site lines were adequate stating they were 10cms narrower than DfI Roads required.**

Councillor Larkin proposed to issue a refusal in respect of Planning Application LA07/2019/0585/0, as per the information and recommendation contained in the Case Officer report presented to Committee. Councillor McAteer seconded the proposal saying, by way of advice to the applicant that he had not had any professional representation and this was something he, perhaps should have considered.

Councillor Taylor requested to speak at this point, however Ms Largey advised that as per Standing Orders, a vote on the proposal would have to be taken first.

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

Councillor Taylor was then given the opportunity to speak. He said he was very disappointed with the outcome, unfortunately he had become involved very late on in the application process and there was insufficient time to give any additional information.

AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to issue a refusal in respect of Planning Application LA07/2019/0585/0 as per the information and recommendation contained in the Case Officer Report presented to Committee.

(2) LA07/2019/1228/F

Location:

60m SE of 29 Leitrim Road, Killeel

Proposal:

Erection of dwelling and garage (change of house type to P/2009/0633)

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mark Keane, Senior Planning Officer gave a power point presentation via Skype 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:
(via Teams)**

In support

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

Issues raised:

- **Access to the site had been constructed and the old dwelling demolished in 2009, in accordance with planning guidance at the time.**
- **Planning had referred to other similar previous applications in determining this planning application.**
- **An existing CLUD had been submitted for the application which was for works that were existing at that time.**
- **In response to a comment that the issue of whether works had commenced on site was a matter of opinion, Mr McKay advised Members it was a statement of fact and not an opinion.**
- **The original 2009 application would now have expired.**

- **Ms Largey advised Members the comments that had been made by the Commissioner were material considerations and should not be disregarded.**
- **Ms Largey stated the pre-commencement conditions had been complied with but the question for the Committee was to determine if they considered further construction work had taken place following the pre-commencement conditions.**
- **Pre-commencement conditions were a regular feature of planning applications historically and those relating to access issues with regard to DfI Roads may be due to safety concerns.**

Councillor Larkin proposed to issue an approval in respect of Planning Application LA07/2019/1228/F contrary to Officer recommendation on the basis that he considered the works carried out including the demolition of the dwelling constituted commencement of works. 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:	10
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 LA07/2019/1228/F contrary to Officer recommendation on the basis that the works carried out including the demolition of the dwelling constituted commencement of works.**

It was also agreed that a five year time limit be imposed for completion of works and that Officers be delegated authority to impose any relevant conditions.

(3) LA07/2020/0492/F

(Councillor Tinnelly withdrew from discussions/decision)

Location:

40 m NW of 100 Kilbroney Road, Rostrevor

Proposal:

Proposed infill dwelling

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mark Keane, Senior Planning Officer gave a power point presentation via Skype 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:

(via Teams)

In support

Aaron Tinnelly, applicant and Colin D'Alton, agent, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Issues raised:

- **The agent advised they would be happy to look at the design of the house if approval was agreed**
- **Is there access from the lane through the yard and around the entire lane – frontage and where the lane stops.**

Councillor Larkin proposed to hold a site visit in respect of Planning Application LA07/2020/0492/0. Councillor Trainor seconded the proposal.

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

FOR:	10
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Larkin, seconded by Councillor Trainor, it was agreed to hold a site visit on planning application LA07/2020/0492/0.**

(Councillor Tinnelly re-joined the meeting).

(4) LA07/2020/0674/F

Location:

100m NE of 47 Mayo Road, Mayobridge

Proposal:

Dwelling and detached garage (change of house type to that approved under P/2003/1768/O and P/2006/1874/RM)

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mark Keane, Senior Planning Officer gave a power point presentation via Skype 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:

(via Teams)

In support:

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

Issues raised:

- **Receipts had been submitted by the agent on behalf of the applicant showing there was electrical ducting laid on the site of the proposed dwelling.**
- **The Planning Department accepted the visibility splays were in place, however the agent has confirmed there were no foundations.**
- **In the opinion of Planners the totality of the work done did not constitute commencement.**

Councillor McAteer proposed to issue an approval in respect of Planning Application LA07/2020/0674/F contrary to Officer recommendation on the basis that he considered evidence of commencement had been submitted and there was evidential correspondence from various Planning Officers which would support the view that commencement had taken place. Councillor Larkin seconded the proposal.

Ms. Largey advised that the general letters from Planning Officers referred to pre-dated the advice given by the Department in relation to this application. She said these letters could not carry more weight than what would have been official Departmental guidance at the time.

Councillor Tinnelly said there were different interpretations regarding commencement and it was clear that in all cases applicants and agents regarded entrances being put in place as a material start to the application. He suggested that much more water tight conditions should be put in applications.

In response Mr McKay said that in the vast majority of these applications, submitted by agents on behalf of applicants, the Case Officers were reflecting case law and a legally defined condition when bringing such applications to Committee, and were not just relying on opinion.

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

FOR:	10
AGAINST:	0
ABSTENTIONS:	1

AGREED: On the proposal of Councillor McAteer, seconded by Councillor Larkin, it was agreed proposed to issue an approval in respect of Planning Application LA07/2020/0674/F contrary to Officer recommendation on the basis that it was considered evidence of commencement had been submitted and there was evidential correspondence from various Planning Officers which would support the view that commencement had taken place.

It was also agreed that a five year time limit be imposed for completion of works and that Officers be delegated authority to impose any relevant conditions.

(5) LA07/2019/1221/F

Location:

Land 10m NW of 180 Tullybrannigan Road, Newcastle, Co. Down

Proposal:

Proposed Guest House Tourist Accommodation and associated site works assessed under PPS16 TSM3

Noted:

This application was removed from the schedule for a site visit to be re-run and it will be taken back to Committee.

FOR NOTING

P/091/2020: HISTORIC ACTION SHEET

Read: Planning historic action sheet. **(Copy circulated)**

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

P/092/2020: SEPTEMBER 2020 PLANNING COMMITTEE PERFORMANCE REPORT

Read: September 2020 Planning Committee Performance Report. **(Copy circulated)**

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

P/093/2020: CURRENT APPEALS AND DECISIONS

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

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

P/094/2020: LOCAL DEVELOPMENT PLAN (LDP) PROGRESS UPDATE, NEXT STEPS AND REVISED TIMETABLE

It was noted this item had been removed from the agenda.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014

Item 19 is deemed to be exempt 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) and the public may, by resolution, be excluded during this item of business.

On the proposal of Councillor McAteer, seconded by Councillor Brown, it was agreed to exclude the public and press from the meeting during discussion on this item.

P/095/2020: PROPOSED AMENDMENTS TO THE PLANNING OPERATING PROTOCOL AND MICROSOFT TEAMS OPERATING PROTOCOL

Read: Report dated 21 October 2020 from Mr Fearghal O'Connor, Head of Legal Administration (acting) re: proposed amendments to the Planning Committee Operating Protocol and the Microsoft Teams Meeting Protocol for Planning Committee.

Councillor Brown proposed and Councillor Larkin seconded to come out of closed session.

When the Committee was out of closed session it was reported the following had been agreed:-

AGREED: **On the proposal of Councillor Brown, seconded by Councillor Hanna, it was unanimously agreed to approve the proposed amendments to the Planning Committee Operating Protocol.**

On the proposal of Councillor Trainor, seconded by Councillor Hanna, it was unanimously agreed to approve the proposed amendments to the Skype/Microsoft Teams protocol for the Planning Committee.

**P/096/2020: DETERMINATION OF PLANNING APPLICATION
LA07/2018/0001/O**

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

Conclusion and Recommendation from Planning Official:

Approval

At the outset of the presentation Ms. Largey advised very late representations were received that had been looked at by officers and has also been forwarded to the applicant. The document that was received was a submission in relation to the drawings which accompanied this application and alleged a number of inaccuracies particularly in relation to the main Lidl entrance and where that abutted onto the Bryansford Road. There had been a suggestion that there has been a splicing together of a topographical survey and an ordnance survey map. This information had been shared with the applicant and with DfI Roads and both were content that the matter could proceed today and Members may wish to address those issues with them but undoubtedly the objector would address these issues in their representations to Committee.

Power-point presentation:

Annette McAlarney, Senior 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; acceptability of the site in terms of the PPS which adopts a town centre first approach then order of preference if a town centre site was not available; assessment of need provided by the applicant for the choice of site; retail impact assessment.

Speaking rights:

(via Teams)

In objection:

Conleth Rooney BL, Mark Donnelly and Johnny Keenan, on behalf of Don Holdings Ltd and Andy Stephens, Matrix Planning presented in objection to the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

In support:

Dermot Monaghan, agent and Tim Cousins, traffic engineer, Lisbane Consulting presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

Also in attendance:

Jason Killen and Sid Stevenson, Dfi Roads were in attendance

Issues raised:

Ms McAlarney said consultations have been carried out and all consultees had returned with no objections subject to conditions, which as always were subject to change by the Committee if they so wished. On this case the Planning Office had recommended approval.

Mr Rooney, Counsel appointed by Don Holdings Ltd accompanied by Mark Donnelly, Director and Johnny Keenan, Consultant Roads expert. He said this application was teeming with issues but they were concentrating today on issues raised by objectors relating to road safety; significant traffic congestion; glaring interference on residential amenity and that the Bryansford Road entrance/exit was unsafe for both pedestrians and road users and the sight lines were inadequate for a development of this size and could only be justified using incorrect data and the reduced sight lines could not even be achieved as there were relevant third party interests when it came to sight splays.

He said regarding traffic congestion the applicant had presented figures based on impossible sight lines, incorrect place for its store and traffic that did not account for a new reliance on one entrance and exit. He added peak traffic figures taken from October which was the wrong time for a seasonal seaside town like Newcastle.

Mr Rooney said it was important to raise the prominent issue of residential amenity. Members would be aware that Don Holdings successfully judicially reviewed the previous approval of this permission on the basis of the outstanding nature of their planning permission of the neighbouring development which had not been considered properly. Unfortunately the development as it stood still had a significant detrimental effect on the development of the apartments next door. He said the Lidl development as proposed sat at nearly 3.8 m from the south boundary which joined their land which was totally inadequate.

Mr Rooney said Members were being asked to make a decision based on both outdated and inaccurate information.

Mr Stevens, speaking in objection, said he wished to draw members attention to two points. He said the existing town centre store for Lidl, the Case Officer said she had regard to the SPPS in terms of town centres first where possible. The SPPS at para 6.29 indicated that applicants were required to show flexibility in terms of potential town centre sites or ones on a constrained footprint and it fell to the applicant to demonstrate why town centres sites were not suitable, available and viable and the applicant has failed to demonstrate why this new edge of town centre was required.

Mr Stevens said the second point which he wished to make related to the conditions it would be normal practise to put a pre-occupation condition in place if the store were to move.

Mr Monaghan, speaking in support said there were no other sites large enough and suitable for the store in and around Newcastle Town Centre until the application site became available. He said it was only 80m from the town centre and the retail report demonstrated that the proposal complies with the sequential test. He said the report showed that Newcastle Town Centre had a very low proportion of vacant units, well below the NI average, and any pre-occupancy condition would be unreasonable and unnecessary.

He said traffic impact and access issues have been considered at length and a transport assessment had been submitted with the application and revised three times. He said an access report had also been submitted and Dfi Roads confirmed they considered the proposal to be acceptable.

Mr Monaghan said the access report demonstrated that the size of the visibility splays shown on the applicant's drawing were adequate and this was confirmed in the consultation response from Dfi Roads dated 9 September 2020. He said as this was an outline application the imposition of conditions would mean there would be no harm to road safety. Access to the proposed development was a reserved matter and the detail of this could be agreed at reserved matter stage. He said Don Holdings had suggested that the provision of the access including visibility splays should be subject to a pre-commencement condition and Don Holdings Solicitors, had agreed with this approach. The implementation of this condition would mean there would be no harm to road safety.

Mr Monaghan said the third issue was that the proposal as shown on the applicant's illustrated drawings and the transport assessment were prepared taking account of the existing access on the Bryansford Road which was well over 30m from the access to the objectors site and it was considered this would be adequate separation and there would be no conflict with traffic from this or any other nearby access. He added that the illustrative drawings showed a footway at the side access 2m wide connected to a new pedestrian crossing over Bryansford Road and it was considered these measures would improve pedestrian safety in the area and the proposal would not prejudice pedestrian safety.

Mr Monaghan said the transport assessment submitted in January 2020 included traffic surveys from August 2018 and October 2019 and demonstrated that the proposal would not have an adverse traffic impact even during the summer period. He added that this application complied with PPS3 because following consultation with Dfi Roads it was deemed that access could not reasonably be taken with access from Shanslieve Drive.

Mr Monaghan also responded to issues raised in relation to the proposal to develop apartments at Roslyn Place which was granted in 2009.

Mr Stevenson, Dfi Roads said they were satisfied with this outline application and they checked the submission earlier about the inaccuracy of the drawings. He said regarding the access the case officer had been out on site and checked that the site lines agreed were deliverable within the red line that has been inspected on site. In general terms Dfi were happy with the access, layout, parking and transport assessment that was done and while it would create a significant amount of traffic on the Bryansford Road this had been deemed acceptable by their independent data section that reviewed the transport assessment.

Mr Keenan, responding on factual inaccuracies, said he felt that the sight lines agreed at 2.4 x 70 by Dfi Roads had been grossly reduced. He said the accuracy of drawings could be confirmed as they were done through a topographical survey which set out the proposed

access and he was 100% convinced third party lands were required for the 2.4 x 70 visibility splays.

He said the number of trips generated by this site pushed it into the category in Table A with access with flow over 1000 vehicles per day and in this category the desirable minimum access was 6 m and he could not understand why the Department reduced it to 2.4. He also expressed issues regarding pedestrian safety and said it was a factual inaccuracy that sight lines were available without third party lands.

Mr Stevens, responding to factual inaccuracies, referred to the statement that it was unreasonable and unnecessary to place any pre-occupancy condition and said this was a proposal to move an existing and established Lidl store from the town centre to an edge of town centre site would fly in the face of the SPPS which advocates a town centre first approach. Given the vacancy in the town and the prominence of the site their proposition that a pre-occupancy condition was necessary stands good.

Mr Cousins, responding to factual inaccuracies, referred to the 2.4 sight lines and said they were appropriate in this proposal and could be used in a development that generated up to 1000 trips per day. He said to get this 2.4 surveys were done at the existing store in Newcastle and the amount of traffic using the existing store was measured and it was pro-rata based on the increase in the floor space compared to the new store and even at that the amount of trips was still less than 1000 so 2.4 sight line was appropriate within the red line for this development.

Mr Stevenson Dfi then outlined why Dfi were content that 2.4 was acceptable.

Councillor Hanna said he had significant reservations around traffic issues, residential traffic and concerns there will be a huge traffic bottleneck on the Bryansford Road which was the main road from Belfast to Kilkeel. He said traffic would have to cross a lane of traffic to get to where they want to go and even at the best of times the Bryansford Road was down to one lane due to cars being parked on the road. He expressed concerns about a further pedestrian crossing will be put in and there was already 10 in Newcastle and about the proposed junction.

Councillor Trainor referred to the traffic assessment and the measurement of trips to the store via the stores car park and it was confirmed that car journeys, pedestrian journeys and cycle journeys were all measured during the surveys.

In response to Councillor Trainor, Ms McAlarney said the view of the Planning Department was that there were very few, if any, vacant sites within the town centre.

In response to a query on progression of traffic and the potential of seeing upwards of 500 vehicles on this road creating potential delays and increasing the risk of accidents, Mr Stevenson said the transport assessment, whilst recognising there would be an increase in traffic, had been modelled and they did not see any significant delay that would significantly inconvenience the flow of traffic or create a road safety issue.

Councillor Brown said knowing this particular part of Newcastle he had significant reservations around the issues regarding traffic and in particular concerns regarding the residential traffic flow from Tullybrannigan and Shanslieve Drive. He asked the applicants what the rationale for was doing the traffic survey in October instead of a busier summer period in Newcastle. He also asked if the applicant accepted that as this was an edge of town location that this would have a disproportionate number of customers having to drive to or park around the site when compared with the current store. He said he was concerned

there may be parking issues with cars over-spilling into the already busy Council owned Donard car park and surrounding residential areas.

In response Mr Monaghan said the surveys were originally done in October in accordance with published transport assessment guidelines that set out the procedures for doing such an assessment. He said Newcastle was a seaside town and it was raised by objectors and residents that traffic in the summer was substantially higher and as a result there was a sensitivity test done in August to ascertain the summer time traffic flows and the model was done both for the summer and the neutral period of October and showed all the junctions within the transport assessment network operated fine, with little or no queuing. In relation to the parking he said the level of parking provided at the store was in accordance with the published guidelines and would be more than adequate to service this development.

Councillor Tinnelly referred to the trips data on projected vehicle movements was based on surveys taken at two other stores and he asked if there was any reason why this survey was not directed to the current store in Newcastle as there was a big gap between the figures given by Don Holdings Ltd and those given by the applicant.

In response Mr Keenan said the reason the junctions operated with the transport assessment submitted was because the base line information was flawed as they had used the Lidl in town to get their figures, where there was not enough parking and most customers were pedestrians, and in DECAN 15 where there was a dispute, you went to the trips data base and the figures for Ulster Discount Food Stores showed the results of two surveys taken from Lidl stores. The figures showed 114 trips over 1000 sq m and this proposal had over 2000 sq m and when calculated out this was over 2000 trips which meant then going into the higher bracket for the sight lines.

Tim one of the stores was at junction one in Antrim, a store that people could not really walk to so it had a much higher percentage of people coming to the store via their car. He also said Antrim had a much bigger catchment than Newcastle so there will not be the same amount of people going to Newcastle as there would be to Antrim. He said having worked with Lidl they knew exactly what the parking levels and trip generation were, and their traffic assessment reflected what was going to happen in Newcastle.

Councillor Larkin proposed to issue an approval in respect of planning application LA07/2018/0001/0, as per the information and recommendation contained in the Case Officer Report presented to Committee. Councillor McAteer seconded the proposal.

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 McAteer, to issue an approval in respect of planning application LA07/2018/0001/0, as per the information and recommendation contained in the Case Officer Report presented to Committee.

The Meeting concluded at 2.15 pm.

For confirmation at the Planning Committee Meeting to be held on Wednesday 18 November 2020.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**