

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 28 June 2023 at 10.30am in the Boardroom, Monaghan Row, Newry and via Microsoft Teams.

Chairperson: Councillor D Murphy

In attendance: (Committee Members)

Councillor P Byrne
Councillor P Campbell
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 C Mallon	Director of ERT
Mr A McKay	Chief Planning Officer
Mr Pat Rooney	Principal Planning Officer
Ms N Largey	Legal Advisor
Mr Peter Rooney	Legal Advisor
Mr M McQuiston	Senior Planning Officer
Ms A McAlarney	Senior Planning Officer (Teams)
Mr A Donaldson	Senior Planning Officer (Acting) (Teams)
Ms M Fitzpatrick	Senior Planning Officer (Teams)
Ms S Fegan	Planning Assistant (Teams)
Mr S Maguire	Planning Officer (Teams)
Mr P Smyth	Development Management (Teams)
Ms S Taggart	Democratic Services Manager (Acting)
Ms L Dillon	Democratic Services Officer
Ms L Cummins	Democratic Services Officer

Also in attendance: Mr J Hillen Department for Infrastructure

P/038/2023: APOLOGIES AND CHAIRPERSON'S REMARKS

Councillor Declan Murphy, Chairperson of Planning Committee, extended thanks to the previous Chairperson, Councillor Declan McAteer and he welcomed all Members to the Committee including new members together with planning officers, legal representatives and staff.

No apologies.

P/039/2023: DECLARATIONS OF INTEREST

Councillor Tinnelly - declared an interest in Item 8 LA07/2021/1323/F, and would withdraw from the meeting during discussion on this application.

P/040/2023: 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.

No declarations.

MINUTES FOR CONFIRMATION

P/041/2023: MINUTES OF PLANNING COMMITTEE MEETING WEDNESDAY 05 APRIL 2023

Read: Minutes of Planning Committee Meeting held on Wednesday 05 April 2023. (Copy circulated)

AGREED: On the proposal of Councillor McAteer seconded by Councillor Hanna it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 05 April 2023 as a true and accurate record.

FOR DISCUSSION/DECISION

P/042/2023: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 28 June 2023. (Copy circulated)

AGREED: At the request of Councillor Hanna, it was unanimously agreed to remove the following application listed on the Addendum List for Wednesday 28 June 2023 and be deferred to the next Meeting of the Planning Committee.

- **LA07/2022/1313/O – 2 storey dwelling and garage on an infill site under Policy CTY8 of PPS21 – Lands to the immediate East of 3 Bog Road Killeen. REFUSAL**

AGREED: On the proposal of Councillor McAteer seconded by Councillor Tinnelly the following was agreed to approve the Officer recommendation in respect of the following applications listed on the addendum list for Wednesday 28 June 2023:

- **P/2010/0648/F - Proposed Retention of existing Offices, maintenance repair sheds, 3 No storage buildings, weighbridge and parking area in**

conjunction with operations carried out by Dumfries Freight Limited at premises located at No 179 Gosford Road, Newry. (Amended Description) - 179 Gosford Road Newry. **APPROVAL**

- **P/2015/0164/F** - Proposed housing development with associated siteworks and parking - Lands at Chequer Hill and south of College Gardens Newry. **APPROVAL**
- **LA07/2022/1411/F** - Redevelopment of St. Marys Primary School, Lurganure. Works to include phased construction of new single storey primary school building, outdoor canopy covered play area, hard and soft play areas, landscaping, cycle stands, security fencing, new underground storm sewer drainage system, solar panelling on roof of new building, relocation of oil tank and provision of bin store and service yard area. Works to include demolition of principal's office building, external modular classroom and shelter/oil storage blocks. New internal road configuration to include separate car and bus pick up/drop off areas, pedestrian crossing points, additional car parking, separate temporary construction access off School Road and all associated works. Existing access of School Road to be maintained and upgraded – St Mary's Primary School Lurganure. **APPROVAL**
- **LA07/2023/2337/F** - Current site is a public community space with 2 benches and a table. Proposal is to install a sculpture of Tom Dunn (hedge schoolteacher) as per drawings in between these two granite benches. Sculpture will be cast in bronze and welded to a box frame foundation set in to the ground. Project is SEUPB funded and artist has been commissioned - The Square, Mary Street, Rostrevor **APPROVAL**
- **LA07/2022/0909/F** - Approx 0.6km into the land there is significant erosion of the width of the lane with weak verge which would restrict vehicular access at this point. Proposal to carry out cleaning of the river bed of all vegetation , loose stone and debris before a form of bank stabilisation to the affected area using temporary shuttering and poured concrete - Wild Forest Lane Newcastle. **APPROVAL**
- **LA07/2022/1613/LBC** - Refurbishment of old and new amenity blocks plus Dovecote tower to include external decorations to walls replacement of timber facias and soffits with new hardwood sections, painting of steel rainwater goods, replacement of windows within the Old Amenity Block, decoration to all external doors. Replacement of existing door in Dovecote Tower, forming of new fan light, replacement of non hydraulic lime plaster to tower base and sanitary refit out to male & female WC's - Castlewellan Forest Park Castlewellan. **CONSENT**

**DEVELOPMENT MANAGEMENT -
PLANNING APPLICATIONS FOR DETERMINATION**

P/043/2023: PLANNING APPLICATIONS FOR DETERMINATION

(1) LA07/2021/1323/F

Location:

68 to 72 & 74 Shore Road, Rostrevor.

Proposal:

Demolition of existing car sales and garage buildings and erection of residential development comprising 12No. semi-detached houses, 4No terraced houses and 29No. apartments (45No. units in total) with associated site works, road works, landscaping and car parking.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point Presentation:

Mr Rooney Principal 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 Colum Sands presented in objection to the application, detailing and expanding upon a written statement circulated to Committee Members.

In support

Mr Brendan Starkey Planning Consultant, presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

After presentations followed a lengthy discussion.

Councillor McAteer proposed and Councillor Enright seconded that, having read the Case Officer report and submissions from both the applicant and objectors, to agree to accept the Officer recommendation of refusal.

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

FOR:	10
AGAINST:	1
ABSTENTIONS:	1

The proposal was declared carried.

AGREED: On the proposal of Councillor McAteer seconded by Councillor Enright it was agreed to issue a refusal for planning application LA07/2021/1323/F, as per the information contained within the Case Officer report and presented to Committee.

(2) LA07/2022/0704/F

Location:

Lands approx.190m north of No.14 Old Road, Crossmaglen, Newry, BT35 9AL.

Proposal:

Erection of a dormer style farm dwelling and detached garage.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point Presentation:

Mr Rooney Principal 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 Planning Consultant, presented in support of the application, detailing and expanding upon a written statement circulated to Committee Members.

After presentations followed a lengthy discussion.

Councillor Larkin proposed and Councillor Hanna seconded to issue an approval in respect of Planning Application LA07/2022/0704/F, contrary to Officer recommendation, on the basis that if standing on the lane, the proposed dwelling will be visually linked to the farm buildings, and the view point of the farm and sit will be visibly linked from the laneway, therefore fitting in easily with the surrounding area.

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

FOR:	10
AGAINST:	1
ABSTENTIONS:	1

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 LA07/2022/0704/F, contrary to Officer recommendation, on the basis that if standing on the lane, the proposed dwelling will be visually linked to the farm buildings, and the view point of the farm and site will be visibly linked from the laneway, therefore fitting in easily with the surrounding area.

(3) LA07/2022/1399/O

Location:

Lands approximately 22m north of No. 72 Benagh Road Newry.

Proposal:

Dwelling and garage

Conclusion and Recommendation from Planning Official:

Refusal

Power-point Presentation:

Mr Pat Rooney, Principal 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 Michael Clarke O'Callaghan Planning, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

After presentations followed a lengthy discussion.

Councillor Larkin proposed and Councillor McAteer seconded, to issue an approval in respect of Planning Application LA07/2022/1399/O, contrary to Officer recommendation, on the basis that the proposal complies with Policy CTY8, as the buildings are not linked to the plot which is a greenfield area distinct from the surrounding area, and that Planning Officers be delegated authority to impose any relevant conditions.

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

FOR:	10
AGAINST:	1
ABSTENTIONS:	1

The proposal was carried.

AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application LA07/2022/1399/O, contrary to Officer recommendation, on the basis that the proposal complies with Policy CTY8, as the buildings are not linked to the plot which is a greenfield area distinct from the surrounding area.

Planning Officers be delegated authority to impose any relevant conditions.

(4) LA07/2020/1768/DC

Location:

100m west of 133 Carrigagh Road Finnis Dromara.

Proposal:

Discharge conditions 2 (Haulage Routes) and 28 (Landscaping Plan) of planning approval LA07/2015/1088/F.

Conclusion and Recommendation from Planning Official:

Approval

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:

In objection

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

Speaking rights:

In support

Ms Sarah McDowell Resolve Planning, presented in support of the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

After presentations followed a lengthy discussion.

Councillor Hanna proposed and Councillor Larkin seconded, to issue an approval in respect of Planning Application LA07/2020/1768/DC, as per the recommendation contained within the Case Officer report and presented to Committee.

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

FOR:	8
AGAINST:	4
ABSTENTIONS:	0

The proposal was carried.

AGREED: On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application LA07/2020/1768/DC, as per the information contained within the Case Officer report and presented to Committee.

(1.35pm – the meeting adjourned)

(2.00pm - the meeting resumed)

(5) LA07/2022/1257/RM

Location:

40m SW of No. 67 Tullyframe Road Atticall Kilkeel

Proposal:

Erect new dwelling and detached garage with associated access and site works.

Conclusion and Recommendation from Planning Official:

Approval

Power-point Presentation:

Mr Pat Rooney, Principal 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 Brendan Quinn, agent, was in attendance to answer any queries from Members.

Councillor Tinnelly proposed and Councillor Larkin seconded, to issue an approval in respect of Planning Application LA07/2022/0537/F as per Officer recommendation contained in the Case Officer Report and presented to Committee.

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

FOR:	11
AGAINST:	0
ABSTENTIONS:	1

The proposal was carried.

AGREED: **On the proposal of Councillor Tinnelly seconded by Councillor Larkin, it was unanimously agreed to issue an approval in respect of Planning Application LA07/2022/1257/RM as per the information contained within the Case Officer report and presented to Committee.**

(6) LA07/2022/0578/O

Location:

Approx 55m North-West of 61 Dromore Road Ballynahinch

Proposal:

New dwelling and domestic 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:In support

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

Councillor Hanna proposed and Councillor Enright seconded, to issue an approval in respect of Planning Application LA07/2022/0578/O, contrary to Officer recommendation, on the basis the presentation satisfied CTY2A as the development will not impact residential amenity and can easily be absorbed as the site provided a degree of closure.

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

FOR:	12
AGAINST:	0
ABSTENTIONS:	0

The proposal was carried.

AGREED: **On the proposal of Councillor Hanna seconded by Councillor Enright it was agreed to issue an approval in respect of Planning Application LA07/2022/0578/O contrary to Officer recommendation on the basis that the application fulfils CTY2A as the development will not impact residential amenity and can easily be absorbed as the site provided a degree of closure.**

Planning Officers be delegated authority to impose any relevant conditions.

LOCAL DEVELOPMENT PLAN (CLOSED SESSION)

Agreed: **On the proposal of Councillor McAteer seconded by Councillor S Murphy, it was agreed to exclude the public and press from the meeting during discussion on the following items:**

Agreed: **On the proposal of Councillor Finnegan seconded by Councillor McAteer 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/044/2023: LDP PROGRESS REPORT

Read: Report dated 28 June 2023 from Mr A McKay Chief Planning Officer regarding the Local Development Plan: Progress Report on Revised Timetable and Work Programme for finalising the draft Plan Strategy.
(Copy circulated)

AGREED: On the proposal of Councillor Enright seconded by Councillor Hanna, it was agreed:

- a) To approve the draft revised Timetable (Appendix 1)**
- b) Following Council approval, the Planning Department liaises with the PAC and other key stakeholders prior to submitting the revised Timetable to DfI for it's agreement.**
- c) Following agreement of the revised Timetable by DfI, it be made available and published in accordance with Regulation 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.**
- d) To note the work programme for finalising the draft Plan Strategy (Appendix 2)**

P/045/2023: CONSULTATION RESPONSE
RE: REVISED REGIONAL STRATEGIC PLANNING POLICY
- RENEWAL AND LOW CARBON ENERGY

Read: Report dated 28 June 2023 from Mr A McKay Chief Planning Officer regarding a consultation response on the Revised Regional Strategic Planning Pollicy – Renewal and Low Carbon Energy.
(Copy circulated)

AGREED: On the proposal of Councillor Enright seconded by Councillor Larkin, it was agreed to approve the Council's response to the Revised Regional Strategic Planning Policy on Renewable Energy and Low Carbon Energy public consultation document, subject to including points made regarding the grid.

FOR DISCUSSION

P/046/2023: CHANGES TO PLANNING COMMITTEE OPERATING PROTOCOL

Mr McKay explained previously there had been 3 main political groupings on the Planning Committee, but that following the recent Local Government Elections, there were now 4 main political groupings within the Planning Committee, ie, Sinn Fein, SDLP, DUP and Alliance, and the Committee therefore needed to consider amending the Operating Protocol to reflect the new make up of the Planning Committee.

AGREED: On the proposal of Councillor Larkin seconded by Councillor Hanna it was agreed the make up of the Planning Call-In Panel remain as 3 members, ie, Chair, or Deputy Chair, 1 Sinn Fein, 1 SDLP, with DUP and Alliance to rotate their membership on a 6 monthly basis.

AGREED: On the proposal of Councillor Murphy seconded by Councillor McAteer it was agreed to include the Scheme of Delegation and Planning Operating Protocol in terms of enforcement, for discussion at a future meeting of the Planning Committee, with Members providing details of any proposals to the Chief Planning Officer in advance.

The Scheme of Delegation and Operating Protocol to be circulated to Members.

FOR NOTING

P/047/2023: LISTING OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

AGREED: On the proposal of Councillor Byrne seconded by Councillor McAteer it was agreed:

- a) To note the notification received by the Department for Communities regarding the listing of buildings of special architectural or historic interest in the Armagh area.
- b) Planning Department can facilitate contacting the Department for Communities on behalf of an Elected Representative regarding the possible listing of a building for special architectural or historic interest.

The meeting concluded at 4.15 pm.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**