

## NEWRY, MOURNE & DOWN DISTRICT COUNCIL

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### **Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Thursday 8 April 2021 at 10.00am via Microsoft Teams**

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**Chairperson:** Councillor R Burgess (10.00am – 12.30pm)  
Councillor M Larkin (1.15pm – 4.05pm)

**In attendance: (Committee Members via Teams)**

Councillor P Brown  
Councillor G Hanna  
Councillor V Harte  
Councillor D McAteer  
Councillor D Murphy  
Councillor G O'Hare  
Councillor G Stokes  
Councillor J Trainor

**(Officials)**

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

**P/032/2021: APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Doran, and Tinnelly.

The Chairperson advised Members Mr McKay would not be available for the first stage of the meeting and Mr Mallon would have to leave the meeting at 11.30am until 12.00 noon.

The Chairperson advised Members he would have to leave the meeting at lunchtime and as the Vice Chairperson was not available he asked Members for a nominee to chair the meeting in his absence.

**Agreed:** On the proposal of Councillor Hanna seconded by Councillor Murphy it was agreed that Councillor Larkin chair the meeting in Councillor Burgess's absence.

**P/033/2021: DECLARATIONS OF INTEREST**

Councillor Burgess declared an interest in Item 19 – LA07/2020/1780/O.

**P/034/2021: DECLARATIONS IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL PARA. 25 – MEMBER TO BE PRESENT FOR ENTIRE ITEM**

**Item 6 - LA07/2020/0013/F** – Cllrs. Brown and Doran could not take part in the discussion/decision on this application

**Item 7 – LA07/2020/0167/F** – Cllrs. Brown, Doran and Trainor could not take part in the discussion/decision on this application

**Item 8 – LA07/2020/1000/O** – Cllrs. Brown, Doran, Harte and McAteer could not take part in the discussion/decision on this application

**Item 9 – LA07/2020/0079** – Cllrs. Brown, Doran and Harte could not take part in the discussion/decision on this application

**Item 10 – LA07/2020/0669/F** – Cllrs. Brown and Doran could not take part in the discussion/decision on this application

**MINUTES FOR CONFIRMATION**

**P/035/2021: MINUTES OF PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 10 MARCH 2021**

Read: Minutes of Planning Committee Meeting held on Wednesday 10 March 2021. **(Copy circulated)**

**AGREED:** On the proposal of Councillor Stokes seconded by Councillor Larkin it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 10 March 2021 as a true and accurate record.

**FOR DISCUSSION/DECISION**

**P/036/2021: ADDENDUM LIST**

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Thursday 8 April 2021. **(Copy circulated).**

Councillor Hanna advised he had been asked by agent / applicant to remove Item 12 LA07/2020/1394/O from the Addendum List for presentation at the next Planning Committee Meeting.

**AGREED:** On the proposal of Councillor Hanna seconded by Councillor Murphy it was agreed to remove the following Planning Application from the addendum list to allow for full presentation at the next Planning Committee Meeting.

- **Item 12 - LA07/2020/1394/O** 90m West of No16 Desert Road Mayobridge Newry BT34 2JB. Proposed 1 1/2 Storey dwelling (Ridge Height of 7.5m) and garage **REFUSAL**

The Chairperson advised Item 16 – LA07/2020/0340/F had been added to the Addendum List, as the agent had withdrawn his request for speaking rights.

**AGREED:** On the proposal of Councillor Larkin seconded by Councillor Stokes it was agreed to approve the Officer recommendation in respect of the following applications listed on the addendum list for Thursday 8 April 2021:

- **Item 11 - LA07/2020/1888/F** 6 Pinewood Glen Crossmaglen Single storey extension to existing dwelling **APPROVAL**
- **Item 16 – LA07/2020/0340** - Land 750m NE of 82 Audleystown Road, Strangford. Dwelling (Change of house type of that previously approved under R/1981/0030/F) **APPROVAL**

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

**P/037/2021:** **PLANNING APPLICATIONS FOR DETERMINATION**

The following applications were determined by the Committee.

(1) **LA07/2020/0782/F**

**Location:**

Shimna Integrated College 5A Lawnfield King Street Newcastle

**Proposal:**

Demolition of existing school facilities and construction of a new school building and ancillary accommodation with associated hard and soft play areas, parking, landscaping and site works.

**Conclusion and Recommendation from Planning Official:**

Approval

**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:  
(via Teams)**

In support:

Gary Dodds and Sam McKee, Turley Associates and Jonathon Skelton, Doran Consulting were available to answer any queries from Members on the application.

**AGREED: On the proposal of Councillor McAteer seconded by Councillor Larkin it was unanimously agreed to issue an approval in respect of Planning Application LA07/2020/0782/F as per the information and recommendation contained in the Case Officer Report presented to Committee.**

Councillor Brown withdrew from the meeting.

**(2) LA07/2020/0013/F**

**Location:**

Approx 80m north of 64 Dromara Road Ballyward Castlewellan

**Proposal:**

Farm building and animal handling facility and hardstanding

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

In support:

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

Gerry Tumelty, agent, was available to answer any queries from Members.

**Issues raised:**

- **The agent advised the existing farm buildings were used for the rearing of pigs and were at maximum capacity.**
- **The proposed site was currently being used for silage / hay, but due to its isolated location, the number of animals using it was limited.**
- **The agent advised the animals were having to be transported at the very least on a monthly basis, which, he said, as per Animal Welfare Legislation was stressful for them.**

Councillor Hanna proposed to issue an approval in respect of Planning Application LA07/2020/0013/F contrary to Officer recommendation saying the agent had demonstrated the current lack of attention to the welfare of the animals and the importance of adhering to

Animal Welfare Legislation, the proposed site was lower than the road and he considered with appropriate conditions attached, the facility would have low prominence in the countryside.

Councillor Larkin seconded the proposal.

The proposal was put to a vote by way of a roll call and voting was as follows:

FOR:	6
AGAINST:	3
ABSTENTIONS:	0

The proposal was declared carried.

**AGREED:**                   **On the proposal of Councillor Hanna, seconded by Councillor Larkin, it was agreed to issue an approval in respect of Planning Application LA07/2020/0013/F contrary to Officer recommendation, on the basis that:**

- 1. The animals would be handled in accordance with Animal Welfare Legislation.**
- 2. The proposal would not be unduly prominent in the landscape due to the ground level of the proposed site being lower than the roadside.**
- 3. Planning Officers be delegated authority to impose any relevant conditions.**

Councillor Trainor withdrew from the meeting.

**(3)    LA07/2020/0167/F**

**Location:**

The Manse 17 Downpatrick Road Crossgar

**Proposal:**

New Manse and detached domestic garage

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

In support:

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

David Burgess, agent, was available to answer to any queries from Members.

### Issues raised:

- **The agent considered there were several examples of similar type developments in three different local areas, however Ms McAlarney disagreed saying, the character of the area along the Downpatrick Road in the vicinity of the proposed application was defined by individual large plots.**
- **Councillor Hanna referred to the conversion of No. 19 Downpatrick Road from a detached single dwelling to four apartments and asked Ms McAlarney did she not consider this changed the particular type of development in the area. Ms McAlarney replied, saying the house had been internally divided, however visually it remained the same externally, and therefore she considered the conversion did not offend the character of the area.**
- **Ms McAlarney said the current pattern of development was one building, one plot and the proposed development would result two buildings in two smaller plots.**
- **Ms McAlarney said there was a potential for the upstairs windows of the proposed dwelling to overlook No. 15 Rockfield Close as it would be located 11 metres from the boundary and No. 15 Rockfield Close was 3 metres from the boundary.**
- **Mr Burgess said the single extension that had recently been added to No. 15 Rockfield Close was 5 metres from the boundary and the two story element in each building was 21 metres apart which exceeded requirements as set out in 'Creating Places'. Additionally, the positioning of the proposed development would be staggered to ensure it would not face directly towards No. 15 Rockfield Close and the ground level at the proposed development was half a metre lower than that at No. 15 Rockfield Close.**
- **Mr Burgess said it was proposed to remove one tree stump, but to retain the existing bank of screening and augment where necessary. Additionally, the proposed garage would help to screen and maintain the privacy of No. 15 Rockfield Close.**
- **Mr Burgess advised it was proposed to erect a 1.8 metre high fence between the existing house at No. 17 and the proposed dwelling.**

Councillor Hanna proposed to issue an approval in respect of Planning Application LA07/2020/0167/F contrary to Officer recommendation and he addressed the refusal reasons as follows:

- The proposal would not be out of character as there was a variety of house types in the area.
- No objections had been received from DfI Roads and there would not be a substantial increase in traffic movement.
- The separation distances were adequate and the proposal would not be located directly facing No. 15 Rockfield Close.
- The ground level of the proposed site was lower than that of No. 15 Rockfield Close.
- The existing screening would remain and privacy would be further enhanced by the proposed single storey garage.

Councillor Larkin seconded the proposal.

The proposal was put to a vote by way of a roll call and voting was as follows:

FOR: 6  
AGAINST: 2  
ABSTENTIONS: 0

The proposal was declared carried.

**AGREED: On the proposal of Councillor Hanna seconded by Councillor Larkin it was agreed to issue an approval in respect of Planning Application LA07/2020/0167/F contrary to Officer recommendation on the basis that:**

- 1. The proposal would not be out of character as there was already a variety of house types in the area.**
- 2. No objections had been received from DfI and there would not be a substantial increase in traffic movements**
- 3. The separation distance between the proposed dwelling and No. 15 Rockfield Close was adequate and the proposed siting would ensure it would not face directly towards No. 15 Rockfield Close**
- 4. The ground level of the proposed site was lower than that of No. 15 Rockfield Close**
- 5. The existing screening remained in place and privacy to be further enhanced by the proposed single storey garage.**
- 6. Planning Officers be delegated authority to impose any relevant conditions.**

Councillors Harte and McAteer withdrew from the meeting.  
Councillor Trainor re-joined the meeting.

#### **(4) LA07/2020/1000/O**

**Location:**

Lands between 5 and 9 Billy's Road Ballyholland, Newry.

**Proposal:**

Proposed infill dwelling (Amended Certificate of Ownership submitted)

**Conclusion and Recommendation from Planning Official:**

Approval

**Power-point presentation:**

Mr Mark Keane, 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.

**Speaking rights:  
(via Teams)**

In support:

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

Anthony Grimes, agent, was available to answer to any queries from Members.

**AGREED: On the proposal of Councillor Larkin seconded by Councillor Hanna**

**it was unanimously agreed to issue an approval in respect of Planning Application LA07/2020/1000/0 as per the information and recommendation contained in the Case Officer report presented to Committee.**

(Break 11.00am – 11.15am)

Councillor McAteer re-joined the meeting.

**(5) LA07/2020/0079/O**

**Location:**

Lands approximately 50m north west of No.53 Ayallogue Road Newry

**Proposal:**

Dwelling and garage on gap site

**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:  
(via Teams)**

In support:

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

Michael Clarke, O'Callaghan Planning, was available to answer to any queries from Members.

**Issues raised:**

- **Mr Rooney advised the average road frontage along Ayallogue Road was 47metres.**
- **Mr Clarke said he considered the proposed dwelling had frontage to the road, however Mr Rooney disputed this saying the area of ground Mr Clarke referred to had the appearance of a field and not part of the private curtilage, so therefore would not be considered frontage.**
- **In response to a query from Councillor Hanna as to whether the lane and splay could be considered as frontage, Mr Rooney replied saying the lane was individual access to serve a house and the visibility splay was to allow access to the public road.**

Councillor McAteer proposed to accept the Officer recommendation to issue a refusal in respect of Planning Application LA07/2020/0079/0, Councillor Trainor seconded the proposal.

The proposal was put to a vote by way of a roll call and voting was as follows:

FOR:	6
AGAINST:	1
ABSTENTIONS:	1



The proposal was declared carried.

**AGREED:** On the proposal of Councillor McAteer seconded by Councillor Trainor it was agreed to issue a refusal in respect of Planning Application LA07/2020/0079/0 as per the information and recommendation contained in the Case Officer report presented to Committee.

Councillor Harte re-joined the meeting.

**(7) LA07/2020/0669/F**

**Location:**

90m SE 21 Ballynalack Road Ballynalack Camlough

**Proposal:**

2 dwellings and 2 garages

**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:  
(via Teams)**

In support:

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

Colin O'Callaghan, agent, was available to answer to any queries from Members.

**Issues raised:**

- **Planning considered the gap measuring of 113 metres between the two agricultural buildings was capable of accommodating three dwellings.**
- **Mr O'Callaghan said he considered any more than two dwellings on the application site would not respect the pattern of development.**
- **Mr O'Callaghan said gaps of a similar size as the current proposal had previously been approved by Newry, Mourne & Down District Council.**
- **Mr O'Callaghan said there were various types of ribbon development in the countryside and the PAC had acknowledged it was not necessary to use mathematical equations to determine eligibility as a gap site.**
- **Mr Rooney said whilst he accepted the adjacent building had access to the road, he considered there was a slight separation between the building and the road and this had been the determining factor in Planning reaching its decision.**

- **Mr O’Callaghan said the existing shed and surrounding land was a planning unit and should be treated the same way as a house and garden, additionally he advised Members that at the SE point of the shed, a substantial part had collapsed, so it had originally been a bigger building.**

Councillor Murphy proposed to issue an approval in respect of Planning Application LA07/2020/0669/F contrary to Officer recommendation addressing the refusal reasons as follows:

- Having attended the site visit and hearing evidence from Mr O’Callaghan, he considered there had been precedence with similar applications.
- The application site had frontage and complied with policy.
- The proposed location of the dwellings would be in a lower position on the site minimising the impact on the AONB.

Councillor Stokes seconded the proposal saying he did not believe it would be out of character in the area and would not damage the AONB.

The proposal was put to a vote by way of a roll call and voting was as follows:

FOR:	7
AGAINST:	2
ABSTENTIONS:	0

The proposal was declared carried.

**AGREED: On the proposal of Councillor Murphy seconded by Councillor Stokes it was agreed to issue an approval in respect of Planning Application LA07/2020/0669/F contrary to Officer recommendation on the basis that precedence had already been set with approval having been granted for similar type applications in the area, the proposal had a frontage and complied with policy and the proposed dwellings would be located in a lower position on the site minimising the impact on the AONB.**

**Planning Officials be granted authority to impose any relevant conditions.**

Councillor Brown re-joined the meeting.

**(8) LA07/2019/1375/F**

**Location:**

Lands immediately south of 17 Leitrim Road Ballymaginaghy Castlewellan Co Down

**Proposal:**

Erection of 2 Dwellings

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

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.

**Issues raised:**

- **Mr O'Callaghan advised the access to the site had to remain in the middle to satisfy DfI Roads.**
- **Ms McAlarney said the agent had been advised that one dwelling with central access would be acceptable to Planning.**
- **Ms McAlarney said the level of cut and fill required to facilitate two dwellings was unacceptable whereas a single dwelling could respect the topography of the site.**

**AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was unanimously agreed to defer Planning Application LA07/2019/1375/F for a site visit to take place so that Members could assess the topography of the site in more detail.**

**(9) LA07/2020/0299/F**

**Location:**

Adjacent to 7 Annacloy Road North Dunnanelly Downpatrick

**Proposal:**

Single storey dwelling

**Conclusion and Recommendation from Planning Official:**

Refusal

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

In support:

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

**Issues raised:**

- **Mr Kennedy said approximately 6 metres of foundations had been excavated and concreted within the previously approved development area.**
- **Mr Kennedy said the laneway to the proposed building would have to be reconstructed, as, an area of rock would have had to be removed which at the time was not feasible within the allotted timeframe.**

- **Ms McAlarney said Planning Department considered the approval was not implemented as the foundations were sited in a different location to that agreed at the time.**
- **Ms McAlarney said there were two issues for the Committee to consider 1. DfI Roads did not consider either the access or the visibility splays had been constructed as per approval conditions and 2. Planning Department did not consider the foundations were in the approved location.**
- **Ms Largey said all pre- commencement conditions should have been complied with and any development would have had to have been carried out in accordance with the approved plan, she urged Members to use caution in their determination and if they were inclined to overturn the Officer recommendation, she advised they opt for a deferral to allow the agent time to submit the late information to Officers so it could be properly considered.**

**AGREED: On the proposal of Councillor Larkin seconded by Councillor McAteer it was unanimously agreed to defer Planning Application LA07/2020/0299/F to allow for a site visit to take place so Members could assess the site in more detail and for the agent to submit recent additional information for Planning Officials to consider fully.**

(Lunch 12.30pm – 1.35pm)

Councillor Larkin assumed the Chair for the remainder of the meeting.

**(10) LA07/2019/1312/F**

**Location:**

Between 12 & 16 Lisinaw Road Crossgar

**Proposal:**

Two Infill Dwellings and Garages

**Conclusion and Recommendation from Planning Official:**

Approval

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

In objection:

Mr Robert Allen, Mr Ian Gibson and Mr Mike Armer presented in opposition to the application, detailing and expanding upon a written statement that had been circulated to Committee Members.

**Issues raised:**

- **Ms McAlarney advised that Rivers Agency had been consulted and concluded the proposed site was not within a flood plain, and soakaways would be subject to a separate consenting regime from NIEA.**

- **Mr Armer said it was his understanding that NIEA would be responsible for soakaways from septic tanks and he considered an expert should be employed and if this was not done there could be liability issues for Council.**
- **Ms Largey said Council would only be liable if it was due to maladministration and on the papers before her she could not see any evidence of this.**
- **Ms McAlarney said Planning had assessed the application and considered it to be suitable for two dwellings, the house type was appropriate to the area, there was adequate separation to counteract any overlooking issues and the applicant had given assurance the land to the rear of the site would be serviced for access.**
- **Mr Armer said he considered the proposed developments were oversized, were not in character with the surrounding area and they would overlook No. 12 and No. 16.**
- **Mr Armer said there was no formal arrangement in place for access via lands to the rear.**
- **Ms McAlarney said land ownership issues were not within the remit of the Council and any issues arising would be a legal matter.**
- **Ms McAlarney said Rivers Agency had advised there was a small part of the site within the Surface Water Flood Map, however they did not require a Drainage Assessment to be carried out and the onus was on the developer to ensure they could mitigate against surface water and drainage impact.**
- **Mr Armer said the road had been raised in 2007 to overcome flooding, however a photograph taken recently demonstrated flooding still occurring on the road.**
- **Mr Armer said flooding encroached into his garden at No. 12 and if it got any worse, it would consume his septic tank and sewage system.**
- **Mr McKay said he acknowledged the need for more detail to be included in Condition No. 9 of the Reasons for Refusal in relation to soakaways and storm sumps incorporating the relevant expertise that DfI Rivers deemed necessary.**

Councillor Hanna proposed to accept the Officer recommendation subject to Condition No. 9 being amended to include more detail in relation to soakaways and storm sumps. 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:	7
AGAINST:	1
ABSTENTIONS:	1

The proposal was declared carried.

**AGREED: On the proposal of Councillor Hanna seconded by Councillor McAteer it was agreed to issue an approval in respect of Planning Application LA07/2019/1312/F subject to the inclusion of more detail in relation to soakaways and storm sumps being included in Condition No. 9.**

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

**(11) LA07/2020/1292/O**

**Location:**

Lands located between Nos 2 & 10 Glasdrumman Road Ballynahinch

**Proposal:**

Erection of 2 detached infill dwellings and garages

**Conclusion and Recommendation from Planning Official:**

Approval

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

In objection:

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

In support:

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

**Issues raised:**

- **Mr Duff said he considered the Committee could not make an informed decision without first having a site visit.**
- **Mr Duff was of the opinion the proposed development would result in large dwellings that would add to ribbon development and suburban build up.**
- **The frontage of the gap site measured 111 metres.**
- **The gap between the buildings measured between 140 – 150 metres.**
- **Planning Department considered the proposed development was in keeping with neighbouring plots in terms of size and scale.**

Councillor Hanna proposed to issue an approval in respect of Planning Application LA07/2020/1292/0 as per the Officer recommendation, Councillor Murphy seconded the proposal.

The proposal was put to a vote by way of a roll call and voting was as follows:

FOR:	8
AGAINST:	0
ABSTENTIONS:	1

The proposal was declared carried.

**AGREED: On the proposal of Councillor Hanna seconded by Councillor Murphy**

**it was agreed to issue an approval in respect of Planning Application LA07/2020/1292/O as per the information and the recommendation contained in the Case Officer Report presented to Committee.**

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

**(12) LA07/2020/1780/O**

**Location:**

Approx 85m N of 28 Drumnacconnell Road Saintfield BT24 7NB

**Proposal:**

Replacement dwelling and retention of original for ancillary use

**Conclusion and Recommendation from Planning Official:**

Approval

**Power-point presentation:**

Ms 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.

**Speaking rights:  
(via Teams)**

In objection:

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

In support:

Mr David Burgess, agent 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 a search of historical replacement dwelling applications indicated the stone building had not previously been replaced.**
- **Ms McAlarney said the applicant proposed to retain the stone building for ancillary use and it would not be used as a dwelling again.**
- **Planning Department did not consider the old stone building to be vernacular.**
- **Mr McKay said Planning had reviewed the conditions regarding the future use of the stone building and the impact on the surrounding trees and advised Members a condition could be added to include the management and retention of the trees and ensure the building was secured with no loss to any of the trees.**

**AGREED: On the proposal of Councillor Murphy seconded by Councillor Hanna it was unanimously agreed to issue an approval in respect of Planning Application LA07/202/1780/O as per the information and recommendation contained in the Case Officer Report presented to Committee, subject to the addition of a condition relating to the**

**management and retention of trees and assurance the building was secured with no loss to any of the trees.**

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

**EXEMPT INFORMATION: LOCAL DEVELOPMENT PLAN ITEMS FOR DISCUSSION**

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

**P/038/2021: LDP: PLANNING POLICY REVIEW - TELECOMMUNICATIONS**

Read: Report dated 8 April 2021 from Mr A McKay, Chief Planning Officer regarding LDP: Planning Policy Review – Telecommunications (copy circulated)

**P/039/2021: LDP: PLANNING POLICY REVIEW – OPEN SPACE, SPORT AND RECREATION**

Read: Report dated 8 April 2021 from Mr A McKay, Chief Planning Officer regarding LDP: Planning Policy Review – Open Space, Sport and Recreation (copy circulated)

On the proposal of Councillor Stokes seconded by Councillor O'Hare it was agreed to come out of closed session.

When the Committee was out of closed session, the Chairman advised the following had been agreed:

**P/038/2021: LDP: PLANNING POLICY REVIEW - TELECOMMUNICATIONS**

**Agreed: On the proposal of Councillor Stokes seconded by Councillor Trainor it was agreed the Planning Committee note 'LDP – Planning Policy Review – Telecommunications' and:**

- Agree the proposed draft planning 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.**

**P/039/2021: LDP: PLANNING POLICY REVIEW – OPEN SPACE, SPORT AND RECREATION**

**Agreed: On the proposal of Councillor Murphy seconded by Councillor McAteer it was agreed the Planning Committee note 'LDP: Planning Policy Review – Open Space, Sport and Outdoor Recreation' and:**



- **Agree the proposed draft planning 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.**

**P/040/2021                    REVIEW OF THE IMPLEMENTATION OF THE PLANNING ACT 2011 – CALL FOR EVIDENCE**

Read:                                Report dated 8 April 2021 from Mr A McKay, Chief Planning Officer regarding the Review of the Implementation of The Planning Act 2011 – Call for Evidence (copy circulated)

Mr McKay advised Members this was just a call for evidence and any changes would be slow to implement.

Members raised several queries regarding the report, Mr Mallon advised these queries could be discussed in detail at the next Planning Workshop meeting scheduled for 14 April 2021.

**Agreed:                                On the proposal of Councillor Hanna seconded by Councillor McAteer the Committee agreed to the Response to the Call for Evidence.**

**FOR NOTING**

**P/041/2021:                    HISTORIC ACTION SHEET**

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

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

**P/042/2021:                    PLANNING COMMITTEE PERFORMANCE REPORT MARCH 2021**

Read:                                Planning Committee Performance Report for March 2021. **(Copy circulated)**

**AGREED:                                It was unanimously agreed to note the Planning Committee Report for March 2021.**

**P/043/2021:                    PLANNING APPEALS AND DECISIONS**

Read:                                Planning Appeals and Decisions Report for March 2021. **(Copy circulated)**

**AGREED:                                It was unanimously agreed to note the Report on Planning Appeals and Decisions for March 2021.**

The meeting concluded at 4.05pm.

For confirmation at the Planning Committee Meeting to be held on Wednesday 5 May 2021.

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

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