

PLANNING APPEALS COMMISSION

MINUTES OF MEETING HELD ON 12 AUGUST 2002

Those present: Mr J Warke (in the Chair) Mr A McCooley
 Mrs M Campbell Ms M Jones
 Mr T Rue Mr G Scott
 Mr S O'Hare Mr T McCaw
 Mr B Allen Mrs M McCabe

In attendance: Mrs D Houston

Observers: Mr E Oteng, Mr G Farrington, Mr D Jamie, Mr R Shrimplin

Mrs D Fitzsimmons joined the meeting for Appeal 1 and minute 43/02

Ms U Somerville joined the meeting for minute 43/02

Mr S O'Hare was not present for Appeal 1

42/02 Minutes

The minutes of the meeting held on 29 July 2002 were agreed and signed.

43/02 Appeals lodged outside the 6 month statutory period

- (a) It was decided that the Commission will accept
1. All Article 32 appeals received within a 7 month period from the date of the decision notice
 2. All Article 33 appeals received in the period between 2 and 8 months from the date the application was received by the Department or within 6 months of the end date of any extended period for the issue of a decision agreed in writing between the Department and the applicant
- (b) If an appeal falls outside the periods specified under (a) and does not include a reason for accepting the out of time appeal, the administrative staff should write to the applicant/agent seeking reasons and requesting confirmation of the date of receipt of the Department's decision/date the application would have been received by the Department or copy of written agreement between the Department and the applicant to extend the period for the issue of a decision. This letter should include a paragraph advising that if no reasons are received within 3 weeks of the date of the letter then the Commission will assume that it is not the applicants intention to proceed with an appeal and any fee received would be returned to the applicant.

- (c) All out of time appeals falling outside the periods specified under (a) and including a reason why they should be accepted shall be referred to the Chief or the Deputy Chief Commissioner for decision.

Note: The impact of this practice for Article 33 appeals will be announced publicly on 25th September 2002 and will be effective from 30th September 2002.

44/02

Appeals Considered

- | | | | |
|----|-----------|---|---|
| 1. | 2001/A279 | - Mullan Homes
Housing Development of 14 No dwellings land adjoining Desert Lane Gardens, Armagh | - Reported by
Mr McCooey
Appeal allowed
Vote: Unanimous |
| 2. | 2001/A306 | - Hagan Homes Ltd
4 semi-detached houses on land to the rear of No 56 Kings Road, Belfast | - Reported by
Mr Allen
Appeal allowed
Vote: Unanimous |
| 3. | 2001/A353 | - Hagan Homes Ltd
Sites 6 to 43 and 105 to 108 inclusive, Killyleagh Yarns, Killyleagh, Co. Down for the erection of 42 dwellings with a change of window finish from white opaque timber to white PVC | - Reported by
Mr Martin
Appeal allowed
Vote: Unanimous |
| 4. | 2001/A317 | - Opac Services
48 sheet prismatic unit measuring 6 x 3 metres at 65 Bridge Street, Lisburn | - Reported by
Mrs Jones
Appeal dismissed
Vote: Unanimous |
| 5. | 2001/A339 | - Mr Liam Logan
Dwelling and garage at Eshbane, Linaskea, Co Fermagh | - Reported by
Mr Scott
Appeal allowed
Vote: Unanimous |
| 6. | 2001/A350 | - Mr Thomas Gibben
Dwelling between 18-22 Killyberry Road, Bellaghy | - Reported by
Ms Kinghan
Adjourned |
| 7. | 2001/A354 | - Mr K McGeeney
Dwelling 100m to the south of 97 Maphoner Road, Mullaghbawn, Newry | - Reported by
Mr Allen
Appeal allowed
Vote: Unanimous |

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| 8. | 2001/A361 | - | Mr Brendan Scullion
2 storey dwelling and garage to the
rear of 18 Scribe Road, Bellaghy | - | Reported by
Ms McCabe
Appeal allowed
Vote: Unanimous |
| 9. | 2001/A347 | - | Mr H Brown
1 1/2 storey dwelling land at
Drumsluice, Ballinamallard, Co
Fermanagh | - | Reported by
Mr McCooey
Appeal dismissed
Vote: Unanimous |
| 10. | 2001/A357 | - | Mr E McDermott
Dwelling and garage at 82a
Ballymoney Road, Banbridge | - | Reported by
Mr O'Hare
Appeal dismissed
Vote: Unanimous |

Chairman

19 August 2002