



Draft Plan Strategy Representation Form

Please complete this representation form online and email to ldp@nmandd.org or alternatively print and post a hardcopy to: -

Local Development Plan Team
Newry, Mourne and Down District Council
Downshire Civic Centre
Downshire Estate, Ardglass Road
Downpatrick BT30 6GQ

ALL REPRESENTATIONS MUST BE RECEIVED NO LATER THAN 5PM ON MONDAY 22 SEPTEMBER 2025

Section A | Your Details

Q1 Are you responding as individual, as an organisation or as an agent acting on behalf of individual, group or organisation? Please only tick one:

- ☐ **Individual** (Please fill in the remaining questions in this section, then proceed to Section B)
- ☐ **Organisation** (Please fill in the remaining questions in this section, then proceed to Section C)
- ☒ **Agent** (Please fill in the remaining questions in this section, then proceed to Section D)

Q2 What is your name?

Title			
First Name	Seamus	Last Name	Fay
Address	11 Loughinisland Road		
	Loughinisland		
	Downpatrick		
Email			

Q3 Did you respond to the previous Preferred Options Paper?

- ☐ Yes ☒ No ☐ Unsure

Section B | Individuals (if different to Q2 above)

Address			
Town		Postcode	

Section C | Organisation

If you have selected that you are responding as an organisation, there are a number of details that we are legally required to obtain from you.

If you are responding on behalf of a group or organisation, please complete this section.

Organisation / Group Name			
Your Job Title / Position			
Organisation / Group Address (if different to above)			
Address			
Town		Postcode	

Section D | Agents

If you have selected that you are responding on behalf of another individual, organisation or group there are a number of details that we are legally required to obtain from you.

Please provide details of the individual, organisation or group that you are representing.

Client Contact Details

Title	Mr		
First Name	M	Last Name	McPolin
Address	Castledara Development Ltd		
	3 Longstone Road		
	Annalong		
Town	Newry	Postcode	BT34 4UH

Q4

Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP? (please select one item only)

☒ Agent ☐ Client ☐ Both

Section E | Soundness

The draft Plan Strategy will be examined at Independent Examination in regard to its soundness. Accordingly, your responses should be based on soundness and directed at specific strategic policies or proposals that you consider to be unsound, along with your reasons. The tests of soundness are set out below in Section I.

Those wishing to make representations seeking to change the draft Plan Strategy should clearly state why they consider the document to be unsound having regard to the soundness tests in Section I. It is important that when you are submitting your representation that your response reflects the most appropriate soundness test(s) which you believe the draft Plan Strategy fails to meet. There will be no further opportunity to submit information once the consultation period has closed unless the Independent Examiner requests it.

Those who make a representation seeking to change the draft Plan Strategy should also state whether they wish to be heard orally at the Independent Examination.

Section F | Type of Procedure

Q5 Please indicate if you would like your representation to be dealt with by (*please select one item only*):

- ☐ **Written** (Choose this procedure to have your representation considered in written form only)
- ☒ **Oral Hearing** (Choose this procedure to present your representation orally at the public hearing)

Unless you specially request a hearing, the Independent Examiner will proceed on the basis that you are content to have your representation considered in written form only. Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those dealt with by oral hearing.

Section G | Is the draft Plan Strategy Sound?

Your comments should be set out in full. This will assist the Independent Examiner in understanding the issues you raise. You will only be able to submit further additional information if the Independent Examiner invites you to do so.

Sound

If you consider the draft Plan Strategy to be Sound and wish to support the draft Plan Strategy, please set out your comments below.

No - see supporting submission

Section H | **Unsound**

In this section we will be asking you to specify which part(s) of the draft Plan Strategy you consider to be unsound.

Q6 If you consider that the draft Plan Strategy is unsound and does not meet one or more of the tests of soundness below, you must indicate which test(s) you consider it does not meet, having regard to Development Plan Practice Note 6 available at:

Development Plan Practice Note 6 Soundness (infrastructure-ni.gov.uk)

Please note if you do not identify a test(s) your comments may not be considered by the Independent Examiner.

Note:

If you wish to inform us that more than one part of the draft Plan Strategy is unsound each part should be listed separately. Complete this page in relation to one part of the draft Plan Strategy only.

Section I | Tests of Soundness

Procedural tests

- P1** Has the plan been prepared in accordance with the Council's Timetable and the Statement of Community Involvement?
☐ Yes ☐ No
- P2** Has the Council prepared its Preferred Options Paper and taken into account any representations made?
☐ Yes ☐ No
- P3** Has the plan been subject to Sustainability Appraisal including Strategic Environmental Assessment?
☐ Yes ☐ No
- P4** Did the Council comply with the regulations on the form and content of its plan and on the procedure for preparing the plan?
☐ Yes ☐ No

Consistency test

- C1** Did the Council take account of the Regional Development Strategy?
☐ Yes ☒ No
- C2** Did the Council take account of its Community Plan?
☐ Yes ☐ No
- C3** Did the Council take account of policy and guidance issued by the Department?
☐ Yes ☒ No
- C4** Has the Plan had regard to other relevant plans, policies and strategies relating to the Council's district or to any adjoining council's district?
☐ Yes ☐ No

Coherence and Effectiveness tests

- CE1** The plan sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant is it in conflict with the plans of neighbouring Councils.
☐ Yes ☐ No
- CE2** The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.
☐ Yes ☒ No
- CE3** There are clear mechanisms for implementation and monitoring.
☐ Yes ☐ No
- CE4** The plan is reasonably flexible to enable it to deal with changing circumstances.
☐ Yes ☐ No

Section J | Which part(s) of the draft Plan Strategy are you commenting on?

Your response should clearly relate to the relevant section, paragraph or policy of the draft Plan Strategy. If you consider more than one part of the draft Plan Strategy is unsound, please number your issues clearly and provide this information in the same running order following your original comment (i.e. relevant Policy, Section or Proposals Map).

Relevant Policy number(s)

SETT2 & Strategic Policy HS1

(and/or)

Relevant Section/Page Number

(and/or)

Proposals Map

Section J | Which part(s) of the draft Plan Strategy are you commenting on?

Please give full details of why you consider the draft Plan Strategy to be unsound having regard to the test(s) you have identified above. Please be as clear and concise as possible.

See attached submission

If you consider the draft Plan Strategy to be unsound, please provide details of what change(s) you consider necessary to make the draft Plan Strategy sound.

See attached submission

Section K | Monitoring

Do you consider there are clear mechanisms for implementation and monitoring of the draft Plan Strategy?

☐ Yes☐ No

Do you have any comments?

Section L | Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA)

Do you have any comments on the SA?

Section M | Habitats Regulation Assessment (HRA)

Do you have any comments on the HRA?

☐ Yes ☐ No

If you have indicated Yes, please set out your comments on the HRA below:

Section N | Equality Impact Screening Report (EQIA)

Do you have any comments on the EQIA?

☐ Yes ☐ No

If you have indicated Yes, please set out your comments on the EQIA below:

Section O | Rural Needs Impact Assessments (RNIA)

Do you have any comments on the RNIA?

☐ Yes ☐ No

If you have indicated Yes, please set out your comments on the RNIA below:

NEWRY MOURNE & DOWN LOCAL DEVELOPMENT PLAN 2035

**Representations to Draft Plan Strategy
Lands at Castlewellan Road, Newcastle**



Newcastle/25
LDP Reps
Final
September 2025



LDP Submission

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Table 1: Downpatrick ADAP 2015 Zonings Tied to Delivery of Link Road

APPENDICES

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LDP Submission

1. INTRODUCTION

- 1.1 This representation has been prepared by Fay Planning Consultancy on behalf of our client, in response to the consultation in respect of the Newry Mourne & Down District Council (*'the Council'*) Local Development Plan 2035 Draft Plan Strategy (*'DPS'*) issued on 27th June 2025.
- 1.2 This representation relates to the growth strategy, the proposed settlement hierarchy, and the distribution of housing land within that hierarchy.
- 1.3 It relates to land that is not currently zoned under the Ards & Down Area Plan 2015 (see Appendix 1) and responds to the relevant strategy and policy considerations set out in the DPS with particular regard to the site-specific interests.
- 1.4 The consideration of the Council proposals and the preparation of this response to that proposal has taken account of relevant background documents that are material to the consideration of this matter.
- 1.5 For the reasons set out below, it our considered view that the DPS is unsound as the it fails the soundness tests in respect of:
 - Consistency Test C1 – failure to take account of the Regional Development Strategy
 - Consistency Test C3 - failure to take account of policy and guidance issued by the Department
 - Coherence & Effectiveness Test CE2 - failure to develop strategies, policies and allocations that are realistic and appropriate having considered the relevant alternatives and in particular are not founded on a robust evidence base.

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2.0 THE PLAN PERIOD

- 2.1 While the Planning Act (NI) 2011 (*'The Act'*) does not set out a prescribed period that the plan should cover, the SPPS does require (paragraph 5.7) that LDPs should set out a long-term spatial strategy. Further, paragraph 2.6 of Development Plan Practice Note 1: Introduction: Context for Local Development Plans (DPPN 1) directs that, among other functions, the LDP should:
- *provide a 15-year plan framework to support the economic and social needs of a council's district in line with regional strategies and policies, while providing for the delivery of sustainable development;*
 - *facilitate sustainable growth by co-ordinating public and private investment to encourage development where it can be of most benefit to the well-being of the community; • allocate sufficient land to meet society's needs;*
 - *provide an opportunity for all stakeholders, including the public, to have a say about where and how development within their local area should take place;*
 - *provide a plan-led framework for rational and consistent decision-making by the public, private and community sectors and those affected by development proposals; and*
 - *deliver the spatial aspects of a council's current community plan;*
- 2.2 The purpose of the LDP therefore is to provide a forward planning framework to direct sustainable growth in the Council area in the years ahead. The National Planning Policy Framework 2025 in England, at paragraph 22, states that:
- "Strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure."* (emphasis added).
- 2.3 That approach has been followed in Belfast where the Plan Strategy adopted in May 2023 which will guide future investment and development decisions to enable the sustainable spatial growth of the city up to 2035.
- 2.4 While the Newry Mourne and Down DPS seeks to provide a 15-year framework up until 2035, we are now 5 years into the LDP process and are only at the DPS stage and, going by past experience of other LDP processes the process is unlikely to be completed until near the stated end date of the LDP. That is an unsustainable approach to plan making and is contrary to the overall objective of providing a forward planning framework on which to base development management decisions going forward.
- 2.5 In that context, while the LDP process has followed the approach set out at paragraph 6.139 of the Strategic Planning Policy Statement (*'the SPPS'*), it has, inevitably, arrived at a conclusion at the outset of the application of the sequential approach to the identification of suitable sites, that *'there is currently a sufficient supply of housing land across the district over the Plan period.'*
- 2.6 The overall conclusion that can be drawn from that it that this DPD delivers nothing different from the previous and outdated Ards & Down Area Plan 2015, in terms of providing for growth in the district. It is essentially a snapshot of 'where we are now' and does not propose any real long-term growth.

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- 2.7 By extending the Plan Strategy to a 15-year period from adoption, it may be possible to introduce land use proposals for the district that actually and proactively shape the pattern of development, and thus properly fulfil the role of the LDP in provide greater certainty for the Council, investors, developers and the public.
- 2.8 An alternative approach to adopting a longer plan period would be to identify additional reserves of land that could provide meet any emerging need by way of an over-allocation of land, in the form of a further flexibility allowance or reserve, as has been accepted practice in other cases including BMAP. Our clients land would offer a reasonable and realistic option to provide such necessary lands to meet anticipated need.
- 2.9 As things currently stand, it is our considered view that the DPS is unsound by virtue of its failure to meet the SPPS requirements to provide a long-term spatial strategy and its failure to fulfil the functions set out in DPPN 1. It is therefore unsound in respect of:
- Consistency Test C3 - failure to take account of policy and guidance issued by the Department

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3.0 DPS HOUSING STRATEGY

Strategic Policy HS1 Housing Land Allocation

- 3.1 The LDP has a key role to play in promoting and facilitating sustainable housing through the zoning of land and the provision of planning policy to support the provision of quality living environments and affordable housing.
- 3.2 The RDS provides guidance for achieving sustainable patterns of residential development, to meet the needs of the whole community, and highlights the importance of housing as a key driver of physical economic and social change in urban and rural areas. It promotes more sustainable housing development within existing areas and seeks to ensure an adequate and available supply of quality housing to meet the needs of everyone.
- 3.3 The DPS follows the process set out in the SPPS for allocating housing land, taking account of the following:
 - RDS Housing Growth Indicators (HGLs)
 - RDS Housing Evaluation Framework
 - Allowance for existing housing commitments
 - Urban Capacity Studies
 - Allowance for windfall housing
 - Sequential Approach & identification of suitable sites for settlements > 5000 population
 - Transport Assessments
- 3.4 The SPPS regional strategic objectives for housing in settlements are to:
 - Manage housing growth to achieve sustainable patterns of residential development
 - Support urban and rural renaissance
 - Strengthen community cohesion.
- 3.5 The DPS raises the current issues around Wastewater Treatment Works (WWTW) capacity and the capacity of network feeding into the WWTW which have been flagged by NI water for a range of settlements across the district. It is recognised that this is ongoing issue with NI Water continuing to review their network capacity and roll out upgrading works to address work programme priorities. However, the DPS states that: *'At this stage it was considered premature to rule out sites due to capacity issues, consultation will be undertaken with NI Water at the Local Policies Plan, and this will further inform whether the development of certain sites should be ruled out.'* This is not a sustainable approach as the difficulties are very real and very present. NI Water recently announced that they are 'mothballing' its flagship Living With Water Programme and confirmed that there is currently insufficient funding available to deliver any of the Major Projects included within the Living With Water Plan for Belfast, including Belfast WwTW Phase 1, Sydenham WwPS, Kinnegar WwTW, Whitehouse WwTW and Extension of the Belfast Storm Water Tunnel. This reflects a funding crisis in NI Water's capacity to deliver upgrades to their critical infrastructure. It is a situation that cannot be ignored and should be taken into account now in the allocations to settlements.
- 3.6 Technical Supplement 9 – Public Utilities confirms that Newcastle currently has capacity based on a growth factor up to 20%. New connections will be permitted and, in the context of the financial crisis facing the Department for Infrastructure, that should be a very real and material consideration in the allocation of housing in the various settlements. There is therefore real

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merit in increasing the allocation to Newcastle where there is a realistic prospect of the housing resource being delivered.

- 3.6 The DPS proposed management of housing supply treats Phase 2 lands associated with major roads proposals in the shape of the Ballynahinch bypass and the Downpatrick distributor road as uncommitted zoned housing. It is predicted that these lands could deliver 833 units as zoned Phase 2 sites. The intention is that these sites be released within the Plan period where it is evident that through monitoring or re-appraisal of future housing need that these housing sites will be required. Given the long history of these proposed major infrastructure projects and numerous false dawns in respect of their delivery in the past, together with the local funding crises in health, infrastructure and education, it is far from certain that these lands will deliver any housing within the projected Plan period.

ADAP 2015 Proposal	Area (ha)	Density (per/ha)	Low Density Return	High Density Return
DK 02	24.65	15+	370	493*
DK 07	51.63	20-25	1032	1290
DK08	10.66	20-25	213	267
Phase 1 Subtotal			1615	2610
DK 11	3.2	20+	64	80**
DK 12	13.02	20-25	260	325
DK 13	6.21	20-25	124	155
Phase 2 Subtotal			448	560
OVERALL TOTAL			2063	3170

Table 1: Downpatrick ADAP 2015 Zonings Tied to Delivery of Link Road

* Assumes upper limit of 20/ha; ** assumes upper limit of 25/ha

- 3.7 Table 1 above summarises the likely housing potential under the ADAP 2015 zonings tied to the Link Road delivery in that Plan. A sizeable portion of the DK02 zoning benefits from planning approval, originally under outline permission granted under R/2006/1045/O, and subsequent full permissions that do not appear to tie the development to delivery of the link road. Similarly, 86 dwellings have been approved and constructed under planning permission R/2008/0609/O and the subsequent reserved matters (R/2013/0544/RM). However, any further delivery of housing under these zonings will be fettered by that reliance on delivery of the Link Road and therefore reliance on these zonings to deliver the required housing potential is likely be a high risk, certainly in within the shortened time period available within this LDP.

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- 3.8 The PACNI Report into the ADAP 2015 flagged potential issues with the release of land on the eastern side of Downpatrick and the tie to the delivery of the eastern distributor road. The Commissioner acknowledged that there are serious blockages in the supply of housing land on that side of Downpatrick and in that context suggested that a localised over-zoning of up to 10% would be appropriate.
- 3.9 The situation with land availability does not appear to have changed significantly since that time and it would be prudent to address the potential shortfall elsewhere if Downpatrick cannot deliver on the housing numbers required. Bringing additional land into the mix in Newcastle, the next largest town would be a reasonable and appropriate response to that issue.
- 3.10 The DPS appears to have overestimated the potential contribution from various sources of supply, including the housing monitor sites and urban capacity sites. The approach to rely on the Housing Growth Indicators together with the estimates of deliverable supply for the Housing Monitor, the Urban Capacity Studies and Windfall Analysis does not take account of the capacity of a settlement, such as Newcastle, to grow.
- 3.11 The approach to urban capacity analysis set out in the DPS supporting documentation confirms that in broad terms a site has been considered suitable for housing where there appear to be no insurmountable constraints to development. However, other material considerations including topography, access etc have not been fully assessed to properly inform a planning opinion on the site viability. In that context sites appear to have been assessed in a 'broad brush' approach that doesn't properly consider constraints that would materially affect whether the site is acceptable for housing at all and/or might otherwise impact on the number of units likely to be delivered. A broad density figure of 25 units per hectare has been applied and clearly that is not appropriate in every scenario. One case in point in Newcastle includes lands to the rear of No. 127 King Street as suitable for 12 units in spite of the steep topography to the rear of these dwellings being a major obstacle along with difficulties with access and parking at this location. A closer review of the site would have confirmed that planning permission was refused for 4 units under planning reference R/2010/0594/F on those very grounds.
- 3.12 The NIHE Strategic Housing Market Analysis (SHMA) summary report, published in June 2022, sets out new dwelling requirements in a medium growth requirement for the district (10,630) alongside a high growth requirement (11,420). Unlike the HGIs, the new dwelling requirement set out in the SHMAs includes a backlog component which is the level of existing unmet need and is the shortfall between current provision and the accommodation needs of existing households or families not yet formed as separate households. The DPS adopts a position that the application of the 10% flexibility allowance would '*contribute to meeting the NIHE overall medium growth requirement.*' The DPS concedes that deliverability of affordable housing will depend to a large degree on zoned sites still to be developed, alongside windfall sites outside of these zonings and the extent to which these come forward over the Plan period. Further to that, the NIHE Housing Investment Plan (HIP) as updated in 2024 confirms a social housing need for 2,234 units in the district. Newcastle has the highest need outside Newry City with 238 units required for the period 2023-2028. This higher, pressing need in Newcastle does not appear to have been factored into the housing allocation for the town.
- 3.13 The approach to the proposed allocation, while in broad terms following the approach of the RDS and SPPS, does not take appropriate account of the situation at each settlement with regard to their scale, location in respect of other settlements, main transport corridors, current and future role, both individually and as part of potential clusters, and environmental considerations. The allocation for Newcastle is inadequate and doesn't reflect the role that the

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town can play in delivering on the RDS and LDP objectives due to its particular location and relationship with the wider district and beyond. In that context the proposal is unsound in the following respects:

- Consistency Test C1 – it fails to take proper account of the Regional Development Strategy
- Coherence & Effectiveness Test CE2 – it fails to develop strategies, policies and allocations that are realistic and appropriate having considered the relevant alternatives and in particular it is not founded on a robust and reliable evidence base.

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4.0 BENEFITS OF THE SUBJECT LANDS

- 4.1 The subject lands comprising of c.4.5 hectares clear of any lands affected by floodplain, would offer a sound option in meeting the need for growth in Newcastle. The site is subject to extant planning permissions:
 - R/2010/0836/F: Proposed golf driving range with shop/tea room & toilets, putting green/mini golf area and associated parking.
 - R/1995/0643/F Change of Use from Dwelling to Guesthouse
 - LA07/2017/0546F: Proposed indoor amenity area, cafe and event rooms and associated car parking for use in conjunction with existing tourist facility
- 4.2 The subject lands are well located adjacent to the Castlewellan Road with good current access arrangements.
- 4.3 The lands lie adjacent to the Burrendale hotel in the North, existing housing in the west and a caravan park to the south. The lands lie into the existing housing zoning (NE13) from the ADAP 2015.
- 4.4 The site would open up capacity to provide for a proportionate mix of housing type, size and tenure in an accessible location with good transport links to other key towns in the district as well as having strong public transport connections with those towns and the city of Belfast.
- 4.5 An appropriate allocation close to existing residential areas within the settlement and close to the town centre would provide for the need of growing families, elderly and disabled by accommodating development which allows people to remain within their communities and maintain their existing connections, while still enabling relatively independent living.
- 4.6 It would promote integration between transportation and new development to reduce the need to travel and reduce dependency upon travel by car.
- 4.7 It would provide opportunities for sustainable travel including walking, cycling and public transport and reduce the need to travel by private car.

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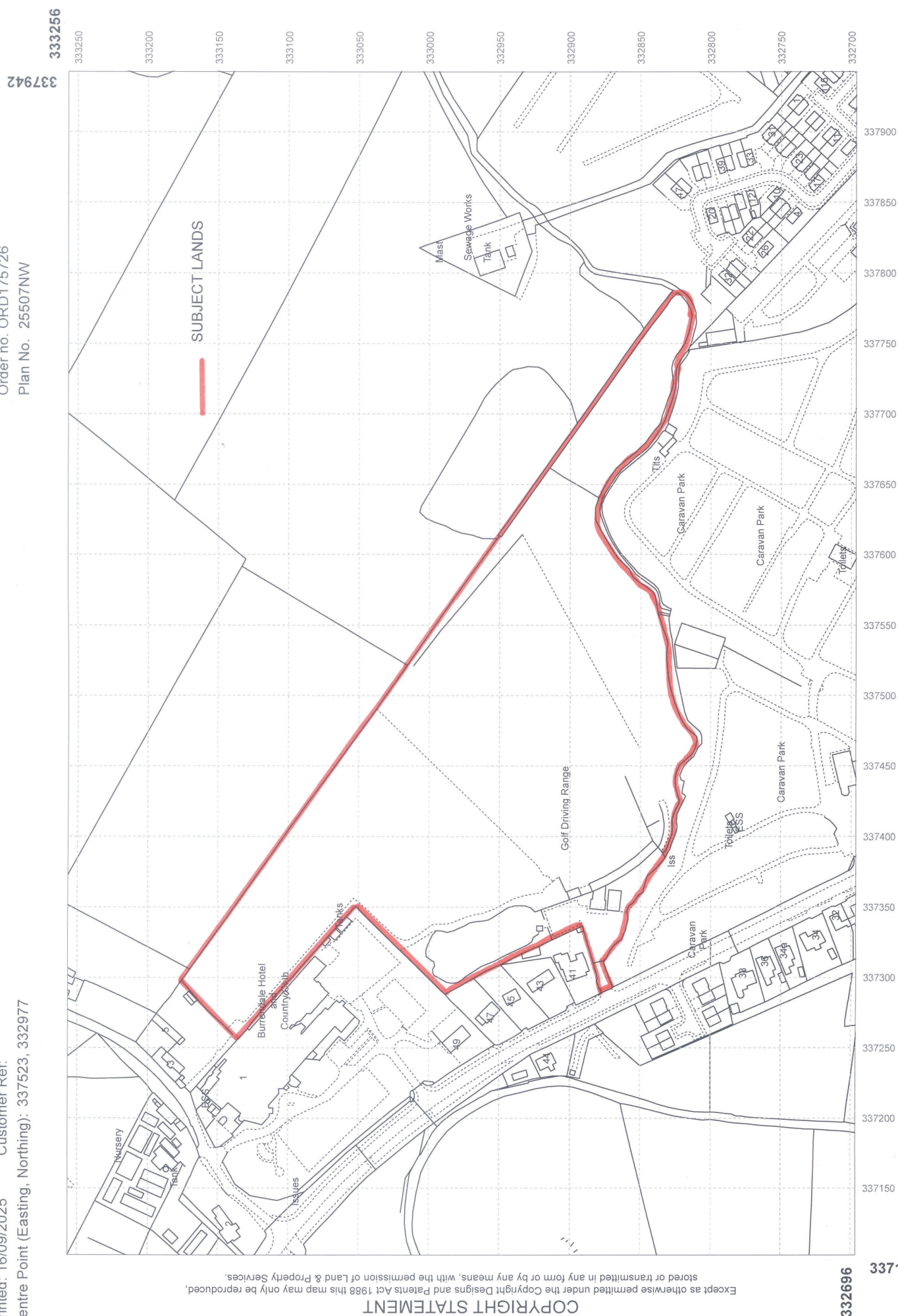
5.0 CONCLUSIONS

- 5.1 For the reasons outlined above the DPS is unsound in respect of:
- Consistency Test C3 - failure to take account of policy and guidance issued by the Department by virtue of its failure to meet the SPPS requirements to provide a long-term spatial strategy and its failure to fulfil the functions set out in DPPN 1.
 - Consistency Test C1 – it fails to take proper account of the Regional Development Strategy
 - Coherence & Effectiveness Test CE2 – it fails to develop strategies, policies and allocations that are realistic and appropriate having considered the relevant alternatives and in particular it is not founded on a robust and reliable evidence base.
- 5.2 Our client subject lands offer a real option in addressing the DPS shortcomings.
- 5.3 We would welcome further engagement with the Council in respect of these matters.
- 5.4 Our client would wish to participate in any oral hearing into the DPS.



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Appendix 1: Subject Lands



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