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# Newry, Mourne and Down - Local Development Plan 2035

Representation to Draft Plan Strategy  
Consultation

[REDACTED]

September 2025

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## 1.0 INTRODUCTION

- 1.1 This representation has been prepared by **TSA Planning** on behalf of our client [REDACTED], in respect of Newry, Mourne and Down Council's published Draft Plan Strategy (dPS), for their Local Development Plan 2035 (LDP).
- 1.2 This paper assesses the Council's **Strategic Housing Allocation** and **Strategic Policies HS1** and **HS3** within the draft Plan Strategy, including the associated amplification text and evidence, within which we believe some elements render the document **unsound** in its current form.
- 1.3 To inform this response to the draft Plan Strategy, consideration is given to the legislative requirements relating to the preparation, form and content of the Local Development Plan set out in the Planning Act (NI) 2011 and The Planning (Local Development Plan) Regulations (NI) 2015. Consideration is also given to the following Policy and Guidance publications, along with the wider content of the Draft Plan Strategy (including accompanying assessments and technical supplements):
- The Regional Development Strategy (RDS) 2035;
  - The Strategic Planning Policy Statement (SPPS);
  - The Department's Development Plan Practice Notes (DPPN); and in particular:
    - DPPN 6 - Soundness; and
    - DPPN 7 - The Plan Strategy.
  - LDP Technical Supplement 2: Housing (TS2);
  - LDP Technical Supplement 2: Housing Appendix A Urban Capacity Study (UCS)
  - LDP Technical Supplement 2: Housing Appendix 2B Lichfields Housing Need and Supply Review (Lichfield's Review); and
  - LDP Technical Supplement 7: Countryside Assessment Appendix 7B Strategic Settlement Appraisals
- Regard is also had for the Preferred Options Paper (POP) stage, the LDP Timetable, and the Council's Community Plan 2017/2032.
- 1.4 **Section 2** of the paper analyses the Council's **Housing Strategy – Strategic Housing Allocation**, including all associated text and evidence
- 1.5 **Section 3** relates to the Council's **Strategic Policy HS1: Housing Land Allocation**, in respect of allocating housing to individual settlements
- 1.6 **Section 4** assesses **Strategic Policy HS3: Management of Housing Supply** and associated justification text
- 1.7 **Section 5** identifies and assesses potential housing lands within Warrenpoint/Burren
- 1.8 **Section 6** sets out Conclusions in respect of this representation.



## 2.0 HOUSING STRATEGY – STRATEGIC HOUSING ALLOCATION

### 2.1 Summary

2.1.1 The Strategic Housing Allocation within the draft Plan Strategy sets out the overall housing growth figure for the District over the Plan Period 2020 to 2035. In respect of the Strategic Housing Allocation, we support the following aspects and believe them to be sound:

- Baseline growth figure of 10,000 dwelling units over the current plan period; and
- Introduction of a flexibility margin.

2.1.2 However, in its current form the Strategic Housing Allocation does not meet the following tests of soundness:

Test CE1: The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils
The Plan end date of March 2035 (financial year) is not explicitly stated within the draft Plan Strategy or Strategic Housing Allocation which means that the policies and allocations do not logically flow when discussing the number of years covered by the Plan.
Test CE2: The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base
The flexibility margin is welcome in principle, however, there is a lack of evidence as to whether 10% is an appropriate flexibility margin for the District.
Test CE4: It is reasonably flexible to enable it to deal with changing circumstances
The use of March 2035 as an end date for housing allocations has the potential to cause a shortage of housing land once the Local Policies Plan (LPP) is adopted. Furthermore, the flexibility margin of 10% may not be reasonably flexible as it does not consider deliverability trends or potential changing circumstances within the District.

### 2.2 Detailed Response

#### *Plan Period*

- 2.2.1 We have some concerns regarding the Plan Period ending in 2035, having consideration to the current LDP Timetable which aims for Local Policy Plan adoption in Q3/4 2028/2029 and that given experience across Local Development Plans to date, this is likely to be delayed. However, we appreciate that changing the LDP end year at this stage would require the updating of evidence bases and this could potentially delay the overall adoption of the Local Development Plan further.
- 2.2.2 It is noted from the Lichfield's Review (Para. 3.8), that the housing allocation date runs from April 2020 to March 2035, following the financial year. It is not evident from reading the draft Plan Strategy itself that the end date is to March 2035, rather



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than December 2035. This should be clearly stated within the Strategic Housing Allocation for the purposes of ensuring a coherent strategy.

- 2.2.3 If the Local Policies Plan was adopted at the latest date indicated within the current Timetable (March 2029), this would leave a six year land supply at this point and would require monitoring and updating immediately. This does not factor in any delays to the current Timetable. Given this timeframe, but acknowledging that a change to the Plan Period in its entirety at this stage is unrealistic, we feel in order to make the Plan Sound, the Council need to extend the housing allocation figure to December 2035, or March 2036. This will ensure the entirety of the Plan Period is covered by the allocations and ensure reasonable flexibility for changing circumstances once the LPP is adopted. It will give time for monitoring and any required modifications, following the adoption of the Local Policies Plan and allow additional time for planning permissions to be granted, consents received, and houses built on site within the Plan Period.
- 2.2.4 If it is ultimately determined that the end date of March 2035 is Sound, it would remain a requirement to explicitly state within the Strategic Housing Allocation that the it runs from April 2020 to March 2035. This will ensure that it is logical that the Plan Period runs for 15 years, rather than 16 years.

#### *Flexibility Margin*

- 2.2.5 It is noted that a flexibility margin of 10% has been added to the baseline strategic housing allocation figure of 10,000 dwellings, giving an allocation of 11,000 dwellings over the Plan Period. The use of a flexibility margin was recommended within the Lichfield Review in order to allow for non-delivery of sites and/or changing circumstances. It is noted that it is a requirement in Scotland to allow for a flexibility margin of 10-20% depending on local circumstances and as referenced at Para. 7.13 of TS2, Lichfield's recommend a 10% flexibility margin for the Strategic Housing Allocation. However, it appears from the Lichfield's Review that this is based on Lisburn and Castlereagh's flexibility margin and it is not clear whether an assessment of non-delivery has been undertaken for Newry, Mourne and Down Council area. Given that there are large areas of uncommitted zoned lands (as further discussed in **Section 4**), a more robust evidence base is required to assess if 10% is adequate and appropriate for the District.
- 2.2.6 For example, an initial review of the 2016 and 2024 based Housing Monitor information for Warrenpoint/Burren indicates that nearly 44% of the remaining yield recorded in 2016 has not yet come forward for development and remain as undelivered within the 2024 housing monitor (236 units out of 539). Whilst it is appreciated that other sites not included within the 2016 housing monitor will have come forward and been developed within this period, it is important to understand the specific circumstances which may have contributed to 236 no. monitored units not being delivered within one Town over an 8 year period. A wider analysis of non-delivery rates of monitored sites across the District as a whole will provide an evidence base from which to decide whether a 10% flexibility margin is appropriate in this case or whether this is required to be increased towards 20% to ensure appropriate flexibility for the Council area.

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2.2.7 In addition to assessing historic non-delivery rates when reviewing an appropriate flexibility margin, the Council should also consider the potential impacts of changing infrastructure capabilities between now and the adoption of the Local Policies Plan. For example, there are current issues with waste-water capacity across Northern Ireland and these circumstances are likely to change between now and the adoption of the Local Policies Plan, having the potential to impact upon the delivery of residential development. Whilst we welcome that the Council is working with NI Water to ensure that the district's growth needs can be met, it is vital to reflect the potential changes in infrastructure capacity when considering the flexibility margin associated with the overall housing allocation figure. This will ensure that the allocation can reasonably deal with the specific circumstances at the point of the LPP.

### 2.3 Required Changes

- Update the end month of the Plan to December 2035 or March 2036 (**Test CE4**).
- Include a footnote or text to identify the months covered by the housing allocation figure, as well as the total number of years (**Test CE1**).
- Include further evidence to show that the flexibility margin of 10% is appropriate for the District considering past non-delivery rates and other potential changing circumstances such as infrastructure capacity (**Tests CE2 and CE4**).



### 3.0 STRATEGIC POLICY HS1: HOUSING LAND ALLOCATION

#### 3.1 Summary

3.1.1 Strategic Policy HS1 Housing Land Allocation within the draft Plan Strategy sets out the indicative allocation of housing to individual settlements; settlement tiers; and the countryside over the Plan Period. In respect Strategic Policy HS1, we support the following aspects and believe them to be vital to ensuring the Plan Strategy is sound:

- The split of dwelling numbers between settlement tiers; and
- That the allocations, although derived from existing commitments, uncommitted zonings and urban capacity/windfall sites, are provided as an indicative numerical figure only and the delivery of housing across the Borough will not be reliant upon the identified lands without further examination.

3.1.2 However, in its current form the Strategic Policy HS1 does not meet the following tests of soundness:

Test CE1: The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils
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The Plan end date of March 2035 (financial year) is not explicitly stated within Policy HS1 which means that the policies and allocations do not logically flow when discussing the number of years covered by the Plan.
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Test CE2: The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base
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The Policy currently identifies that a review of allocations will be carried out at LPP stage but does not indicate what this review will include such as the realistic delivery of uncommitted sites and where sites are committed, the realistic yield from these sites before the end of the Plan Period.
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#### 3.2 Detailed Response

##### *Plan Period*

3.2.1 The Council's Indicative Strategic Housing Land Allocation 2020-2035 (Table 7 of dPS) sets out the indicative housing allocations figures to individual settlements during the Plan Period. As highlighted in **Section 2** regarding the overall housing allocation, it is not clear from the draft Plan Strategy that the housing land allocation figure runs from April 2020 to March 2035. We have set out our reasoning within **Section 2** as to why we feel this date requires extension to ensure there is reasonable flexibility within the Plan. Irrespective of whether the March 2035 date is extended, the specific dates for the housing allocation should also be included under Strategic Policy HS1.

##### *Review of Housing Yields*

3.2.2 The third paragraph of Strategic Policy HS1 identifies that the majority of new strategic growth in the settlements will be delivered through existing housing sites under construction, sites with current planning permission where development has not

commenced or zoned housing land with no current planning permission. It is further stated that approximately 39% of the total housing land supply for the LDP period has already been completed or benefits from planning permission (at 2023). This leaves a total of 61% of required housing to be delivered on uncommitted sites at March 2023.

3.2.3 The Justification and Amplification text of Policy HS1 states that a further detailed review of allocations will be carried out at LPP stage which is sound and welcomed. However, when considering the timeframes associated with gaining planning permission, discharging planning conditions and obtaining other relevant statutory consents, it will be vital that any uncommitted sites at the point that the Local Policies Plan is adopted are in a position to proceed with development proposals at the earliest opportunity. It should therefore be identified within the Justification and Amplification text that the review will include a full assessment of whether sites are likely to be delivered during the Plan Period and where sites will come forward, what the realistic yield is for delivery on site within the Plan Period. This is supported by Lichfield's in their Review where they identify at Para. 4.20 that it will be important to assess the continued suitability, availability and deliverability of zoned sites in order to demonstrate compliance with soundness test CE2.

### 3.3 Required Changes

- Include a footnote or text to identify the months covered by the housing allocation figure, as well as the total number of years (**Test CE1**).
- Include text within the justification and amplification that the further detailed review at LPP stage will include an assessment of deliverability and availability of uncommitted lands and the realistic yield of each site within the Plan Period to ensure the allocations can be reasonably met (**Test CE2**).



## 4.0 STRATEGIC POLICY HS3: MANAGEMENT OF HOUSING SUPPLY

### 4.1 Summary

4.1.1 Strategic Policy HS3: Management of Housing Supply within the draft Plan Strategy identifies how the Council will manage housing land supply within settlements over the Plan Period. In respect Strategic Policy HS3, we support the following aspects and believe them to make the Plan Strategy sound:

- The Phasing of housing land;
- A commitment to ensuring the housing allocation to the end of the Plan Period can be met on Phase 1 housing land within the LPP;
- The acknowledgement that where the referenced sites are considered insufficient to meet the strategic housing allocation or affordable housing need, additional land may be included; and
- The identification that the Council will, at LPP stage, consider the level of commitment made by landowners to the release of zoned housing land and progressing the delivery of Phase 1 housing land. We support the Council's strategy to consider redesignating these lands to Phase 2.

4.1.2 However, in its current form Strategic Policy HS3 does not meet the following tests of soundness:

Test C3: Did the council take account of policy and guidance issued by the Department?
The sequential assessment referenced in Strategic Policy H3 does not state that in assessing the release of Phase 2 sites that availability of those lands will be considered, contrary to the SPPS.
Test CE1: The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils
The Council does not state in the Policy text how the release of Phase 2 lands will be implemented. The Council does not set out all of the key necessary criteria that should be assessed in allocating Phase 1 lands.
Test CE2: The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base
The Council have not carried out a robust assessment of existing sites to determine the realistic delivery of housing within the Plan Period.
Test CE3: There are clear mechanisms for implementation and monitoring
The Council does not state in the Policy text how the release of Phase 2 lands will be implemented.
Test CE4: It is reasonably flexible to enable it to deal with changing circumstances
Further criteria are required to be assessed when allocating Phase 1 lands in Newry City and Towns, in order to deal with changing circumstances.

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## 4.2 Detailed Response

### *Criteria Based Approach for Phase 1 Lands*

- 4.2.1 As previously stated, we welcome the Council's commitment that the strategic housing allocation will generally be met through Phase 1 sites and that in doing this the Council will consider the level of commitment made by landowners to the release of zoned housing land and progressing the delivery of Phase 1 housing land. We note that when assessing sites in Newry City and Towns, the Council identify that a criteria-based approach will be undertaken for selecting sites for each Phase and this is welcomed.
- 4.2.2 However, whilst the referenced criteria are all important in assessing the likelihood of sites being development by March 2035, it is also prudent to include an assessment of deliverability and infrastructure capabilities within the stated criteria for zoning Phase 1 lands. This includes an analysis, and understanding of the true potential yield on both committed and uncommitted sites within settlements to ensure that an adequate level of deliverable Phase 1 land to meet the housing growth requirement is zoned at the LPP stage.
- 4.2.3 Historically, 50% of housing in the City and Towns has been delivered on unzoned lands (Table 6.1 of Urban Capacity Study). However, the new plan, monitor manage approach should deliver more housing on zoned lands and it will become increasingly important to ensure that residential zonings at the LPP stage are available and deliverable. As it is acknowledged at Para. 6.15 of the Urban Capacity Study, the availability of large areas of white land within the urban footprint and at the urban fringe have also continued to reduce over time as they become developed. Thus, historically larger areas of white land will have produced higher levels of windfall than would now be expected.
- 4.2.4 There are a number of settlements which at 2023 were disproportionately reliant on uncommitted housing zonings. When reviewing Table 30 of TS 2, comparing uncommitted zoned sites and total potential, it is evident that in some settlements uncommitted zonings account for over 50% of the remaining potential (**Table 1**).



Settlement	Remaining on Uncommitted Zoned 2023	Total Remaining Potential 2023	Percentage of Total Potential on Uncommitted Zonings
Newry	753	2,688	28%
Downpatrick	1,151	1,824	63%
Newcastle	96	468	21%
Warrenpoint/Burren	397	665	60%
Kilkeel	347	720	48%
Ballynahinch	168	676	25%
Saintfield	32	55	58%
Killyleagh	66	179	37%
Castlewellan	10	44	23%
Crossmaglen	97	263	37%

**Table 1: Comparison of Total Potential and Remaining Potential on Uncommitted Zoned Lands**

- 4.2.5 Given that the two extant development plans for the Borough were adopted in 2009 (ADAP 2015) and 2013 (BNMAP 2015) and no planning applications have been submitted and/or approved on some zoned sites in the past 16years/12years, could indicate that there are potential infrastructure/operational factors restricting the ability to gain planning permission and develop the land, or there may be a reluctance from landowners to release the land for residential development. This has potential to stymie development in some settlements, particularly those with a currently heavy reliance upon uncommitted sites. As such, these factors are key criteria in assessing Phase 1 Housing lands.
- 4.2.6 Within their Review of Housing Strategy, Lichfields highlight the need to further understand delivery rates for large zonings, identifying that assessment of both if and when uncommitted zonings will likely come forward is required. It does not appear that this assessment has been undertaken by the Council and as such this assessment should be carried out at LPP stage and indicated within the stated criteria under this policy. Particularly, larger zonings may be delivered by a single housebuilder, and these are unlikely to come forward in their entirety during the Plan Period, even when a high level of commitment is shown.

*Phase 2 Sites*

- 4.2.7 The Plan Strategy should include the mechanism and any associated criteria for how Phase 2 sites will be released. It is stated at Page 86 of the draft Plan Strategy that this information will be outlined within the LPP, however, it is considered that this is central to the management of housing supply and is a strategic consideration for this part of the Plan to ensure the allocations within the LPP logically flow from same.
- 4.2.8 Notwithstanding the above, within the Justification and Amplification text it is stated that Phase 2 sites will only 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. The identification of Phase 2 sites and their reclassification to Phase

1 will follow a sequential approach whereby priority is given to those sites with greater accessibility to the city and town centres and where necessary infrastructure is in place. Whilst we agree with these statements in principle, in line with a sequential approach, consideration needs to be given to whether Phase 2 sites are also available. This should be included within Strategic Policy HS3 to ensure the Local Development Plan facilitates an adequate and available supply of quality housing, in accordance with the SPPS.

#### 4.3 Required Changes

- Newry City and Towns Phase 1 Sites - Identify that the availability/deliverability of sites and infrastructure capabilities will also be used as criteria at LPP stage to assess likelihood of sites coming forward in the Plan Period (**Tests CE1; CE2; and CE4**).
- Newry City and Town Phase 2 Sites - Identify how Phase 2 lands will be released for development within the Policy text (**Tests CE1 and CE3**).
- Justification and Amplification: Newry City and Towns - Amend last paragraph to include that availability will be considered within any Sequential Assessment (**Test C3**).



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## 5.0 KILKEEL

- 5.1 This submission is made on behalf of Mr J McKee, the landowner of a site adjacent to the existing settlement development limit of Kilkeel.
- 5.2 The evidence within this report highlights that there are some settlements where a high proportion of their “remaining potential” at 2023, as set out within the Council’s Housing Evidence, is reliant upon existing zoned lands which have no commitments. One such settlement is the Town of Kilkeel, with 48% of the remaining potential at 2023 representing uncommitted residential zonings. Once the Council undertakes their full assessment of deliverability and availability of existing zonings, we believe this will identify some portions of land which are unlikely to be developed by the end of the Plan Period for a number of different reasons. This has the potential to stymie development and put pressure on housing land supply if these sites are relied upon for Phase 1 housing and as identified by the Council in the draft Plan Strategy, it would be appropriate for these lands to be zoned as Phase 2 housing.
- 5.3 Whilst we appreciate that any extensions and residential designations are reserved for Local Policies Plan stage, we feel it is expedient to make the Council aware at this stage that our client is committed to bring the lands identified at **Annex 1** forward for residential development as soon as possible within the Plan Period, should they be required. As such, these lands are available and deliverable, if the site was brought within the settlement limit.
- 5.4 The subject lands measure c.6ha and front on to Greencastle Street, to the West of Kilkeel Town Centre. The site currently comprises a dwelling and farmhouse, with associated outbuildings and agricultural land. There is an existing access point to the farm from Greencastle Street.
- 5.5 By way of background, the lands were previously zoned for residential development within the previous Mourne Area Plan, as shown in the extract at **Annex 2**. Subsequently, through the process of the Banbridge, Newry and Mourne Area Plan (BNMAP), it was determined that there was no housing need to justify the inclusion of the subject lands within the settlement development limit. It should be noted however, that the PAC stated within their report that whilst the subject site was excluded from the settlement development limit, it did represent a more sustainable location than less sustainable sites where planning permission had been implemented. As such, the exclusion of the site simply came down to the required housing growth over the BNMAP period.
- 5.6 Since the adoption of the BNMAP, the transfer of planning powers to local Councils and the introduction of the SPPS now requires a plan led system which furthers sustainable development. The location of the subject lands, adjacent to the Town Centre of Kilkeel, will promote sustainable modes of transport due to the walkable location of many shops and services. The site represents a natural rounding off opportunity, as shown at **Annex 3**, which was previously viewed as suitable for residential development. As such, should additional lands be required once the Council have undertaken a review of existing housing lands, the subject site would be available and deliverable over the Plan Period.
- 5.7 For the reasons set out above, we respectfully request the Council retain **Section 5** of this representation to inform the Call for Sites and Local Policies Plan stage,

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whereby the identified sites would form a natural extension to the existing settlement of Kilkeel. We reserve the right to make sure representations to future stages on the Local Development Plan as and when appropriate.



## 6.0 CONCLUSIONS

- 6.1 In conclusion, this representation has assessed the published draft Plan Strategy and found same to be unsound, due to aspects of the Strategic Housing Allocation and Strategic Policies HS1 and HS3, taking in to account the soundness tests set out in Development Plan Practice Note 6 – Soundness.
- 6.2 The representation has analysed the overall Strategic Housing Allocation number and identified that whilst the base figure is sound, further evidence is required to illustrate that the flexibility margin of 10% is appropriate for the District. The Plan Period also needs to be explicitly detailed within the draft Plan Strategy document.
- 6.3 In general, further detail and evidence is required within Strategic Policies HS1 and HS3 to ensure that the policies are realistic and appropriate; based on robust evidence; and are reasonably flexible to deal with a change in circumstances.
- 6.4 For the reasons set out within this representation we respectfully request the stated amendments and modifications are supported and brought forward within the adopted Plan Strategy.
- 6.5 Additionally, whilst we appreciate that any extensions and residential designations are reserved for Local Policies Plan stage, we respectfully request the Council retain **Section 5** of this representation to inform the Local Policies Plan stage, whereby the identified sites would form a suitable and deliverable rounding off to the Town of Killeel.

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**Annex 1**  
**Site Location Plan**



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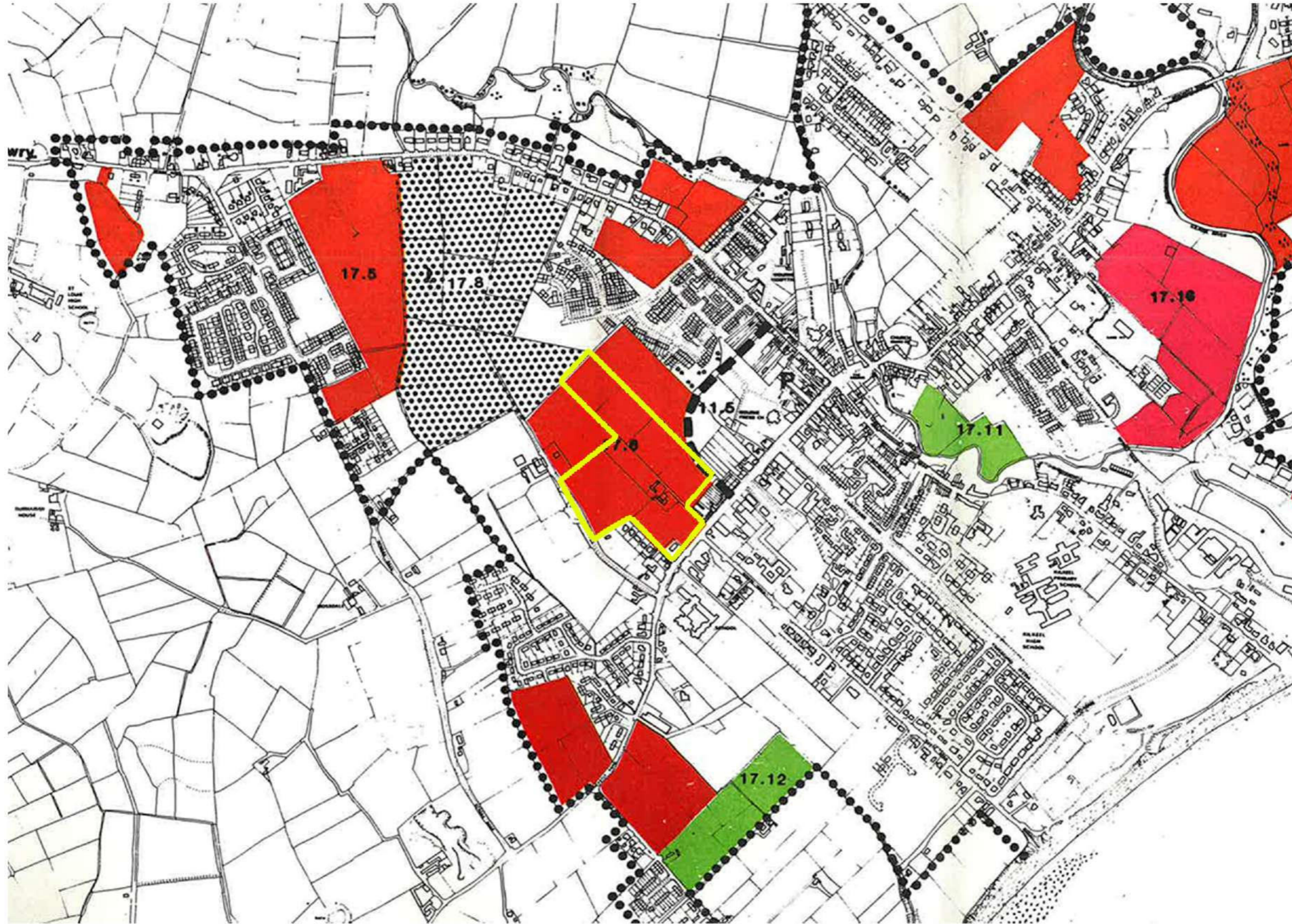




**Annex 2**

**Mourne Area Plan Extract**



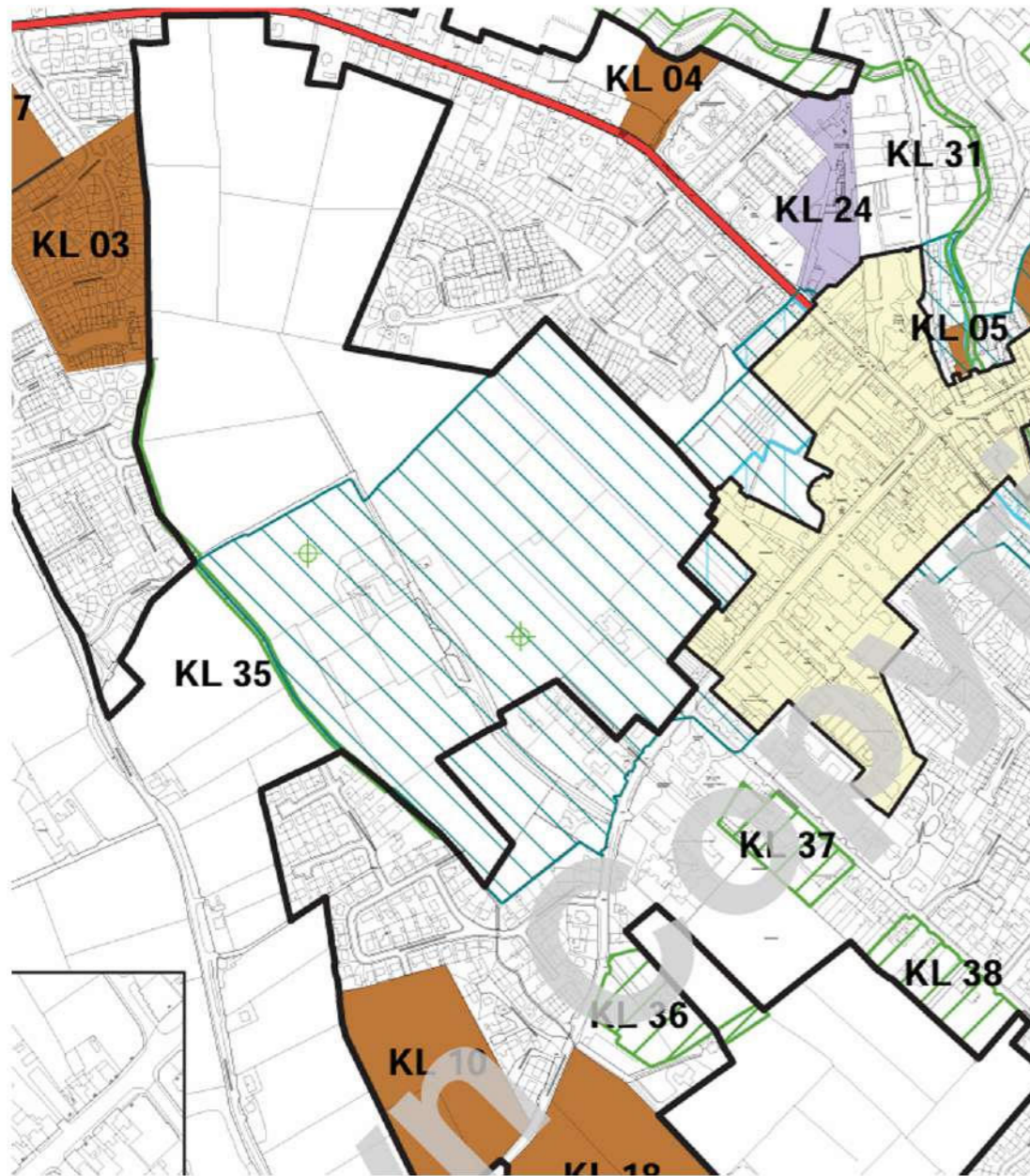




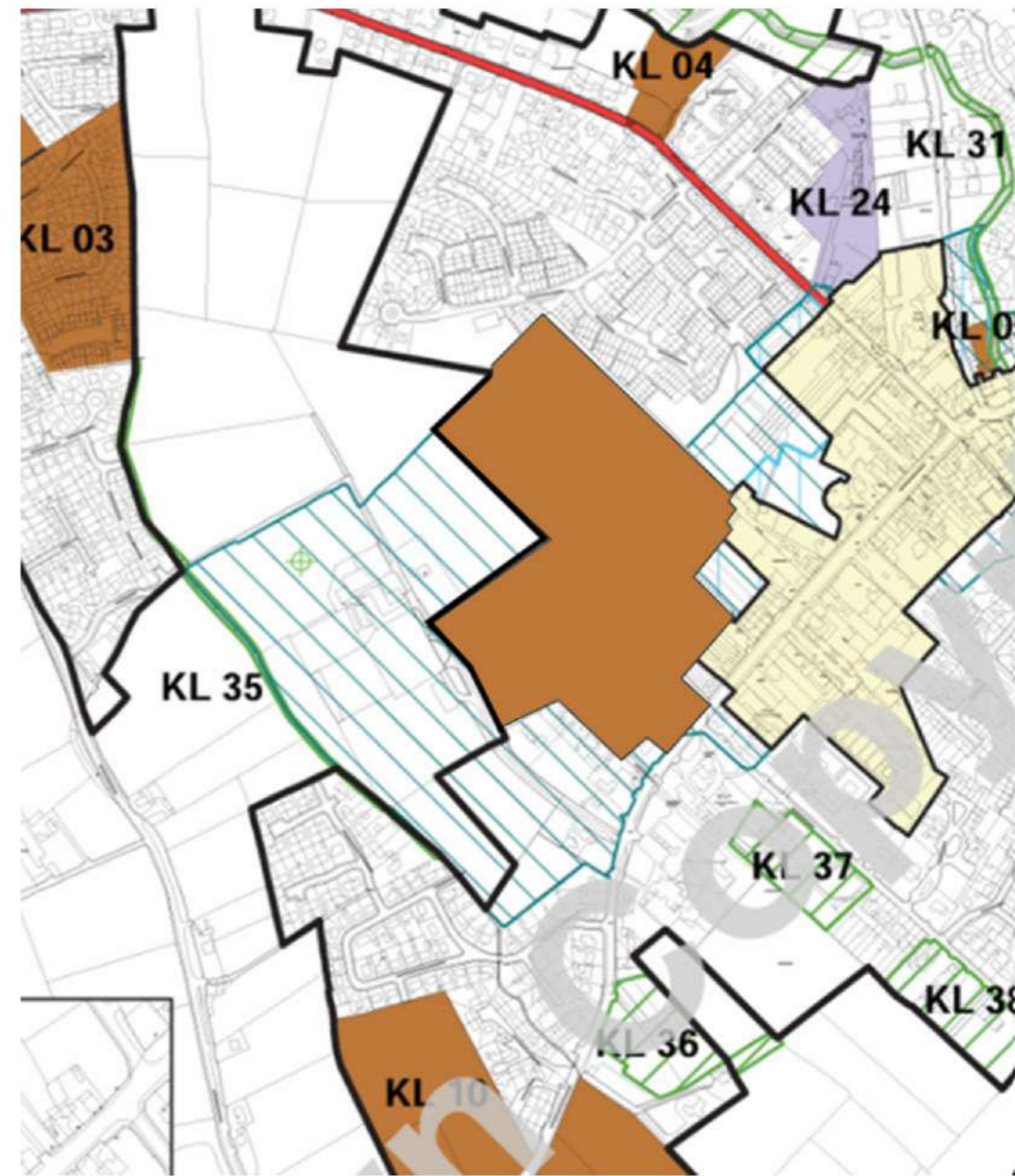
### Annex 3

#### Existing BNMAP and Proposed Zoning





**Existing BNMAP**



**Proposed LPP Zoning**