October 28th, 2026

Notice Of Meeting

You are requested to attend the meeting to be held on **Wednesday, 4th November 2026** at **10:00 am** in **Mourne Room, Downshire Civic Centre.**

Committee Membership 2026-27

Councillor M Larkin **Chairperson**

Councillor M Rice **Deputy Chairperson**

Councillor W Clarke

Councillor L Devlin

Councillor V Harte

Councillor O Magennis

Councillor D McAteer

Councillor S Murphy

Councillor A Quinn

Councillor H Reilly

Councillor J Tinnelly

Councillor H Young

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

3.0 Declarations of Interest in relation to Para.25 of Planning Committee Operating Protocol

Cllrs Larkin, Magennis, McAteer, S Murphy and Reilly attended a site visit on 22 October 2026

4.0 Minutes of Planning Committee Meeting held 7 October 2026

Attachment: Planning Committee Minutes 2026-10-07.pdf ***Page 1***

5.0 Addendum list – planning applications with no representations received or requests for speaking rights

Attachment: Addendum list - 04-11-2026.pdf ***Page 19***

Development Management - Planning Applications for determination (with previous site visits)

6.0 LA07/2025/1367/O - Site 10m E. No.2 Mullaghans Road, Mullaghbawn, Newry - Dwelling within an existing cluster.

REFUSAL

On agenda as a result of the call in process.

In line with Operating Protocol, no further speaking rights are permitted on the application.

Cllrs Larkin, Magennis, McAteer, S Murphy and Reilly attended a site visit on 22 October 2026.

Mr Colin O'Callaghan will be present to answer any questions Members may have.

Attachment: LA07-2025-1367-O.pdf ***Page 20***

Items deemed to be exempt under paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014

Legal Agreement relating to LA07/2024/0749/F and LA07/2024/0547/F

This item is deemed to be exempt under paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating in relation to which a claim to legal professional privilege could be maintained in legal proceedings and the public may, by resolution, be excluded during this item of

business.

Attachment: Site 1 Planning Agreement Oct 2026 LA07.2024.0749.F.pdf ***Not included***

Attachment: Site 2 Planning Agreement oct 2026 LA07.2024.0547.F.pdf ***Not included***

Development Management - Planning Applications for determination

7.0 LA07/2024/0749/F - Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR - Section 54 application for non-compliance with condition No. 9,Social Housing Provision, of Planning Approval LA07/2021/2131/F

APPROVAL

On agenda as a result of the Operating Protocol

Mr Eoin Morgan and Mr Brendan Martyn will be present to answer any questions Members may have.

Attachment: LA07.2024.0749.F and LA07.2024.0547.F.pdf ***Page 33***

Attachment: Addendum LA07.2024.0749.F amd LA07.2024.0547.F .pdf ***Page 57***

Attachment: Draft Conditions LA07.2024.0749.F.pdf ***Page 60***

Attachment: Draft Conditions LA07.2024.0547.F.pdf ***Page 63***

8.0 LA07/2024/0547/F - Lands opposite No 1 Ashgrove Avenue, Carneyhough, Newry, BT34 1PR - Proposed social residential development consisting of 20no. dwellings and 4 no. apartments with associated landscaping and car parking

APPROVAL

On agenda as a result of the Operating Protocol

Reports tabled at item 7.

9.0 LA07/2025/0561/F - Lands adjacent to and south of Rathore School 23 Martins Lane Carnagat Newry BT35 8PJ - Proposed 9 classroom modular school building with offices, storage,

toilet and shower facilities with associated external play areas, internal and external services areas and bin store, car parking, access roads and footpaths. (Application in lieu and to supersede planning approval Ref. LA07/2021/0296/F)(Amended proposal description)

APPROVAL

On agenda as a result of the Operating Protocol

Attachment: LA07 2025 0561 F.pdf ***Page 65***

10.0 LA07/2025/1140/F - 151 Newry Road, Dunnaman, Kilkeel, BT34 4EU - Redevelopment of St Louis Grammar School to include demolition of existing buildings, erection of new school, one grass playing pitch and one 3G pitch, handball courts, multi-use games area (MUGA), access and circulation, car/bus parking and drop-off areas, landscaping, hard play areas, all ancillary development and associated site works. The proposals involve the removal of Tree Preservation Orders (TPOs).

APPROVAL

On agenda as a result of the Operating Protocol

Attachment: LA07.2025.1140.F.pdf ***Page 77***

11.0 LA07/2023/2901/F, LA07/2023/2908/LBC, LA07/2023/2912/DCA - Lands at Bessbrook Mill, Derrymore Road, Bessbrook, BT35 7DN -A mixed use development proposal that will incorporate the retention and refurbishment of the existing Bessbrook Mill complex. Works to the Mill complex and associated structures within its curtilage include for**

APPROVAL / CONSENT / CONSENT

On agenda as a result of the Operating Protocol.

Speaking rights have been requested in objection to the application by Cllr David Taylor.

Speaking rights have been requested in objection to the application by Mr John Davis.

Speaking rights have been requested in support of the application by Mr Ronan Woods and Mr Eamonn Larkin.

** Upgrade and adaptation of existing Mill building for the proposed development; Retention and

incorporation of the existing blast wall within the Mill complex; Partial demolition and removal of the existing weaving sheds and associated outbuildings. Sections of the existing Weavers' Shed shall be carefully dismantled and stored during construction works, restored prior to re-erection, and retained with an on-site interpretation board installed within the Structure; Alterations and part removal of the existing boundary wall along Derrymore Road, with a fixed metal railing installed within the opening between the piers to replicate the historic gateway. Existing Building Ruin to the Western aspect of the Mill Complex to be retained and incorporated into the communal open space of the Mill Complex; Demolition of the existing British Legion building. The provision of a total of 48no. new-build residential dwellings and the provision of a total of 219no. apartments of which 165no. are to be provided within the existing Mill building which is to be refurbished and adapted to facilitate the residential use with associated works including for provision of an additional storey to the Mill building. The Mill building is also to incorporate 6 Nr. Commercial Office units, along with provision of a Gym. The development will also include the provision of a storage building, a refuse/waste storage building in addition to a temporary wastewater treatment works (WWTW). Associated site works will include provision of car parking, connection to existing services, provision of internal access roads along with ancillary site landscaping works

Attachment: LA07-2023-2901-F and LA07-2023-2908-LBC and LA07-2023-2912-DCA.pdf ***Page 114***

Attachment: 11. LA07 2023 2901 F - objection.pdf ***Page 172***

Attachment: 11. LA07 2023 2901 F - objection.pdf ***Page 174***

Attachment: 11. LA07 2023 2901 F.pdf ***Page 176***

12.0 LA07/2024/0628/F - 120 The Old Mill, Annsborough, Castlewellan, BT31 9NH - Demolition of existing listed outbuildings, extensions to existing listed Mill building for storage and addition of 3 Grain Silos & covered intake pit. (amended plans)

APPROVAL

On agenda as a result of the Operating Protocol.

Attachment: LA07 2024 0628 F.pdf ***Page 178***

13.0 LA07/2025/0157/F - 220m SE of 61 Foughilletra Road, Jonesborough, Newry, - Replacement dwelling and detached garage under PPS21:CTY3

APPROVAL

On agenda as a result of the Operating Protocol.

Attachment: LA07 2025 0157 F.pdf ***Page 198***

14.0 LA07/2024/1125/F - 72 Dundalk Road, Crossmaglen, Co.

Armagh BT35 9HL - Demolition of Existing Dwelling / Domestic Garage and Erection of 4 No. Semi-Detached Dwellings and all associated site works.

REFUSAL

On agenda as a result of the Operating Protocol.

Attachment: LA07-2024-1125-F.pdf ***Page 210***

15.0 LA07/2025/0661/O - Lands 51 meters SE of No. 33 Lower Foughill Road, Jonesborough, Newry City, Co. Armagh, N. Ireland, BT35 8SQ - Erection of a Detached Rural Infill Dwelling House with Detached Domestic Garage, Associated Landscape and Ancillary Site Works

REFUSAL

On agenda as a result of the call in process.

Speaking rights have been requested in support of the application by Mr Timmy Hamill, supported by Mr Barney McKevitt and Mr John McNally.

Attachment: LA07 2025 0661 O.pdf ***Page 226***

Attachment: 15. LA07 2025 0661 O.pdf ***Page 235***

16.0 LA07/2025/0075/O - Lands approximately 38m NW of No. 72 Maytown Road, Bessbrook, Newry, BT35 7NF - Erection of a detached rural infill dwelling and detached domestic garage, site access, associated car parking, ancillary site works and associated landscaping

REFUSAL

On agenda as a result of the call in process.

Speaking rights have been requested in support of the application by Mr Timmy Hamill, supported by Mr Barney McKevitt and Mr Ciaran McGuinness.

Attachment: LA07 2025 0075 O.pdf ***Page 237***

Attachment: 16. LA07-2025-0075-O.pdf ***Page 249***

17.0 LA07/2025/1164/O - 50m SW and adjacent to 42 Levallyreagh

Road, Warrenpoint, BT34 3DW - Farm dwelling applied under CTY10.

REFUSAL

On agenda as a result of the call in process.

Speaking rights have been requested in support of the application by Mr Declan Rooney, supported by Mr John Kane.

Attachment: LA07 2025 1164 O.pdf ***Page 251***

Attachment: 17. LA07.2025.1164.O.pdf ***Page 263***

18.0 LA07/2023/3295/F - Former Quarry, approximately 40m N of No. 11 Slievenaman Road, Newcastle, BT30 0QD - Proposed 3 Nos. camping pods, laundry room, landscaping and all associated site works.

REFUSAL

On agenda as a result of the call in process

Attachment: LA07-2023-3295-F.pdf ***Page 265***

Attachment: 18. LA07 2023 3295 F.pdf ***Page 287***

19.0 LA07/2025/1488/O - Between No.39B and No.41 Mayo Road, Mayobridge, BT34 2HA - Proposed infill dwelling.

REFUSAL

On agenda as a result of the call in process.

Speaking rights have been requested in support of the application by Mr John Cole.

Attachment: LA07-2025-1488-O.pdf ***Page 289***

Attachment: 19. LA07 2025 1488 O.pdf ***Page 300***

Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014

20.0 Communication from Department for Communities - Advance Notice of Listing and Delisting of Buildings of Special Architectural or Historic Interest

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act

(Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

Attachment: CO1 26 642144 HB18 09 074 Advance Listing Letter to Council.pdf ***Not included***

Attachment: HB18 09 074 DC Report.pdf ***Not included***

Attachment: HB18 09 074 Location Map.PDF ***Not included***

Attachment: HB18 09 036 Advance Listing Letter to Council.pdf ***Not included***

Attachment: HB18 09 074 DC Report.pdf ***Not included***

Attachment: HB18 09 074 Location Map.PDF ***Not included***

Attachment: HB18 10 040 B Advance Delist Council with DfC logo.pdf ***Not included***

Attachment: HB18 10 040 B DC Report.pdf ***Not included***

For Noting

21.0 Invitation to Councillors - Mixed Tenure Information Seminar

Attachment: PC Report - Mixed Tenure Information Seminar.pdf ***Page 302***

Attachment: Invitation to councillors - Mixed Tenure Information Seminar.pdf ***Page 305***

22.0 Proposed Material Alterations to the Variation No.4 of the Louth County Development Plan 2021-2027 (as varied)

For Information

Attachment: 1. PC Report_VARIATION No. 4 TO THE LOUTH COUNTY DEVELOPMENT PLAN 2021-2027_Final.pdf ***Page 306***

Attachment: Advert - Proposed Material Alteration to V4 LCDP 21-27.pdf ***Page 311***

Attachment: Proposed Material Alterations to the Variation No.4 of the Louth County Development Plan 2021-2027 _ Louth County Council's Online Consultation Porta.pdf ***Page 314***

23.0 Notice of the Making of Variation No.2 of the Monaghan County Development Plan 2025 – 2031

Attachment: 2. PC Report_Notice of the Making of Variation No.2 of the Monaghan County Development Plan 2025 2031_Final.pdf ***Page 343***

24.0 Historic Action Sheet

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Ref: P/

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 7 October 2026 at 10am in the Council Chamber, Downshire Civic Centre, Downpatrick.

Chairperson:	Councillor M Larkin	
Committee Members in attendance in Chamber:	Councillor O Magennis	Councillor D McAteer
	Councillor H Reilly	Councillor M Rice
Committee Members in attendance via Teams:	Councillor W Clarke	Councillor L Devlin
	Councillor S Murphy	Councillor J Tinnelly
	Councillor H Young	

Officials in attendance:
Mr C Mallon, Director of Economy, Regeneration & Tourism
Mr J McGilly, Assistant Director: Regeneration
Ms E Kirk, Assistant Director: People & Legal
Mrs A McAlarney, Planning Manager
Ms B Ferguson, Senior Planning Officer
Mrs A Loughan, Senior Planning Officer
Mrs P Manley, Senior Planning Officer
Mr P Rooney, Head of Legal Administration
Miss S Taggart, Democratic Services Manager
Ms F Branagh, Democratic Services Officer

Officials in attendance via Teams: Mr M McQuiston, Senior Planning Officer

P/071/2026: **APOLOGIES AND CHAIRPERSON'S REMARKS**

An apology was received from Councillor Harte.

P/072/2026: **DECLARATONS OF INTEREST**

There were no declarations of interest.

P/073/2026: **DECLARATIONS OF INTEREST IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL- PARAGRAPH 25**

Item 6 - Cllrs Devlin, Harte, Larkin, McAteer, Reilly & Young attended site visit on 2 September 2026.

Items 7 & 8 – Cllrs Harte, Larkin, Magennis, McAteer, S Murphy, Tinnelly & Young attended a site visit on 29 September 2026.

MINUTES FOR CONFIRMATION

P/074/2026: **MINUTES OF PLANNING COMMITTEE MEETING OF WEDNESDAY 2 SEPTEMBER 2026**

Read: Minutes of Planning Committee Meeting of Wednesday 2 September 2026. (Copy circulated)

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Rice, it was agreed to adopt the Minutes of the Planning Committee Meeting of Wednesday 2 September 2026 as a true and accurate record.**

FOR DISCUSSION/DECISION

P/075/2026: **ADDENDUM LIST**

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 7 October 2026. (Copy circulated)

There were no applications on the addendum list.

DEVELOPMENT MANAGEMENT

P/076/2026: **PLANNING APPLICATIONS FOR DETERMINATION WITH PREVIOUS SITE VISITS**

(1) LA07/2025/0057/O

On agenda as a result of the Call-in Process. Previously tabled August 2026

Location:
Approx. 28m N of 51 Derryboy Road, Crossgar, BT30 9LH

Proposal:
Site for dwelling with access on to Holly Park Road.

Conclusion and Recommendation from Planning Official:
Approval.

Power-point presentation:
Mrs Ferguson reminded members of the details of the application, noting that no representations had been received and consultees had raised no objections, subject to conditions. She advised that the proposal had been assessed under Policy CTY 2A; however, officers did not consider that an appropriate cluster existed at the location. She noted that the site was not visually linked to the wider group of buildings, did not represent the rounding off of an existing cluster and would extend development into the open countryside. She confirmed that it was the opinion of the Planning Department that the application failed to satisfy the remaining criteria of Policy CTY 2A and was therefore recommended for refusal.

Speaking rights:
In line with the Operating Protocol, no further speaking rights were permitted on the application.

Mr Gerry Tumelty, supported by Mr and Mrs Gibson (applicants) were present to answer any questions Members may have had.

As there were no questions, Councillor McAteer proposed to accept the officer recommendations, which was seconded by Councillor Larkin.

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

FOR:	4
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Larkin, it was agreed to issue a refusal in respect of planning application LA07/2025/0057/O supporting officer recommendation as contained in the Case Officer Report.**

Cllr Devlin left the meeting at this stage – 10.22am

(2) LA07/2025/0897/O

On agenda as a result of the Call in Process. Previously tabled September 2026.

Location:
Immediately N of 46 Forkhill Road, Cloghoge, Newry, BT35 8LZ

Proposal:
Infill site for two dwellings.

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Loughan reminded Members of the details of the application following the site visit, noting that no representations had been received and consultees had raised no objections. She reminded Members that the site was located outside the settlement limits of Newtowncloghoge and within the Ring of Gullion AONB and was therefore assessed under the SPPS and PPS 21.

Mrs Loughan advised that, whilst the proposal had been submitted as an infill opportunity under Policy CTY 8, officers considered that the site did not represent a genuine infill opportunity within a substantial and continuously built-up frontage (SCBUF). She stated that the proposal relied on development within the adjacent settlement to establish the frontage required to justify infill development, contrary to the policy distinction between settlements and the countryside. She advised that the proposal failed to comply with Policies CTY 1, 8 and 15 and was therefore recommended for refusal.

Speaking rights:

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

Mr John Cole was present to answer any questions Members may have had.

Councillor Tinnelly queried whether the nearby commercial enterprise was considered part of the settlement, to which Mrs Loughan confirmed that it was sited outside the settlement boundary.

Councillor Tinnelly proposed to overturn the recommendation to an approval stating that he believed that the site read as part of the settlement limit, therefore the refusal reasons CTY1 and 8 fell away. This was seconded by Councillor Larkin.

Councillor Reilly requested clarification for voting on an application when he wasn't present at the site visit.

Councillor Larkin confirmed that, based on legal advice, it was at Members' discretion whether to participate in the vote, provided they were content that they had sufficient knowledge of the application and its relevant details.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Tinnelly, seconded by Councillor Larkin, it was agreed to issue an approval in respect of planning application LA07/2025/0897/O contrary to officer recommendation as contained in the Case Officer Report.**

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

(3) LA07/2025/0308/O

On agenda as a result of the Call in Process

Location:
To the rear of 8 Hospital Road, Carnagat, Newry, BT35 8PW

Proposal:
Site for dwelling and carport

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Loughan reminded Members of the details of the application following a site visit, noting that no representations had been received and consultees had raised no objections. She reminded Members that the site was located within the Newry settlement limit and had been assessed against the relevant policies of the SPPS, PPS 7, the Addendum to PPS 7 and PPS 6, reiterating that indicative drawings demonstrated that any dwelling on the site would occupy a prominent position and would require significant excavation, land regrading and retaining structures.

Mrs Loughan stated that the proposal would be out of keeping with the established pattern of development along Hospital Road and that the extent of groundworks, retaining features and removal of existing vegetation would be visually intrusive and harmful to the character

and environmental quality of the area and was therefore recommended for refusal as it failed to comply with Policies QD1 and LC1.

Speaking rights:

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

Mr Colin O'Callaghan was present to answer any questions Members may have had.

As there were no questions, Councillor McAteer proposed to accept the officer's recommendations. This was seconded by Councillor Larkin.

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

FOR:	7
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Larkin, it was agreed to issue a refusal in respect of planning application LA07/2024/0308/O supporting officer recommendation as contained in the Case Officer Report.**

P/077/2026: **PLANNING APPLICATIONS FOR DETERMINATION**

(1) LA07/2024/0583/F

On agenda as a result of the Operating Protocol and Scheme of Delegation

Location:
Lands to rear and NE of No.21 and N of Nos.15 & 17 Bonds Road, Silverbridge, Armagh, BT35 9PE

Proposal:
Retention of ground works including changes to the level of the land through inert infilling and reprofiling of land; proposed levelling with topsoil and seeding with grass for the purposes of agricultural land improvement on lands to the rear and NE of No 21 and North of Nos 15 & 17 Bonds Road; and creation of new vehicular access to Bonds Road (amended description)

Conclusion and Recommendation from Planning Official:
Approval

Power-point presentation:
Mrs Manley presented the application, advising that that the site was located in the countryside and within an AONB and confirmed that the detailed case officer's report was taken as read.

Mrs Manley outlined that the submitted plans detailed the extent of the groundworks, changes in land levels, areas of inert clay fill and proposed finished ground levels. She advised that six letters of objection had been received raising concerns relating to archaeological and heritage impacts, compliance with planning policy, the retrospective nature of the development, environmental and biodiversity impacts, landscape and AONB impacts, traffic and residential amenity, tourism impacts, land ownership and the planning process and confirmed that these matters had been considered as part of the assessment of the application.

Mrs Manley advised that consultations had been undertaken with Historic Environment Division, NIEA, DFI Roads, Rivers Agency, Environmental Health and Shared Environmental Services, with no objections raised subject to conditions where applicable. She further advised that the application had been assessed against the relevant planning policy framework, the Area Plan, consultation responses, representations received and other material considerations with a resulting recommendation for approval.

Speaking rights:

In Support:

Mr Graham, supported by Mr Oliver Hearty (applicant), spoke in support of the officer recommendation and advised that the proposal sought retention of groundworks undertaken to improve the quality of low-lying agricultural land and facilitate more efficient farming practices. He stated that the infilling works involved stone and rock material rather than waste material and represented the minimum works required to make the land suitable for agricultural use, and that infill within the floodplain would be removed and restored in accordance with Rivers Agency requirements.

Mr Graham highlighted that consultees had raised no objections subject to conditions and that the proposal would not result in adverse environmental, landscape, amenity or archaeological impacts.

As there were no questions, Councillor Larkin proposed to accept the officer's recommendations within the case officer's report. This was seconded by Councillor Magennis.

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

FOR:	7
AGAINST:	0
ABSTENTIONS:	1

The proposal was declared carried.

AGREED: **On the proposal of Councillor Larkin, seconded by Councillor Magennis, it was agreed to issue an approval in respect of planning application LA07/2024/0583/F supporting officer recommendation as contained in the Case Officer Report.**

Cllr Clarke left the meeting during discussion on the above item – 10.42am

(2) LA07/2025/1367/O

On agenda as a result of the Call in Process

Location:
Site 10m E. No.2 Mullaghans Road, Mullaghbawn, Newry

Proposal:
Dwelling within an existing cluster

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Loughan presented the application that sought planning permission for a dwelling and garage on lands 10m east of No. 2 Mullaghans Road, Mullaghbawn. She noted that four letters of objection had been received, raising concerns regarding the impact on a nearby agricultural business, visual and landscape impacts within the Ring of Gullion AONB, roads issues and the potential precedent for further development in the area.

Mrs Loughan advised that the site was located within the open countryside and the Ring of Gullion AONB and had been assessed under PPS 21, CTY 2A which required all criteria to be met to permit a dwelling within an existing cluster and stated that officers did not consider an existing cluster to be present at the location. She noted that the nearby dwellings were dispersed in nature, separated from the site by the public road and did not appear as a coherent visual entity within the landscape.

Mrs Loughan further advised that the site lacked enclosure, was not bounded by development on any side and would not represent the rounding off or consolidation of an existing cluster, rather that the proposal would introduce a prominent dwelling into the open countryside, erode an important visual break and have a detrimental impact on rural character and the AONB. She concluded that the proposal failed to comply with Policies CTY 1, 2A, 13 and 14 of PPS 21 and Policy NH 6 of PPS 2 and was therefore recommended for refusal for the reasons set out in the Case Officer Report.

Speaking rights:

In Support:

Mr O'Callaghan spoke in support of the application, disagreeing with the officer assessment, stating that the site was located at an existing cluster and focal point and that the nearby road junction should be considered a crossroads for the purposes of the policy. He stated that the proposal would represent the rounding off and consolidation of existing development rather than an encroachment into the open countryside, arguing that the site benefited from existing boundaries, surrounding development and a strong sense of enclosure and would not appear conspicuous within the landscape.

Mr O'Callaghan further argued that the site formed part of an established grouping of development associated with the nearby junction and that the proposal complied with the overall intent of Policy CTY 2A. he made reference to previous planning approvals, PAC decisions and case law which he considered supported a more flexible interpretation of the policy criteria. (2014/A0245; 2021/A0010; 2017/A0222; 2010/A0202)

Mr O'Callaghan also raised concerns regarding the assessment of the application, stating that he believed that insufficient weight had been given to information submitted in support of the proposal regarding similar applications that had been approved within the District.

Councillor McAteer requested clarification on whether the junction of Mill Road and Mullans Road could be regarded as a crossroads and, therefore, a focal point, and queried the interpretation that the site was bounded by buildings on two sides, given the location of the buildings on either side of the road.

Mr O'Callaghan advised that, although the site was not physically adjoining to surrounding development, this was due to the road layout and the realignment of the junction and he believed that the site formed part of the crossroads setting and was effectively bounded by nearby development. He further advised that the policy did not require buildings to be physically touching the site and, in his view, the proposal met the intent of the policy.

Councillor McAteer queried the extent to which the Court of Appeal judgement could be relied upon as guidance in the current case, noting the reliance on the interpretation of the word bounded and the fact that it was an English court ruling.

Mr Rooney advised that the Court of Appeal case was an English judgement and referred to development being immediately adjoining rather than bounded and stated that the term 'bounded' within the policy should be given its ordinary dictionary meaning and noted that the Court had endorsed that general approach. He confirmed that Members were not bound by the Court of Appeal decision and could reach their own interpretation of the policy, noting that the term bounded suggested a degree of attachment or bordering, while acknowledging that both the Planning Department and the applicant had presented their respective interpretations for Members' consideration.

Councillor Tinnelly requested further information on Mr O'Callaghan's assertion that no consideration had been given to supporting information submitted during the processing of the application.

Mrs Loughan advised that the information submitted by the agent had been fully considered, however the Planning Department did not consider the examples provided to be comparable to the application site. She noted that there was no development immediately surrounding the staggered crossroads and that the examples provided relied on development located further along the road. She confirmed that each application must be assessed on its own merits and confirmed that, although this was not explicitly detailed in the report, all submitted information had been taken into account in reaching the recommendation.

Councillor Magennis proposed a site visit to allow Members to view the application site in person to better understand the views that had been discussed. This was seconded by Councillor Reilly.

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

FOR:	8
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Magennis, seconded by Councillor Reilly, it was agreed to defer planning application LA07/2025/1367/O to allow for a site visit.**

(3) LA07/2024/1097/O

On agenda as a result of the Call in Process

Location:
Lands between 69 & 73 Ballywillin Road, Crossgar, BT30 9LF

Proposal:
Proposed 2 No. dwellings and garages on infill site under Policy CTY8 of PPS 21

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Ferguson presented the application, stating that the Case Officer Report was taken as read and highlighted that no objections had been received from consultees. She acknowledged that the site was located within the countryside and that, whilst the proposal was considered to satisfy the infill criteria of Policy CTY 8, all countryside development must also integrate sympathetically with its surroundings and comply with other planning and environmental requirements.

Mrs Ferguson advised that the site was located on a steeply sloping roadside site and that the submitted sections demonstrated that significant excavation, regrading and landform modification would be required to accommodate the proposed dwellings. She stated that the dwellings could not be accommodated within the existing landform without substantial alteration and that the extent of cut and fill works was considered excessive. She further advised that the proposal failed to comply with Policies CTY 13 and CTY 14 due to the lack of existing boundaries to assist integration, reliance on new landscaping, the requirement for retaining structures arising from excavation works, and the resulting prominence of the dwellings within the landscape.

Mrs Ferguson concluded that the site was incapable of accommodating two dwellings without causing undue prominence and harm to rural character and was recommended for refusal for the reasons set out in the Case Officer Report.

Speaking rights:

In Support:

Mr Tumelty spoke in support of the application, noting that case officers had accepted the proposal as an infill opportunity under Policy CTY 8 and therefore accepted that the site was capable of accommodating two dwellings. He stated that the proposal involved cutting the dwellings into the rising ground, similar to the existing dwelling at No. 73, with the remaining landform providing a backdrop to assist integration. He further stated that access arrangements were acceptable and that any required earthworks and landscaping would enable the development to integrate satisfactorily within the site.

Mr Tumelty further argued that the proposed dwellings would not be unduly prominent, that existing vegetation on the site was of limited value and could be replaced through landscaping, and that the proposal complied with Policies CTY 8 and CTY 16.

Following a query from Councillor McAteer, a discussion ensued regarding the refusal reason relating to prominence and the current siting of the existing buildings. Mr Tumelty confirmed that the current dwelling of the applicant, No. 73, was sited higher than the proposal site and that the remaining ground level behind the proposed site would aid integration. Mrs Ferguson confirmed that the Planning Department had taken the slope of the site into account and believed that the new dwelling would not integrate without extensive ground works to allow for this.

Councillor Larkin queried whether the concerns relating to design and integration could have been dealt with at Reserved Matters stage as the application was an outline application, to which Mrs Ferguson acknowledged that the application was an outline application, however during the processing of the application concerns were raised about the steep incline of the site. She confirmed that as per planning policy, extensive cut and fill was not encouraged in sensitive locations.

Following a query from Councillor Larkin, a discussion ensued regarding the refusal reason relating to CTY14. Mr Tumelty noted that the sections provided during the processing of the application were extreme, and may not be necessary as the backdrop remained in situ to screen the proposal and reduce prominence. Mrs Ferguson advised that the proposal failed to comply with CTY14 as the dwellings amounted to localised build up on the site and would not meet the required road frontage development to be considered respectful of the pattern of the area.

Councillor Reilly proposed to overturn the recommendation to an approval, stating that he believed the works would help integrate the proposal and would not result in prominence. This was seconded by Councillor Rice.

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

FOR:	8
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED:

On the proposal of Councillor Reilly, seconded by Councillor Rice, it was agreed to issue an approval in respect of planning application LA07/2024/1097/O contrary to officer recommendation as contained in the Case Officer Report.

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

(4) LA07/2024/0536/O

On agenda as a result of the Call in Process

Location:
Adjacent to 26 Jack's Road, Killeen, BT35 8FX

Proposal:
Proposed rural detached infill dwelling house and detached domestic garage along with additional landscaping and associated site work.

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Loughan presented the application which sought outline planning permission for a detached rural infill dwelling and detached domestic garage adjacent to 26 Jack's Road, Killeen. She noted that no representations had been received and consultees had raised no objections.

Mrs Loughan advised that the site was located within the open countryside and an AONB and had been assessed under PPS 21, noting that whilst officers accepted that Nos. 26 and 28 Jack's Road fronted onto the road, a third building relied upon by the applicant could not be considered as it did not benefit from planning permission or a certificate of lawful use and was not immune from enforcement action. She further noted that a small garden shed associated with No. 26 was not considered a permanent building for the purposes of Policy CTY 8.

Mrs Loughan advised that the frontage did not fulfill the required SCBUF of three or more buildings and that the proposal did not represent a genuine infill opportunity and further noted that the proposed site layout did not fully infill the gap between the existing properties.

Mrs Loughan concluded that the proposal failed to comply with Policies CTY 1, 8 and 14 and was therefore recommended for refusal for the reasons set out in the Case Officer Report.

Speaking rights:

In Support:

Mr Hamill advised that the application related to a small gap site between Nos. 26 and 28 Jack's Road and stated that there were no concerns regarding the size of the site, road safety or the ability of the site to accommodate a dwelling. He noted that consultees had raised no objections and that no third-party representations had been received.

Mr Hamill argued that the key issue was whether an existing outbuilding associated with No. 26 should be regarded as a building for the purposes of Policy CTY 8, stating that the outbuilding was a permanent structure, fixed to a concrete base and connected to services, and therefore met the definition of a building. He referred to Planning Appeals Commission decisions (2021/A0162, 2021/E0013) which, in his view, demonstrated that ancillary buildings could be considered as part of a SCBUF under Policy CTY 8. He argued that when the outbuilding was taken into account, the site formed part of a frontage comprising three buildings and therefore represented a valid infill opportunity.

Mr Hamill stated that the remaining refusal reasons flowed from the conclusion that the outbuilding should not be counted and argued that the proposal complied with the requirements of Policy CTY 8. He requested that Members overturn the officer recommendation and approve the application or, alternatively, defer the application for a site visit.

Following a query from Councillor Rice, Mr Hamill confirmed that the structure in question was used for garden storage, had been in place for 8 years, was used regularly and had been wired and plumbed for usage.

Councillor Rice queried why the Planning Department did not view the structure as a permanent building, to which Ms Loughan referred to the appeal decision 2019/AO105 and advised that treating a small timber garden shed as a building would lower the standard of the policy to a point of ineffectiveness and would not reflect its intended purpose. She noted that larger permanent structures, such as garages, concrete buildings and farm sheds, had previously been accepted as buildings for policy purposes. However, in this instance, officers did not consider the timber shed to be of a sufficient scale or nature to qualify as a building under the policy.

Councillor Rice requested clarification from legal regarding accepting the structure as a building, to which Mr Rooney noted that whether a structure constituted a building was a matter of fact and degree, with relevant considerations including permanence and physical attachment. He advised that the broad definition of a building within planning legislation was intended for the purposes of the Act and should not be regarded as determinative when interpreting policy. He further advised that the term "building" should be given its ordinary dictionary meaning and that Members should consider the specific circumstances of the case, including the nature and permanence of the structure in question. He reminded Members that they should exercise their own judgement in determining whether the structure could reasonably be regarded as a building for the purposes of the policy.

Councillor McAteer queried the shed at No. 28, to which Mrs Loughan confirmed that the Planning Department could not consider it as part of the SCBUF as it did not have planning permission and was therefore not immune from enforcement as it was unauthorised.

Councillor Rice proposed to overturn the recommendation to an approval, stating that he considered the application to be a borderline application with regard to CTY8 requirements, however he agreed with Mr Hamill that the structure appeared permanent with concrete, electric and running water and which all indicated permanence to him. He noted that all other refusal reasons fell away when the structure was considered a building. This was seconded by Councillor Reilly.

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

FOR:	8
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Rice, seconded by Councillor Reilly, it was agreed to issue an approval in respect of planning application LA07/2024/0536/O contrary to officer recommendation as contained in the Case Officer Report.**

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Magennis, it was agreed to exclude the public and press from the meeting during discussion on the following matters which related to exempt information by virtue of Paragraph 1 and 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council holding that information).**

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Larkin, it was agreed the Committee come out of closed session.**

The Chairperson advised the following had been agreed whilst in closed session

(5) LA07/2021/1437/F

On agenda as a result of the Call in Process

Location:
30m north of No. 38 Ballyveaghbeg Road, Ballymartin

Proposal:
Erection of rural detached dwelling and detached garage, new landscaping and associated site works in compliance with planning policy PPS21-CTY6

Conclusion and Recommendation from Planning Official:
Refusal

Councillor Rice proposed to overturn the recommendation to an approval, stating that he believed that circumstances demonstrated compliance with CTY6. This was seconded by Councillor Reilly.

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

FOR:	8
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Rice, seconded by Councillor Reilly, it was agreed to issue an approval in respect of planning application LA07/2021/1437/F contrary to officer recommendation as contained in the Case Officer Report.**

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

FOR DISCUSSION / DECISION

P/078/2026: **LDP DRAFT PLAN STRATEGY – FOCUSED CHANGES CONSULTATION**

Read: Report from Mr J McGilly, Assistant Director: Regeneration, presented by Mr M McQuiston, Senior Planning Officer,

regarding LDP Draft Plan Strategy – Focused Changes Consultation. (Copy circulated)

AGREED: **It was agreed on the proposal of Councillor McAteer, seconded by Councillor Larkin, to approve the proposed Focused Changes Consultation Report and associated addendums as set out in appendices A – E of the officer's report along with the arrangements for publication and consultation. As advised, the focused changes are currently subject to legal review. Any major changes as an outcome of that review will be tabled for noting in future.**

P/079/2026: **PLANNING ENFORCEMENT UPDATE**

Read: Report from Mr J McGilly, Assistant Director: Regeneration, regarding Planning Enforcement Update. (Copy circulated)

AGREED: **It was agreed on the proposal of Councillor McAteer, seconded by Councillor Magennis, to note the enforcement update.**

FOR NOTING

P/080/2026: **REVIEW OF THE CLASSES AND THRESHOLDS TO THE SCHEDULE OF THE PLANNING (DEVELOPMENT MANAGEMENT) REGULATIONS (NI) 2015**

Read: Report from Mrs A McAlarney, Planning Manager, Development Management, regarding Review of the Classes and Thresholds to the Schedule of the Planning (Development Management) Regulations (NI) 2015 (Copy circulated)

AGREED: **It was agreed on the proposal of Councillor Larkin, seconded by Councillor Reilly, to note the response to the DFI Consultation as attached to the officer's report.**

P/081/2026: **HISTORIC ACTION SHEET**

Read: Historic action sheet for agreement (Copy circulated)

AGREED: **It was agreed on the proposal of Councillor Magennis, seconded by Councillor Larkin, to note the historic action sheet.**

There being no further business the meeting ended at 12.24pm.

Signed: _____
Cllr Larkin
Chairperson

Signed: _____
Marie Ward
Chief Executive

NB: 57% of decisions overturned.

Item 5 – Addendum List

Addendum list - planning applications with no representations received or requests for speaking rights – Planning Committee Meeting on Wednesday 04 November 2026

The following planning applications listed on the agenda, have received no representations or requests for speaking rights. Unless a Member wishes to have these applications presented and discussed, the Planning Committee will be asked to approve the officer's recommendation, and the applications will be taken as "read" without the need for a presentation. If a Member would like to have a presentation and discussion on any of the applications listed below, they will be deferred to the next Committee Meeting for a full presentation:

- **LA07/2025/0561/F -** Lands adjacent to and south of Rathore School 23 Martins Lane Carnagat Newry BT35 8PJ - Proposed 9 classroom modular school building with offices, storage, toilet and shower facilities with associated external play areas, internal and external services areas and bin store, car parking, access roads and footpaths. (Application in lieu and to supersede planning approval Ref. LA07/2021/0296/F)(Amended proposal description)
  APPROVAL

- **LA07/2025/1140/F -** 151 Newry Road, Dunnaman, Kilkeel, BT34 4EU - Redevelopment of St Louis Grammar School to include demolition of existing buildings, erection of new school, one grass playing pitch and one 3G pitch, handball courts, multi-use games area (MUGA), access and circulation, car/bus parking and drop-off areas, landscaping, hard play areas, all ancillary development and associated site works. The proposals involve the removal of Tree Preservation Orders (TPOs).
  APPROVAL

- **LA07/2024/0628/F -** 120 The Old Mill, Annsborough, Castlewellan, BT31 9NH - Demolition of existing listed outbuildings, extensions to existing listed Mill building for storage and addition of 3 Grain Silos & covered intake pit. (amended plans)
  APPROVAL

- **LA07/2025/0157/F -** 220m SE of 61 Foughilletra Road, Jonesborough, Newry, - Replacement dwelling and detached garage under PPS21:CTY3
  APPROVAL

- **LA07/2024/1125/F -** 72 Dundalk Road, Crossmaglen, Co. Armagh BT35 9HL - Demolition of Existing Dwelling / Domestic Garage and Erection of 4 No. Semi-Detached Dwellings and all associated site works.
  REFUSAL

-o-o-o-o-o-o-

Application

Development Management Officer Report	
Case Officer: Joseph McKee	
Application ID: LA07/2025/1367/O	**Target Date:**
Proposal: Dwelling within an existing cluster	**Location:** Site 10m E. No2 Mullaghans Road, Mullaghbawn, Newry
Applicant Name and Address: Majella Gollogly 27 Newry Road, Forkhill, Newry, BT35 9RN	**Agent Name and Address:** Majella Gollogly 27 Newry Road, Forkhill, Newry, BT35 9RN
Date of last Neighbour Notification:	12 May 2026
Date of Press Advertisement:	12 November 2025
EIA Determination: EIA Screening undertaken. No EIA required.	
Consultations: NI Water (05.05.26): No objection subject to conditions DfI Roads (01.06.26): No objection subject to conditions Environmental Health (25.06.26): No objection subject to conditions	
Representations: In response to consultation exercises undertaken, no representations in support of the proposal were received and 4no. representations objecting to the proposal, were received; as summarised below: • Proposed residential development represents an inappropriate and unsustainable juxtaposition of land uses that will severely prejudice the continued, lawful operation of nearby established, full-time agricultural business (approximately 75 north of application site); • Adverse impact on the viability of nearby farm; • Represents visual intrusion resulting in loss of public amenity and would fail to conserve and enhance the special character of Slieve Gullion Area of Outstanding Natural Beauty; • Site is prominent location. Construction of a new house, regardless of design, will erode the scenic, undeveloped, and rural character of the Slieve Gullion landscape; • Approval of non-essential dwelling would set an undesirable precedent for further harmful encroachment into this highly valued, protected landscape; and	

- Adverse highways safety and capacity issues; noting in particular proximity of nearby agricultural business.

Officer comment in response to representations received:

- There is no evidence to suggest that the proposed land-use of the site; residential, or the intensification of the development within the locality, would prejudice neighbouring agricultural enterprise. DfI Roads were consulted on this application and concluded no objection to the development subject to submission of detailed plans at reserved matters stage; and
- Assessment of extent of any of visual impact, and the impact to the designated AONB of the proposed development are assessed within the body of this report.

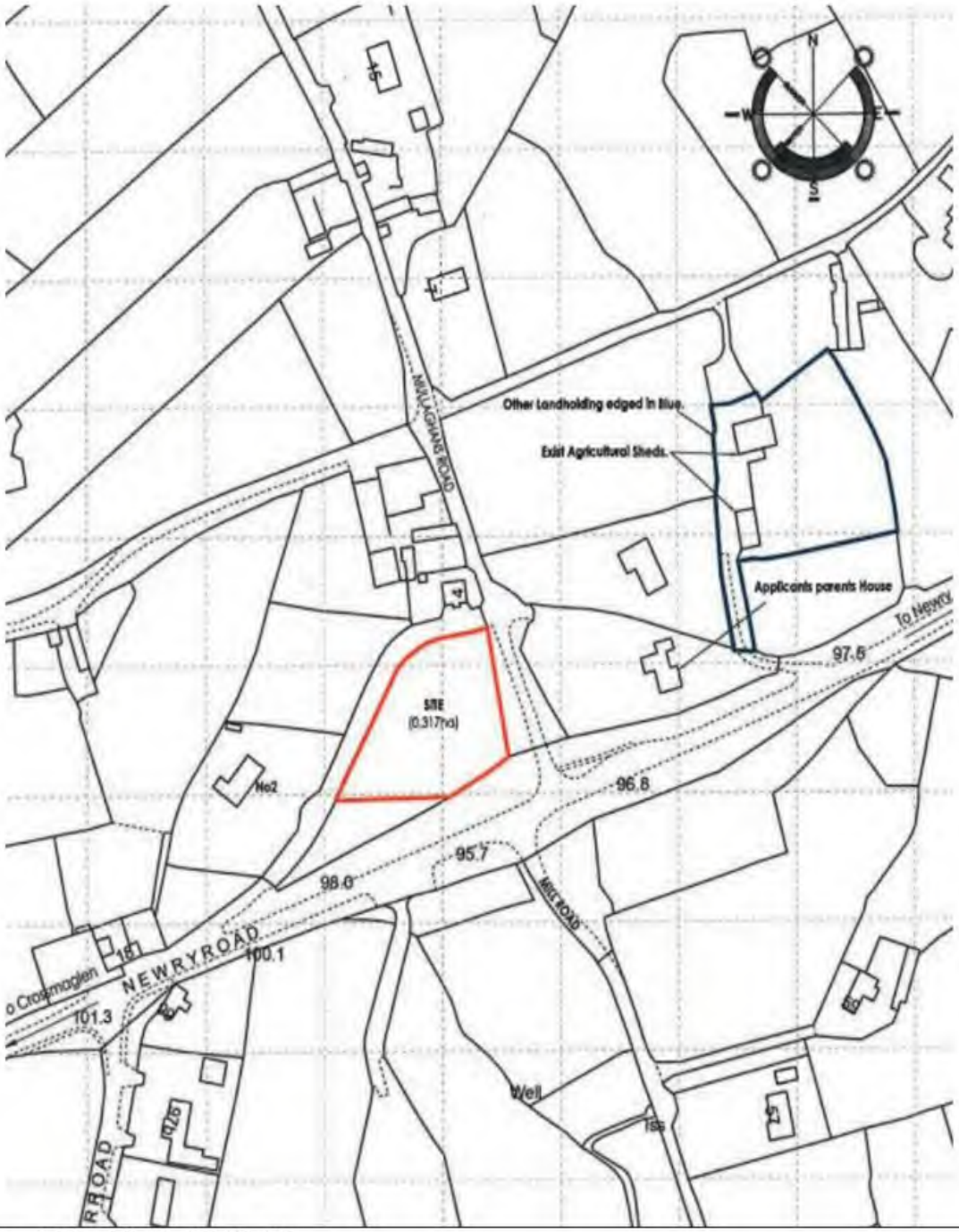
The applicant provided a supporting statement dated 23.07.26, in response to officer engagement. Officers have considered the statement, and the opinion of Group remains.

Letters of Support	0.0
Letters of Objection	4
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Summary of Issues: The extent to which the proposed development accords with the relevant policy framework

Site Visit Report

Site Location Plan:



Date of Site Visit: 29.05.26

Characteristics of the Site and Area

The site is surrounded on three sides with roads; Newry/Crossmaglen Road bounds the site to the south, with Mullaghans road both flanking the eastern and northern boundaries of the site. The western boundary; for the most part, outside of the site boundary and indeed part of the southern part of the site are defined by mature trees

and thick hedgerow with mature sycamore and hawthorn trees on the southern boundary The site is largely open and defined by long grassland and thicker vegetation including trees and shrubbery.

No.4 Mullaghans Road; an existing dwelling is located north of the site; separated from the site, by Mullaghans Road. North of no.4 is an agricultural barn and associated development. Similarly, no. 2 Mullaghans Road is located west of the site, also separated by Mullaghans Road. No's 1 & 3 Mullaghans Road front the eastern side of Mullaghans Road; east of the application site and are approximately 48m & 60m from the application site.

The site is located outside of any settlement boundary limit within the open countryside; as designated by the Banbridge, Newry and Mourne Area Plan 2015. The site is located within the designated Ring of Gullion Area of Outstanding Natural Beauty.

Description of Proposal

This application proposes the development of the site to deliver 1no. dwelling and associated works.

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

NA

EVALUATION

Planning Policy & Other Material Considerations:

- Banbridge, Newry and Mourne Area Plan 2015
- Strategic Planning Policy Statement, Edition 2, 2025
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 6: Planning, Archaeology and Built Heritage - Building on Tradition Design Guide
- PPS 21: Sustainable Development in the Countryside
- The Banbridge, Newry and Mourne Area Plan 2015

The Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge, Newry and Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan.

The site is located within the open countryside outside of any defined settlement limit as prescribed within the area plan. In this case the relevant plan context is that of the SPPS (2nd Ed) and PPS21, this will be further considered below.

Strategic Planning Policy Statement (SPPS) (Edition 2)

Paragraph 1.10 of the SPPS states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of an individual planning application. However, the SPPS does not introduce a change of policy direction nor provide a policy clarification in respect of proposals for residential development in the countryside. Consequently, the relevant policy context is provided by the retained Planning Policy Statement 21, Sustainable Development in the Countryside.

Planning Policy Statement 21 – Sustainable Development in the Countryside

Policy CTY 1 sets out that there are a range of types of development which are considered to be acceptable in principle in the countryside and that will contribute to the aims of sustainable development. PPS 21 states that planning permission will be granted for a dwelling at an existing cluster of development according to Policy CTY 2a. .

Policy CTY 2a – New Dwellings in Existing Clusters

Policy CTY 2a outlines that planning permission will be granted for a dwelling at an existing cluster of development provided that the criteria set out within the policy are met. The six-criterion set out within the policy are listed below and will be assessed as such.

'the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings;'

The policy directs that the cluster of development lies outside the farm consisting of four or more buildings of which three are dwellings. Taking this into account, there is an existing agricultural enterprise located approximately 60m north of the application site. The application site is not connected to the agricultural enterprise; or any other..



Annotated map showing nearest buildings to application site

There are four buildings which are within relative proximity to the application site; (as highlighted on the above illustrative satellite image).

All four buildings; which are all dwellings, are separated from the application site, by a road; Mullaghans Road. These dwellings are not closely grouped or clustered; with each other or the application site. From the application site, no. 2 Mullaghan Rd is approximately 39m, no. 4 approx. 12.5m and no's 1 and 3 are approximately 48 and 61m. These buildings have a dispersed arrangement and the buildings do not visually read as a cluster in their own right when viewed from the public road from any perspective. In consideration of the policy an existing cluster arrangement simply does not exist on the ground, for proposals to cluster with and thus fails the first test of CTY2a.

'the cluster appears as a visual entity in the local landscape;'

Taking account of the significant distances between the four existing dwellings and the context of the area; including separation by roads, the existing built development in this wider area is sporadic and dispersed in nature, sited along parts of each of these roads, whereby it is considered the existing development does not present or appear as a

coherent or recognisable visual entity within the local landscape. It can be considered that the proposal is not compliant with this criterion of CTY2a.

'the cluster is associated with a focal point such as a social / community building/facility, or is located at a cross-roads'

As outlined, there is no existing cluster of development as existing for the reasons set out above. In addition, it is noted that there is no focal point such as a social / community building/facility in which to cluster.

It is acknowledged that the site sits to the NW of a staggered junction between Mullaghan, Mill Rd and Newry Rd which may give the appearance of a crossroads. However an actual crossroad is one in which two or more roads physically cross, this is not the case at this location. Therefore, there is no crossroads in place to which the development can associate.

Proposals also fail this policy test.

'the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;'

The site has a vegetation boundary along its western and in part, its southern boundaries. The site is bounded by a roads to the north east and; despite a set-back, the south. Notwithstanding any retention of any vegetation, this exposure and inability to provide a suitable degree of enclosure is evident when viewed on approach from the east and south.

The site is unable to provide any suitable degree of enclosure owing to the very exposed nature of the plot.

'development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside; and'

There is no existing cluster in which to round off or provide consolidation of development, given the site's location and relationship to surrounding development. Rather than being absorbed into a cluster, the proposal would extend the building form within a site that lacks vegetative boundaries and enclosure this which would be unable to unable to satisfactory integrate into the wider countryside. It is also considered that the application site serves as an important visual break in the existing environment. Accordingly, the proposal is not considered to comply with this criterion of CTY2a.

'development would not adversely impact on residential amenity.'

It is not considered that the development will adversely impact on the existing residential amenity. The closest occupied dwelling to the proposal is No 4 Mullaghans Road to the

north. The application site is large enough to accommodate the dwelling, private amenity space, parking and turning area without having a detrimental effect on this closest neighbouring dwelling. It is noted that this is only an outline planning application and matters relating to design and siting would be submitted in further detail at that stage. Based on the information available it is considered the proposal is compliant with this criterion of Policy CTY2a.

Taking into consideration the above assessment, the development as proposed does not fully comply with all of the criterion of Policy CTY2a therefore failing, when assessed against provisions of policy CTY2a.

CTY 13 – Integration and Design of Buildings in the Countryside

Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design. It specifies several instances where a new building will be unacceptable;

a) it is a prominent feature in the landscape;

As set out, the proposal would extend the building form within a site that lacks vegetative boundaries and enclosure; from approaching the site from the south or east. The site is quite exposed and represents a visual break in the immediate context; and the developing of the site, would result in a prominent feature in the landscape.

b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape;

As outlined, the site is unable to provide any suitable degree of enclosure owing to the very exposed nature of the plot; particularly from the south and east. This exposure results in the proposed development being unable to be suitable enclosed, or be able to integrate into the landscape.

c) it relies primarily on the use of new landscaping for integration;

Limited proposed landscaping detail accompanies this application notwithstanding, it is not understood any proposed landscaping, could adequately integrate the proposed dwelling without unacceptably adversely affecting the site's character.

d) ancillary works do not integrate with their surroundings;

This is an outline application. If the application was supported, detailed drawings regards the proposed development, including ancillary works would be required to support any subsequent reserved matters application. However, the development of the site inclusive of any ancillary works, would appear as a prominent and intrusive feature in the landscape, eroding the rural character of this part of the countryside. It would result in a suburban style build-up of development when viewed from the south. The impact of any

development on this site and ancillary works would damage the rural character of the area.

e) the design of the building is inappropriate for the site and its locality;

As outlined, this is an outline application. Detailed design drawings would be required to support any subsequent reserved matters application. Notwithstanding, the principle of the development of this site, to deliver 1no. dwelling, in unable to be supported, owing to the assessment of the relevant policy framework.

f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;

Officers are unable to make a determination as to the extent of compliance with this policy test, on the basis that this is a high-level, outline application. Notwithstanding, as outlined, the development of the site, to deliver 1no. dwelling, is concluded to not be in accordance with the site context, noting the site circumstances; notably, this is an undeveloped open site which represents a visual break, particularly when viewed from the south and east. Any development of the site would not be concluded to be capable of blending with the landform.

g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

NA

CTY 14 – Rural Character

Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where;

a) it is unduly prominent in the landscape;

As set out, the proposal would extend the building form within a site that lacks vegetative boundaries and enclosure; from approaching the site from the south or east. The site is quite exposed and represents a visual break in the immediate context; and the developing of the site, would result in a prominent feature in the landscape.

b) it results in a suburban style build-up of development when viewed with existing and approved buildings;

The site as existing, is undeveloped and as set-out, represents a visual break in the immediate context. When viewed from the south, noting the existing dwelling to the north, with the agricultural enterprise, further north; the development of the site, to deliver 1no. dwelling would represent an intensification of development within this rural context.

The developing of the application site, would further erode the rural character of the immediate area and result in a suburban style build-up of development when viewed, from the south.

c) it does not respect the traditional pattern of settlement exhibited in that area;

The immediate context does not possess any strong uniform traditional pattern. In some instances, namely, no.2 Mullaghans Road and to an extent; when viewed from the south, no.4 Mullaghans Road, the surrounding existing dwellings are defined as isolated rural dwellings. No's 1 & 3, east of the site, are accessed by neighbouring driveways. Viewing solely these access points; from the west; exhibits a somewhat less isolated character. The overall character of the area however, remains a rural setting. Any development of the application site, would result in the further erosion of the rural nature of the immediate context.

d) it creates or adds to a ribbon of development (see Policy CTY 8);

It is noted that a road separates the application site from no.4; to the north and no's 1 & 3, to the east. This, to an extent, would to an extent break-up any ribboning effect of the developing of the site. However, particularly when viewed from the south, along the junction of Newry Road, the development of the site, to deliver a dwelling; of any scale, would be visually linked with no. 4 to the north, and the agricultural enterprise beyond, further north. To this end, the development would create a ribbon of development; when viewed from the south.

e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

The development of the site inclusive of any ancillary works, would appear as a prominent and intrusive feature in the landscape, eroding the rural character of this part of the countryside. It would result in a suburban style build-up of development when viewed from the south. The impact of any development on this site and ancillary works would damage the rural character of the area

CTY 16 – Development Relying on Non-Mains Sewage

If the application was supported, a condition would be included to ensure a copy of a consent to discharge be submitted prior to commencement of the development, to ensure accordance with Policy CTY 16.

Planning Policy Statement 2: Natural Heritage

Policies NH 2 and NH 5 of PPS 2 stipulate that planning permission will only be granted where a proposal is unlikely to result in unacceptable adverse impacts on, or damage to, habitats, species, or features of natural heritage importance, including legally

protected species. As such is the case for the application site, a biodiversity checklist and associated ecological statement are required due to the applications location within an AONB. Both have been submitted; prepared by Rymont Ecological Consultancy; dated May 2026.

The survey sets out that the mature sycamore and hawthorn trees on the southern boundary may offer bat roosting potential, however, are being retained at present and not covered under the scope of this survey. To ensure retention and protection of existing vegetation where it may offer habitat for protected species, it is appropriate to apply a condition; requiring, in the event, if it was proposed, these trees were removed, for survey work to accompany any subsequent reserved matters application.

The survey sets out that there were signs of badger activity on the site, however there were no setts discovered within or 30m beyond the site's boundary. There appears to be a single well-worn badger trail that suns from the southern boundary, through the centre of the site onto the northern boundary. The trail leads further north into a neighbouring field beyond the 30m from the site's boundary. The site likely contributes as a commuting space, as there were no obvious foraging/snuffle signs on site.

The statement sets out there are no areas of standing water or suitable newt habitats within the proximity to the site and that the scrub vegetation / mature treeline could be suitable for a range of species of nesting birds.

If this application were approved, subject to conditions being secured related to tree works and habitat protection, the proposal could in effect comply and is considered to accord on-balance with Policies NH 2 and NH 5 of PPS 2.

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015

The proposal falls within the threshold of Category 10 (b) – Infrastructure Projects of Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (NI) 2017 and is within a sensitive are (AONB). The Local Planning Authority has determined through EIA screening that there will be no likely significant environmental effects and an Environment Statement is not required.

Policy NH 6 – Areas of Outstanding Natural Beauty

As the site is located within a designated Area of Outstanding Natural Beauty. Policy NH 6 requires that new development within a designated AONB must be of an appropriate design, size and scale for the locality and provided additional criteria is met. The siting of a potential dwelling within the lands in red are considered unsympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality. As set-out within this report, the application would erode the rural character of the site; and the surrounding context, by reason of the site's exposed and open character. Due to the site's circumstances, the development of the site would result in a

prominent addition, which would fail to be able to be integrated into the landscape; resulting in a development, at odds with the rural character and appearance of the site and its surrounding context; contrary to Policy NH 6.

Planning Policy Statement 3 – Access, Movement and Parking
AMP 2 – Access to Public Roads

Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to a new access onto a public road.

Neighbour Notification Checked Yes

Summary of Recommendation

For reasons set-out within this report, the application fails to accord with PPS 21 Policies CTY 2a, CTY 13 and CTY 14.

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Ed) and Policy CTY 1 Development in the Countryside, of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Ed) and Policy CTY2a New Dwellings in Existing Clusters, of Planning Policy Statement 21 Sustainable Development in the Countryside, in that;

   - the proposed site is not located within an existing cluster of development, nor is it a visual entity or associated with a focal point;
   - it doesn't provide a suitable degree of enclosure and is not bounded on at least two sides with other development in a cluster; and
   - development of the site cannot be absorbed into the existing cluster through rounding off and consolidation as it will significantly alter the existing character of the open countryside.

3. The proposal is contrary to the Strategic Planning Policy Statement (2nd Ed.) for Northern Ireland and Policy CTY 13 Integration and Design of Buildings in the Countryside, of Planning Policy Statement 21 Sustainable Development in the Countryside, in that:

- the proposed development would be a prominent feature in the landscape;
- the site lacks long established natural boundaries nor would the development be able to provide a suitable degree of enclosure for the building to integrate
- into the landscape;
- it would primarily on the use of new landscaping for integration;
- ancillary works would not integrate with their surroundings; and
- The development of the site would fail to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.

4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14, Rural Character of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the proposed dwelling would be:

   - unduly prominent in the landscape;
   - it would result in a suburban style build-up of development when viewed particularly from the south;
   - it would create or add to a ribbon of development; and
   - the impact of ancillary works (with the exception of necessary visibility splays) would result in a detrimental impact on the rural character of the area.

5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH 6 Areas of Outstanding Natural Beauty of Planning Policy Statement 2, Natural Heritage in that the siting of the proposal would be unsympathetic to the special character of the AONB in general and of the particular locality; noting the site context and circumstances and the development of the site nor would the proposed development respect or conserve features of importance to the character or appearance of the landscape within the AONB.

Case Officer Signature: J McKee

Date: 24 July 2026

Appointed Officer Signature: A Loughan

Date: 21 August 2026

Delegated Application

Development Management Officer Report	
Application ID: LA07/2024/0749/F and LA07/2024/0547/F	
Application 1: **Proposal:** Section 54 application for non-compliance with condition No. 9 (Social Housing Provision of Planning Approval LA07/2021/2131/F) **Location:** Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR **Application 2**: **Proposal:** Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking **Location:** Lands opposite No 1 Ashgrove Avenue, Carneyhough. Newry, BT34 1PR	
Applicant Name and Address: Enda Boylan Marmions Yard Seavers Road Newry BT35 8NA	**Agent Name and Address:** Eoin Morgan 32a Bryansford Avenue Newcastle BT33 0LG
Date of last Neighbour Notification:	**Application 1:** 27 December 2024 **Application 2:** 9th September 2024
Date of Press Advertisement:	**Application 1:** 23/24th July 2024 and 21st August 2025 (change of proposal description) **Application 2:** 24 July 2024 and April 26 (Change of proposal description)
ES Requested: No	
Consultations: **Application 1 (LA07/2024/0749/F):** **NIHE (14.03.25)** - If NMD Council are content that the applicant has provided sufficient evidence that social housing cannot be provided on this zoned site NY50 and justification for the alternative off- site provision of the social housing requirement then the Housing Executive will offer no further objection to the removal of this condition. We	

would, however, seek assurance from the council that they are content that the Section 76 agreement will secure the delivery of social housing on the alternative site by way of phasing and that the private housing should not be occupied until the social housing is fully occupied.

NIHE (20.12.24) – The HE are minded to object to the removal of Condition 9, unless the Council can provide assurances that a legal agreement, such as a Section 76 Planning Agreement, could be attached to a off-site provision of the equivalent number of social housing units. However, this also raises the question as to whether a new planning application is required for the provision of social housing on the 'off site provision lands' to be considered.

HE support for any off-site provision would be depended on the suitability of the alternative site for social housing i.e. the location of an type, number and mix of units proposed. The timing of delivery is an added concern.

Minded to object to the removal of condition No.9 unless the Council can provide assurances that a legal agreement such as a section 76 Planning Agreement could be attached to an off-site provision of the equivalent number of social housing units.

Dev Plan (03.02.25) – If delivery of the social houses in this instance is secured on an alternative site via a Section 76 agreement then we would be content in principle.

Application 2 (LA07/2024/0547/F):

DFI Roads (17.03.25) - Subject to conditions and informative
NIHE (14.03.25) – Same as above
Rivers (22.11.24) – No objections raised
EH (0909.24) – Subject to condition
NIW (21.10.24) – No objection
SES (21.10.24) – No objection subject to condition
Loughs Agency (26.09.24) – Concern relating to waste treatment infrastructure
HED (13.09.24) – No objection
NIEA (11.09.24) Water Man – Potential to impact and NED -Biodiversity checklist defer to Planning

Representations: Application 1 (LA07/2024/0749/F): 2 letters of representation

Application 2 (LA07/2024/0547/F): No letters of representation received

Letters of Support	0
Letters of Objection	2 (Application 1 – LA07/2024/0749/F)
Petitions	0
Signatures	0

Number of Petitions of Objection and signatures	

Summary of Issues – representation relating to Application 1 LA07/2024/0749/F:

- No information in relation to the removal of condition no.9 available to review

  Proposals relate to the non-complaince of a planning condition of LA07/2021/2131/F, plans etc will be the same as approved under this application – the details of which can be obtained from the planning portal including published details relating to the application file.

- What proposal has been submitted in relation to site boundary's

  The boundary between the site and Cloverdale will remain as is in that existing vegetation will be retained as shown on drawing 09 REV C – Site Plan with related conditions 02 of the decision notice LA07/2021/2131/F requiring development to be in accord with approved plans.

- Overlooking neighbouring properties

  The residential element has been established through the original planning permission LA07/2021/2131/F issues relating to amenity are not revisited as these had previously been considered. Proposals do not change from previous other than relating to the non-complaince of a social housing condition. Nevertheless, development is sufficiently removed from properties to avoid any overlooking.

- Object to the contractor's intention not to construct a perimeter fence along the point where my property boundaries the planned housing site.

  This was not a requirement of the previous planning permission, nor can Planning insist on the provision of such.

Site Visit Report

Site Location Plan:





Site 2:LA07/2024/0547/F

Site 1: LA07/2024/0749/F

Characteristics of the Site and Area

Site 1 site comprises an L-shaped field fronting onto Ashgrove Avenue to the south. It adjoins the grounds of Sacred Heart Grammar School to the east, with undeveloped land directly west (subject to separate application LA07/2024/0547/F) followed by the grounds of Newry High School further west of this, positioned on lower ground.

The rear gardens of residential properties (Cloverdale) adjoin the northern boundary of the site.

The site is bound to the south and east by palisade fencing, with the remaining boundaries mainly vegetative and the addition of close boarded fencing and mature tree along part of the northern boundary. The site is relatively overgrown at present, with some gorse in parts and the landform varies in level across the site, with higher ground in the central and northern portions of the site and the entire site sitting above the level of Ashgrove Road. There are several existing electricity poles positioned across the site.

Whilst Site 2 comprises the SW portion of a much larger field fronting onto Ashgrove Avenue to the south. It adjoins the grounds of Newry High School immediately adjacent and W, with the adjoining land to the E which has planning permission for 46 dwellings (LA07/2021/2131/F and current application LA07/2024/0749/F).

The site is bound by palisade fencing along the W boundary with the outer boundaries undefined but comprising of rising lands.

Both sites are within the development limit of Newry City.

Application 1 is located on lands zoned for housing development (NY 50,) with specified Key Site Requirements (KSR) which includes provision of social housing as identified by the Banbridge, Newry and Mourne Area Plan 2015

Application 2 in contrast is located on unzoned lands.

Both sites are located in an area of mixed use; mainly comprised of residential and educational buildings, with several schools in the surrounding area with associated open space / playing fields. In terms of the established residential character, there are a range of house types and sizes in the locality, ranging from detached bungalows to semi-detached two storey dwellings.

Description of Proposal

Application 1: Non-compliance of condition no. 9 in relation to application reference LA07/2021/2131/F.

Application 2: Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking

The first application seeks to remove a planning condition requiring the provision of 16 social housing units on the original housing site. The second application proposes the delivery of these social housing units on an adjacent site, effectively relocating the obligation.

PLANNING HISTORY

Application 1: Planning history relating to the current application site (LA07/2024/0749/F – noncompliance with social housing condition):

- **LA07/2023/3388/DC** – Condition 7 of LA07/2021/2131/F Street Lighting. Approved 01.03.24

- **LA07/2023/2741/DC** – Condition 10 of LA07/2021/2131/F NIE Agreement. Partially DC 26.10.23

- **LA07/2021/2131/F** - Residential development comprising 46 no. dwellings (16 no. detached and 30 no. semi-detached) - change of house type in respect of approval P/2011/1067/F. Approved 16.01.23 (Exp 16.01.28) (Condition 9 relates to provision of a minimum of 16 Social Housing units)



LA07/2021/2131/F

LA07/2021/1439/PAN - Residential development comprising 46 No. dwellings (change of house type in respect of approval P/2011/1067/F). PAN accepted 21.02.22



LA07/2021/1439/PAN

P/2019/1054/LDP - Erection of approved dwellings on sites 9 & 10 of approval P/2011/1067/F. Approved on appeal (determined that the erection of the approved dwellings on sites 9 and 10 in accordance with permission P/2011/1067/F would be lawful development had commenced on site before the permission expired on 13th November 2017)



LA07/2019/1054/LDP

LA07/2018/0745 - Erection of 2 Houses and a Domestic Garage. Approved





LA07/2018/0745/F

LA07/2017/1344/DC – DC 9 of P/2011/1067/F, Archaeology Condition. Approved 22.09.17.

LA07/2017/0808/F - Removal of condition 2 on Planning Approval P/2011/1067/F. Condition 2 requires that 16 of the 47 units approved are provided for social rented housing. Refused 10.11.17.

The proposal is contrary to the SPPS and designated zoning NY50 of the Banbridge/ Newry and Mourne Area Plan 2015 in that the key site requirements states that a minimum of 16 dwellings shall be provided for social housing.

LA07/2017/0311/DC - DC 9 and 10 attached to planning permission P/2011/1067/F. Partially DC 13.04.17 (Archaeology)

P/2014/0293/F - Proposed extension of existing approved housing development, planning ref P/2011/1067, to incorporate relocated entrance and repositioning of 6no dwellings with amendments to house types A,F,G & B. Nos 42-47. Refusal 20.10.15.

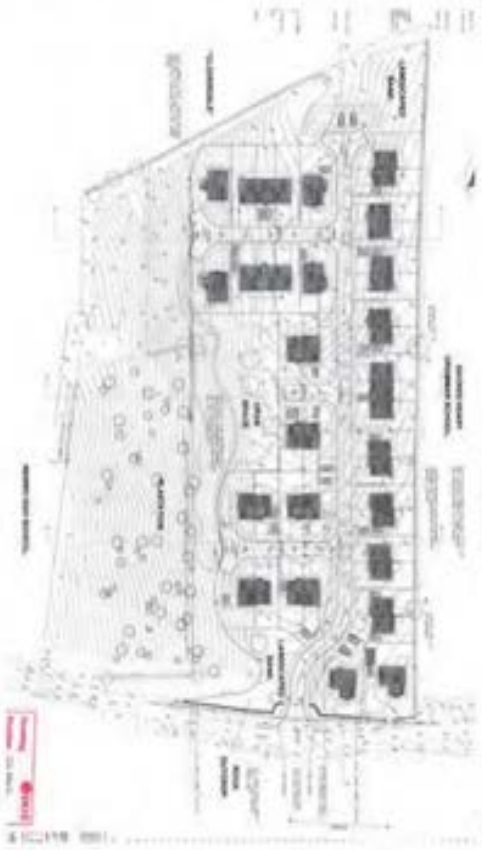
Refused Contrary to QD1 of PPS7 and SPPS 4.11 and 4.12 due to impact on residential amenity





P/2011/1067/F - Erection of residential development (comprising 2 No. detached dwellings, 28 No. semi-detached dwellings, 9 No. terraced dwellings (in 3 blocks) and 8 No. apartments (in 4 blocks) - 47 No. units in total, to include 16 No. social housing units). Approved 15.11.12.

Condition 2 – Minimum of 16 dwellings for social housing



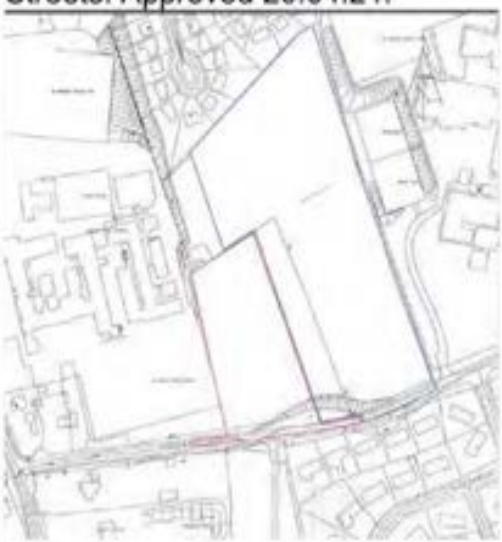
P/2011/1067/F

Application 2 – LA07/2024/0547/F: Planning history relating to the adjacent site to the W of current application (relocation of social housing condition):

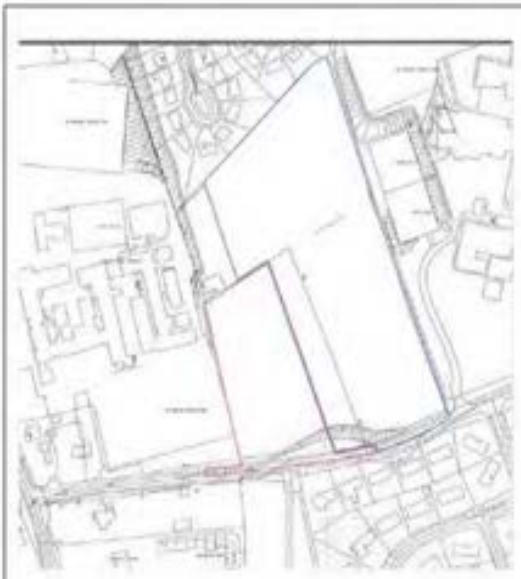
LA07/2024/0547/F - Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking. (Current Application - Under consideration)

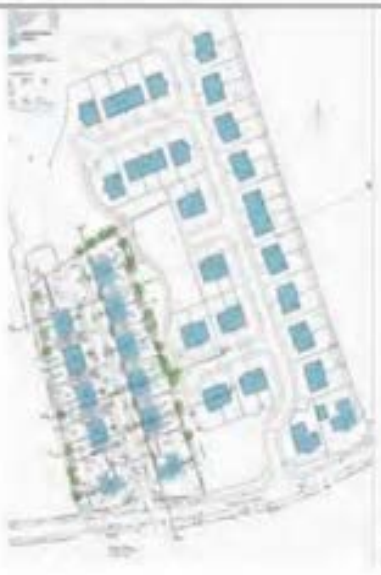


LA07/2021/0474/DC – Condition 6 of LA07/2019/1092/F – Condition relating to Private Streets. Approved 20.04.21.



LA07/2019/1092/F - Residential development comprising 18 No. 3-bed semi-detached houses and 2 No. 3-bed detached houses (20 No. dwellings in total) Approved 08.02.21 (expires 08.02.26)





LA07/2019/1092/F

LA07/2018/1074/F - Housing Development comprising of 2 No. 4 bedroom Houses and 26 No. 2 Bedroom Apartments (amended proposal). Appeal dismissed 29.05.19

Non-determination appeal – The design and layout for 28 units does not draw upon the best traditions in terms of form, fails criteria g of QD1. Design concept harmful to the character of the surrounding area fails a of QD1. Public and private provision of open space unacceptable failing criteria c of QD1 and OS2 of PPS8. Density higher than surrounding – Fails criteria a and b of LC1





LA07/2018/1074/F

Planning Assessment of Policy and Other Material Considerations

Application 1, Proposal:

Proposal refers to the non-compliance of planning no. 9 in relation to application reference LA07/2021/2131/F. It is therefore deemed a Section 54 application (under the Planning Act (Northern Ireland) 2011) which is used to develop land without complying with conditions previously attached to planning permission for e.g. varying or removing a condition.

As the extent of the application site exceeds 2.01 ha the application would be considered major albeit the proposal intends to remove a planning condition. As this application is for a section 54 it is not "*an application for planning permission for a major development*". It is an application for planning permission *"for the development of land without complying with conditions subject to which a previous planning permission was granted". (section 54(1)).*

There is clearly a difference in the writing of and emphasis in section 27 (1) (Pre-Application Community Consultation) and section 54(1). Had it been intended that this type of application made under Section 54(1) were to be considered within the range of Section 27(1) this would have been specified.

The Planning Department does not consider that it can have been the intention in, enacting the Planning Act (Northern Ireland) 2011 that applications like this one under section 54 would automatically and always be caught by the requirement for pre-application community consultation. The original application has already been subject to pre-application community consultation when the parent permission was granted, in this case LA07/2021/2131/F (Approved 16.01.23) and remains extant.

The Planning Department is additionally content that this application has been brought to the attention of the community through the statutory consultation procedures and that the community has had an opportunity to comment on the application. All comments received have been taken into account. The Planning Department does not consider that there is any need for pre-application community consultation in this case.

The same principle applies to the requirements for a Design and Access Statement as set out within he Planning (General Development Procedure) Order (Northern Ireland) 2015, in this case as permission seeks to not comply with a condition relating to social housing it neither relates to doesn't or access thus it is not considered that this is required in this case.

EIA was not required for the original housing development; there has been no change in circumstances that the same outcome applies in this case. As well as the adjacent site relating to no EIA required.

PLANNING POLICY, GUIDANCE AND OTHER CONSIDERATIONS

The submission relates to two applications which are interrelated and are referred within the planning report as Application 1 (LA07/2024/0749/F) and Application 2 (LA07/2024/0547/F),

In simple terms the first application (application 1 – LA07/2024/0749/F) seeks to remove a planning condition requiring the delivery of 16 social housing units on the original housing site, zoned (NY50) with specified KSRs and was made conditional on the original permission LA07/2021/2131/F under condition 9 for delivery. The second application (Application 2 -LA07/2024/0547/F) proposed the delivery of these social housing units on an adjacent site, effectively relocating the obligation and enter into a Section 76 Planning Agreement once all private dwellings have been provided and occupied.

Application 1 and 2: The principle for residential development and access arrangements have been established through the granting of planning permission under LA07/2021/2131/F (Exp 16.01.28) and LA07/2019/1092/F (Exp 08.02.26) with relevant planning policy and guidance considered which is fully detailed within the relevant planning report. With exception that Application 2 had approval for 20 units in total the current proposals for 24 units adhere to layout/ design and changes only within the footprint are not material different. Matters relating to policy will not be revisited as the applications were extant during lifetime of current applications.

Issues for consideration include:

- acceptability of the deviation from the area plan and specific Key Site Requirements (KSR) which require a minimum of 16 dwelling houses be provided for social housing at the application site
- relevant planning history (LA07/2017/0808/F) as a material consideration in the assessment of the application
- justification by the applicant to set aside the restrictive KSR/ land zoning and consideration of supporting information
- interrelationship of both applications LA07/2024/0749/F and LA07/2024/0547/F

BACKGROUND

The original application (Application 1) for housing development P/2011/1067/F for 47 dwellings was approved 15th November 2012 included a number of pre-commencement conditions (relating to drainage, roadworks arch, retaining walls, street lighting, road markings, traffic management details). Not all pre commencement conditions were discharged including that of Condition 2 relating to the provision of and detailing of social housing at the site. The developer subsequently sought to remove this condition under LA07/2017/0808/F and was refused planning permission on the grounds that it was contrary to the provisions of the area plan and the SPPS.

The developer then applied for a CLUD LA07/2019/1054/LDP relating to units 9 and 10 of LA07/2011/1067/F. Following evidence provided to the PACNI the commission was satisfied that development on that part of land within LA07/2011/1067/F had lawfully commenced. The commissioner was also satisfied that the pre commencement

condition relating to the identification of units proposed for social housing had been satisfactorily addressed and the CLUD was granted.

Following this the developer proceeded to seek permission for a lesser number of units (46 units) and change of house types under application ref. LA07/2021/2131/F relating to the same site which was approved 16.01.23 (Exp 16.01.28) with an attached condition No. 9 relating to provision of social housing.

Application 2 remained relatively unchanged from the original approval for 20 units Under ref LA07/2019/1092/F (exp 08.02.26), although an attempt was made to increase unit numbers to 28 on this site which was subject to a non-determination appeal and dismissed (LA07/2018//1074/F)

This was proceeded by the submission of two separate applications with Application 1 seeking removal of this condition, proposing relocation of the social housing units to an adjacent site and Application 2 seeking permission to develop the adjacent site incorporating the relocated social housing units. Both applications are interdependent: the approval of Application 2 depends on the approval of Application 1. The applicant has indicated that delivery of such can be provided through a legal agreement.

Following consultation with Development Plan in their reply (03.02.25) advised that if delivery of the social house is secured on an alternative site via a Section 76 agreement, then the consultee would be content.

NIHE in their consultation responses (14.03.25 and 20.12.24) have set out that only if the Council are satisfied that sufficient evidence that social housing cannot be provided on the zoned site NY50 and alternative off site is justified they would offer no further objection but this would be subject to a Section 76 agreement to agree delivery on the alternative site and the private housing should not be occupied until social housing is fully occupied.

The application was advertised 23/ 24th July 2024 and 2nd/3rd September 2025 (following neighbours notified 11th December 2024. Two objections have been submitted which have been fully considered but both have raised no issues in relation to the specific removal of the planning condition.

Area Plan:

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the local development plan, insofar as material to the application and to any to other material considerations.

The Planning Committee originally granted planning permission for LA07/2021/2131/F for a major application relating to a residential development comprising 46 dwellings (16 detached and 30 semi-detached). The site is located within the development limits of Newry on land zoned for housing under NY 50 which includes Key Site requirements

(KSR) which includes a minimum of 16 dwellings shall be provided for social housing, which developers are expected to meet. NIHE were originally consulted in respect of the site (LA07/2021/2131/F) and identified the site to meet social need, with the non-compliance of the KSR meeting resistance from NIHE.

One of the essential requirements of NY50 is for the delivery of social housing. The applicant advised * that they would deliver the 16 social housing units on the application site meeting the KSR and the original housing application was approved on this basis.

*This was set out within the DAS submitted for LA07/2021/2131/F The Appellant's representative provided documentary evidence, firstly relating to fulfilment of several pre-commencement conditions pertaining to P/2011/1067/F: written confirmation to the Council on 9 November 2017 as to the number of social rented housing units that would be included within the development.

The Section 54 application now lodged for a non-compliance of the social housing condition 9 (delivery of 16 Social Housing Units) of the LA07/2021/2131/F is not complied with and in substitution of the KSR of 16 social houses offer an alternative site immediately adjacent to provide 20 social houses and 4 apartments (24 units) under a separate application LA07/2024/0547/F.

The area plan having gone through public inquiry/ consultation prior to finalisation is very clear on its identified need and requirement for the provision of social housing on this specific site. The Plan with inclusion of the land zoning and KSR is designed to ensure rational and consistent decision on planning applications any deviation from this will run contrary to the area plan.

The SPPS (2nd edition) acknowledges that the current planning system of identification of reservation of land for social housing which will be achieved through the zoning of land or the outlining of key site requirements through the development process the identified need should have agreement with the NIHE for specifically zoned sites.

With the policy further reinforcing where social housing is identified it should assist in achieving more balanced communities through achieving a mix of housing tenures and house types as it enables those on low incomes to make the transition from renting of social housing to that of home ownership. Social housing should be provided by developers as an integral element of larger housing developments where a need is identified.

The Area Plan and KSR are of utmost most of importance of provision of social hosing need with the planning policy going hand in hand in supporting this requirement.

The site in question has been identified as zoned for housing with KSR which developers are expected to meet. Any proposal which runs contrary from these requirements of the area plan, KSR and planning policy requirements have no basis for approval unless there are overriding and justifiable reason for setting the requirement aside.

The applicant has provided supporting information to justify this position, consideration of this is set out below:

Supporting Information:

- Emails from agent 07.04.26/ 01.04.26/ 09.03.26/06.03.26/02.03.26/11.12.25/ 30.09.25/23.05.25 04.03.25/ 17.01.25/10.12.24

- Viability Covering Letter from agent 09.03.26 (dated 06.03.26)
- Viability Assessment 09.03.26
- Letter from agent 06.03.26
- Co ownership letter 23.05.25 (dated 11.11.24)
- Letter from Alpha 05.03.25 (dated 04.03.25)
- Planning Statement 23.05.24
- Draft 3 Planning Agreement 17.01.25

Justification by the applicant

The applicant has provided correspondence and a viability assessment dated 9th March 2026, key points of supporting information has been identified and considered in detail below:

- **Viability of Proposal** – The letter and viability assessment set out that the inclusion of 16 social housing units on the site would render the development unviable due to increased construction costs.

This has been looked at two-fold as keeping the application site as private only (this is facilitated by the non-compliance of the condition with social housing transferred to the adjacent site subject to the sperate application and legal agreement – La07/2024/05477/F) or adhere to the mixed tenure of private and social housing as originally approved.

From the information provided and remaining with the status quo (private and social as approved) the applicant has indicated that this would not be viable due to reduced market prices for private units and increased costs for social housing, whereas having private only on the site makes this development marginally viable.

The costing provided only relates to the approved housing scheme which includes the social housing condition – private and social (LA07/2021/2131/F) and with noncompliance of the condition allowing opportuinity of the site to be private only. These calculations do not appear to account for development of the sperate site (LA07/2024/0547/F).

The costings in terms of gross development value and total development costs by contrast are not significant to warrant non-compliance with a social housing condition as prescribed within the area plan and KSR.

Indeed, whilst profit margin is shown to be significant between private versus private and social provided at the application site (costings relating only to development of the site LA07/201/2131/F and current application LA07/2024/0749/F) it does not take into account the potential to redevelop the adjacent site separately as a standalone development for private housing which may skew the overall figure. It should also be noted that the original permission at Application 2 was for private housing only.

Although the applicant has indicated that non-compliance and move social housing requiring to the alternative site could be dealt with by way of a legal agreement.

The adjacent site (subject to application LA07/2024/0547/F) located within the development limits, has an established planning history of housing , has no zoning or KSR associated with the site could be developed as a standalone development for either social or private housing without need for a legal agreement, which may enhance the overall profit margins that do not appear to have been addressed.

The statement sets out that social housing is not profitable within the current site but yet the applicant seeks to move the minimum requirement of 16 (as required within the KSR of the site and by condition 9 of LA07/2021/2131/F) onto an adjacent site and create what is claimed to be unprofitable units by providing more of these units (20 units and 4 apartments), there is simply no basis for this assertion nor any overriding reason why the social housing units could not be facilitated within the current site.

The viability assessment goes on to look at inflationary pressures, construction costs and low profit margin with development delayed until such times as house prices rises and construction costs decrease as impacting upon the original scheme no longer viable due to reduced market prices for private units and increased costs of providing social housing, hence the reason for the non-compliance and moving the social housing element elsewhere.

Taking account of external market forces such as inflationary pressure, construction costs, geopolitical instability may lead to price cooling but is in a constant state of flux impacting on market forces which is acknowledged the applicant may have no control, what may not be viable at present could ultimately change.

Furthermore the covering letter (06.03.26) also indicates that that building out the existing approved development will deliver marginally viable and generates a limited level of profit that the removal of the social housing condition to be off set with a legal agreement it is should be sufficient and 'considered appropriate that the applicant be permitted to construct and occupy all 46 dwellings on the upper site in the first instance' and it is 'proposed that once the 46 private dwellings have been constructed

and occupied, this would then trigger the Section 76 obligation requiring the delivery of the 24 social and affordable housing units on the adjoining lower site'.

The letter goes on to say that 'the applicant could build and occupy 50 units of private housing across the 2 sites without triggering and requirement to build any social units'. This statement is clear that there is no intention to deliver on social housing on the existing site zoned for this purpose but also on the adjacent site, with or without a legal agreement. This scenario would result in either delay or no prospect of provision within the future and fails in the delivery of much needed social housing as identified and zoned within the area plan and KSRs. This runs contrary to the objectives set out within in the area plan, KSRs and planning policy in this regard ultimately failing to comply with the key site requirements and therefore cannot be considered complaint with the established planning policy framework.

The viability of the project does not provide significant justification or overriding reasons for setting aside the requirement to provide social housing specifically at this zoned housing site.

Ensures Mixed Tenure:

The applicant proposes to provide 24 units on the adjoining lower site through a Section 76 Agreement, by the noncompliance of the social housing condition and offsetting to the adjacent and alternative site. This includes a mix of 16 social housing units, 4 Co-Ownership 4 intermediate housing units for sale via the Co-Ownership scheme, and 4 private units for sale on the open market, ensuring a mixed tenure approach.

It also goes on to say that the proposal includes measures to ensure proper integration of social, intermediate and private units to avoid segregation and achieve balanced tenure mix.

The land zoning of NY50 and associated KSR are a result of a full public inquiry including allocations taking account a wide variety of information, market analysis and input from numerous stakeholders in relation to social housing such as the NIHE. This site was specifically zoned for the provision of social housing (LA07/2021/2131/F and LA07/2024/0749/F) the adjacent site was not.

The development plan is the primary vehicle to facilitate any identified need for zoning or through key site requirements where a proportion of a site may be required for social/ affordable housing. It allows for 'pepper potting' for the dispersal of a particular type of housing often social or affordable housing throughout a development rather than clustering it in one location.

This specific site was identified and zone for this specific provision. The current application LA07/2021/2131/F provides for 46 units of which 30 are private and 16 conditioned for social housing use. This zoning and KSR accords with the availability of

provision of affordable housing to create a mixed and inclusive community. This can be achieved within the current site.

The applicant has sought to lodge a section 54 application to not comply with the social housing condition of LA07/2021/2131 which effectively removes the condition and that in lieu of the KSR of 16 units this will be offered on the adjacent and alternative site setting out a total of 24 units, 16 social, 4 co-ownership and 4 private under LA07/2024/0547/F. This effectively creates a segregated community, with the vast majority giving rise to a concentration of single tenure housing, leading to a socially segregated area and undesirable clustering of similar housing which leads to the creation of an unbalanced and integrated community. Which not only deviates and is contrary to the area plan but goes against the principles of planning policy in particular the SPPS (2nd edition).

The proposals presented serve no overwhelming benefit in its creation. Not only will it run contrary to the plan and KSRs. It will inevitably cause fragmentation, disconnecting and poorly integrating land use and communities through the creation of an isolated pocket of housing which lacks connectivity between neighbourhoods and a segregation of housing tenure which may create the conditions to undermine community cohesion and give rise to anti-social activity. Overall proposals will undermine the area plan, goes against prevailing planning policy and will set an unacceptable precedent as well as issues raised above.

Risk to construction jobs

Email from agent 9th March 26 advised that the development has the ability to ensure 70 units of housing are delivered. The delay in granting planning will put 'local construction jobs at risk which can be verified by the Chamber and local Councillors' and that the applicants construction workers ' will seek other employment in the south due to delays'.

Whilst the loss of construction jobs is influenced by economic forces outside the control and remit of the Planning Department. Subject to the discharge of pre-commencement conditions the original planning permission LA07/2021/2131/F remains extant and in effect could be built out within the lifetime of the permission or secured for future development likewise this could also have been done on the separate and adjacent site.

Any claimed loss of construction jobs is short-term and transient, impact that carries negligible weight in planning terms and does not outweigh the schemes failure to deliver social housing or comply with the area plan and key site requirement.

NIHE

Correspondence/ emails (09.03.26, 06.03.26) outline that the NIHE in their consultation response on the 14th March 2025 advised that if the Council are satisfied that the applicant has provided sufficient evidence demonstrating that social housing cannot be delivered on the zoned site (NY50) together with appropriate justification for social housing offsite they would offer no further objection.

NIHE in their initial consultation 20.12.24 were minded to object to the removal of condition 9 relating to social housing condition unless assurances that a legal agreement could be attached. Following additional information the NIHE comments were reviewed with comment 14.0.25 advising if the Council were content that the applicant had provided sufficient evidence that social housing cannot be provided on this zoned site NY50 and justification for an alternative was found acceptable, they would offer no further objection. They also indicated that social housing should be provided by way of a phasing arrangement and that private housing should not be occupied until the social housing was occupied. Phasing has not been explored by the developer.

It is evident from the submission that private development is being prioritised, with social housing effectively deferred, in clear conflict with the area plan and key site requirements. There has been no robust justification for relocating social housing from an approved policy-designated location, resulting in clear non-compliance with the area plan and KSR.

On this basis it has not been satisfactorily demonstrated that social housing can be delivered on the designated site, nor any substantive justification for its relocation elsewhere resulting in a clear conflict with the area plan and the KSR. Therefore, the objections from NIHE and Planning remain valid and relevant.

The Planning Department is not satisfied that a legal agreement carries sufficient weight where the proposal prioritises private housing delivery, relegates social housing to an afterthought and effectively circumvents the area plan and policy provisions. It is also noted that the adjacent site could in effect be development as a standalone project without a legal agreement.

Letter of Co-ownership

A letter submitted 11.11.24 from Co-Ownership notes the applicant's interest in co-ownership, it does not constitute a firm or binding commitment relating to the adjacent site in delivery of social/ affordable housing and therefore carried limited weight in planning terms nor justification for setting aside the key site requirements or provisions of the area plan.

Furthermore, it has not been demonstrated why this could not be delivered at the existing application site where there is clear zoning and key site requirements attached for such provision.

Letter from Social Housing Provider:

Referring only to Application 2 the applicant has submitted a letter from Alpha Housing dated 4th March 2025 which have indicated that they 'have registered this site for Affordable housing' and advise 'following grant of planning … will purchase the part of the site for social housing'.

Whilst acknowledging the commitment of the social housing provider to deliver units on Application 2. It is unclear nor has it been demonstrated why the provider did not instead pursue or commit to a site where zoning was already established and key site requirements were clearly defined to facilitate such a development

Viability Letter (Letter dated 06.03.26), Development Plan considerations:

The applicant requests that the viability report is treated as material consideration having regard to the Draft Plan Strategy.

This has been taken into account in the assessment. The viability evidence submitted indicates that the provision of social housing is not viable, and supporting evidence provided in this regard. However, the evidence is not considered to be sufficiently robust or compelling to justify setting aside the established key site requirements or the provisions of the area plan.

In considering these circumstances, regard has also been had to the viability testing set out within the draft strategy. However, as this strategy has not yet been adopted, the weight that can be attributed to it is limited and therefore not significant.

Relaxation of KSRs (Planning Statement 23.05.24)

The applicant contends that the rationale for removal of social housing conditions finds merit in the relaxation of KSR requirements within the Council area have already been established through planning approvals P/2008/1329/O at 60mSE of 53-55 North Street, Newry (approved 20.02.10) and P/2012/0641/O (approved 17.12.24) 53a and 55 Dominic Street and to the rear of 54-82 Barcroft Park, Newry.

While both sites predate the adoption of the Area Plan, neither site is subject to land use zoning or key site requirements relating to social housing. As such, they are not directly comparable and do not constitute an overriding justification for setting aside the social housing requirements established within the Area Plan and associated key site requirements.

Social Housing Developments on Un-Zoned Whiteland (planig Statteent23.05.24)

The applicant has set out a number of relevant and recent planning approvals on unzoned 'white lands' and committed housing sites which must be considered regarding the development of 20 social houses.

While each site must be assessed on its individual merits the designation of land as 'white land' does not preclude its suitability for social housing development. What distinguishes this case is the interdependence between the two applications and the proposed displacement of social housing provision to an alternative site (subject to legal agreement), without due regard to the Area Plan or established key site requirements.

Summary and Conclusion:

The original site is zoned for housing under the Banbridge/ Newry and Mourne Araea Plan 2015 (BNMAP 2015). The original permission LA07/2021/2131/F included a condition requiring the delivery of 16 social housing units on the site. Application 1 seeks non-complaince of this condition, proposing relocation of the social housing units to an adjacent site. Whereas Application 2 seeks permission to development the adjacent site incorporating the relocation of the social housing units.

The Planning Department has considered supporting evidence, correspondence and emails accompanying the application for consideration. From the reasons set out above it is deemed that there is no compelling or robust evidence submitted to justify the removal of the social housing requirement from the original site. Relocating all social housing to a single site would result in over concentration to one location running contrary to the area plan land zoning, key site requirements as well as planning policy direction on mixed communities. Both applications are interdependent with the approval of Application 2 (LA07/2024/0547/F) dependent upon the approval of Application 1.

Both applications fail to respect the plan-led approach, which is central to the Planning Act (Northern Ireland) 2011. Furthermore BNMAP 2015 clearly envisages balanced residential development on each site, with policy obligations secured on the site to which they were originally attached. Redistribution of obligations undermines site-specific policy intent and the Planning Departments ability to deliver sustainable communities.

The Planning Department recommends refusal of both applications resulting from conflict with the BNMAP 2015 and SPPS (2nd Edition)

Application 1 – Removal of Social Housing Condition

- The 16-unit social housing requirement is a key element of the original permission and the zoning intent in BNMAP 2015.

- Removal would undermine the plan-led approach, resulting in a development that is non-compliant with the Area Plan and SPPS objectives.
- Insufficient evidence presented to justify removal (supporting information as considered above), approving the application would set a precedent for bypassing policy requirements.
- Approval would reduce integration, weaken mixed tenure objectives, and make the community less sustainable.

Application 2 – Relocation of Social Housing to Adjacent Site

- The proposal would result in all social housing units being concentrated on a single site, creating a predominantly single-tenure development.
- This conflicts with SPPS 2015 guidance promoting mixed communities and integration of social housing.
- The application is premature, as it depends on the removal of the obligation from the original site.
- Approval would produce a piecemeal and incoherent development pattern, inconsistent with BNMAP 2015

Summary of Recommendation

The Planning Department has fully considered the objections as well as supporting information in the assessment of both applications.

The Planning Department contends that both applications fail to comply with BNMAP 2015 zoning and site-specific requirements, contravening the SPPS (2nd Ed.) principles which promote mixed tenure, balance and sustainable communities. Having considered the supporting information and justification for proposals, there is no compelling justification to override the requirements of the area plan or contravene planning policy.

Reason for Refusal:

Application 1 - Removal of Social Housing Condition:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Edition) and Banbridge, Newry and Mourne Area Plan 2015 designated land zoning and Key Site Requirements in that:

- There is no justifiable, overriding reasons or robust evidence for the non-compliance of the planning condition No. 9 of LA07/2021/2131/F which is a key

element of the original permission and the zoning intent of the area plan;
- Proposals fail to adhere to the land zoning and key site requirements;
- Removal would undermine a plan-led approach which is non-complaint with the Area Plan and SPPS objectives
- Non-compliance of planning condition No. 9 of LA07/2021/2131/F would set precedent for bypassing the area plan, key site requirements and planning policy requirements
- Contravene the Area Plan and SPPS (2nd Ed.) principles promoting mixed tenure, balanced, and sustainable communities

Application 2 – Relocation of Social Housing to Adjacent Site

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Edition) and Banbridge, Newry and Mourne Area Plan 2015 in that:

- Proposal would result in all social housing being concentrated on a single site , creating a predominantly single tenure development which contravenes the area plan and planning policy;
- Cause fragmentation, disconnecting and poorly integrating land use and communities through the creation of an isolated pocket of housing which lacks connectivity between neighbourhoods and a segregation of housing tenure which may create the conditions to undermine community cohesion and give rise to anti-social activity
- Conflicts with the area plan and SPPS which promotes mixed communities and integration of social housing
- Application is premature as it depends on the removal of the obligation from the original site
- Approval will create a piece meal and disconnected development pattern, inconsistent with the area plan and the SPPS (2ndEd.)



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin
Newry, Mourne
and Down
District Council

Addendum to Case Officer Report

Application Reference: LA07/2024/0749/F and LA07/2024/0547/F

Application 1:

Proposal: Section 54 application for non-compliance with condition No. 9 (Social Housing Provision of Planning Approval LA07/2021/2131/F)

Location: Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR

Application 2:

Proposal: Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking

Location: Lands opposite No 1 Ashgrove Avenue, Carneyhough. Newry, BT34 1PR

1.0. Background.

1.1. This Addendum should be read in conjunction with the case officer report, previously circulated (LA07/2024/0749/F and LA07/2024/0547/F – April 2026).

1.2. By way of background, the application was presented with an opinion to refuse planning permission to the Council's Planning Committee on 22nd April 2026.

In presenting the application the Planning Department outlined the reasons for refusing both applications. Both of which, were a result of failure to comply with the Banbridge, Newry and Mourne Area Plan 2015 zoning and site specific requirements, contravening the SPPS (2nd Ed) principles which promote mixed tenure, balance and sustainable communities. Having considered the supporting information and justification for

proposals, it was advised that there is no compelling justification to override the requirements of the area plan or contravene planning policy.

1.3. The agent outlined to the Planning Committee that both applications were linked and sought:

- A variation of an existing social housing condition.
- An amendment to a previous residential approval.

Advising that the approved scheme for the larger site (46 units, including 16 social housing homes) was no longer financially viable due to increased construction costs. The applicant intended to relocate and increase the social housing provision to the adjacent smaller site delivering 24 social housing unts approximately 20 metre from the from the original zoned site with key site requirements in substitution for provision of 16 units and would provide more units on the smaller site (LA07/2024/0547/F – History LA07/2019/1092/F – 18 units Approved 08.02.21).

To secure the delivery of the required social housing provision could be secured by way of a Section 76 Planning Agreement with tenure mix and delivery arrangements to be agreed, with both applications subject to completion of a Section 76 Planning Agreement.

1.4 The Planning Committee following extensive discussion regarding the proposed Section 76 arrangements and their legal implications, a proposal was taken to defer both applications to allow further discussions on the Section 76 Planning Agreement.

1.5.1 A Section 76 Planning Agreement was submitted (July 2026). The agreement relates primarily to:

- **Site 1:** LA07/2024/0749/F, seeking removal of condition 9 from permission LA07/2021/2131/F.
- **Site 2:** LA07/2024/0547/F, for a residential scheme comprising affordable and market housing.

The core proposals relate to the existing requirement to provide 16 social rented homes on Site 1 which would be transferred to the adjoining Site 2 and subsequently provide, 16 social rented homes, 4 intermediate/ affordable homes and 4 market homes.

Restrictions include that no more than 30 market housing units on Site 1 may be occupied until 20 affordable housing units on Site 2 have been constructed to the approved specification, a certificate of completion has been issued for units and that 16 social rented units have been transferred to a registers housing association. This effectively reflects the current position whereby the delivery of the affordable housing component is linked to occupation of the wider residential development.

1.6 In terms of Planning consideration the existence of the Section 76 Planning Agreement is a material consideration to address concerns regarding the departure from the Area Plan, Planning Policy and related Key Site Requirements (KSR's) by the relocation of the social housing provision from Site 1 to Site 2. The Section 76 Planning Agreement provides a robust mechanism to secure delivery of the affordable housing provision and gives the Planning Department certainty and control in relation to its implementation.

Whilst the relocation of the social housing provision from Site 1 to Site 2 does not strictly adhere with the original development approval. Nevertheless, the amount of affordable housing is not only maintained but enhanced through the provision of four additional intermediate/ co-ownership units over and above the original requirement. The Agreement allows for the delivery of mixed tenure housing and ensures that the social housing is delivered prior to completion of the adjoining private housing provision. Therefore, by way of agreement the provisions of the Area Plan and Planning Policy are satisfied.

1.7 **Conclusion**:

In conclusion, although the proposal involves a relocation of the affordable housing provision previously secured on Site 1 by way of a planning condition. The Section 76 Planning Agreement provides a legitimate, legal and enforceable means to guarantee delivery of social housing on the adjacent Site 2. It will also ensure that social housing units are constructed and transferred to a registered Housing Association prior to the occupation of additional dwellings on Site 1 and the scheme will deliver 20 affordable housing units above the level originally required, which weighs positively in favour of the application - subject to legal agreement. Overall, it is considered that the proposal will now satisfy the planning policy and the objectives laid down within the area plan in delivery of social housing and that the changes would not cause any unacceptable impacts.

1.8 The applications LA07/2024/0749/F and LA07/2024/0547/F are now returned to Planning Committee with a revised recommendation to approve both applications subject to the draft Section 76 Agreement being executed by both parties.

Draft Conditions LA07/2024/0749/F

1.The development hereby permitted shall be begun before the expiration of 5 years from the date of grant of planning permission LA07/2021/2131/F.

Reason: As required by sections 54(5) and 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby approved shall take place in strict accordance with the following drawings:

- 11 REV A (Location Map)
- 01 (House Type A)
- 02 (House Type B)
- 03 (House Type B (i)
- 04 (House Type C)
- 05 (House Type D)
- 06 (House Type D (i)
- 07 (House Type E)
- 08 (House Type F)
- 09 REV C (Site Plan)
- 10 REV A (Site Plan – Road Bond)
- 11 (Sections)

Reason: To define the permission and for the avoidance of doubt.

3. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 10 Rev A (Site Plan – Road Bond) bearing the date stamp 1st November 2022

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

4. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 10 Rev A (Site Plan – Road Bond) bearing the date stamp 1st November 2022 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. No dwellings hereby approved shall be occupied until that part of the service road

which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

6. No dwellings hereby approved shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars as shown on the approved plan (Drawing No. 10 Rev A (Site Plan – Road Bond) date stamped 1st November 2022 and 09 Rev C (Site Plan) date stamped 1st November 2022.

Reason: To ensure adequate in-curtilage parking in the interests of road safety and the convenience of road users.

7. The Street Lighting scheme, including the provision of all plant and materials and installation of same, will be implemented as directed by the Department for Infrastructure's Street Lighting Section

Reason: To ensure the provision of a satisfactory street lighting system, for road safety and convenience of traffic and pedestrians.

8. Prior to the commencement of development hereby approved, a copy of the agreement from Northern Ireland Electricity (NIE) for the alteration to the existing overhead line shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To maintain the safety clearances required to Northern Ireland Electricity overhead lines.

9. The open space and amenity areas as indicated on the drawing No 09 Rev C (Site Plan, date stamped 1st November 2022) shall be managed and maintained in accordance with a detailed Landscape Management and Maintenance Plan which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling hereby approved. Development shall take place in accordance with the approved details.

Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.

10. During the first available planting season after the occupation of the first dwelling, or as otherwise agreed in writing by the Local Planning Authority, landscaping shall be carried out in accordance with the approved details (as shown on Drawing No. 09 Rev C - Site Plan, date stamped 1st Nov 2022) and maintained thereafter.

Reason: In the interest of visual and residential amenity.

11. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Department, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Planning Department gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

Draft Conditions LA07/2024/0547/F

1.The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2.The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 11 ASHGROVE AVENUE, bearing the date stamp published 28th February 2025.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

3.The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.11 PSD ASHGROVE AVENUE bearing the date stamp published 28th February 2025, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road use

4. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars at the rate of 2 spaces per dwelling.

5. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall

be carried out prior to the occupation of any part of the development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape

6. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the

Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

7. The retaining walls shall be designed in accordance with the relevant British Standards or Codes of Practice and the retaining wall design shall accommodate any lateral loading from the retained slope. Any such design and assessment shall be certified by an appropriately qualified engineer.

Reason: To ensure that the structure is designed to meet relevant British Standards or Codes of Practice

Development Management Officer Report	
Application ID: LA07/2025/0561/F	
Proposal: Proposed 9 classroom modular school building with offices, storage, toilet and shower facilities with associated external play areas, internal and external services areas and bin store, car parking, access roads and footpaths. (Application in lieu and to supersede planning approval Ref. LA07/2021/0296/F)(Amended proposal description)	**Location:** Lands adjacent to and south of Rathore School 23 Martins Lane Carnagat Newry BT35 8PJ
Applicant Name and Address: Jonathan Bell 3 Charlemont Place The Mall Newry BT61 9AX	**Agent Name and Address:** Derek Logue 22-24 Lodge Road Coleraine
Date of last Neighbour Notification:	20 June 2025
Date of Press Advertisement:	6 May 2026
EIA Determination:	
Consultations: DFI (11.09.26) – No objection subject to condition NIEA Water Catchment (10.07.26) – Content subject to conditions NIEA Heritage (10.07.26) - No concerns subject to recommended conditions. EH (05.12.25) – No objection subject to conditions Rivers Agency (19.12.25) FLD1 - Development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. FLD2, FLD 4 and FLD 5 - Not applicable to this site. FLD3 - While not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.	

Climate Change - The site does not lie within the 1 in 100 year climate change fluvial flood plain or the 1 in 200 year climate change coastal flood plain. HED Monuments (18.11.25 and 05.08.25) – Content, subject to conditions NIW (09.07.25) – Approved NIEA Regulation (10.06.25) – No objections NIE (10.06.25) – No objections
Representations: None received

Site Visit Report

Site Location Plan:



Characteristics of the Site and Area

This site is in the western suburban edge of the city. Uses in the locality are mixed and include residential, open space, educational, community and nearby agricultural uses.

The site is currently vacant ground covered in scrub planting and poor grass land. It sits adjacent to the existing school. Given the character of the locality the site visually integrates into its surrounding urban and semi-rural landscape. The topography of the site rises from the Carnagat Road. The site can accommodate the proposal without adverse impact on visual amenity.

Description of Proposal

Proposed 9 classroom modular school building with offices, storage, toilet and shower facilities with associated external play areas, internal and external services areas and bin store, car parking, access roads and footpaths. (Application in lieu and to supersede planning approval Ref. LA07/2021/0296/F)(Amended proposal description)

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

LA07/2026/0150/CA - Alleged unauthorised earthworks on site.

LA07/2026/0920/DC- Discharge of conditions No. 14 and No. 15 under planning approval LA07/2023/2199/F. Condition Not Discharged 7th October 2026

LA07/2025/1590/F - Variation of conditions 2,3,4 & 5 approved under LA07/2023/2199/F (Current)

LA07/2025/0455/DC - Discharge of condition no.11 of LA07/2023/2199/F - Habitat Management Plan. Condition Discharged 16 October 2025

LA07/2025/0158/PAN - Construction of new single storey school accommodation comprising of 9 classrooms, associated facilities and accommodation, external outdoor play spaces, plant area, landscaping, car parking and new access from Carnagat Road. Proposal of Application Notice is Acceptable 28 March 2025

LA07/2024/1027/F - Provision of 2no. prefabricated SEN classrooms within a single unit, including sensory rooms to each classroom, a staff room, office, toilet accommodation and shared outdoor play area. The works will also include site fencing and the creation of additional car parking on the site. Permission Granted Decision Date: 27 February 2025

LA07/2021/0296/F - Proposed residential development comprising 92 residential dwellings (comprising 70 houses; 20 apartments and 2 bungalows), access/right turn lane, open space, landscaping and other ancillary site works (Amended Proposal). Permission Granted 27 October 2023

LA07/2022/1303/PAD - The Education Authority proposed to re-purpose the site for Special Education Needs (SEN). This is currently at feasibility stage and involves the following:
1. Providing new modular accommodation to the north of the proposed site adjacent to the existing Rathore Special School building to accommodate SEN accommodation
2. Additional car and bus parking
3. New vehicular and pedestrian access off Carnagat Road
4. Pedestrian access from Rathore Special School. Decision: PAD Concluded 19 April 2023

LA07/2020/0379/PAN - Proposed residential development up to maximum of 105 units, landscaping and other ancillary site works, access gained via Carnagat Road, Newry. PAN Concluded 20 March 2020

P/2014/0865/F - Proposed extension to school to include 5 no classrooms Decision: Permission Granted 26 February 2015

P/2014/0459/F - Provision of 2no modular units to rear of school with connection into existing gas supply and associated ground works. Permission Granted 09 October 2014. Permission Granted 09 October 2014

PAN and Legislative Requirements

The development has been considered under the Planning (Development Management) Regulations (Northern Ireland) 2015 as falling within Part 7 – Retailing, Community, Recreation and Culture due to the site area of 1ha meeting the thresholds prescribed and therefore the application is classified as a major development. Consequently, it has been preceded by a Proposal of Application Notice (PAN) pursuant to Section 27 of the Planning Act (Northern Ireland) 2011, bearing reference LA07/2025/0158/PAN (PAN Submission Date: 3rd February 2025 - Acceptability Determination Date: 28th March 2025 confirmed as compliant with legislative requirements).

Following the mandatory 12-week statutory consultation and notification period, this planning application was formally submitted and received on 8th May 2025.

The application is accompanied by a Pre-application Public Consultation Report (PACC). This document confirms that community engagement and consultation activities were conducted in full compliance with statutory minimum requirements. The findings and feedback detailed within the PACC report form a material consideration in the overall assessment of the application.

Planning Policy

- The Regional Development Strategy (2035) (RDS)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)(SPPS Ed2)
- The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)
- A Planning Strategy for Rural NI (PSRNI) – Policy DES2
- PPS2 – Natural Heritage
- PPS3 – Access, Movement & Parking
- PPS6 – Planning, Archaeology and the Built Heritage
- PPS15 (Revised) – Planning and Flood Risk
- DCAN 10 (Revised) – Environmental Impact Assessment
- DCAN11 – Access for all
- DCAN15 – Vehicular Access Standards
- DOE Parking Standards

Environmental Impact Assessment (EIA Regulations NI 2017 and DCAN10

(Revised) – Environmental Impact Assessment:

The proposal falls within the scope of Schedule 2 (10b - Urban development projects, including the construction of shopping centres and carparks where the area of development exceeds 0.5 hectare) of the above Regulations and as such, the Planning Department is obliged to complete an EIA screening.

The Planning Department screened the proposals and consider that the development is unlikely to have a significant effect upon the environment and any potential impact could be controlled/managed by way of planning condition or mitigation. Therefore, an ES is not required.

RDS 2035 and the SPPS:

The RDS provides an overarching strategic planning framework which sets out clear sustainable development objections for the region. The SPPS is a material consideration in all planning applications and sets out the core planning principles which are fundamental to achieving sustainable development. Of relevance to this assessment are the principles of Supporting Good Design and Positive Place Making and Preserving and Improving the Built Environment.

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The proposal relates to an established educational facility and in principle, fits with these core principles of the SPPS and wider strategic objectives of the RDS. The proposal detailing will fall to be determined by the provisions of the Local Development Plan and Prevailing Planning Policies listed above.

Banbridge, Newry and Mourne Area Plan 2015 (BNMAP):



The site is located within the Development Limit for Newry City in an area that is 'unzoned'. The Plan is therefore silent on the use of the land and decision making is deferred to the retained policies explored below.

The Strategic Plan Framework does however make reference to educational uses under policy ECU 1. This policy notes that planning permission will be granted for educational uses within settlement limits provided the following all criteria is met.

The proposal is located adjacent to an established educational campus and is of an appropriate scale and design, remaining subordinate to the main school building and compatible with the character of the area. The site is of limited biodiversity value that development proposals are not considered to result in any significant ecological harm. Given the separation distance to the nearest dwellings, the development would not give rise to any unacceptable impact on residential amenity. The proposal would not prejudice the development potential of adjoining or zoned lands, and any infrastructure required to facilitate the development will be provided by the applicant. NI Water and DFI Roads offer no objection, and adequate access, parking and drainage arrangements are available to serve the development. Accordingly, the proposal is considered to be in compliance with policy ECU 1 of the Strategic Plan Framework and in general compliance with the Area Plan.

Planning Strategy for Rural Northern Ireland

Policy PSU 1 emphasis' the need for making the best possible use of existing sites for a number of uses including educational facilities. For this particular proposal, the site utilises an area south of the existing school and will read as overall part of the educational facility. Proposals are in compliance with policy PSU 1.

Policy DES 2 requires development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.

The proposed development adopts a simple linear design that responds to the functional requirements of its intended use. The associated car parking, located between the existing and proposed buildings, is visually acceptable and integrates effectively with the wider educational campus. Given its modest scale relative to the existing school buildings and surrounding development, the proposal would not appear dominant, intrusive or incongruous within the local context. Accordingly, the development is considered to comply with Policy DES 2 of A Planning Strategy for Rural Northern Ireland (PSRNI).

Planning Policy Statement 2: Natural Heritage

In light of the limited biodiversity value identified on the site, the proposal is not considered likely to result in significant impacts on protected or priority species or habitats, nor would it adversely affect the integrity, interest or conservation value of any international, European, national or local designated sites.

PPS 3 Access, Movement and Parking / Parking Standards

DFI Roads has confirmed it has no objection in their consultation response dated 11.09.26 subject to implementation of planning conditions.

PPS6 – Planning, Archaeology and the Built Heritage

HED Monuments in consideration of related planning policy and in their consultation responses dated 18.11.25 and 05.08.25 are content subject to conditions.

PPS15 (FLD 1, FLD2, 3, 4, 5 and Climate Change)

Rivers Agency in their consultation response dated 19th December 2025 has advised that the site does not lie within either the 1 in 100 year fluvial flood plain or the 1 in 200 year coastal flood plain and, accordingly, the proposal complies with the requirements of Policy FLD1.

Policies FLD2, FLD4 and FLD5 are not applicable in this instance.

In respect of Policy FLD3, Rivers Agency has reviewed the submitted Drainage Assessment and, whilst not responsible for its preparation, accepts its methodology and findings and has raised no objection to its conclusions.

Furthermore, the site is not located within the 1 in 100 year climate change fluvial flood plain or the 1 in 200 year climate change coastal flood plain. On this basis, it is considered that the proposed development would not be at unacceptable risk from flooding, nor would it result in an increased flood risk elsewhere.

Proposals meet the relevant policy tests of PPS15

Water and sewerage

The application form indicates that the development will be connected to the public mains water supply and public sewerage network. NI Water has confirmed in their consultation response dated 09.07.25 that it has no objection to the proposal, subject to its standard requirements, and is satisfied that adequate water and sewerage infrastructure can be provided to serve the development.

Conclusion:

Approval is recommended, subject to conditions, as the proposal accords with the Development Plan and relevant planning policy framework.

The development represents an appropriate extension to an established educational campus within the development limit of Newry, complies with Policy ECU1 of the Strategic Plan Framework and Policies PSU1 and DES2 of the Planning Strategy for Rural Northern Ireland, and is acceptable in terms of principle, design, scale, amenity, ,

flood risk and infrastructure provision. No objections have been raised by DFI Roads, NI Water, Rivers Agency or HED, subject where appropriate to planning conditions. Accordingly, the proposal is considered acceptable in planning terms and approval is recommended.

Neighbour Notification Checked Yes

Summary of Recommendation

Approval

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

   The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 0703 REV C02, published date on consultee hub 02nd September 2026.

   Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

3. No other development hereby permitted, shall be occupied until the footway along the Carnagat Road has been completed in accordance with details submitted and approved by Planning on Drawing No. 0703 REV C02, Published date on consultee hub 02nd September 2026.

   Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

4. The vehicular access, including sight visibility splays of 4.5m x 60m and any forward sight distance, shall be provided in accordance with Drawing No. 0703 REV C02, published date on consultee hub 02nd September 2026, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The access gradient to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

   Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. Connection to Mains Sewer - The applicant must ensure there is a connection of proposed development to the main sewer as per application and in agreement with Northern Ireland Water.

7. The Mechanical Heating and Ventilation unit compound - The applicant shall ensure that all plant and equipment used in connection with this system are situated, operated and maintained as to prevent the transmission of noise and vibration to surrounding sensitive receptors

8. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry, Mourne and Down District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

   • The identification and evaluation of archaeological remains within the site;

   • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;

   • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and

   • Preparation of the digital, documentary and material archive for deposition.

   Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

9. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 8.

   Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

10. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 8. These measures shall be implemented and a final archaeological report shall be submitted to Newry, Mourne and Down District Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Newry, Mourne and Down District Council.

    Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

11. The open space, planting and hardstand areas as indicated on the drawing ..... date stamp received ..... shall be managed and maintained in accordance with a detailed Landscape Management and Maintenance Plan which shall be submitted to and agreed in writing by the Planning Department prior to the operational use of the development hereby approved. Development shall take place in accordance with the approved details.

    Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space, planting and hardstand areas in the interests of visual and residential amenity.

12. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Department, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Planning Department gives its written consent to any variation.

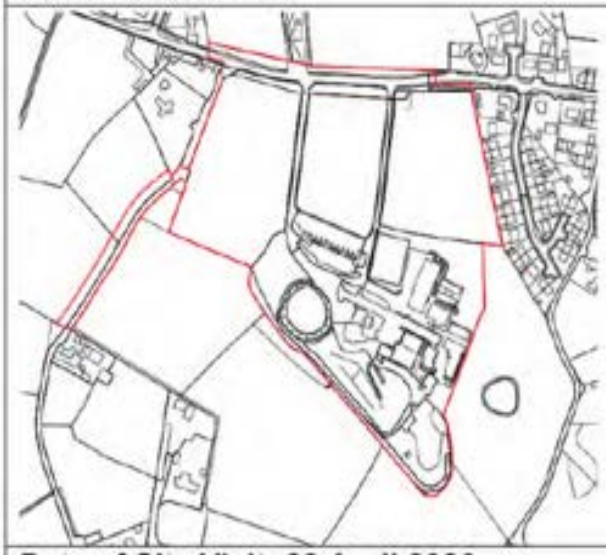
    Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

Application

Development Management Officer Report	
Application ID: LA07/2025/1140/F	
Proposal: Redevelopment of St Louis Grammar School to include demolition of existing buildings, erection of new school, one grass playing pitch and one 3G pitch, handball courts, multi-use games area (MUGA), access and circulation, car/bus parking and drop-off areas, landscaping, hard play areas, all ancillary development and associated site works. The proposals involve the removal of Tree Preservation Orders (TPOs).	**Location:** 151 Newry Road, Dunnaman, Kilkeel, BT34 4EU
Applicant Name and Address: Gerard Fox 73 Somerton Road Belfast BT15 4DE	**Agent Name and Address:** John Scally Suite 1 Bamford House 91-93 Saintfield Road Belfast BT8 7HL
Date of last Neighbour Notification:	17 December 2025
Date of Press Advertisement:	7 January 2026 and 22nd October 2025
EIA Determination: see assessment below	
Representations: 1 Grove Hill	
Letters of Support	0.0
Letters of Objection	1
Summary of Issues: **Potential removal of a TPO within objectors property-** TPO's G185 186 located to the rear of the objectors property are to remain with no recommendations as per the tree schedule submitted with the application. **Proposed boundary landscaping raising issues with overshadowing/loss of light-** consideration within the planning assessment below.	

Site Visit Report

Site Location Plan:



Date of Site Visit: 22 April 2026

Characteristics of the Site and Area

The site is located at 151 Newry Road, Kilkeel within the settlement limits. The existing school buildings located c. 200m south of the Newry Road. The existing site comprises the main St Louis Grammar School Building, the former St. Louis Convent House, alongside several additional school buildings and modular type structures located to the front and side of the main buildings. A large car parking area, bus shelters, recreational and undeveloped land is also located to the front of the buildings. The existing school benefits from two access points off the Newry Road.

The site rises gradually from its northern boundary on the Newry Road to the southern boundary of the site resulting in prominent built form, clearly visible from public and critical viewpoints along the Newry Road. The site is bound to the north by the Newry Road with agricultural land beyond, to the south and southeast by agricultural land and to the north-east by residential development located along Grove Hill.

To the west of the site is the Belmont Road with a mix of agricultural, commercial and residential uses located beyond. The site is characterised by a number of mature trees, some of which are subject to Tree Preservation Orders (TPOs). There is also a large grouping of trees located along the southern boundary, surrounding a Scheduled Monument Record.

Description of Proposal

Redevelopment of St Louis Grammar School to include demolition of existing buildings, erection of new school, one grass playing pitch and one 3G pitch, handball courts, multi-use games area (MUGA), access and circulation, car/bus parking and drop-off

areas, landscaping, hard play areas, all ancillary development and associated site works. The proposals involve the removal of Tree Preservation Orders (TPOs).

Planning Assessment of Policy and Other Material Considerations

1.0 Planning History

LA07/2024/0074/PAD - Demolition of existing school. Construction of new 2 storey post primary school on the same site as the existing St Louis Grammar School located at 151 Newry Road, Kilkeel BT34 4EU. Site works include a new 3G GAA pitch, grass GAA pitch, 3 tennis courts and 3 handball courts. Other site works include car parking with separate drop off and pick up provision. Existing vehicle entrance to be retained and widened to facilitate single entry and dual exit for cars. Adjacent is a separate boulevard proposed for pedestrian access leading to the main entrance to the school building. Dedicated bus parking accessed by a new entrance and exit off Newry Road. This road will extend south of the site for maintenance and emergency vehicle access. PAD Concluded, 06 August 2025

LA07/2024/0213/PAN - Proposal to construct a new school with larger enrolment capacity situated to the NW of the existing school building. The proposed development includes provision for two full sized pitches, a handball court, and MUGA, situated on the former field and part of the overall school site. The development will include segregated vehicle access, increased car parking, and a drop-off area to ease traffic flow through the site. A separate bus drop-off is proposed to the west of the site. Development will include landscaped courtyards, hard play areas and ancillary siteworks. Proposal of Application Notice is Acceptable, 20 May 2024

LA07/2022/0523/PAD - Proposed redevelopment of existing school - 3 options are proposed which we would like to discuss with the Council, 2 redevelopment options and 1 extension and refurbishment option. PAD Concluded, 15 December 2022

LA07/2020/0086/F - Proposed extension of existing hard surface playing area over existing hard standing with erection of retaining walls and new 2.4m fencing; erection of equipment store and other minor associated works. Permission Granted 20 May 2020

LA07/2018/0676/F - Proposed 2 No. modular classroom buildings with proposed covered walkway. Permission Granted 08 June 2018

LA07/2016/1634/F - Construction of a new sewage pumping station with above the ground kiosk to serve the school with an emergency overflow and storm water discharge to an adjacent unnamed watercourse. The pumping station will convey flows via a foul pumping main to the existing public combined sewer in Newry Road. Permission Granted 15 March 2017

LA07/2016/0589/F - Construction of a new sewage pumping station to serve St Louis Grammar School with emergency overflow and storm water discharge to adjacent unnamed watercourse. Pumping station will convey flows to existing public combined sewer. Withdrawal 13 October 2016

LA07/2016/0335/F - Proposed renewal of existing planning permission - P/2009/0574. Permission Granted, 29 June 2016

Related Planning History Pre 2015

P/2014/0486/F - Construct bus park and car park, widen and resurface driveways, reverse one way system/entrance and exit points, construct 300mm diameter upvc storm sewer from school to water course. Permission Granted 26 September 2014

P/2013/0875/F - Removal of 4 no modular classrooms(2 no buildings) and provision of single storey modular accommodation comprising 4 no 90 sqm Science classrooms and 4 no Prep rooms. Permission Granted, 28 April 2014

P/2012/0498/F - Proposed technology and design building (Modular building - steel framed). Permission Granted, 26 October 2012

P/2009/1318/F -Enclosed fire escape stair to replace existing open metal spiral stair Permission Granted : 26 November 2009

P/2009/0700/F - Redevelopment of school campus to provide replacement school and improve playing fields. Permission Granted, 28 October 2010

P/2006/1210/F - Alterations to existing entrance gates, kerbing and path and provision of a pedestrian gate. Permission Granted, 15 November 2006

P/2004/3289/F - Erection of 2.4m High Paladin and Palisade Perimeter Fence to Existing Boundary. 2 no. New 2.4m Paladin Gates. Permission Granted, 05 August 2005

P/2001/1429/F - Extension to school dining hall. Permission Granted 05 October 2001

P/2001/0449/F - Change of use from Convent to school study rooms. Permission Granted, 21 May 2001

P/2000/1164/F - Erection of double temporary classroom block. Permission Granted 12 September 2000

P/1994/1281 - Single storey extension to school. Permission Granted 20 Dec 1994

P/1992/1003 - Extension to school. Permission Granted 10 November 1992

P/1990/1003 - Construction of detached store and utility room. Permission Granted,10 December 1990

P/1976/0491 – Classroom accommodation. Granted 09 July 1976

.

2.0 PAN and Legislative Requirements

The development has been considered under the Planning (Development Management) Regulations (Northern Ireland) 2015 as falling within Part 7 – Retailing, Community, Recreation and Culture due to the site area of 10.9ha which exceeds the thresholds prescribed and therefore the application is classified as a major development.

Consequently, it has been preceded by a Proposal of Application Notice (PAN) pursuant to Section 27 of the Planning Act (Northern Ireland) 2011, bearing reference LA07/2024/0213/PAN:

• PAN Submission Date: 20th February 2024

• Acceptability Determination Date: 20th May 2024 (confirmed as compliant with legislative requirements)

Following the mandatory 12-week statutory consultation and notification period, this planning application was formally submitted and received on 26th September 2025.

The application is accompanied by a Pre-Application Public Consultation Report (PACC). This document confirms that community engagement and consultation activities were conducted in full compliance with statutory minimum requirements. The findings and feedback detailed within the PACC report form a material consideration in the overall assessment of the application.

3.0 PLANNING POLICIES & MATERIAL CONSIDERATIONS:

- The Regional Development Strategy (2035) (RDS)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)(SPPS Ed2)
- The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)
- A Planning Strategy for Rural NI (PSRNI) – Policy DES2

- PPS2 – Natural Heritage

- PPS3 – Access, Movement & Parking
- PPS6 – Planning, Archaeology and the Built Heritage
- PPS8 – Outdoor Sports and Recreation
- PPS13 – Transportation and Land Use
- PPS15 (Revised) – Planning and Flood Risk

- DCAN 10 (Revised) – Environmental Impact Assessment
- DCAN11 – Access for all
- DCAN15 – Vehicular Access Standards
- DOE Parking Standards

4.0 CONSULTATIONS:

DfI Roads (27/08/26) - DfI Roads no objections subject to conditions.

Translink (27/05/26)- no objections

NMDDC Environmental Health (16/02/26)– No objections subject to conditions.

Water Catchment Unit (20/04/26) - WMU is content with the proposal subject to conditions and any relevant statutory permissions being obtained.

Regulation Unit (16/12/25) - no further objections or concerns, subject to conditions

Natural Environment Division (NED) (28/07/26) – NIEA Natural Environment Divisions (NED) has concerns with this proposal and requires further information to assess the potential impacts of the proposal on natural heritage interests

DfI Rivers Agency (06/04/26) – No objections, informatives attached.

DfC Historic Environment Division (09/01/26) - Historic Monuments is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. Historic Buildings offer no comments.

NI Electricity (02/02/26) – No objections, guidance provided

NI Water Strategic Applications (03/04/26) – Recommend approval, with standard planning conditions.

Shared Environmental Services (30/04/26) – content subject to conditions.

Foyle and Loughs Agency (22/12/25) - site outside the jurisdiction

4.1 OBJECTIONS & REPRESENTATIONS:

As required by The Planning (General Development Procedure) Order (Northern Ireland) 2015, the application was advertised in local press on 22/10/25 and 7/1/26 and 20 neighbouring properties were notified of the application on 17/12/25.

Both the statutory advertising and neighbour notification periods have expired, and 1 letter of objection has been received at the time of writing this report.

5.0 CONSIDERATION AND ASSESSMENT:

5.1 Summary of Proposal

In 2018 St Columban's College amalgamated with St Louis Grammar School with all pupils now being accommodated on the Newry Road site. The existing school building requires significant investment to ensure it meets current building regulations, energy-efficiency standards and DDA accessibility requirements therefore proposals involve redevelopment.

Proposals include demolition of existing buildings, erection of a new school, one grass playing pitch and one 3G pitch, handball courts, multi-use games area (MUGA), access and circulation, car/bus parking and drop-off areas, landscaping, hard play areas, all ancillary development and associated site works and also include the removal of Tree Preservation Orders (TPOs).

The new school will be located to the north-east of the existing school building, closer to the Newry Road, opening views and creating a feature of the SMR (Dunavan Fort) to the south-west of the site. The school will be contained within a single 14,000sqm building, broken up at various points to reflect a more traditional appearance.

6.0 Environmental Impact Assessment (EIA Regulations NI 2017 and DCAN10 (Revised) – Environmental Impact Assessment:

The proposal falls within the scope of Schedule 2 (10b - Urban development projects, including the construction of shopping centres and carparks where the area of development exceeds 0.5 hectare) of the above Regulations and as such, the Council is obliged to complete an EIA screening.

Alongside the Pre-application Discussions, an EIA Determination Request was submitted to in March 2022. The Planning Department screened the proposals and confirmed on the 21st April 2022 that taking into account the supporting information provided it was considered that the development was unlikely to have a significant effect upon the environment and any potential impact could be controlled/managed by way of planning condition or mitigation. Therefore, an ES is not required.

7.0 RDS 2035 and the SPPS:

The RDS provides an overarching strategic planning framework which sets out clear sustainable development objections for the region. The SPPS is a material consideration in all planning applications and sets out the core planning principles which are fundamental to achieving sustainable development. Of relevance to this assessment are the principles of Supporting Good Design and Positive Place Making and Preserving and Improving the Built Environment.

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The proposal relates to an established educational facility and in principle, fits with these core principles of the SPPS and wider strategic objectives of the RDS. The proposal detailing will fall to be determined by the provisions of the Local Development Plan and Prevailing Planning Policies listed above.

8.0 Banbridge, Newry and Mourne Area Plan 2015 (BNMAP):



8.1 The BNMAP identifies the site within the settlement limits for Kilkeel.

Access and egress from the site is via the Newry Road which is designated as a Protected Route.

The site is also located within the Dunnaman/ Ballymageogh Local Landscape Policy Area (LLPA) (Designation KL 30). The description of the LLPA includes the following:

• St. Louis' School and grounds and the historic monuments within contribute to the

distinctive character of the area;

• Visually significant tree groups within the school grounds contributing to the character of the area; and

• St. Colman's Church and grounds and the historic monuments adjacent contribute to the distinctive character of the area.

8.2 Policy CVN 3: Local Landscape Policy Areas of the BNMAP emphasizes the protection of areas with intrinsic environmental value and character, restricting planning permission for developments that might negatively impact them. The Scheduled Monument Record (SMR) and St Louis School and grounds are referenced within the LLPA description, highlighting their relevance to the local landscape. However, as the school building is not Listed, the principle of demolition has already been deemed acceptable when weighed against the social and community benefits that this redevelopment will provide.

The retention of the significant tree groups to the rear of the school within and surrounding the SMR will ensure the special character of this LLPA is protected. The proposed design options have been carefully shaped by the location, character, and views of the SMR, with a strong emphasis on enhancing the character of the SMR. This approach seeks to achieve betterment, ensuring that any new development contributes positively to the visual and historical context of the site while adhering to planning regulations.

St Colman's church and grounds and the historic monument adjacent to the St Louis site and part of the LLPA will not be negatively impacted upon by this proposed development.

8.3 Policy ECU1 (Education, Health, Community and Cultural Uses) within Vol 1 of the Plan is also relevant to this assessment. Under this policy, planning permission will be Granted for educational uses within settlement development limits provided all the Following criteria are met:

- ***there is no significant detrimental effect on amenity or biodiversity;*** In terms of amenity and biodiversity, the development is not expected to result in any significant adverse impacts, subject to the implementation of the mitigation measures and planning conditions recommended within this report, including those relating to biodiversity and invasive species management.

- ***the proposal does not prejudice the comprehensive development of surrounding lands, particularly on zoned sites;*** The proposal would not prejudice the comprehensive or orderly development of surrounding lands, including any zoned lands, and would remain compatible with the established pattern of development in the area.

- ***the proposals are in keeping with the size and character of the settlement and its surroundings;*** The scale, design and layout of the proposed development are considered appropriate to the existing school and are in keeping with the character of the settlement and its surroundings. The proposal represents an enhancement of existing educational facilities and integrates satisfactorily within the site context, as considered below.

- ***where necessary, additional infrastructure is provided by the developer;*** The development provides improvements to the existing infrastructure serving the school, including upgrades to access arrangements and internal circulation. In particular, separate access arrangements for buses and general vehicles are proposed, resulting in improved road safety and operational efficiency for staff, pupils and visitors, as considered below and further under PPS3 considerations.

- ***there are satisfactory access, parking and sewage disposal arrangements.*** Satisfactory access and parking arrangements are proposed and have been assessed by DfI Roads, which raises no objection to the development.

  The proposal relates to an established use on the site in terms of foul and water supply connections, with NI Water confirming there are no objections to the development.

Overall, the proposal is also considered acceptable to Policy CVN 3 and Policy ECU1 Vol1 of the BNMAP 2015. There are no further provisions within the Local Development Plan applicable to this site and as such, the proposal will fall to be further considered under the retained planning policies outlined above.

9.0 SPPS, PPS3 (Access, Movement and Parking,) PPS13 (Transportation and Land Use) and DCAN15:

The application site currently operates a single, integrated one-way traffic management system wherein private vehicles and buses share a common access and egress point. Pedestrian connectivity is currently provided via a footway extending from the Newry Road along the existing school exit road.

The existing layout incorporates:

Visitor and Drop-Off Area: A front-of-site car park providing 37 parking spaces.

Bus Provision: A separately accessed bus area containing 11 bus stands. Both the visitor car park and bus area operate on a one-way circulatory system entering from the west and exiting to the east.

Staff Parking: Three distinct barrier-controlled staff parking areas located beyond the visitor zone, accommodating a total of 59 spaces.

The proposal seeks a comprehensive reconfiguration of internal transport arrangements to completely segregate general vehicular traffic from heavy bus and service movements.

The key proposals include:

Main Vehicular Access: Provision of a dedicated, primary access and egress for general vehicles and essential deliveries (such as postal services) located at the site frontage.

Bus and Service Access: Establishment of a separate, independent access and egress point situated in proximity to Belmont Road, dedicated to buses, service vehicles, and kitchen staff access.

Internal Layout: The internal spine road runs along the building frontage, integrating parking to the front and side. The design incorporates 172 total parking spaces, comprehensive pedestrian footways across the site frontage, internal crossing points, and 82 cycle parking bays.

Service Circulation: The Belmont Road access route extends to the western side and rear of the building, accommodating 10 bus drop-off areas, maintenance access, waste management (bin stores), and designated kitchen staff parking.

In accordance with the Department of the Environment (DOE) Parking Standards for secondary schools, the quantum of parking required is calculated based on staff numbers, sixth-form student enrolment, and visitor ratios.

(Full Enrolment of 860 Students):
Teaching Staff: 55 full-time teachers
Support Staff: 65 support staff
Sixth Form (Age 17+ proxy): 246 students

Calculated Parking Demand:
Teaching Staff: 55 spaces (1 space per teacher)
Ancillary/Support Staff: 33 equivalent spaces (calculated at 1 space per 2 ancillary staff based on 65 personnel)
Sixth Form Students: 25 spaces (1 space per 10 students over 17)
Visitor Provision: 33 spaces (calculated at 1/3 of total staff provision)

Total Requirement: Approximately 146 spaces.

The proposed site layout plan successfully accommodates 172 parking spaces, inclusive of 124 general spaces (including 16 sixth-form spaces), 12 visitor spaces, 11 disabled spaces, 16 electric vehicle (EV) charging spaces, and 9 dedicated kitchen staff spaces to the rear.
The proposed segregation of vehicular and bus/service movements significantly enhances operational efficiency and highway safety by eliminating critical conflict points

between vulnerable pedestrians, cars, and heavy public service vehicles. Furthermore, the provision of 172 parking spaces fully satisfies the quantitative thresholds outlined in the DOE Parking Standards.

The proposal involves the redevelopment of the school and the reconfiguration of the existing access arrangements onto the A2 Newry Road, a Protected Route within settlement limits. The development will intensify the use of the site; however, it has been demonstrated that access cannot reasonably be taken from an adjacent minor road. The proposed access strategy, which provides separate accesses for staff/visitor vehicles and for buses/service vehicles, represents an improvement over the existing one-way arrangement by segregating vehicle movements and enhancing the safe operation of the site. Accordingly, the proposal is considered to comply with Policy AMP 3 of PPS 3. DfI Roads have offered no objections to the proposed reconfiguration of the existing access arrangement onto the protected route.

Overall, the proposal accords with the policy requirements of the Strategic Planning Policy Statement (SPPS), PPS3, PPS13, DCAN15, and associated DOE Parking Standards, and is considered acceptable subject to standard safeguarding conditions.

10.0 SPPS and PPS2 (Natural Heritage) and Habitats Regulations Assessment (Conservation (Natural Habitats, etc) (Amendment) Regulations (Northern Ireland) 2015):

10.1 Policy NH 1 - European and Ramsar Sites – International

There are a number of sensitive designations in close proximity to the development, these include; Carlingford Lough SPA, Carlingford Lough Ramsar Site and Murlough SAC.
These sites are of international and national importance and are protected by Conservation Regulations 1995 and the Environment Order 2002. There are several potential environmental effects associated with both the construction and operational phases of the proposal. Prevailing regional policy for these sites is set out in the SPPS and PPS 2 NH 1.
Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites as these are afforded the highest form of statutory protection.

Policy NH 1 of PPS states that planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on a European Site or a listed or proposed Ramsar Site.

Given the potential impacts of the proposal on the designated European sites, the Planning Authority is required by Law to carry out an appropriate assessment of the implications for the site in view of the sites conservation objectives. Only after having

ascertained that it will not adversely affect the integrity of the site, can the Planning Authority agree to the development and impose appropriate mitigation measures in the form of planning conditions.

Shared Environmental Services (SES) on behalf of Newry, Mourne and Down District Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations has completed a Habitats Regulation Assessment (HRA) both Stage One and Stage Two Assessment.

The HRA included an appropriate assessment of the site and features of the designated sites. SES, having considered the nature, scale, duration and location of the project conclude that, subject to planning conditions in any planning approval, the proposal will not have an adverse effect on site integrity of any European site either alone or in combination with other plans or projects.

Newry, Mourne and Down Planning Department in its role as the competent Authority under the Conservation (Natural Habitat etc) Regulations NI 1995 (as amended), and in accordance with its duty under Regulation 43 has adopted the HRA report, and conclusions therein, prepared by SES. ***Therefore, undertaken an appropriate assessment of the implications for each site in view of that sites conservation objectives and will impose appropriate mitigation measures in the form of planning conditions, in line with the requirements of Policy NH 1 of PPS 2.***

10.2 Policy NH 3 - Sites of Nature Conservation Importance – National

Policy NH 3 of PPS 2 states that a development proposal within an ASSI will only be allowed where it is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest. One Area of Special Scientific Interest (ASSI) was identified; the White Water River ASSI approximately 1.25 km west of the Site, designated for its assemblage of flora, fauna and geology, and its naturalness. The proposal has no direct/indirect hydrological link to this ASSI, therefore it is not likely to have an adverse effect on the integrity, value of the site to the habitat network, or special interest. ***The proposal is considered to comply with Policy NH 3 of PPS 2.***

10.3 PPS2 Policy NH2 (Species Protected by Law):

Policy NH2 only permits development proposals that are unlikely to harm a European Protected Species.

NIEA's Natural Environment Division (NED) having been consulted in relation to the proposal provide the following advice in relation to protected species in their consultation response dated 28.07.26 and 08.06.26 advising has concerns with this proposal and requires further information to assess the potential impacts of the proposal on natural heritage interests.

Bats:
Bats are a European Protected Species and are therefore afforded a strict level of protection. In considering the proposal, regard has been given to the requirements of PPS 2 in respect of European Protected Species.

NED, in its consultation response dated 28th July 2026, raised concerns regarding the age and adequacy of the submitted bat survey information. NED also requested further assessment of trees proposed for removal in respect of their potential to support roosting bats.

Notwithstanding these concerns, the ecological information submitted with the application establishes that bats are present and using the site. Activity surveys undertaken in 2023 confirmed individual pipistrelle roosts within Buildings 1, 2, 6 and 12, which were assessed by the ecological consultant as non-breeding roosts. Common pipistrelle, soprano pipistrelle, Leisler's bat and brown long-eared bat were also recorded foraging and commuting across the site at low levels of activity. The ecological report concludes that foraging and commuting habitats would be maintained during and following development and that significant adverse effects on these activities are not anticipated.

The Planning Department acknowledges that bat roosts are present within the site and has considered the proposal on that basis. It is also material that the existing school buildings are to remain in place until the replacement school has been constructed and occupied. Consequently, demolition of the existing buildings, including those in which bat roosts have previously been recorded, will not occur until a later stage of the development.

The majority of the wider site and associated bat habitat would also be retained. While some trees are proposed for removal, those trees identified for retention as having bat roost potential can be protected from development through appropriate planning conditions.

Nevertheless, having regard to the age of the ecological surveys and the concerns expressed by NED, the Planning Department considers that a precautionary approach is necessary. The passage of time and the absence of any identified material alteration to the existing site cannot, in themselves, demonstrate that the location or status of bat roosts will remain unchanged by the time demolition takes place.

It is therefore considered appropriate that an updated bat survey and ecological inspection be undertaken by a suitably qualified ecologist prior to the commencement of demolition works. The survey should establish the position at that time and identify any necessary mitigation and/or licensing requirements arising from the presence of bats. Any mitigation identified as necessary should thereafter be implemented in accordance with the approved details.

The requirement for any separate Wildlife Licence would remain applicable where works would result in disturbance to, or destruction of, a protected bat roost. The grant of planning permission would not remove the requirement to comply with the applicable protected species legislation.

Having considered the known presence of bats, the nature and timing of the proposed works, the retention of the majority of the site habitat and the ecological evidence submitted, the Planning Department considers that the proposal can be progressed subject to appropriate ecological safeguards. Conditions should therefore secure the protection of retained bat habitat and relevant trees, together with updated ecological survey work prior to demolition and the implementation of any consequent mitigation measures.

Accordingly, subject to satisfactory resolution of those outstanding matters, and the imposition of appropriate ecological conditions, the proposal is considered capable of being undertaken without unacceptable harm to the conservation status of bats and their associated habitat, consistent with the requirements of PPS 2.

Badgers:

NED advises that badgers are actively using the site for foraging and commuting. No badger setts were identified during the surveys undertaken; however, suitable habitat for sett creation is present and, given the mobile nature of the species, NED has requested an updated badger survey.

The submitted ecological assessments similarly identify the site as providing suitable badger foraging and commuting habitat. Mammal paths and foraging signs were recorded, although some signs could not be conclusively attributed to badgers. No setts were identified. On a precautionary basis, the assessments assume badger use of the site and recommend an updated survey by an experienced ecologist immediately prior to works commencing.

The Planning Department therefore considers that the most effective and proportionate safeguard is to require an updated badger survey immediately prior to the commencement of development, when it can establish the position prevailing at the time works are to take place.

This requirement, together with appropriate precautionary construction measures and provision for works to cease should badgers or a previously unidentified sett be encountered, can be secured by planning condition. Any necessary mitigation and/or licensing requirements arising from the updated survey would require to be addressed before the relevant works proceed.

Accordingly, having regard to the absence of any identified sett, the ecological evidence

already before the Council and the safeguards capable of being secured by condition, the Planning Department is satisfied that the matter has been appropriately addressed and does not consider that a further badger survey is necessary prior to determination of the application.

NED have not provided final specific conditions in relation to protected species, on the basis of details provided and advice of NED (dated 23.08.24) based on the information before the Planning Department consider the proposal is unlikely to harm a European Protected Species and is ***acceptable to Policy NH2 requirements, subject to the necessary conditions being complied with as detailed at the end of this report***.

10.4 Policy NH5 (Habitats, Species or Features of Natural Heritage Importance)

Policy NH5 prohibits development which would result in an unacceptable adverse impact on: priority habitats, priority species, active peatland, ancient and long-established woodland, features of earth science conservation importance, features of the landscape which are of major importance for wild flora and fauna, rare or threatened native species, wetlands (includes river corridors); or other natural heritage features worthy of protection.

Having regard to Policy NH5 of PPS2, the Planning Department acknowledges that the ecological survey information dates from 2021 and therefore cannot be regarded as providing a fully up-to-date ecological information for the site. This limitation is recognised, particularly in light of NED's request for updated ecological information.

Notwithstanding this, the submitted PEAR and Extended Phase 1 Habitat Survey provide evidence of the established presence of habitats within the site, including semi-natural broadleaved woodland, mature and semi-mature trees, hedgerows, grassland and buildings with potential to support wildlife. The identified rookery further demonstrates the ecological use of the site.

The Planning Department is also mindful that tree and vegetation removal is required to facilitate the development. Where such loss is unavoidable, the impacts are nevertheless minimised and appropriately mitigated, including through retention of existing habitat where practicable and suitable compensatory tree and habitat planting. Appropriate measures are required to safeguard nesting birds and prevent the spread of identified invasive non-native species.

On balance, it is considered that the existing information provides a reasonable indication of the nature and extent of the habitats historically recorded within the site.

And therefore, acknowledge NED position in request for requirement for updated information. Any updated ecological information should therefore inform the detailed

mitigation required, including measures relating to tree and vegetation removal, nesting birds, invasive species and compensatory planting.

Accordingly, subject to the outstanding ecological matters being satisfactorily addressed and appropriate mitigation being secured, there is potential for the development to be undertaken without unacceptable adverse effects on the identified natural heritage interests. This can be addressed by the use of appropriate planning conditions.
Proposals satisfy NH5 subject to condition

10.5 Invasive Species
The submitted ecological information identifies the presence of two invasive non-native plant species within the application site, namely rhododendron and montbretia. Rhododendron was recorded within the northern boundary hedgerow and the western woodland area, whilst montbretia was identified within the western woodland. Both species are listed under Schedule 9 of the Wildlife (Northern Ireland) Order 1985 (as amended), and it is an offence to cause their spread in the wild.

The ecological survey notes that no other invasive non-native species were identified; however, as the survey was undertaken outside the core survey season (April to September), there remains a possibility that additional invasive species were not evident due to seasonal dieback. Consequently, an updated walkover survey during the appropriate survey period is recommended prior to the commencement of development. Given the known presence of rhododendron and montbretia, it is considered necessary that appropriate measures are implemented to ensure their control, removal and disposal, and to prevent accidental spread during site clearance and construction activities. This matter can be satisfactorily addressed through a planning condition requiring the submission and implementation of an Invasive Species Management Plan before development commences.
Subject to the imposition of an appropriate planning condition, it is considered that the proposal would not result in unacceptable impacts on biodiversity interests and is therefore acceptable in this regard.

11.0 PPS Policy NH6 (Areas of Outstanding Natural Beauty):

Policy NH6 seeks to protect AONBs from inappropriate development, with the detailed requirements to be met set out within criteria a-c.



The proposed development has been carefully designed to ensure that its scale and massing are sympathetic to the special character of the Area of Outstanding Natural

Beauty (AONB). Whilst the building will be positioned closer to the Newry Road than the existing development, its visual impact is mitigated through the articulation of the design, including the incorporation of lower single-storey elements and flat-roof glazed link sections which break up the overall form of the building. Although the frontage extends to approximately 133 metres, the varied building heights, with a maximum ridge height of 11.2 metres and wall plate height of 8.2 metres, reduce the perceived scale and bulk of the development when viewed from the public road. The proposal is therefore considered to integrate successfully within the site and would not adversely affect the special landscape character or appearance of the AONB.

The proposal has been sympathetically located so as to absorb within the mature vegetation and backdrop provided by Dunavan Fort, with carparking and bin storage areas screened from view. The proposal has been sited to open up and to respect and conserve views of Dunavan Fort, which are of importance to the character, appearance and heritage of the landscape.

Materiality throughout the scheme has evolved from pre application discussions and has been carefully selected to ensure the proposed building blends cohesively into the sensitive AONB landscape, together with significant landscaping proposals.
The proposed material palette discussed further below has been selected to complement both the existing St Louis' School buildings and nearby St Coleman's Church.
The use of Bromo Fuji Blend brick, reconstituted stone detailing, white render and dark grey standing seam metal roofing provides a high-quality contemporary design whilst remaining sympathetic to local character. The muted colour palette and natural materials further assist in integrating the development into its rural context.

Overall, on the basis of information submitted, the proposal is considered an appropriate design, size and scale for the locality and is acceptable to criteria a-c of Policy NH6

In summary, subject to attached conditions being met, the proposal is considered satisfactory to the policy requirements of the SPPS and PPS2.

12.0 SPPS (2nd Ed) and PPS6 Planning Archaeology and the Built Heritage

A review of the surrounding area confirms that there are no listed buildings or structures situated in the immediate vicinity of the proposed development site.

Policy BH 4 – Archaeological Mitigation

The application site and its immediate surroundings contain significant recorded archaeological and historical monuments:

Taking account of Policy BH 4 of PPS 6, the application site is known to contain

archaeological remains and is therefore subject to appropriate mitigation measures to safeguard archaeological interests.

In its consultation response dated 09.01.26, HED Historic Monuments advised that Neolithic Deposits had been identified within the development area during the pre-development archaeological testing (conducted under license AE/2023/125).

The site also contains Dunavan Fort (DOW 055:036): A recorded medieval motte situated directly on the southern boundary of the application site.

Rath (DOW 055:037): An Early Medieval rath located adjacent to the eastern site boundary, alongside other recorded sites in the wider vicinity.

Having considered the archaeological assessment and test excavation results, HED confirmed that the proposal satisfies the requirements of the SPPS and PPS 6, ***subject to conditions*** requiring the implementation of a developer-funded programme of archaeological works, including archaeological monitoring and excavation within identified areas of archaeological significance, together with the erection of a temporary non-intrusive protective fence around Dunavan Fort during construction. These measures will ensure the identification, recording and, where appropriate, preservation in situ of archaeological remains ***in accordance with Policy BH 4 of PPS 6***

In summary, subject to attached conditions being met, the proposal is considered satisfactory to the policy requirements of the SPPS and PPS6.

13.0 SPPS and PPS8 (Open Space, Sport and Outdoor Recreation) (OS1 – Protection of Open Space):

Land at the site is not zoned as protected open space, however as noted, there are existing playing field to the front of the school. School playing fields are included within the definition of 'outdoor sports facilities' which are a form of 'open space' for the purposes of PPS8 (Annex A, para A2.)

The proposals will involve the creation of additional recreational facilities including sports pitches and tennis courts and will bring about a significant enhancement to the sporting and recreational facilities on the site.

Policy OS1 of PPS8 will not permit development that would result in the loss of existing open space or land zoned for the provision of open space.

The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. An exception will be permitted where:

• it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space, or
• in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality.

The existing site comprises over 70,000sqm of open space across hard and soft landscaped playing pitches, amenity areas, woodland and unused land. The proposals would result in the provision of over 60,000sqm of open space across the hard and soft playing pitches, landscape amenity areas and woodland. Despite a small reduction in open space, the proposals would provide for not only enhanced open space, but an enhanced community asset provide clear substantial community benefits to the local community.

On this basis, the proposal is considered acceptable to PPS8 policy requirements.

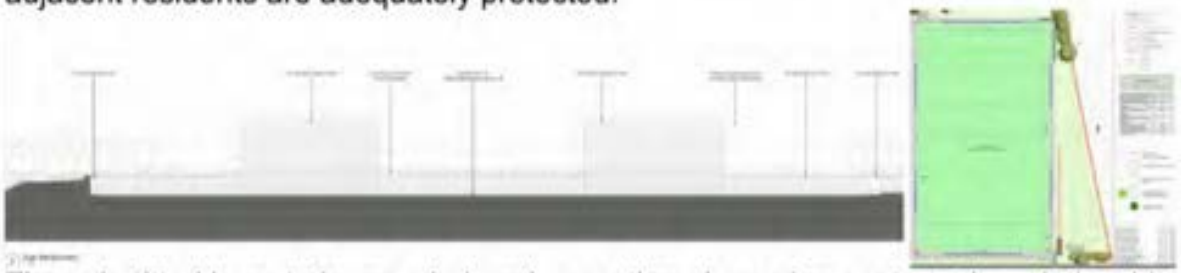
14.0 BNMAP, SPPS and Residential Amenity:

Policy ECU 1 requires that there is no significant detrimental impact to amenities. Residential properties bound the site to the east (Grove Hill) and west (Belmont Road) of the site.

Whilst the proposal relates to an established school and its facilities at this site, the proposal has the potential to generate noise and odour pollution and general disturbances which could impact on the amenity of surrounding residents through dominance, loss of light, loss of privacy.

The proposal is not expected to introduce increased numbers to the site during operational stages so effects of noise and general disturbance are expected to be short-term, with the existing operational noise levels to remain unchanged as a result of this proposal.

A considerable separation distance exists between the proposed development and the nearest residential properties, thereby preventing any unacceptable overbearing, dominant or overshadowing impacts on neighbouring occupiers. The scale, positioning and orientation of the proposed school buildings ensure that the amenities enjoyed by adjacent residents are adequately protected.



The submitted layout plans and elevation section above demonstrate the relationship between the proposal and the existing dwellings within Grove Hill. The closest interface

with residential properties comprises the proposed GAA pitch, ball-stop fencing, boundary treatments and associated landscaping.

In this regard, it is noted that the proposed earthworks involve a reduction in ground levels adjacent to the Grove Hill boundary. As a result, the proposed GAA pitch and associated ball-stop structures will be located at a lower finished ground level than the rear gardens and dwellings within Grove Hill. This level difference assists significantly in integrating the sports facilities into the site and reduces their apparent height when viewed from neighbouring properties.

Furthermore, the retention of existing boundary vegetation together with proposed supplementary landscaping will provide additional screening and soften views of the development. While the ball-stop fencing will inevitably be visible from some properties, the lowered ground levels, separation distance and landscaping measures ensure that it will not appear unduly dominant or visually intrusive.

Having regard to the separation distances involved, the proposed site levels, boundary treatments and landscaping strategy, it is considered that the development will not result in any unacceptable adverse impact on the residential amenity of neighbouring properties at Grove Hill through dominance, overbearing effects or loss of outlook. The proposal is therefore considered acceptable in terms of safeguarding residential amenity.

Odour: An Odour Impact Statement confirms that the school's main accommodation extraction discharge point will be 1m above the eaves at 10-15m and alongside the considerable separation from residential properties no amenity impacts are expected to occur from odour.

Noise: A Noise Impact Assessment concludes that the demolition and construction phase is predicted to result in a substantial negative impact on the local noise environment. However, this will be temporary in nature and can be managed to within acceptable limits through the implementation of best working practices and appropriate mitigation.
In the operational phase, the development is not expected to give rise to significant changes in noise levels at nearby properties.

In relation to noise impact, Policy OS 4 of PPS 8 supports intensive sports facilities within settlements subject to demonstrating that there is no unacceptable impact on the amenities of people living nearby.
The Noise Impact Assessment concludes in relation to the sports facilities that external sports activity will remain within the targets set by AGPA, BS8233 and WHO guidelines, ensuring no adverse impact on neighbouring receptors.

In addition, external plant will be fitted with silencers to minimise noise levels.

No flood lighting is proposed and therefore ***there is no conflict with Policy OS 4***.

15.0 SPPS and PPS15 (As revised - Planning and Flood Risk):

DfI Rivers Agency Flood Maps (NI) indicate that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which DfI Rivers Agency have no record.

DfI Rivers Agency having been consulted (16.03.26) on the proposal, have not raised any concerns in relation to Policies FLD1, FLD2, FLD4 and FLD5 and advise the following in relation to Policy FLD3 (Development and Surface Water):

Rivers Directorate has reviewed the Drainage Assessment Issue 2 by Tetra Tech, dated 10/03/26, and comments as follows: The Drainage Assessment indicates that flood risk to and from the development includes SuDS proposals. Commenting on the efficacy of the proposed SuDS is outside Rivers Directorate's area of knowledge and expertise. Co

In relation to potential flood risk in the climate change scenario Rivers Directorate advises the planning authority that, based on the most up to date modelling information on predicted flood risk available to the Department, the climate change flood maps indicate that the site does not lie within the 1 in 100 year climate change fluvial flood plain and/or the 1 in 200 year climate change coastal flood plain.

Taking account Rivers Agency comments dated 6th April 2026, in summary, the requirements of PPS15 (Revised) can be fully satisfied.

15.1 Sewerage and Water supply:

The proposal seeks to connect to NI Water's public water supply and dispose of foul sewage via the existing mains sewage network.

NI Water it was recommended approval; however, NI Water outline that there is insufficient capacity within the receiving foul sewer network. The reason for NI Water's recommended approval is that the 'connection to the network may be permitted where evidence is provided of a like-for-like foul discharge, consistent with the site's previous use within the past 5 years.

NI Water have indicated they are content and that the WWTW and associated sewer network is able to accept the a like for like sewage loading, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Catchment Unit would have no objection to this aspect of the proposal.

The proposed development will have a new, separated storm water drainage network which will discharge storm water runoff to the designated Dunaval Drain at the GFR of

10 l/s/ha as per Dfl Rivers S6 consent.
Discharge from the application site will be limited via flow control and attenuation.
The development's stormwater sewer design and construction will be completed to an NIW adoptable standard.

On the basis of the above, provided the necessary conditions are met and on the basis of the information provided, the proposal can be successfully implemented without adversely impacting on existing NIW sewerage infrastructure or public water supply.

15.2 Contamination:

A Preliminary Risk Assessment (PRA) (dated Jan 2022) has been submitted with the planning application, which concluded that an intrusive investigation and supporting further risk assessment i.e. Generic Quantitative Risk Assessment (GQRA) should be undertaken in line with applicable guidance.

The purpose of a Generic Quantitative Risk Assessment (GQRA) is to refine the conceptual model developed following the Preliminary Risk Assessment (PRA) which identified potential pollutant linkages which may exist at the site.

The GQRA concluded that following ground investigations, soils and groundwater are not considered to pose a significant risk but a very low to low risk to the future site development or to the water environment. The ground gas regime at the site has been characterised as Characteristic Situation 3 (CS3) moderate risk due to elevated CO2 concentrations recorded in BH07 and BH29, and the site is within a Radon Affected Area where the potential is greater than 30%, ground gas protection measures are required, or alternatively further monitoring and gas risk assessment could be carried out.

In consultation with NIEA Regulation Unit Land and Groundwater team they have confirmed that the GQRA is informed by site investigations and environmental monitoring data and that no unacceptable risks to environmental receptors have been identified for the development.

Regulation Unit Land and Groundwater Team have no objections to the development provided conditions and informatives are placed on any Planning Decision Notice as recommended.

The Council's Environmental Health Department also confirm that they have no concerns about contamination in respect of human health, having reviewed the submitted details, subject to conditions being complied with in relation to the discovery of unknown contamination. A planning condition to this effect is detailed at the end of this report.

16.0 SPPS and PSRNI Assessment

Policies DES2 (Townscape) and SP18 (Design in Towns and Villages) - Design Considerations (PPS2 – TPO para 2.17)

Paragraph 4.26 of the Strategic Planning Policy Statement (SPPS) advises that design is an important material consideration in the assessment of all development proposals and that particular weight should be attached to the impact of development on existing buildings and their setting. The proposal is accompanied by a comprehensive Design and Access Statement, and it is noted that pre-application discussions have informed the evolution of the design.

The proposed replacement school has been carefully designed to respond positively to its rural setting. The development comprises a series of two-storey and single storey accommodation blocks arranged around two central courtyards. The layout draws inspiration from traditional farmyard and clachan settlement patterns, reflecting the established character of the surrounding countryside while creating a coherent and legible arrangement. The architectural approach, scale and form are considered appropriate for an educational facility of this nature.

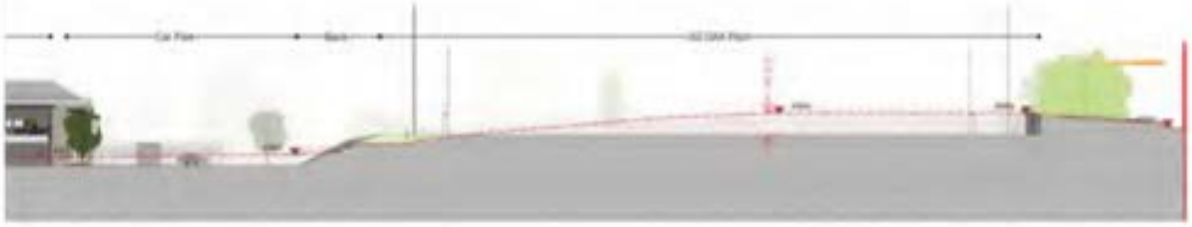
The proposal demonstrates an awareness of the site's sensitive landscape context, including its visual relationship with the Mourne Mountains, Dunavan Fort and the presence of protected trees. Existing boundary vegetation and Tree Preservation Order (TPO) trees will be retained and protected (root zone protection fencing), while any necessary tree removals will be compensated through replacement planting, both retained trees and those to be felled will be appropriately conditioned within the decision notice. The comprehensive landscaping scheme submitted incorporating new planting will enhance the site's visual integration and biodiversity value.

Landscape and visual assessments submitted in support of the application demonstrate that the development has been designed to minimise visual intrusion. The proposed cut-and-fill strategy reduces finished building heights and allows the development to sit more comfortably within the topography of the site. Compact building massing, together with the retention of established boundary vegetation, assists in mitigating visual impacts from surrounding roads and viewpoints.



Photomontages and site sections indicate that views from Belmont Road will remain substantially filtered by existing hedgerows and boundary vegetation. Elements of the development, including the roofscape and sections of the bus drop-off retaining wall, will nevertheless be visible owing to changes in ground levels. The retaining wall will reach a maximum height of 3 metres, gradually reducing in height towards the bus entrance on Newry Road, where existing ground levels are higher. The mature southern hedgerow along Belmont Road will remain intact and continue to provide effective screening.





The existing topography in the north-eastern corner of the site is elevated and, when viewed from this location, the existing school building largely screens views towards Dunavan Fort and its mature woodland setting. The proposed development will involve a reduction in ground levels (3m) in this area to facilitate the construction of a full-size GAA pitch. This regrading of the site will create a more open and panoramic outlook across the wider landscape towards Dunavan Fort, thereby maintaining appreciation of these important landscape features.

To accommodate the proposed change in levels, a retaining wall will be constructed adjacent to the GAA pitch, as shown in the section above. Any views of this structure will be largely confined to within the application site. Potential views from the public road network will be limited by the retention of existing mature trees and the implementation of comprehensive landscaping proposals, which will continue to provide effective screening and integrate the development into its surroundings.





The new school will be visible from the Newry Road; however, it has been designed to integrate naturally into its rural setting. As part of the proposal, diseased trees will be felled and replaced with heavy standard specimens, included within the comprehensive landscaping proposals. These measures will soften views of the development and reduce its visual impact from the road.





The section above illustrates the proposal as viewed when travelling along the Newry Road across the school frontage. When leaving Kilkeel and approaching the school, the development boundary will be defined by a new 2.4-metre-high Paladin fence enclosing the proposed GAA pitch. The access boundary in front of the school will comprise a Mourne granite-coloured clay-brick plinth with wrought-iron railings above. The pillars will be finished in reconstituted stone with concrete copings. The vehicular entrance gates will have a matching wrought-iron finish. The selected materials complement those of the original school buildings on the site, thereby maintaining a sense of continuity.





The proposed material palette above has been selected to complement both the existing

St Louis' School buildings and nearby St Coleman's Church. It should be noted that no part of the existing St Louis School buildings have been constructed with traditional mourne granite as discussed at the time of the pre-app stage. The use of Bromo Fuji Blend brick, reconstituted stone detailing, white render and dark grey standing seam metal roofing provides a high-quality contemporary design whilst remaining sympathetic to local character. The muted colour palette and natural materials further assist in integrating the development into its rural context.

The design also incorporates sustainable and future-proofed principles, providing a durable, adaptable and low-maintenance educational facility capable of meeting the long-term needs of the local community. The building form, layout, landscaping and material finishes collectively demonstrate a high standard of design that responds appropriately to the site's constraints and opportunities.

Having regard to the SPPS and the objectives of Policies DES2 and SP18, it is considered that the proposal represents a well-designed development that respects the character of the area, integrates appropriately within the landscape, and will not result in unacceptable impacts on visual amenity. The proposal is therefore considered compliant with the relevant design policies.



Brickwork - Bromo Fuji Blend



Windows & Doors – RAL 7002



Reconstituted Stone – BL S01



Render – SIL K1 White



Roof Cladding – RAL 7022

Fig 32. *Materiality choices for St. Louis' School*



Neighbour Notification Checked	Yes

Summary of Recommendation
Approval, subject to conditions.

Draft Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. Prior to and throughout construction, the appointed contractor must implement, and adhere to all the mitigation measures set out in the outline Construction Environmental Management Plan (HTC, September 2025, Rev 01) to effectively prevent the egress of contaminated water from the construction site, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

3. The storm drainage for the 3G pitch must be designed in accordance with and include the mitigation as detailed in the Drainage Assessment – Issue 2 (Tetra Tech, 10/03/2026).

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

4. The operational drainage and pitch maintenance must be implemented and adhered to at all times in accordance with the Operation and Maintenance Manual (Tetra Tech, Rev A, March 2026) published on NI Planning Portal on 09/04/2026.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

5. The level of foul discharge from the proposed school must be agreed by NIW and the Council prior to any works commencing on site. When operational, the level of foul discharge from the site must not exceed the agreed level, unless otherwise agreed in writing with NIW and the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing C-0100 P02 PSD Drawing, Published date on consultee hub 10th August 2026.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

7. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing C-0100 P02 PSD Drawing, Published date on consultee hub 10th August 2026.The Council hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3(4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

8. No other development hereby permitted, shall be operational until the footway along the A2 Newry Road has been completed in accordance with details submitted and approved by Planning on Drawing C-0100 P02 PSD Drawing, Published date on consultee hub 10th August 2026.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

9. The vehicular access's, including visibility splays from all access's and any forward sight distance, shall be provided in accordance with Drawing C-0100 P02 PSD Drawing, Published date on consultee hub 10th August 2026, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

10. The access gradients to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses the footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

11. No demolition of any existing building, removal of any tree identified as having bat roost potential, or any other works which may affect bats or their roosts shall take place until an updated bat survey and ecological assessment, carried out by a suitably qualified and experienced ecologist, has been submitted to and approved in writing by the Planning Department.

The updated survey shall:

(a) establish the current presence, distribution and status of bats and any bat roosts within the application site and any structures or trees affected by the development;

(b) assess the implications of the proposed works for bats and their roosts;

(c) identify any measures required to avoid, mitigate or compensate for impacts on bats and their habitats; and

(d) identify any requirement for a wildlife licence under the relevant wildlife legislation.

All measures contained within the approved survey and assessment, including any mitigation, compensation, monitoring and habitat management measures, shall be implemented in full in accordance with the approved details and any specified timetable, and shall be retained thereafter.

Reason: To ensure the protection of bats, a European Protected Species, and their habitats, and to enable the Planning Authority to assess the implications of the development having regard to the requirements of PPS 2 and the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

12. No development, including site clearance, vegetation clearance, excavation, groundworks, storage of materials, parking of plant or machinery, or the erection of site compounds, shall take place until details of measures for the protection of all trees identified for retention, including those identified as having bat roost potential, have been submitted to and approved in writing by the Planning Department.

    The approved measures shall include the location and specification of protective fencing and exclusion zones in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendations', together

with details of any special protection measures required for trees with bat roost potential.

The approved protection measures shall be installed prior to the commencement of development and shall be retained in place for the duration of construction works. No materials, plant, machinery, spoil, waste, fuels or chemicals shall be stored within the protected areas, nor shall any excavation, level changes, underground services, burning or other operations likely to damage retained trees be undertaken within those areas without the prior written approval of the Planning Authority.

Reason: To safeguard retained trees, including those with potential to support bat roosts, in the interests of biodiversity, nature conservation and the amenities of the area.

13. No tree identified for removal shall be felled or otherwise removed until it has been inspected by a suitably qualified ecologist no more than 14 days prior to the commencement of works affecting that tree. Where evidence of bats or a bat roost is identified, works shall cease and shall not recommence until a scheme of mitigation, including any licensing requirements, has been submitted to and approved in writing by the Planning Department. This shall be implemented in full as agreed.

Reason: To ensure the protection of bats, a European Protected Species, and their roosting habitat.

14. No development, including site clearance, vegetation removal, excavation, groundworks or any other works associated with the development, shall commence until an updated badger survey of the application site affected by the development has been undertaken by a suitably qualified and experienced ecologist within three months of the commencement of works. The findings of the survey, together with details of any necessary mitigation measures, protection measures and statutory licensing requirements, shall be submitted to and approved in writing by the Planning Department before works commence.

The development shall thereafter be carried out in strict accordance with the approved measures. Should a badger or previously unidentified badger sett be discovered at any stage during the carrying out of the development, all works within the vicinity of the discovery shall cease immediately and shall not recommence until details of appropriate mitigation and any required licensing arrangements have been submitted to and approved in writing by the Planning Department. This shall be implemented in full as agreed.

Reason: To ensure the protection of badgers, a protected species, and their habitat in the interests of nature conservation and biodiversity.

15. No development shall commence on site until an Invasive Species Management Plan has been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To prevent the spread of an invasive plant species listed on Schedule 9 of the Wildlife (Northern Ireland) Order 1985 (as amended) and to minimise the impact of the proposal on the biodiversity of the site.

16. No site works of any nature or development shall take place until a temporary non-intrusive fence has been erected to protect Dunavan Fort, on a line to be agreed with HED (Historic Monuments).

    No works of any nature or development shall be carried out within the fenced area. No erection of huts or other structures, no storage of building materials, no dumping of spoil or topsoil or rubbish, no bonfires, nor any use, turning or parking of plant or machinery shall take place within the fenced area. The fence shall not be removed until the site works and development have been completed.

Reason: to prevent damage or disturbance of archaeological remains within the application site.

17. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division.

Reason: to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

18. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry Mourne and Down District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

• The identification and evaluation of archaeological remains within the site;
• Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
• Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
• Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

19. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 18.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

20. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 18.
These measures shall be implemented, and a final archaeological report shall be submitted to Newry Mourne and Down District Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Newry Mourne and Down District Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

21. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

22. After completing the remediation works under Condition 21; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks.
The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

23. Trees shaded in ..... on drawing no ..... are protected by a Tree Preservation Order and shall be retained. No retained tree shall be cut down, uprooted or destroyed, have its roots damaged nor shall arboricultural work or tree surgery take place on any protected tree without the written approval of the Planning Auhtority of Newry, Mourne and Down District Council.

Reason: To secure long-term protection of trees.

24.During the first available planting season after the operational use of the development hereby approved, or as otherwise agreed in writing by the Planning Department, landscaping shall be carried out in accordance with the ..... Plan (Drawing No .....date stamp received .....) and maintained thereafter.

Reason: In the interest of visual and residential amenity.

25.If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Planning Department gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

26.The open space and amenity areas as indicated on the drawing No ..... date stamp received ..... (.....) shall be managed and maintained in accordance with a detailed Landscape Management and Maintenance Plan which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling hereby approved.

Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.

27.No vegetation clearance/removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Planning Department within 6 weeks of works commencing.

Reason: To protect breeding birds

Development Management Officer Report

1.0 Application ID: LA07/2023/2901/F, LA07/2023/2908/LBC and LA07/2023/2912/DCA

2.0 Proposal:

A mixed use development proposal that will incorporate the retention and refurbishment of the existing Bessbrook Mill complex. Works to the Mill complex and associated structures within its curtilage include for:

- Upgrade and adaptation of existing Mill building for the proposed development;
- Retention and incorporation of the existing blast wall within the Mill complex;
- Partial demolition and removal of the existing weaving sheds and associated outbuildings. Sections of the existing Weavers' Shed shall be carefully dismantled and stored during construction works, restored prior to re-erection, and retained with an on-site interpretation board installed within the Structure.
- Alterations and part removal of the existing boundary wall along Derrymore Road, with a fixed metal railing installed within the opening between the piers to replicate the historic gateway.
- Existing Building Ruin to the Western aspect of the Mill Complex to be retained and incorporated into the communal open space of the Mill Complex.
- Demolition of the existing British Legion building.

The provision of a total of 48no. new-build residential dwellings and the provision of a total of 219no. apartments of which 165no. are to be provided within the existing Mill building which is to be refurbished and adapted to facilitate the residential use with associated works including for provision of an additional storey to the Mill building. The Mill building is also to incorporate 6 Nr. Commercial Office units, along with provision of a Gym.

The development will also include the provision of a storage building, a refuse/waste storage building in addition to a temporary wastewater treatment works (WWTW). Associated site works will include provision of car parking, connection to existing services, provision of internal access roads along with ancillary site landscaping works.

3.0 Location:

Lands at Bessbrook Mill, Derrymore Road, Bessbrook, BT35 7DN

Applicant Name and Address:	**Agent Name and Address:**
Farlstone Construction Limited 8 Castleblayney Road Keady	Ronan Woods Dean Swift Building Armagh Business Park, Hamiltonsbawn Road

BT60 3QP	Armagh BT601HW
Neighbour Notification:	March 26, March 25 and August 2023
Date of Press Advertisement:	Sep 26, Mar 26, Mar 25 and July 23

4.0 Consultations:

HED Monuments (31.07.26) - has reviewed the additional information provided and refers to our response of 23/05/25 advising that the application is, in principle, acceptable to SPPS and PPS 6 archaeological policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. Our position remains unchanged.

HED Buildings (09.10.26) - has considered the impact of the proposal on the listed buildings and on the basis of the revised and additional information provided, advises that:
• The proposed alterations and change of use to the listed building satisfies policy subject to conditions.
• Partial demolition is acceptable, subject to conditions, on the basis that an acceptable phasing of works at the site is conditioned.
• Development in the setting of the listed building satisfies policy, subject to conditions.
Relevant policies include paragraphs 6.12, 6.13 & 6.15 of SPPS (NI) 2015; BH7, BH8, BH10 & BH11 of PPS6; and PPS23.

DFI Roads (08.10.26) - DFI Roads have no objection in principle subject to conditions

DFI Rivers (25.09.26) - Rivers recons 14.09 (due 05.10.26) email clarification sent 07.09.26 and drawing, condition assurance update. Confirmed in consultation that they have no reason to sustain an objection under FLD 1, 4 and FLD 5.

DFI Rivers (25.06.25)

FLD3 - Development and Surface Water

Rivers Directorate has reviewed the revised Drainage Assessment and comment as while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. With recommended condtion

Condition - Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%).
Reason – In order to safeguard against surface water flood risk. Flood risk in the climate change scenario

Shared Environmental Service (13.10.26) - Acknowledges the planning officer's HRA screening published to the portal 22/09/2026. This letter has been uploaded to close the consultation to SES and remove it from the Consultee Hub Workqueue.

NIEA Water Catchment Unit (09.04.26)

Water Catchment Unit has considered the impacts of the proposal on the water environment and would advise the proposal has the potential to adversely affect the surface water environment.

NIEA Regulations Unit (09.04.26)

No objection subject to condition

NIEA NED (09.04.26)

NED acknowledges receipt of the amended proposal drawings however NEDs previous response still applies. Further information as requested in our response dated 03/02/25 is still outstanding. NED cannot make an appropriate assessment until the relevant information has been made available.

Foyle (26.03.26)

Loughs Agency recommend planning permission is withheld until such times as NI Water are satisfied there is sufficient capacity in the network to service the proposed development. Loughs Agency seek clarification on whether the intention to use a temporary WWTW has now been disregarded.

NIW (25.03.26 and 25.04.25) - Refusal. Subject to the applicant engaging with NI Water

NIE (13.03.26) – No objection

Environmental Health (19.03.26) – No objection subject to condition

NI Housing Executive (24.03.26)

The Housing Executive supports the delivery of 56 units in this development to help address unmet social housing need in this area. The Housing Executive is aware Ark Housing Association intends to progress this scheme and we have provided advice on housing need and a housing mix as below:

- 2 No 2 person 1 bedroom general needs apartments
- 13 No 4 person 2 bedroom general needs apartments
- 13 No 4 person 2 bedroom general needs houses
- 16 No 5 person 3 bedroom general needs houses

- 8 No 6 person 4 bedroom general needs houses
- 2 No 3 person 2 bedroom generic wheelchair houses
- 2 No 5 person 3 bedroom generic wheelchair houses

5.0 Representations:

Letters of Support	4
Letters of Objection	183
Petitions	1
Signatures	1085

5.1 Summary of Issues:

Objections:

Social Housing Concerns:

Too many social houses not enough for rest of community/ no to social housing

The proposal comprises 267 residential units, representing a reduction from the 272 units previously approved under planning permission P/2007/1392/F, which also incorporated social housing provision. Of the total units proposed, 56 (approximately 21%) are intended for social housing, with the remaining 211 units available for the private market. The Northern Ireland Housing Executive supports the delivery of these units to address identified unmet housing need within the area. Having regard to the approved planning history of the site, the recognised need for social housing and the fact that social housing would constitute a minority proportion of the overall development, it is not considered that the proposal would result in an unacceptable concentration of social housing or prejudice the creation of a balanced and sustainable community.

Impact on Local Facilities:

Impact on capacity of local facilities such as access to school, doctors and village

The delivery and management of such services fall within the remit of the relevant statutory providers rather than the Planning Department and therefore cannot comment on this aspect.

Road Related Issues:

Increased traffic/ Parking issues/ Insufficient parking impact in village Congestion/ Road Safety/ No infrastructure to support development/ local infrastructure inadequate

Dfl Roads (comments dated 08.10.26) has assessed the proposal and subject to use of planning conditions, raises no objection. The parking, turning and manoeuvring arrangements are considered acceptable. The site also previously benefited from

planning permission P/2007/1392/F for a larger-scale development. Having regard to the advice of DfI Roads and the planning history of the site, the proposal is not considered to result in unacceptable impacts on the road network, parking provision or road safety.

Pollution/ Dust/ Odour/ Noise/ General Disturbance

Environmental Health (comments dated 19.03.25) considered these matters, including concerns raised through third-party representations, and raises no objection to the proposal subject to planning conditions.

Asbestos at the site

The identification, management and removal of asbestos are matters governed by separate health and safety and environmental legislation and fall outside the remit of the planning system.

Insufficient water/ sewerage facilities/ NI Water recommend that this application for planning approval should be refused.

This matter has been fully considered within the assessment of the application. Whilst NI Water has identified wastewater capacity constraints within the Newry catchment, subsequent engagement has identified potential infrastructure upgrades and mitigation measures capable of facilitating development. In addition, a temporary package wastewater treatment plant is proposed as an interim solution pending a permanent connection to the public sewer network. Having regard to the consultation responses received, the proposed mitigation measures and the ability to secure an appropriate foul drainage strategy by condition, it is considered that wastewater disposal can be satisfactorily managed and does not warrant refusal of planning permission.

Construction activity/ disturbance

Environmental Health considered the potential impacts on residential amenity and, in its consultation response of 19th March 2025, raised no objection subject to planning conditions.

Alternative Uses - Make into a museum/ wildlife park/ recreational or retail use, offices, tourism and community

The site is zoned under BK09 for mixed-use development, with residential use forming part of the envisaged land use mix. The proposal includes the refurbishment and reuse of the Mill building together with commercial office units and a gym, thereby retaining a mixed-use element. Furthermore, the principle of residential-led mixed-use development has already been established through the site's planning history. Accordingly, the proposal accords with the zoning objectives.

Increased Population:

Surge to population not sustainable/ Village not fit for extra influx of residents/ The density and scale proposed for the Bessbrook Mill site risks creating a development which is out of character/ Overbearing suburban development would transform the village/ fear in so many people of who will be allocated these properties/ Overdevelopment/ High density/ Negative impact on character/ Degrade the village

The proposal comprises 48 new-build dwellings and 219 apartments, including the conversion of the existing Mill building to provide 165 of these apartments. The site is identified as zoned land (BK09) for mixed-use development within the development plan, and its planning history is a material consideration that supports redevelopment. The proposal has been assessed against the relevant planning policies and is considered appropriate in scale and density for this strategically important brownfield regeneration site. A substantial proportion of the accommodation is provided through the reuse of the existing Mill building, thereby retaining the site's established character and heritage significance. The development is contained wholly within the application site and would not encroach upon or adversely alter the wider village. Accordingly, the proposal is not considered to represent overdevelopment or to result in unacceptable harm to the character of the area.

Leave the mill to nature as a piece of history of the village

A "do nothing" approach would be contrary to the objectives of planning policy, which seek not only the protection but also the preservation, enhancement and viable reuse of historic buildings. The Mill is a landmark building of significant heritage value within Bessbrook, and its long-term conservation is best secured through appropriate restoration and adaptation to a sustainable use. The proposal facilitates the refurbishment and retention of the building, ensuring its continued maintenance and contribution to the character, appearance and historic identity of the village. Accordingly, the development is considered to represent a positive heritage outcome and accords with the objectives of the relevant planning policies relating to the protection and enhancement of the historic environment.

Demolish the mill, should be replaced by a peace memorial/ garden

The objection that the Mill should be demolished and replaced with a peace memorial or garden is noted; however, demolition of this landmark heritage asset would be contrary to the SPPS and PPS 6, which seek the protection, conservation and viable reuse of historic buildings. The proposed refurbishment and conversion will secure the building's long-term preservation and continued contribution to the character, appearance and historic identity of Bessbrook, representing a positive heritage outcome.

Reserve the piece of history/ Preservation of important historic building/ Historic buildings should be restored not destroyed

The proposal secures the refurbishment and viable reuse of this important heritage asset, with HED confirming that the alterations, partial demolition and development within its setting satisfy the relevant policy requirements, subject to conditions, and accordingly comply with the SPPS and PPS 6.

Antisocial issues/ Crime

The development has been designed to promote natural surveillance, with public open spaces, pedestrian routes and parking areas overlooked by surrounding dwellings and apartments, thereby enhancing passive supervision and contributing to a safe and secure living environment.

Loss of open space

The proposal is principally a brownfield regeneration scheme incorporating the reuse of the existing Mill building and includes the provision of new and incorporating existing areas of public open space, landscaping and pedestrian connections, improving accessibility to the wider village, recreational facilities and local services, and therefore is not considered to result in an unacceptable loss of open space.

Impact to ecology/ Impact to habitat/ wildlife

The objection regarding impacts on ecology, habitats and wildlife is noted. Ecological assessments submitted in support of the application, including bat and newt surveys, have identified the presence of protected species and habitats and have informed appropriate mitigation and compensation measures. Whilst further updated bat survey information has been requested by NIEA Natural Environment Division, no overriding ecological constraint has been identified, and the matter can be satisfactorily addressed through planning conditions requiring updated surveys, a Bat Mitigation Plan, Habitat Management Plan, ecological supervision and sensitive lighting design. Subject to these safeguards, the proposal is not considered likely to result in unacceptable harm to protected species, habitats or natural heritage interests and is capable of complying with Policies NH 2 and NH 5 of PPS 2.

The addition of an extract store and roof to mill is a non-starter/ Loss of daylight by roof addition

HED raised no objection to the proposals in heritage terms, and the rooftop addition is sufficiently set back from surrounding residential properties such that it is not considered to result in any unacceptable loss of daylight or other adverse impact on residential amenity

Aesthetic concerns/ Changes to building will dominate and alter the setting, scale ad visual character

The alterations and development within the setting of the listed building satisfy the relevant policy requirements, subject to conditions, and it is considered that the proposals will integrate appropriately with the existing building, preserving and enhancing its historic character and setting without causing unacceptable visual harm.

Concern of removal of boundary wall

The existing boundary wall is to be retained and incorporated into the proposed scheme, thereby maintaining its contribution to the character and appearance of the site.

Inconceivable to consider demolition of weaving shed

HED in comments dated 09.10.26 accept the principle of partial demolition under PPS 6 Policy BH10 and the SPPS where it facilitates the long-term viability, reuse and upkeep of the Mill building, and has welcomed revisions that increase the extent of the weaving shed structure to be retained. Accordingly, the proposal is considered to secure an appropriate balance between heritage conservation and the sustainable regeneration of this important listed building.

Environmental risk

The proposal has been subject to Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) screening, and environmental considerations have been fully assessed through consultation with the relevant statutory bodies. Subject to the recommended mitigation measures and planning conditions, the proposal is not considered likely to result in unacceptable environmental effects.

Summary of Support:

• The Mill in its current state is an eye sore
• Such a historic building should be used and surely social housing would fit with the Quaker ethos of the original owner
• Ark Housing Association is support
• Preserve the history
• Important building abandoned and left to decay, too many buildings like this being lost support a new lease of life
• Much needed investment in an historic building/ investing in our historical of the mill instead of eradicating our history

Support for the proposal is noted, particularly in relation to the restoration and reuse of the historic Mill building, the preservation of local heritage and the regeneration of a long-vacant landmark site. The proposal secures the retention, refurbishment and viable reuse of the Mill complex and associated heritage features, in accordance with the development plan and planning policies which seek to protect, conserve and enhance historic buildings. By bringing the site back into productive use, the development will prevent further deterioration, provide significant investment in the historic fabric of the

Mill, and contribute positively to the vitality and regeneration of Bessbrook, giving the building a sustainable new lease of life for the benefit of the wider community.

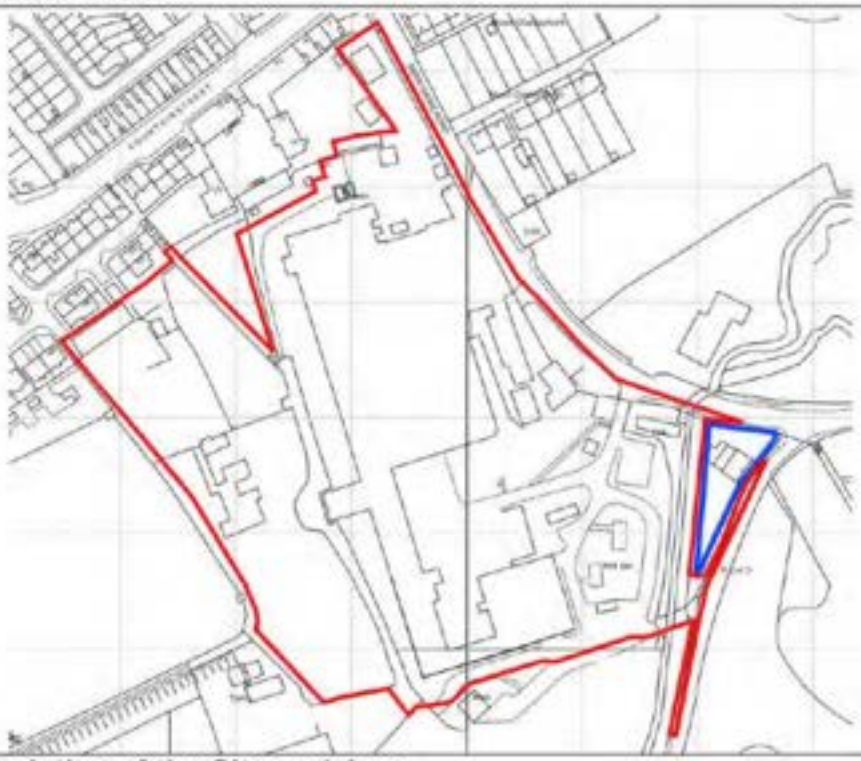
PETITION

Do you want the development for housing/ industrial or mixed use?

A petition expressing views on whether the site should be developed for housing, industrial or mixed-use purposes has been received and carefully considered. The issues raised within the petition have been noted; however, the proposal before the Council has been assessed against the relevant development plan, planning policies and all other material planning considerations

Site Visit Report

6.0 Site Location Plan:



7.0 Characteristics of the Site and Area

The application site extends to approximately 4.18 hectares and occupies a strategically significant location within Bessbrook Village. Owing to its low-lying topography, views of the site are generally limited to the immediate surrounding area.

The site is situated within a varied and historically significant setting, characterised by a mix of land uses and building types. The Bessbrook Conservation Area lies to the north and west, while lands to the south are defined by Derrymore House and its associated historic parkland.

The northern and north-eastern boundaries adjoin established residential properties, while Bessbrook Mill Pond is located to the west. Immediately to the south-west, comprise of a combination of vacant sites and areas currently utilised for commercial purposes.

The site is occupied by the existing listed mill complex and associated outbuildings. Extensive areas of hardstanding are present throughout the site, interspersed with pockets of landscaping and open space. Vehicular access is currently provided from Derrymore Road.

Existing ground levels fall across the site, sloping downward from both the Mill Pond and the northern corner towards the lowest point adjacent to the river. A long-established belt of mature trees and vegetation is located to the western side of the principal mill building, contributing to the site's landscape character.

Site boundaries are primarily defined by a stone wall along Derrymore Road. Reflecting the site's former use as a military base, the remaining boundaries are enclosed by perimeter walls and security fencing which remain in situ.



Aerial Overview of Site

8.0 Description of Proposal

Comprehensive mixed-use redevelopment of the former Mill complex and surrounding lands, including the retention, conversion and extension of existing buildings; the provision of commercial, office and gymnasium floorspace; 48 no. new-build residential dwellings and a total of 219 no. apartments, of which 165 no. apartments are to be accommodated within the existing Mill building; together with associated access arrangements, parking, landscaping, infrastructure and ancillary site works.

Works comprise the formation of a new access to the SE from Derrymore Road, cutting through the existing hardstanding area and former access at the south-eastern portion of the site, serving a new apartment building containing 18 units. The former helipad, grassed area and associated hardstanding to be utilised as communal open space. The access road continues westwards along the southern side of the Mill building before extending to the rear of the site, providing approximately 106 car

parking spaces within the northern and southern rear portions of the Mill complex. The route runs adjacent to the principal frontage of the Mill building and wraps around its northern elevation, providing vehicular access and parking to the rear of the building and serving the wider development.

The proposal also incorporates a network of communal open spaces, landscaped areas, pedestrian and cycle linkages connecting Derrymore Road, Fountain Street and Bessbrook Village, together with the retention and enhancement of key heritage assets. Existing ruins within the western section of the site are to be retained, repaired and incorporated into communal amenity space, while the existing blast wall shall be retained and integrated into the design of the proposed development.

To the NW portion of the site, 10 dwellings are proposed with access from Fountain Street, together with associated parking, gardens and landscaping.

The NE portion of the site adds an additional access from Derrymore Road linking through to the internal roadway, the proposal includes two apartment blocks and townhouse-style dwellings arranged around a quad arrangement, together with private amenity space, bin storage, bicycle storage and additional parking. 4 dwellings will be located to the northern portion of the site with associated parking and refuse storage facilities to the N, and beyond the access a further seven dwellings are proposed fronting onto Derrymore Road.

The development includes the partial demolition and removal of the existing Weavers' Shed and associated outbuildings. Sections of the historic Weavers' Shed shall be carefully dismantled and stored during construction works, restored prior to re-erection and retained on site, together with the installation of an interpretation board detailing the heritage significance of the structure.

The existing boundary wall along the length of Derrymore Road shall be retained, with fixed metal railings installed within existing openings between piers to replicate the appearance of the historic gates. The proposal further includes a temporary wastewater treatment plant (SE), the removal of selected existing trees, compensatory planting, communal gardens, footpaths, cycle facilities, parking provision, servicing infrastructure, additional on street visitor parking bays and all associated site works.

9.0 Relevant Planning History

9.1 Application Site:

LA07/2023/2908/LBC

A mixed-use development proposal that will incorporate the retention and refurbishment of the existing Bessbrook Mill complex. Works to the Mill complex and associated structures within its curtilage include for:

- Upgrade and adaptation of existing Mill building for the proposed development;
- Retention and incorporation of the existing blast wall within the Mill complex;
- Partial demolition and removal of the existing weaving sheds and associated outbuildings. Sections of the existing Weavers' Shed shall be carefully dismantled and stored during construction works, restored prior to re-erection, and retained with an on-site interpretation board installed within the Structure.
- Alterations and part removal of the existing boundary wall along Derrymore Road, with a fixed metal railing installed within the opening between the piers to replicate the historic gateway.
- Existing Building Ruin to the Western aspect of the Mill Complex to be retained and incorporated into the communal open space of the Mill Complex.
- Demolition of the existing British Legion building.

The provision of a total of 48no. new-build residential dwellings and the provision of a total of 219no. apartments of which 165no. are to be provided within the existing Mill building which is to be refurbished and adapted to facilitate the residential use with associated works including for provision of an additional storey to the Mill building. The Mill building is also to incorporate 6 Nr. Commercial Office units, along with provision of a Gym.

The development will also include the provision of a storage building, a refuse/waste storage building in addition to a temporary wastewater treatment works (WWTW). Associated site works will include provision of car parking, connection to existing services, provision of internal access roads along with ancillary site landscaping works. (Amended proposal description)

LA07/2023/2912/DCA –

- Upgrade and adaptation of existing Mill building for the proposed development;
- Retention and incorporation of the existing blast wall within the Mill complex;
- Partial demolition and removal of the existing weaving sheds and associated outbuildings; Sections of the existing Weavers' Shed shall be carefully dismantled and stored during construction works, restored prior to re-erection, and retained with an on-site interpretation board installed within the Structure.
- Alterations and part removal of the existing boundary wall along Derrymore Road; with a fixed metal railing installed within the opening between the piers to replicate the historic gateway.
- Existing Building Ruin to the Western aspect of the Mill Complex to be retained and incorporated into the communal open space of the Mill Complex.
- Demolition of the existing British Legion building.

(Amended proposal description)

P/2007/1392/F - Mixed-use development and retention of main mill building to incorporate 272 residential units comprising 208 apartments, 64 townhouses which include social housing provision, employment (A1 retail and office use), leisure uses (resident's gym), children's play area, landscape parkland, associated parking and site works. Permission Granted 27.02.12. (Application Site)



P/2007/1392/F Site Layout

P/2008/1506/LBC - Works including demolition of minor mill complex buildings (including sanitary block and small outhouses) demolition, part retention and relocation of single storey weaving sheds, alterations and refurbishment of existing perimeter wall along Derrymore Road, relocation of existing gabion blast wall, internal alterations and reinstatement of windows to main mill building and internal alterations to original pump house. Consent Granted 03.03.12. (Application Site)

LA07/2022/1505/PAN - A mixed use development proposal including the retention and refurbishment of the existing Bessbrook Mill complex, which is a listed building. The residential aspect of the proposal will provide for 272No. residential units comprising of 214 apartments and 58 town houses. Associated facilities proposed will also include provision of 2no. retail units, 3no. office units and an gym. Associated site works will include provision of car parking, connection to existing services, provision of internal access roads and pedestrian routes, associated children's play area along with ancillary site landscaping works. PAN Concluded 14.10.22. (Application Site)

LA07/2022/0834/PAD - Mixed use development proposals including the retention of existing industrial mill complex. This will comprise of 270 no. residential units comprising of 204 no. apartments 64 no. townhouses which will include social housing provision. Additional facilities proposed for the site will include office, retail, gym services. Associated landscaping and children's play area shall be included within proposal with high quality amenity spaces. Application Withdrawn 28.11.24.

LA07/2020/0617/PAN - A mixed use development proposal including the retention and refurbishment of the existing Bessbrook Mill complex, which is a Listed Building. The residential aspect of the proposal will provide for 270 No residential units comprising

206 No apartments and 64 No town houses. The housing mix will incorporate a mixture of private and social housing units located across the site. Neighbourhood facilities proposed will include provision of a doctors surgery, a creche, a local shop, salon and residents gym. Associated site works will include provision of car parking, connection to existing services, provision of internal access roads and pedestrian routes, associated children's play area along with ancillary landscaping works. Proposal of Application Notice Requires More Consultation 14.04.22 (Application Site)

9.2 Enforcement Application Site:

LA07/2025/0038/CA - Alleged removal of listed blast wall. Decision: Not Expedient (Decided 18.03.25)

LA07/2020/0305/CA - Alleged unauthorised building works. Decision: Not Expedient (Decided 04.03.25)

9.3 Other Planning History within Vicinity:

LA07/2020/0272/F and LA07/2020/0268/LBC - Conversion of existing tram station building with new extension and alterations to same, to provide local supermarket, deli and cafe with redevelopment of associated lands to provide fuel forecourt facility. (Opposite and N of application site – current)

10.0 PLANNING POLICIES AND MATERIAL CONSIDERATIONS

o Regional Development Strategy 2035 (RDS)
o The Strategic Planning Policy Statement for Northern Ireland (SPPS 2nd Ed.)
o The Banbridge/ Newry and Mourne Area Plan 2015 (BNMAP)
o PPS 2 - Natural Heritage
o PPS 3 - Access, Movement and Parking
o PPS 4 – Planning and Economic Development
o PPS 6 - Planning, Archaeology and the Built Heritage
o PPS 7 – Quality Residential Environments
o PPS 7 (Addendum): Safeguarding the Character of Established Residential Areas Adobe
o PPS 8 - Open Space, Sport and Outdoor Recreation
o PPS 12 - Housing in Settlements
o PPS 13 – Transportation and Land Use
o PPS15 (Revised) - Planning and Flood Risk
o PPS 23 - Enabling Development
o A Planning Strategy for Rural Northern Ireland'
o DCAN 10 (Revised) - Environmental Impact Assessment
o DCAN15 - Vehicular Access Standard
o DOE Parking Standards
o Bessbrook Conservation Design Guide

11.0 PLANNING ASSESSMENT OF POLICY AND OTHER MATERIAL CONSIDERATIONS

12.0 PAN AND LEGISLATIVE REQUIREMENTS

12.1 The development has been considered under the Planning (Development Management) Regulations (Northern Ireland) 2015 given the mixed-use proposal before the Council.

12.2 The proposal comprises a mixed-use development incorporating residential,, community and commercial elements. In determining the applicable development classification for the purposes of the Planning (Development Management) Regulations (Northern Ireland) 2015, consideration has been given to the classes of development set out in Schedule 1.

12.3 While elements of the proposal fall within the descriptions of development contained within Parts 6 (Housing), 7 (Retailing, Community, Recreation and Culture) and 8 (Business, Industry (Light and General), Storage and Distribution) of Schedule 1, the proposal as a whole does not fall wholly within any single class.

12.4 Accordingly, the development is considered to fall within Part 9 – All Other Development, which provides for development not falling wholly within any single class of development described in Parts 1 to 8.

12.5 The proposal has therefore been assessed against the relevant thresholds applicable to Part 9. On the basis of the scale and nature of the proposed development, it is considered that the appropriate classification for the purposes of the Regulations is Part 9 – All Other Development.

12.6 As the area of the site exceeds 1 hectare (4.18ha) and therefore required the submission of a Proposal of Application Notice (PAN) which was submitted under LA07/2022/1505/PAN.

12.7 The regulation also requires a pre-application community event to be undertaken prior to the submission of the formal submission of the major application.

12.8 The agent submitted a Pre-Application Notice to the Planning Department on the 20th September 2022 which was subsequently agreed on 14th October 2022.

12.9 The agent carried out public consultation by way of an open event in Canal Court Hotel, Newry on the 5th/ 6th October 2022, as well as public exhibition/ drop in event and flyers distributed within 200m radius as well as corresponding with Cllrs/ MLAs and advertisement took place within the Newry Reporter on the 22nd September 2022.

12.10 Supporting evidence of this process was submitted as part of this application to demonstrate that this has been carried out in accordance with legislative requirements at that time (See Pre-Application Consultation Report dated June 2023).

13.0 ENVIRONMENTAL IMPACT ASSESSMENT (The Planning EIA REGS. NI 2017 and DCAN 10 Revised)

The proposal falls within Schedule 2 Categories 10 (b) of the above Regulations. An EIA screening has been completed for the full planning application as submitted, which notably contains updated details and reports. In considering the details submitted, it was determined on 12.03.25 and 14.09.26 that an Environmental Statement is not required.

14.0 HABITAT REGUALTION ASSESSMENT (HRA)

This planning application has been considered in accordance with the requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

Having regard to the nature, scale and location of the development it is concluded that the proposals is not likely to have significant effect on any European Site, either alone or in combination with other plans or projects. The development does not give rise to any direct habitat, loss, disturbance fragmentation or pathways that could adversely affect the conservation objectives of any European designated site.

A revised HRA screening uploaded 22.09.26 takes account the separation distance from designated sites and the use of mains drainage infrastructure, including temporary measures concluding that there is unlikely to be any impact upon a European Site.

According the Planning Department is satisfied that the proposal is not likely to have a significant effect on any European Site and no Appropriate Assessment is required.

15.0 REGIONAL DEVELOPMENT STRATEGY FOR NORTHERN IRLEAND (RDS 2035) AND THE STRATEGIC PLANNING POLICY STATEMENT (SPPS) FOR NORTHERN IRLEAND (2ND EDITION)

The proposal comprises a mixed-use development incorporating residential accommodation, office and commercial floorspace, community and recreational facilities, together with associated infrastructure and public land improvements. The proposal aligns with the regional objectives of the Regional Development Strategy (RDS) 2035, which promotes sustainable growth, regeneration and the creation of vibrant communities through the effective use of land and the redevelopment of strategic sites.

In particular, Policy RG6 supports strengthening community cohesion and improving the quality of life for people and communities, whilst Policy RG7 promotes a balanced approach to the protection and enhancement of the environment. Policy RG9 seeks to reduce our carbon footprint and facilitate more sustainable patterns of development. The proposal's mixed-use nature, integration of housing, employment opportunities, community facilities and recreational provision is consistent with these objectives.

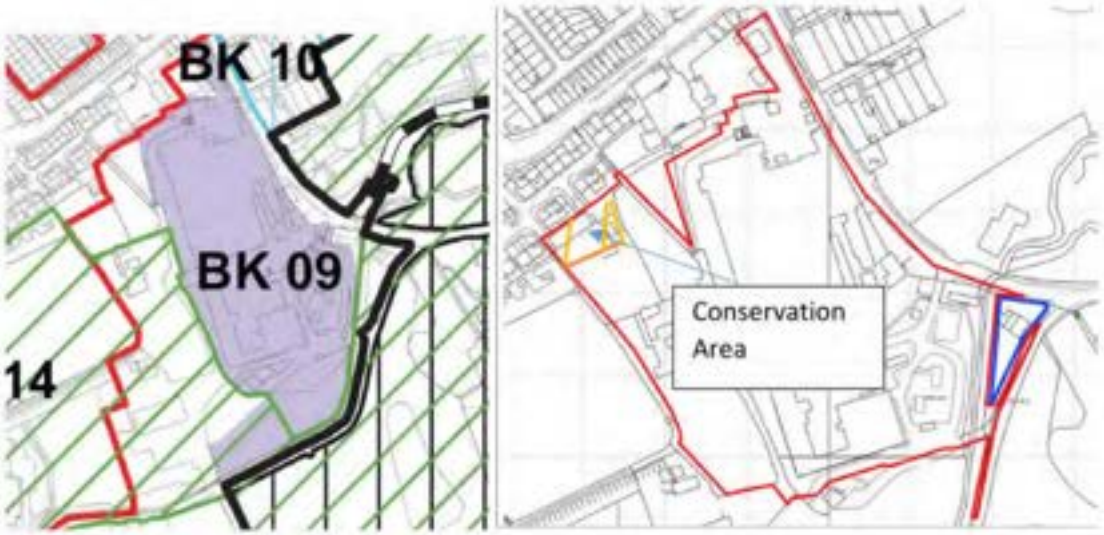
The development also accords with Policy RG11, which seeks to promote economic development and support investment, and Policy RG12, which encourages the regeneration of urban areas through sustainable development. The provision of office and commercial accommodation alongside residential uses would contribute to economic growth, employment generation and the long-term vitality of the area.

In terms of sustainable growth, the proposal reflects Strategic Framework Guidance (SFG 1) by supporting urban-focused development and the efficient use of previously developed land. It is also consistent with SFG11 and SFG12, which encourage the regeneration and revitalisation of settlements through high-quality mixed-use development, the creation of attractive places, and the integration of residential, employment, community and recreational uses within accessible and sustainable locations.

The Strategic Planning Policy Statement (SPPS) promotes sustainable development, economic growth, place-making and the creation of healthy, inclusive communities. Through the delivery of housing, employment, commercial, community and recreational opportunities within a comprehensive and integrated development, the proposal is considered to be in broad conformity with the aims and objectives of both the RDS 2035 and the SPPS.

The proposal in principle, is aligned with these regional objections of the RDS and the SPPS.

16.0 Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)



Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council, in determining a planning application, to have regard to the Local Development Plan, insofar as it is material to the proposal, together with any other material considerations.

The application site lies within the development limits of Bessbrook and is identified in the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) as part of the BK09 Mixed Use Zoning. The site is also located within the BK14 McKnight's Hill Local Landscape Policy Area (LLPA) as well as Bessbrook Conservation Area.

BK09 extends to approximately 3.41 hectares at the junction of Derrymore Road and Mill Road and is designated for mixed-use development. The zoning envisages a range of uses, including residential, employment, leisure, community and cultural development, subject to compliance with prevailing planning policies. The Plan also acknowledges the site's established development potential, noting the previous grant of planning permission for a mixed-use scheme incorporating residential, social housing, employment and leisure uses.

The site is further located within the BK14 McKnight's Hill LLPA, an area designated to safeguard features that contribute to the environmental quality, character and setting of the locality. These include Derrymore House and its associated parkland and woodland, the Millpond and surrounding landscape, the Camlough and Bessbrook River corridors and associated wetlands, listed buildings and monuments and their settings, the former Bessbrook Tramway, and areas of nature conservation value.

There are no specific policies within BNMAP that directly determine the proposal beyond the relevant zoning and designation framework. Accordingly, the assessment has been undertaken having regard to the Strategic Planning Policy Statement

(SPPS), retained planning policies, the provisions of BNMAP 2015 and all other material considerations.

The key issues arising from the proposal are:

- the acceptability of the development within the BK09 Mixed Use Zoning;
- the impact of the proposal on the character, environmental quality and visual amenity of the BK14 McKnight's Hill LLPA;
- development within a Conservation Area and
- compliance with all other relevant planning and environmental considerations.

The site is located within the defined settlement limit of Bessbrook, where the principle of development is generally supported, subject to compliance with relevant planning policy and other material considerations. Significant weight is also attached to the site's planning history. In particular, planning permission P/2007/1392/F was granted on 27 February 2012 for a comprehensive mixed-use redevelopment incorporating the retention and conversion of the main mill building, residential development, employment uses, leisure facilities, public open space, landscaping, parking and associated works. Whilst that permission has since lapsed, it remains a material consideration and demonstrates that the principle of mixed-use redevelopment of the site has previously been found acceptable.

Consequently, the principle of mixed-use development is well established through both the BK09 zoning and the site's planning history. The assessment of the current application therefore focuses on whether the detailed design, layout and associated impacts accord with the prevailing policy framework, site-specific constraints and other material considerations. *In this regard, the proposed development is considered to be consistent with the objectives of the area plan, with the detailed merits of the proposal assessed under the relevant policy considerations below.*

Part of the site lies within the Conservation Area of Bessbrook which will be considered separately below.

17.0 SPPS 2nd Edition, PPS2 and Habitats Regulations Assessment (Conservation, Natural Habitats, etc) (Amendment) Regulations (Northern Ireland) 2015)

Policy NH 2 – Species Protected by Law and Policy NH 5 - Habitats, Species or Features of Natural Heritage Importance

The ecological information submitted in support of the application includes a comprehensive Preliminary Ecological Appraisal (November 2023), a Bat Survey Report (October 2024) and a Newt Survey Report (October 2024).

Collectively, these assessments confirm the presence of European Protected Species, including several bat species, and identify habitats within the site that are used for foraging, commuting and limited roosting purposes.

The Preliminary Ecological Appraisal identified suitable roosting and foraging habitat within the existing buildings and mature trees, with subsequent bat surveys confirming the presence of at least six bat species and establishing that parts of the site are used for roosting. The surveys concluded that, whilst redevelopment would result in the loss of known roosts and some tree-roosting habitat, significant adverse effects on local bat populations could be avoided through the implementation of appropriate mitigation, compensation and licensing measures, including ecological supervision, replacement roosting provision, retention of key habitat features and sensitive lighting design.

The Newt Survey undertaken in October 2024 concluded that the mill pond is unlikely to support a breeding population of newts due to its poor suitability and that the proposed development is unlikely to adversely affect newts. NED accepted the findings of the newt surveys and raised no objection in respect of impacts on newts (see consultation Feb 25).

The Planning Department notes the consultation response from NIEA Natural Environment Division dated 3rd February 2025, which raised concerns regarding the age and completeness of some bat survey information and requested updated bat roost potential assessments, additional survey work where required, a Bat Mitigation Plan, lighting details and a Habitat Management Plan. Subsequent correspondence dated 9th April 2026 confirmed that its previous response remained applicable pending submission of the requested information.

Whilst it is acknowledged that aspects of the bat survey information are now beyond the typical survey validity period, the available evidence nevertheless demonstrates the presence of protected bat species, identifies the habitats and roost features likely to be affected, and establishes the mitigation measures necessary to avoid significant harm. Importantly, NED has not identified a lasting ecological constraint but has instead sought further survey, mitigation and management information to inform assessment and licensing requirements.

Given that the optimum survey season for further bat investigations has now passed, it is considered reasonable and necessary that any planning permission be subject to conditions requiring updated bat surveys, updated bat roost potential assessments of buildings and trees, the submission and implementation of a Bat Mitigation Plan, ecological clerk of works supervision, a detailed lighting scheme demonstrating protection of bat commuting and foraging routes, and a Habitat Management Plan prior to the commencement of demolition, vegetation clearance or construction works. Such conditions would ensure that no demolition or potentially harmful works are undertaken until current survey information has been obtained and appropriate mitigation and compensation measures have been agreed.

Subject to planning conditions, the Planning Department is satisfied that the proposal can be implemented in a manner that avoids unacceptable harm to European Protected Species and other protected species and is therefore capable of complying with the requirements of Policy NH 2 and NH 5.

18.0 Planning Policy Statement 3 - Access, Movement and Parking (AMP 1 Creating an Accessible Environment, AMP 2 Access to Public Roads, AMP 6 Transport Assessment, AMP 7 Car Parking and Servicing Arrangements, AMP 8 Cycle Provision and AMP 9 Design of Car Parking) and PPS13- Transportation and Land Use

The proposal has been assessed against the relevant policies of PPS 3 and PPS13 and is considered compliant with all relevant policy requirements. DfI Roads has raised no objection in comments dated 08.10.26, subject to conditions, and has accepted in principle the proposed access arrangements and Transport Assessment following the submission of revised information. The development provides satisfactory vehicular access, adequate car and cycle parking, appropriate servicing arrangements, and strong pedestrian connectivity to Bessbrook Village and the wider area, promoting accessibility by sustainable modes of transport. Accordingly, the proposal is considered to provide a safe, accessible and well-connected development and complies with the provisions of PPS 3 and PPS13.

19.0 Planning Policy Statement 4 - Planning and Economic Development

Policy PED 1 – Economic Development in Settlements (Villages and Smaller Rural Settlements)

PED 1 permits small-scale Class B1 business development where the nature and design of the proposal are appropriate to the character of the settlement and the development is centrally located. The policy further states that, within settlements with a population of less than 2,250 persons, the floorspace for any individual proposal should not exceed 200 sq.m gross.

The proposal includes six office units within the existing mill building. The submitted Planning Statement, at Paragraph 4.7.2, confirms that the proposed business uses comprise Class B1 accommodation and that, given the village location and mixed-use zoning of the site, the proposal is considered compliant with the provisions of PPS 4. The proposed offices fall within the definition of Class B1(a) business use.

The office accommodation provides approximately 580 sq.m of floorspace across six separate office units within the existing former mill building. Whilst the combined office floorspace exceeds the 200 sq.m threshold referred to in Policy PED 1, it is noted that the floorspace is not proposed as a single office unit or standalone business development. Rather, it is distributed across six individual units and forms a subordinate element of a substantially larger mixed-use regeneration scheme involving

the refurbishment and conversion of the former mill building to provide residential accommodation together with ancillary commercial and employment opportunities.

The office units are contained wholly within the existing building and do not involve any significant alteration to the character or appearance of the settlement. Their inclusion will assist in securing the long-term regeneration and viable re-use of the former mill complex whilst providing employment opportunities within a centrally located and accessible village site.

On balance the Class B1 element is considered ancillary and subordinate to the wider regeneration proposal. Having regard to its scale, distribution across six office units, integration within the existing building, and contribution to the overall regeneration of the former mill complex, ***the proposal is considered to accord with the aims and objectives of Policy PED 1.***

Policy PED 9 - General Criteria for Economic Development

Policy PED 9 requires economic development proposals to be compatible with surrounding land uses and not adversely impact amenity, heritage, flood risk, infrastructure or environmental quality.

The proposal comprises approximately 580 sq.m of office accommodation across six units within the existing mill building and represents a modest element of a wider mixed-use regeneration scheme. The site is zoned for mixed-use development and benefits from planning permission P/2007/1392/F, which established the principle of employment uses on the site.

The office accommodation will support the regeneration and long-term reuse of the former mill complex, is not expected to adversely affect neighbouring amenity, heritage assets or environmental quality, and Environmental Health has raised no concerns.

Flood risk, drainage, transportation and access matters are considered elsewhere in this report, with the office use benefiting from the wider development's access, parking, pedestrian and cycling infrastructure, landscaping and design measures. ***Accordingly, the proposal is considered compliant with Policy PED 9.***

20.0 Strategic Policy Planning Statement for Northern Ireland (SPPS) and PPS 6 PLANNING, ARCHAEOLOGY AND THE BUILT HERITAGE

Policy BH 2 (The Protection of Archaeological Remains of Local Importance and their Settings) and Policy BH 4 (Archaeological Mitigation)

Policy BH 2 of PPS 6 seeks to protect archaeological remains of local importance and their settings, including industrial heritage assets, while Policy BH 4 provides that where development affects sites known to contain archaeological remains, planning

permission may be granted subject to conditions securing appropriate archaeological investigation, recording, preservation and mitigation measures.

In this case, HED Historic Monuments has assessed the proposal and reviewed the submitted Archaeological Impact Assessment (AIA). The site comprises the former Bessbrook Linen Mills complex, an extensive mid-19th century mill complex recorded on the Industrial Heritage Record (IHR 00557:000:00), and as such falls within the scope of Policy BH 2. HED notes that the proposed scheme retains and refurbishes significant elements of the historic mill complex and welcomes the retention and reuse of part of the weaving sheds within the redevelopment proposal. This approach will preserve an important element of the site's industrial archaeological significance and ensures that surviving heritage assets are incorporated within the redevelopment.

In its detailed consultation response dated 23rd May 2025, and subsequently reaffirmed in its consultation response of 31st July 2026, HED confirmed that the proposal is acceptable in principle having regard to the SPPS and PPS 6 archaeological policy requirements.

HED is satisfied that any archaeological impacts arising from the development can be appropriately addressed through the agreement and implementation of a developer-funded programme of archaeological works subject to conditions.

Subject to the recommended conditions and informatives, it is considered that the development accords with Policies BH 2 and BH 4 of PPS 6.

Strategic Policy Planning Statement for Northern Ireland (SPPS 2nd ED.), paragraph 6.13 and Policy BH 7 Change of Use of a Listed Building

The proposal comprises the adaptive re-use and conversion of the Grade B1 listed complex (HB16/22/039), weaving sheds, walling at Derrymore Road and blast walling, to provide 165 apartments, a gym and six office units. The site also benefits from previous permissions for the conversion of the mill and associated residential development under applications P/2007/1392/F and P/2008/1506/LBC, approved in 2011 and 2012 respectively.

As a proposal involving the change of use of a listed building, it has been assessed against Policy BH 7 of PPS 6. The proposed development will secure the long-term viable use, maintenance and preservation of the listed building, whilst safeguarding its special architectural and historic interest through the sensitive retention and restoration of its significant historic fabric.

HED - Historic Buildings in comments dated 21st September 2026 has advised that the proposed alterations and change of use satisfy policy requirements, subject to conditions, and has confirmed its support for the change of use of the listed building. ***The proposal is therefore considered to comply with Policy BH 7 of PPS 6.***

BH 8 (Extension or Alteration of a Listed Building) and 6.13 Extension or Alteration of a Listed Building

Having regard to the provisions of Policy BH8 of PPS 6, the proposal has been assessed against the requirement that alterations and extensions to listed buildings retain the essential character and special architectural interest of the building, utilise traditional and sympathetic materials and techniques, and ensure that architectural detailing remains in keeping with the historic fabric. The proposed development involves the restoration, conversion and reuse of the former mill complex and has been designed to retain the principal elements that contribute to the significance of the listed buildings. The scheme involves the repair, conservation and long-term management of an important heritage asset, securing its continued use and preventing further deterioration through vacancy and underutilisation.

Significant weight is attached to the consultation response from HED dated 09.10.26, which confirms that HED is content with the proposed extension and alteration works, subject to conditions relating to detailed design, materials and architectural treatments. HED welcomed the retention and refurbishment of existing windows and confirmed that outstanding matters relating to window design, proportions, glazing bars, ventilation measures and the relationship between window openings and apartment layouts can be appropriately addressed through the submission and approval of a detailed window schedule. HED further noted that revised plans are to be submitted confirming the retention of the stair at the southern end of Mill 2 and raised no objection in principle on this basis. The consultation response therefore confirms that the identified heritage matters are capable of satisfactory resolution through the detailed design process and do not undermine the overall acceptability of the proposal.

The proposal would deliver substantial public benefits. These include the restoration and securing of a prominent listed building complex, the regeneration of a strategically located brownfield site within the urban limits, the provision of new residential accommodation and office floorspace, the preservation and reuse of historic fabric, and the delivery of economic, social and environmental benefits associated with bringing a long-vacant site back into active use. The proposal also builds upon the established principle for redevelopment and conversion of the mill complex, having regard to previous permissions granted for conversion and housing development under references P/2007/1392/F and P/2008/1506/LBC.

Whilst acknowledged that detailed matters remain regarding window specifications, materials and certain elements of architectural detailing. However, these concerns do not relate to the fundamental acceptability of the development and are capable of being satisfactorily addressed through planning conditions. A comprehensive suite of conditions is proposed requiring the submission and approval of detailed drawings, materials specifications, repair methodologies, joinery details and a building-wide window schedule prior to the commencement of relevant works. These measures will ensure that all interventions remain sympathetic to the character and significance of the listed buildings and accord with the requirements of Policy BH8.

Furthermore, to safeguard against any unforeseen heritage impacts during implementation, conditions will require that were previously concealed historic fabric is revealed, or where amendments become necessary to satisfy Building Control, fire safety or other statutory requirements affecting the historic fabric, works within the affected area shall cease pending assessment and agreement of an appropriate mitigation or conservation strategy by the Council in consultation with HED, where necessary. This approach will ensure that any unexpected heritage issues are identified, assessed and managed appropriately, thereby protecting the special architectural and historic interest of the listed buildings throughout the construction process.

Accordingly, having carefully weighed the limited and controllable heritage impacts against the significant conservation, regeneration, social and economic benefits of the scheme, it is concluded that the proposal would preserve the special architectural and historic interest of the listed buildings and would comply with Policy BH8 of PPS 6 and the relevant provisions of the SPPS.

Subject to the recommended conditions, the proposal is considered acceptable in relation to the provisions of BH8.

BH10 (Demolition of a Listed Building) and 6.15 Total Demolition of a Listed Building or Any Significant Part of it

Policy BH10 of PPS 6 establishes a presumption in favour of retaining listed buildings and states that demolition will only be permitted where exceptional circumstances demonstrate that the building cannot be retained in its original or a reasonably modified form. Where demolition is exceptionally justified, consent will normally be dependent upon an agreed redevelopment scheme and appropriate arrangements for recording the building prior to demolition.

In this case, the proposal involves only partial demolition and dismantlement of certain elements of the listed complex rather than loss of the listed structure. Significant weight is attached to the comments of HED (09.10.26), which confirm that the principle of partial demolition is acceptable, subject to conditions securing an appropriate phasing of works and ensuring the restoration and reuse of the mill complex. HED notes that the proposal builds upon the previously approved schemes under permissions P/2007/1392/F and P/2008/1506/LB, granted under the same policy framework, and has been revised to reduce competing development and increase retention of historic fabric, including greater retention of the weaving shed structure.

HED considers that the partial demolition of the weaving sheds, together with the limited dismantlement of sections of the boundary wall and blast wall, is acceptable where it facilitates the viable regeneration, long-term conservation and ongoing use of the listed mill complex. Importantly, HED is satisfied that these elements are being

retained in their original or a reasonably modified form, consistent with the requirements of BH10. The Department further advises that the wall alterations preserve the historic enclosure of the mill site, retain substantial lengths of historic wall and gateways, and maintain the site's historic character while enabling an appropriate new use.

In responding to objections, HED concludes that the proposal preserves the key heritage attributes of the site, including the principal mill buildings, boundary enclosure, relationship with the village and Mill Pond. It is also considered that the development will enhance public access to the historic mill complex and re-establish its historic relationship with Bessbrook village. Subject to the recommended conditions securing phased implementation, detailed conservation works, recording of affected built fabric and the commitment to bring the mill building back into active use, ***it is considered that the proposal accords with Policy BH10 of PPS 6 and paragraph 6.15 of the SPPS***. The limited and carefully controlled partial demolition is justified by the substantial public benefit arising from the restoration, reuse and long-term preservation of this important listed building.

BH 11 (Development affecting the Setting of a Listed Building); and 6.12 Development proposals impacting on Setting of Listed Buildings;

Policy BH11 of PPS 6 requires that development preserves the setting of listed buildings by respecting their scale, height, massing, alignment, materials and overall character. In assessing, weight is afforded to the preservation of the special architectural and historic interest of the listed mill complex and its contribution to the wider historic environment.

The proposed development has been designed as an integral component of a comprehensive heritage-led regeneration scheme centred on the restoration, adaptation and viable re-use of the listed mill buildings. The site benefits from an extensive planning history, including previous permissions for the conversion of the mill and associated residential development, establishing the principle of redevelopment and regeneration of this brownfield site (P/2007/1392/F). The current proposal set out to secure the long-term future of the listed buildings through investment and re-use, thereby addressing risks associated with continued vacancy and deterioration. In this regard, the scheme delivers substantial heritage benefits which must be afforded weight in consideration.

The layout, nature and design of the proposed development have been carefully considered to ensure that the listed mill complex remains the dominant heritage feature within the site. The scale and massing of the new-build elements are subordinate to the historic mill buildings and have been arranged to respect established views, the historic spatial hierarchy and the ability to visually read as part of the former industrial complex. Furthermore, amendments secured during the application process, including the removal of stone panel detailing from House Types B3, B4, E, E2, E3, F and G, have resulted in a betterment and simplification of architectural design that better

reflects the industrial character of the site and responds directly to HED's recommendations.

Particular regard has also been given to the former Mill Manager's House ruin located adjacent to the Mill Pond. This element of the historic complex is to be retained and incorporated within the proposed public open space, thereby preserving its contribution to the site's historic narrative and allowing its significance to remain appreciable within the wider setting of the listed buildings. Consistent with HED advice, appropriate survey, recording and condition assessment measures can be secured by condition to inform its conservation and safe retention. The proposal therefore not only protects this heritage asset but enhances opportunities for its interpretation and appreciation within the regenerated site.

While HED, expressed reservations regarding the proposed phasing arrangements and the mechanism for securing delivery of the restoration works, these concerns relate to implementation and safeguarding measures rather than any fundamental objection to the acceptability of the development within the setting of the listed buildings. Indeed, HED concluded that development within the setting of the listed buildings satisfies policy requirements, subject to appropriate conditions. The concerns raised can be adequately addressed through planning conditions securing the phased restoration, weatherproofing, repair and occupation strategy for the mill complex.

Having regard to the established planning history, the substantial public benefits arising from the restoration and viable reuse of the listed buildings, the sensitive design approach adopted throughout the scheme, and the conclusions reached by HED, it is considered that the proposal will preserve the setting, character and significance of the listed mill complex and associated heritage assets. The development will not result in adverse impacts on the setting of the listed buildings and, on balance, will secure a positive heritage outcome through the long-term conservation and regeneration of an important historic site. ***Accordingly, the proposal complies with Policy BH11 of PPS 6 and paragraph 6.12 of the SPPS.***

Conservation Area

BH12 (New Development in a Conservation Area) and Bessbrook Conservation Area Booklet

The application site lies within the Bessbrook Conservation Area and has therefore been assessed against Policy BH12 of PPS 6 and the guidance contained within the Bessbrook Conservation Area Booklet (1983). The proposal is considered to preserve and enhance both the character and appearance of the Conservation Area through the regeneration of a long-derelict and underutilised site associated with the historic mill complex. The development forms part of a wider programme of investment and renewal that will secure the long-term vitality of the area whilst improving the setting of the adjacent listed buildings.

In assessing the proposal, weight has been given to the previously approved scheme under planning permission P/2007/1392/F, which included residential development within this part of the Conservation Area. The current proposal is broadly consistent with the established development principles approved under that permission in terms of layout, scale and residential use. The proposed dwellings reflect the character of existing development along Foundation Street and Park Lane and are designed to integrate sympathetically with the surrounding built form.

The scale, form, materials and detailing of the proposed development have been carefully selected to respect the historic character of the Conservation Area. The use of blue-black natural slate roofs, smooth rendered wall finishes, aluminium doors and windows, and black rainwater goods reflects the palette of materials identified within the Conservation Area and the wider mill village. The proposed buildings are acceptable in scale and are arranged in a manner that complements the established streetscape.

The proposal will not give rise to unacceptable environmental impacts in terms of noise, nuisance or disturbance and is compatible with the established residential character of the locality. Important views within and through the Conservation Area will be retained, while the removal of dereliction and the introduction of well-designed development will improve the visual quality of the site. Existing landscape features will be retained where possible and supplemented with additional planting and landscaping works, further contributing to the character and appearance of the area.

Having regard to the provisions of Policy BH12, the guidance contained within the Bessbrook Conservation Area Booklet (1983), the site's planning history, and the wider regeneration objectives for the former mill complex, it is considered that the proposal preserves and enhances the character and appearance of the Conservation Area, respects the setting of nearby listed buildings and ***fully accords with the requirements of BH12 of PPS6.***

Policy BH 14 Demolition in a Conservation Area

In considering Policy BH14 of PPS 6, the proposed demolition is acceptable as the structures affected, make no material contribution to the character or appearance of the Bessbrook Conservation Area. The area proposed for redevelopment is characterised by building remains and unmanaged vegetation rather than features which positively contribute to the historic townscape. The proposal would replace these degraded elements with a sensitively designed residential development that forms part of a wider regeneration strategy focused on securing the long-term future of the former Mill complex.

Weight is also afforded to the previously approved schemes under permissions P/2007/1392/F and P/2008/1506/LB, granted under the same policy framework.

The proposal also satisfies the second part of Policy BH14. The demolition forms part of a comprehensive redevelopment scheme for which detailed planning permission is sought concurrently, thereby ensuring the site will not remain vacant following demolition. Furthermore, appropriate recording, retention and restoration measures are proposed as part of the wider development of the listed complex.

Accordingly, the proposal is considered to comply with Policy BH14 of PPS 6 and would support the regeneration of a key historic asset within the Bessbrook Conservation Area while preserving its special character and appearance.

21.0 Local Landscape Policy Area (2.23 and 2.24 of PPS6) and BK 14 – LLPA (BNMAP 2015)

The site is located within BK14 Local Landscape Policy Area (Mill Pond and Surrounds), where the objective of the designation is to safeguard those features which contribute to the environmental quality, integrity and character of the area. Whilst the LLPA designation affords additional protection to landscape, heritage and environmental assets, it does not establish a presumption against development. Rather, planning policy seeks to ensure that development proposals conserve, respect and, where possible, enhance the features for which the area has been designated.

The defining characteristics of BK14 include the historic mill complex and associated listed buildings, the setting of nearby heritage assets, the Mill Pond and river corridors, woodland and vegetation, the disused tramway and areas of nature conservation interest. The proposal has been assessed against these characteristics and is considered to provide significant enhancement to many of the features underpinning the designation. In particular, the development secures the repair, restoration and viable long-term reuse of the listed mill complex, a landmark heritage asset which has remained vacant and subject to ongoing deterioration for an extended period. In the absence of intervention, the continued dereliction of the buildings would be likely to have an increasingly detrimental effect on both the appearance of the LLPA and the condition of its heritage assets.

Significant weight must also be attached to the planning history of the site. The principle of redevelopment and regeneration was previously established through planning permission P/2007/1392/F, which accepted that an appropriately designed redevelopment could be accommodated within the LLPA whilst respecting its key environmental and heritage interests. The current proposal represents an evolution of that established planning position and is fundamentally directed towards securing the long-term preservation of the historic mill complex through active reuse, investment and ongoing management.

From a landscape perspective, the development will replace areas of dereliction and underutilised land with a comprehensively designed scheme incorporating landscape enhancement measures, retention of existing mature trees and woodland where feasible, and supplementary planting to strengthen the site's landscape. These

measures will reinforce the green and historic character of the LLPA, improve biodiversity value and contribute positively to the setting of the Mill Pond, river corridors and surrounding heritage assets. Importantly, the proposal will not result in the loss of the key landscape features identified within the designation and will maintain important views, visual connections and the wider landscape setting.

The proposal also delivers substantial public benefits through the regeneration of a prominent brownfield site, the conservation of heritage assets, environmental improvements and the creation of a vibrant mixed-use development which will re-establish the site as a positive contributor to the townscape. The removal of dereliction, restoration of historic fabric and enhancement of public views into and across the site will improve visual amenity and strengthen appreciation of the area's industrial heritage. These outcomes are entirely consistent with the purpose of LLPA designation, which seeks to maintain and enhance environmental quality rather than preserve sites in a state of long-term decline.

Accordingly, it is considered that the proposal not only safeguards the features for which BK14 was designated but will actively enhance the character, appearance and environmental quality of the area. ***The development therefore accords with the objectives of the Local Landscape Policy Area designation*** and, on balance, represents a positive heritage-led regeneration scheme that delivers substantial landscape, environmental and community benefits.

22.0 Planning Policy Statement 23: Enabling Development

Policy ED 1 – Enabling Development

The proposal has been assessed against Policy ED1 of PPS 23, having regard to the applicant's Statement of Justification, the submitted heritage documentation, the financial rationale for the scheme, and the comments of Historic Environment Division (HED dated 21st September 2026).

Bessbrook Mill constitutes a significant place by reason of its historic, architectural, industrial and social heritage value. The complex is of considerable importance as the focal point of the model village of Bessbrook, as a notable example of nineteenth-century industrial architecture, and for its contribution to Ireland's industrial heritage. The site also possesses evidential value associated with its later military use during the Troubles. The continued vacancy and deterioration of the listed buildings have resulted in a declining condition that threatens the long-term preservation of the asset. The proposal seeks to address these issues through a mixed-use regeneration scheme centred on the restoration, conversion and re-use of the former mill complex.

In respect of criterion (a), the redevelopment of the mill buildings would deliver substantial long-term heritage, social and economic benefits through the restoration of the listed structures, the introduction of viable new uses, the provision of housing, employment-generating floorspace and significant environmental improvements. Given

the scale, prominence and historic importance of the site, these benefits are considered significant.

Criteria (b), (d), (e) and (j) relate to the financial necessity and scale of the enabling development. The applicant has stated that the capital investment required to restore and regenerate the site exceeds £60 million and that alternative sources of funding have not been identified. The evidence presented indicates that the costs associated with restoring and adapting the listed buildings are exceptional and that the conservation of the asset would be unlikely to proceed in the absence of an enabling development package capable of underwriting those costs. The residential and ancillary commercial elements are therefore considered to provide the mechanism by which the restoration of the heritage assets can be secured and delivered.

In terms of criteria (c), (g) and (h), the impacts of the enabling development have been clearly defined through the submitted plans and associated documentation. Extensive engagement has taken place with HED throughout the development of the scheme. While the proposal involves some demolition, including sections of the weaving sheds, the overall approach retains the principal listed buildings, removes unsympathetic later additions, secures restoration of historic fabric and maintains the integrity of the mill complex as a single comprehensively managed site. HED has advised that the re-use of the mill buildings will retain them in active use and secure their ongoing viability and upkeep. Subject to the proposed mitigation measures, retention of representative sections of the weaving sheds, and appropriate conditions, it is considered that the proposal would not materially harm the significance of the listed buildings or their setting.

With regard to criterion (i), the proposal would secure the long-term future of the significant place through the comprehensive restoration, conversion and occupation of the mill complex. HED has emphasised that the success of the development is dependent upon the holistic delivery of the scheme and has expressed support for the adaptive re-use of the mill buildings, recognising that the buildings are currently in a poor and declining condition. Proposed phasing arrangements will be set out by way of a planning condition will provide a mechanism through which the conservation benefits can be secured and linked directly to the delivery of the enabling development.

Finally, in relation to criterion (f), it is considered that the public benefits arising from the proposal decisively outweigh any potential disbenefits. The scheme would secure the preservation of one of the region's most significant industrial heritage assets, avoid ongoing deterioration, deliver substantial regeneration benefits within the settlement, provide new housing and employment opportunities, and contribute positively to the social, economic and environmental objectives of sustainable development.

In addition, the principle of enabling development at Bessbrook Mill is not a novel planning concept. The site previously benefited from planning permission P/2007/1392/F for a broadly comparable mixed-use regeneration and conversion scheme, approved prior to the introduction of PPS 23. While that permission was not

implemented, it demonstrates a longstanding planning acceptance that substantial development is required to facilitate the restoration, re-use and long-term preservation of the mill complex. The current proposal builds upon that established approach and seeks to secure the future of the listed buildings through a comprehensive and viable regeneration strategy, whilst reflecting policy requirements, heritage considerations and design standards.

Overall, having regard to the evidence submitted, the significant heritage benefits to be achieved, the support from HED for the principle of a heritage led re-use strategy, and the need to secure a viable future for the listed mill complex, ***it is considered that the proposal satisfies the requirements of Policy ED1***. Subject to appropriate planning conditions securing the restoration works and phased delivery of the heritage benefits, the enabling development is considered justified and acceptable in planning terms.

23.0 PPS7 - QD1 of PPS7 - Quality Residential Environments

The proposal has been assessed against Policy QD1 of PPS7 and is considered to comply with the requirements of the policy. The principle of a mixed-use residential-led redevelopment of the site has already been established through the grant of planning permission P/2007/1392/F and listed building consent P/2008/1506/LB, approved in 2012. Those permissions provided for a substantially larger scheme comprising 272 residential units, retail, office and leisure uses, associated infrastructure and extensive site works. The current proposal is based upon that established redevelopment plan but adopts a more sensitive and reduced form of development which has been specifically designed to secure additional heritage benefits through the enhanced retention, restoration and integration of the historic fabric, including the Mill building, blast wall, boundary walls and the Weavers' Shed.

In terms of criterion (a), the proposal respects the surrounding context and responds appropriately to the character, scale, layout, massing and appearance of the site. The development has been carefully designed around the historic listed building complex, which remains the focal point of the scheme. New build elements are subordinate to the heritage assets and have been designed to complement the existing built form through appropriate scale, materials and architectural detailing. This approach is supported by Historic Environment Division (HED), whose consultation response of 09.10.26 acknowledges the significant retention of historic fabric and the sympathetic design of the proposed new development in terms of scale, massing, layout, design and materials.

The proposal also satisfies criterion (b) through the protection, restoration and integration of important built heritage features within the overall development framework. The scheme represents a comprehensive heritage-led regeneration project that will secure the long-term future of these assets through viable re-use. In accordance with criterion (c), the development incorporates a network of public and private open spaces, landscaped areas and pedestrian linkages which will serve

residents while enhancing connectivity throughout the site and providing links to the wider village and surrounding recreational areas.

Furthermore, the proposal makes adequate provision for movement, accessibility and parking in accordance with criteria (e) and (f). The layout promotes pedestrian use, provides connections to local services and facilities, and includes sufficient on-site parking to meet the needs of future occupants. The design draws upon local architectural forms and materials in accordance with criterion (g), reinforcing the site's distinctive character and industrial heritage.

Finally, the proposal would not give rise to unacceptable impacts on residential amenity or result in conflict with adjacent land uses, thereby satisfying criterion (h). The scale, character and design of the development have been carefully considered to avoid unacceptable overlooking, overshadowing, loss of light, noise or disturbance. The overall layout also incorporates natural surveillance and open spaces that promote personal safety and help deter crime, consistent with criterion (i). ***Accordingly, the proposal is considered to create a quality and sustainable residential environment and is fully compliant with Policy QD1 of PPS7.***

Addendum of Planning Policy Statement 7 – Safeguarding the Character of Established Residential Areas

24.0 Policy LC1 – Protecting Local Character, Environmental Quality and Residential Amenity

In considering Policy LC1 of the PPS7 Addendum, the proposal satisfies the relevant requirements for redevelopment within an established residential area. The principle of a mixed-use, residential-led redevelopment of the site has already been established through the grant of planning permission P/2007/1392/F and listed building consent P/2008/1506/LB, approved in 2012. Those permissions approved a substantially larger scheme comprising 272 residential units together with retail, office and leisure uses, associated infrastructure and extensive site works. The current proposal builds upon that established redevelopment proposals but adopts a more restrained and sensitive form of development.

With regard to criterion (a), the proposed density is not significantly higher than that previously approved or than that generally evident within the surrounding urban context. Rather, the scheme represents a reduction in the scale and intensity of development compared to the extant approval, while continuing to make efficient use of a brownfield site. The proposed housing provision is therefore broadly consistent with established density patterns within the locality.

In respect of criterion (b), the pattern of development has been informed by the site's existing built form, planning history and heritage assets, ensuring that it remains compatible with the overall character and environmental quality of the area. Criterion (c) is secured through compliance with the minimum dwelling size standards set out in

Annex A. ***The proposal is considered to comply with Policy LC1 of the PPS7 Addendum.***

Policy LC2 – The Conversion or Changed of Use of Existing Buildings to Flats or Apartments

The development complies with the requirements of Policy QD1 and would secure the sensitive conversion and long-term reuse of a listed building, thereby preserving its architectural and historic significance. The proposal would not adversely affect the character, environmental quality or residential amenity of the surrounding area and would maintain and enhance the form, character, architectural features and setting of the existing building. The host building exceeds the minimum gross internal floorspace requirement, and all proposed apartments are self-contained units.

With regard to criterion (e), it is acknowledged that a number of apartments would be located wholly to the rear of the building and therefore do not strictly comply with the requirement for access to the public street. However, this arrangement arises from the constraints of the historic layout of the listed structure, where the primary objective is to secure its comprehensive retention and viable adaptive reuse. Requiring strict compliance with this criterion would significantly compromise the ability to conserve and successfully convert the building.

Notwithstanding this limited policy conflict, the apartments proposed would not provide a lesser standard of residential accommodation. Rather, the unique characteristics of the site afford residents attractive outlooks across the communal open space, the Mill Pond and the wider village setting of Bessbrook. Consequently, the development would deliver a high-quality residential environment while securing substantial heritage benefits through the conservation and sustainable reuse of the listed building. This conclusion is reinforced by HED's consultation response of 09.10.26, which supports the proposed change of use as an appropriate means of ensuring the long-term preservation and continued occupation of the listed structure. On balance, the limited departure from criterion (e) is outweighed by the significant heritage and regeneration benefits arising from the proposal. ***Taking account of Policy LC2 of PPS 7 Addendum, the proposal is considered to satisfy the overall objectives of the policy***

Policy LC 3 Permeable Paving in New Residential Developments

Whilst the policy supports the use of permeable paving within residential developments where appropriate to reduce surface water run-off and associated flood risk. This policy consideration can be drawn to the applicant's attention.

However, given the listed status and historic significance of the site, the selection of surfacing materials must be led by heritage considerations and the need to protect and reinforce the historic character and fabric of the complex. HED, in its consultation

response of 21.09.26, has recommended conditions requiring the submission and approval of samples of granite setts, paving materials and self-binding paths.

Accordingly, the suitability of paving materials should be determined through the discharge of these conditions, having regard to the conservation requirements of the listed buildings and wider historic environment.

25.0 PPS12 – Housing in Settlements

Planning Control Principle 1 - Increased Housing Density without Town Cramming

Policy PCP 1 of PPS 12 supports higher-density residential development in sustainable and accessible urban locations. The site is located within the development limits of Bessbrook, close to local services, facilities and public transport, and therefore represents an appropriate location for increased residential density.

Weight is attached to the established principle of development, with planning permission P/2007/1392/F having previously approved a larger regeneration scheme comprising the conversion of the historic Mill complex and substantial new-build development.

The current proposal builds upon that original permission, securing the long-term reuse and viability of the Mill while making efficient use of a previously developed site. The proposal is considered to respect local character and residential amenity through its design, scale and layout, while HED has offered no objection, confirming the development would safeguard the architectural and historic interest of the Mill complex. ***Accordingly, the proposal accords with PCP 1 and delivers significant regeneration, heritage and sustainability benefits***.

Planning Control Principle 2 – Good Design

The proposal is considered consistent with Policy PCP 2 of PPS 12, which promotes high-quality design in residential development. The scheme broadly reflects the previously approved development and has been designed to respond sensitively to its heritage context. The proposed scale, form, massing and materials are sympathetic to the character of the site, ensuring the former Mill remains the dominant feature within the wider setting of the Mill Pond and Bessbrook Village. ***Accordingly, the proposal is considered to achieve an appropriate standard of design that respects local character and heritage assets, in accordance with the aims of PCP 2.***

Planning Control Principle 3 - Sustainable Forms of Development

PCP 3 of PPS12 promotes the regeneration of brownfield land, the provision of housing within established settlements, and the concentration of development in sustainable locations with access to services, employment and public transport. The

proposal accords with these objectives through the redevelopment of a former brownfield site zoned for mixed-use development within the settlement limits of Bessbrook Village. The site occupies a sustainable location with convenient access to local facilities, community services and public transport, enabling future residents to meet their day-to-day needs without undue reliance on the private car. The proposal also delivers a mixed-use scheme, making efficient use of previously developed land while supporting the vitality and sustainability of the settlement ***in accordance with the strategic aims of PCP 3.***

HS 2 Social Housing

Policy HS2 of PPS12 aims to ensure that new housing developments contribute to meeting identified social housing needs through the provision of an appropriate mix of dwelling types and tenures. In this regard, NIHE confirmed a projected social housing need of 123 dwellings within the Bessbrook/Derramore area for the period 2022-2027 and, through its Place Shaping South team, expressed support for the delivery of social housing at the application site.

Further correspondence from Ark Housing Association dated 24th February 2025 confirmed NIHE's support for a revised provision of 56 social housing units, comprising a range of apartments, family homes and wheelchair-accessible accommodation. The proposed social housing mix reflects NIHE's identified requirements and would make a significant contribution towards addressing established housing need within the area.

Having regard to the identified need, the support of NIHE and Ark Housing Association, and the scale and mix of accommodation proposed, ***the development is considered to comply with Policy HS2 of PPS12*** and would make a meaningful contribution to meeting social housing demand within the Bessbrook/Derramore housing market area.

HS 4 House Types and Size

The proposed development provides a comprehensive and varied housing mix across the site. The scheme incorporates six distinct house types, four apartment blocks, and additional apartment accommodation within the retained Mill building, delivering a broad range of dwelling sizes and formats. This variety responds to the scale, character and regeneration objectives of the development while meeting the policy requirement to provide a mix of house types and sizes. Furthermore, the apartment element offers diversity in unit sizes, ensuring a balanced residential environment capable of meeting the needs of different household types and life stages, ***consistent with the aims of HS 4.***

26.0 Planning Strategy for Rural NI - DES2 – Townscape

The principle of development at the site has been established through the grant of permission under applications P/2007/1392/F.

The proposal has been designed with due regard to its historic setting, with the new residential elements considered sympathetic in terms of scale, form and appearance And HED in comments dated 09.10.26 have raised no concerns. It is not considered that the development would not adversely affect the amenity of neighbouring properties, and Environmental Health has raised no concerns. Furthermore, the scheme incorporates appropriate access and design measures to meet the needs of people with impaired mobility and promote inclusive access. ***Accordingly, the proposal is considered to comply with the requirements of DES 2 in relation to land use, design, amenity and accessibility.***

27.0 PPS8 – Open Space, Sport and Outdoor Recreation

Policy OS 2 - Public Open Space in New Residential Development

The development incorporates a comprehensive open space and landscaped area as an integral component of the overall design, consistent with the policy objectives of providing recreational and amenity space within residential developments. The scheme provides approximately 0.84 hectares of public open space, including both communal open space and private amenity space in the form of formal gardens. A detailed Landscape Masterplan prepared by Park Hood Landscape Architects demonstrates the provision of a network of landscaped courtyards, recreational spaces, together with a series of pedestrian and cycle linkages throughout the site. These areas are integrated within the development and are designed to promote accessibility, connectivity.

The retention of as well as proposed landscaping will significantly enhance the environmental quality and visual appearance of the site while ensuring the development assimilates appropriately within its surroundings. The open space provision has been carefully designed to benefit from passive surveillance from surrounding dwellings, contributing to user safety while creating attractive and usable social spaces and meeting areas for residents.

Whilst the site has no provision for a play park within the site such facilities are located within reasonable distance from the development immediately beside Bessbrook Pond.

Having regard to the scale, layout and nature of the development, the proposal is considered to provide an appropriate level and quality of open space in accordance with Policy OS 2. The open space provision is comprehensively linked throughout the site, offers demonstrable recreational and amenity benefits, is accessible to all users, and retains and enhances landscape features where appropriate.

It is therefore considered that the development satisfies the requirements of PPS 8 in respect of both the quantity and quality of open space provision and will contribute positively to the living environment of future residents.

Policy OS 4 - Intensive Sports Facilities

While there is no specific planning policy directly applicable to the proposed gym use within the development, regard has been had to Policy OS 4 of PPS 8 as the most relevant policy context. The gym is accommodated wholly within the existing Mill building, is located within settlement limits, and is readily accessible by pedestrian and cycle links as part of the wider regeneration scheme. No concerns were raised by Historic Environment Division and Environmental Health offered no objection subject to conditions. Accordingly, the gym use is considered acceptable in principle and consistent with the objectives of Policy OS 4 in providing an appropriately located and accessible indoor recreational facility. ***The proposal is therefore considered to comply with Policy OS 4 of PPS 8.***

28.0 PPS15 – Planning and Flood Risk

Policy FLD 1 – Development in Fluvial (River) and Coastal Flood Plains

In accordance with the policy requirements, a site-specific Flood Risk Assessment (FRA) was submitted and demonstrates that all sources of flood risk to and from the development have been identified and appropriately assessed. The FRA also confirms that adequate mitigation measures are incorporated to manage flood risk and ensure that the proposal will not result in an unacceptable increase in flood risk elsewhere.

DFI Rivers, in their consultation response dated 26.06.26, noted that the submitted FRA was prepared using drawing reference 40377-202 Rev A, whereas the most recent site layout is drawing 40377-202 Rev E (*See the below flood map and revised layout plan*). In response, the agent confirmed by email (07.09.26) that subsequent amendments to the site plan relate to other parts of the overall development and were undertaken to address DFI Roads, HED and Planning requirements. The amendments do not affect the area assessed within the FRA. Furthermore, the previously proposed access from Mill Road and associated culverting works no longer form part of the proposal, as clarified in correspondence submitted in February 2025.

The applicant has further demonstrated, through the hydraulic modelling and supporting drawings submitted, that the revised site layout does not alter the flood risk assessment findings or conclusions. A further consultation was issued to DFI Rivers to clarify this position and to confirm that the changes between drawing revisions do not affect the flood risk assessment area. In response 25.09.26 Rivers Agency have no confirmed it has no reason to sustain an objection under FLD 1

Subject to the receipt of any final comments from DFI Rivers confirming this position, the proposal is considered to satisfy the requirements of Policy FLD 1.





FLD 2 – Protection of Flood Defence and Drainage Infrastructure

Rivers has advised that the eastern portion of the site is traversed by the designated watercourse known as the Camlough Minor and has highlighted the requirement for the retention of an adjacent working strip to facilitate future maintenance. The proposal has been assessed having regard to these requirements and it is considered that the development can accommodate the necessary maintenance corridor without prejudicing the functioning of the watercourse or associated drainage infrastructure.

Subject to the retention of a minimum 5-metre maintenance strip adjacent to the designated watercourse, with clear access and egress maintained at all times, the proposal would not hinder Rivers' maintenance operations nor adversely affect the operational effectiveness of the drainage network. ***Accordingly, the development is considered to comply with Policy FLD 2 of PPS 15***.

Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains

The proposal comprises a residential development in excess of 10 dwellings and therefore triggers the requirement for a Drainage Assessment under Policy FLD 3 of PPS 15. In this regard, a revised Drainage Assessment prepared by Kevin McShane Ltd. (dated 6 February 2025) was submitted in support of the application and considered by Rivers Directorate.

In its consultation response of 25th June 2025 (consultation response reverted to comments 25.06.25), Rivers Agency advised that, whilst it is not responsible for the preparation of the Drainage Assessment, it accepts the methodology and conclusions reached and has no reason to disagree with its findings.

Having regard to the submitted Drainage Assessment and the consultation responses received, the Planning Department is satisfied that adequate measures have been identified to effectively manage surface water runoff and mitigate flood risk arising from the development. The proposal is therefore considered to comply with Policy FLD 3 of PPS 15. In accordance with the advice of Rivers Agency, a planning condition is recommended to ensure that exceedance flows associated with events beyond the

design capacity of the drainage network are appropriately managed, thereby safeguarding the development and surrounding lands from unacceptable flood risk.

Policy FLD 4 - Artificial Modification of Watercourses

Artificial modification of a watercourse only in exceptional circumstances, including where culverting is necessary to facilitate access to a development site. The submitted Flood Risk Assessment originally proposed the resizing of an existing culvert to facilitate an access from Mill Road. In its consultation response dated 26.06.26, Rivers Directorate sought clarification as to whether these works remained part of the proposal.

The agent subsequently confirmed by email dated 07.09.26 that the previously proposed Mill Road access and associated culverting works no longer form part of the application, noting that this position had already been clarified within the applicant's February 2025 planning response. Rivers Directorate was reconsulted to confirm the removal of these works from the scheme and to close out its consultation response in this regard. Rivers Agency have confirmed in their response 25.09.26 that they have no reason to sustain an objection under FLD 4

As no culverting or other artificial modification of a watercourse now forms part of the proposal, the development complies with Policy FLD 4 of PPS 15.

Policy FLD 5 - Development in Proximity to Reservoirs

The application site lies within the potential reservoir inundation areas associated with Bessbrook Pond and Camlough Reservoir. In its consultation response dated 26.06.26, Rivers Directorate advised that while Bessbrook Pond benefits from Responsible Reservoir Manager Status, insufficient information had been provided regarding the condition, management and maintenance of Camlough Reservoir. Consequently, Rivers Directorate considered the site to be subject to a significant to extreme flood hazard in the event of reservoir failure, resulting in an objection under Policy FLD 5.

Since that response was issued, satisfactory evidence relating to the management and maintenance of Camlough Reservoir has been accepted by the Planning Department in the assessment of a separate planning application (LA07/2025/0365/F – Newry City Park). In light of this updated information, Rivers Directorate has been re-consulted to clarify whether the previously identified inundation risk remains applicable and whether the reservoir safety assurances now available alter the policy assessment under FLD 5.

Rivers Agency in comments 25.09.26 confirm that it is in possession of information confirming that Bessbrook Pond Reservoir and Camlough Reservoir both have 'Responsible Reservoir Manager Status'. Consequently, Rivers Directorate has no

reason to object to the proposal from a reservoir flood risk perspective. ***Application accords with FLD 5.***

Climate change

Rivers Agency previously advised that a minor section of the proposed access, together with a limited number of parking spaces and areas of landscaping/open space, fell within the 1 in 100 year climate change fluvial floodplain. However, the submitted FRA assessed flood risk using climate change flood levels and confirmed that all proposed dwellings are located outside the climate change floodplain. Following a request from Rivers, the agent submitted updated floodplain overlay information on the revised layout (Rev. D, Drawing No. 40377-202) and confirmed by email dated 07.09.26 that the previously proposed Mill Road access and associated culverting works no longer form part of the proposal. This information has been re consulted to Rivers Agency for confirmation.
Rivers Agency has previously acknowledged the Planning Department position that the proposal represents an exception under Policy FLD 1. Subject to Rivers' confirmation of its acceptance of the revised arrangements, the proposal is considered compliant with flood risk policy requirements, including those relating to climate change, as the residential development is located outside the climate change fluvial floodplain.
Rivers Agency in their consultation 25.09.26 confirm location of the proposed dwellings does not lie within the climate change fluvial floodplain.

29.0 Water and Sewerage

Taking account of the consultation responses from Northern Ireland Water (NIW), NIEA, SES and Loughs Agency.

The application proposes that water supply, drainage and sewerage will be provided via the public mains network. It is also noteworthy that the existing mill complex historically accommodated industrial and military-related uses, including communal sanitary facilities, demonstrating a long-established serviced use of the site.
Notwithstanding this, NI Water has advised that wastewater capacity constraints remain within the Newry catchment. In its consultation response of 25th April 2025, (reiterated on 25th March 2026), NI Water maintained an objection to the proposal, whilst confirming that engagement with the applicant may enable reconsideration of its position following further assessment of potential mitigation measures.
Weight is afforded to subsequent correspondence from NI Water dated 15th September 2025 (WwIA Reference DS67931), which advises that, following the announcement of a £26 million investment programme within the Newry wastewater catchment, capacity may become available through a combination of network improvements and targeted interventions. Whilst NI Water acknowledged that wastewater constraints remain, it confirmed that the proposed works would permit the reassessment of previously constrained developments and allow foul sewer connections to be considered where suitable mitigation is secured. NI Water further

advised that a detailed assessment of the site was underway to identify any developer funded solutions required to address residual constraints.

In response to the evolving position of both NI Water and the Northern Ireland Environment Agency, the applicant has proposed a temporary package wastewater treatment plant as an interim measure pending the availability of a permanent public foul sewer connection. The submitted information confirms that the treatment plant was always intended as a short-term solution and that NI Water has now identified a potential pathway to connection through a combination of infrastructure upgrades and site-specific mitigation measures, including storm water offsetting works within lands under the applicant's control. Given that the principle of a future public foul connection has been established, the temporary treatment plant is considered to address a transitional timing issue rather than a fundamental infrastructure constraint.

On balance, it is considered that the ongoing wastewater capacity issue can be adequately managed through the imposition of appropriately worded planning conditions. In particular, a negative condition requiring the submission, agreement and implementation of an approved foul drainage strategy, including confirmation of either a permanent connection to the public sewer network or operation of the temporary wastewater treatment plant, prior to the occupation of development phases would ensure that no unacceptable pollution risk arises. Such an approach would provide the necessary safeguard to protect water quality whilst allowing the development to proceed in a phased manner until such time as permanent wastewater infrastructure capacity becomes available. Accordingly, the issue of wastewater disposal is not considered to warrant refusal of planning permission in this instance.

30.0Trees, Landscape Impact and TPO

A Tree Preservation Order (TPO) affects the north-western portion of the site, which also falls within the Bessbrook Conservation Area. The proposed development within this area necessitates the removal of Tree T54, identified in the arboricultural survey as being in poor condition, and Tree T58, assessed as being in fair condition. Notwithstanding their loss, the extent and location of development within this part of the site broadly reflects that previously approved under earlier planning permissions, where the impact on the protected trees and the character of the Conservation Area were considered acceptable. Furthermore, the TPO designation does not extend across the remainder of the site.

The Arboricultural Survey prepared by Dr Philip Blackstock (June 2022) acknowledges that the trees surrounding the mill pond provide an attractive backdrop and are significant within the local landscape. However, it also concludes that most trees on the site are in generally fair to good condition, whilst identifying a requirement for ongoing management, including vegetation clearance, selective thinning of younger tree groups and the removal or monitoring of ash trees affected by dieback. Importantly, the report confirms that development can proceed provided appropriate tree protection measures

and Arboricultural Method Statements are implemented during construction to safeguard retained trees and their root protection areas.

The submitted Tree Landscape Plan and Landscape Management Plan (February 2025) demonstrate that the proposal has been designed to retain the majority of existing trees of landscape value, including those surrounding the mill pond which contribute most significantly to the site's setting and wider visual amenity. The loss of two lower quality trees within the TPO area is offset by a comprehensive landscape strategy incorporating substantial new tree and shrub planting throughout the site, thereby strengthening long-term landscape structure, biodiversity value and visual integration of the development. Subject to compliance with the approved arboricultural protection measures and landscape management regime, it is considered that the proposal would not result in an unacceptable impact on the character, appearance or arboricultural value of the site and would ensure the continued retention and enhancement of the site's most significant tree assets.

Neighbour Notification Checked Yes

Summary of Recommendation

Approve

Draft Conditions:

1.The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

(TIME CONDITIONS ADDED SEPERATELY FOR LBC AND DCA APPLICATIONS)

2.No works of demolition or alteration by way of substantial partial demolition of the listed building shall begin before evidence has been submitted to the Council of a binding contract for the full implementation of the comprehensive scheme of development (and associated planning permission for which the contract provides).

Reason: In the interests of the orderly development of the site which include for redevelopment of the Listed Building.

3. Notwithstanding the submitted details, no development shall commence on site until an agreed Phasing Plan has been submitted to and approved in writing by the Council in consultation with HED. The development shall not be carried out or sequenced unless in accordance with the approved Phasing Plan.

Reason: In the interests of the orderly development of the site which include for redevelopment of the Listed Building.

4. Before work begins the appropriately qualified professional specialising in conservation work shall be agreed in writing with the Council who will supervise the hereby approved works of alteration or demolition. Any proposed changes to the agreed supervision arrangements shall be subject to the prior written agreement of the council in consultation with HED.

Reason: In the interests of protecting the Listed Building.

5. During the works, if hidden historic features are revealed they should be retained insitu. Works shall be halted in the relevant area of the building, and the Council should be notified immediately. Failure to do so may result in unauthorised works being carried out and an offence being committed.

Reason: In the interests of protecting the Listed Building.

6. Before the work begins, a Fire Safety Strategy and Method Statement shall be approved by the Council, and the works carried out in full according to such a Statement.

Reason: In the interests of protecting the Listed Building.

7. Notwithstanding the submitted details, the following elements of the approved scheme shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council in consultation with HED:

a. The applicant shall provide a detailed window and door schedule for existing and proposed mill windows to include opening details and to align with detailed elevations of the mill buildings.

b. Detail drawings of plan, sections, elevations where new openings to be inserted (see also 9b).

c. New windows to mills shall be aluminium or timber and samples shall be provided for agreement.

d. Encaustic tiles to M1/G/01 & 01A and M1/1/01 shall be salvaged and reinstated, and details of placement shall be provided for agreement.

e. The applicant shall provide a detailed drawing for the reinstatement of cast iron guarding and handrail at the stair to north end of Mill 1 (Room No. M1 G 01 & 01a stairwell between ground & first floors) prior to its dismantlement.

f. The applicant shall provide a detail for reuse of stone flags to B1/B2 within the mill buildings.

g. The following shall be retained and exposed within communal areas: − Cast iron columns including heads − Vaulted ceiling profiles − pattress plates and surviving timber and steel structure. Details shall be provided for agreement.

h. Landscaping shall comply with Landscape Management and Maintenance Plan [last issued Jan 2025] and in accordance with Park Hood Dwgs, 18 Feb 2025 Landscaping Plan, dwg. 1001, Proposed Landscape Plan and 1003 Landscape Context Plan. All hard and soft landscaping works shall be carried out in accordance with the approved details within the site (site location red line) area.

i. Detail of blast wall reduction and detail of new bin store

j. Detail of the boundary wall reduction, openings and coping, retention and repair of existing piers

k. Construction detail for abutment of stair tower to existing stone ashlar shall be provided prior to installation/construction.

l. Construction detail for addition of upper levels at mill including all junction details at minimum scale 1:10

m. The applicant shall provide detailed drawings to scale 1:10 of the retained portion weaving sheds, which shall also detail the materials, finishing, securing in place and attachment of roof to the structure, for agreement with council in consultation with HED.

n. The applicant shall provide existing and proposed 1:20 detail plans, elevations and sections upon opening up where the weaving sheds abut the Northmost Mill, for agreement with council and HED. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

8. Unless otherwise specified on the approved drawings, all new external and internal works and any works of making good shall match the existing original fabric in respect of matching materials, form, composition and finish.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

9. New works:

The following samples and details shall be agreed with council in consultation with HED prior to procurement:

a. Proposed mill - stair towers: clay brick and curtain walling/glazing

b. Proposed mill - 4th and 5th floor level extension cladding

c. Proposed housing – brick, slate and windows. Windows shall be aluminium or timber, roof shall be blue/grey slate, brick shall be clay.
d. Proposed housing shall have clipped verge and eaves details

e. Proposed apartment buildings (F2, F3, F5) – stone from site removals shall be salvaged and repurposed. Sample panel shall be provided in coursing to match the random coursed walls at the site with lime pointing. Sample shall be minimum 2mx2m.

f. Proposed apartment buildings – detail of eaves/parapet, detail to balconies, detail of stone cladding elements and junctions

g. Proposed landscaping – samples of granite setts and other paving in conjunction with self-bind path sample.

Reason: In the interests of protecting the Listed Building.

10. No works to the relevant element shall commence on site unless a Detailed Method Statement for the following works or activities been submitted to and agreed in writing by the Council in consultation with HED.

a. Demolition of historic mill elements including means of supporting, protecting and repairing the retained structures and fabric both during the works and afterwards;

b. Taking down existing masonry to insert new window openings;

c. Dismantlement, reinstatement of wall and coping (at reduced level), repair of pillars to Derrymore Road;

d. Dismantlement, protection and reinstatement of retained weaving sheds

e. Stone repairs and cleaning;

f. Dismantlement, restoration and reinstatement of stair at Room No. M1 G 01 & 01a stairwell between ground & first floors

The works and activities shall not be carried out unless in accordance with the approved Detailed Method Statement.

Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings. Approval is required upfront to safeguard original features of the building.

11.Recording of historic fabric (Survey/Photographic record) No dwelling shall be occupied until a Level 2 survey, including analysis and photographic record of the historic fabric of the protected curtilage structure, the Mill Managers House (west of the Mill, east of the Mill Pond), has been submitted to the Council.

Reason: To provide a record of the curtilage structure before works are undertaken, in the interests of the special architectural and historic qualities of the Listed Building.

12. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

Reason: In the interests of protecting the Listed Building.

13. No new mechanical services (including for example pipes, soil-stacks, flues, vents or ductwork or other fixtures) shall be fixed on the external faces of the building other than those shown on the drawings submitted.

Reason: In the interests of protecting the Listed Building.

14. No new or electrical services (including grilles, security alarms, lighting, security or other cameras or other fixtures) shall be fixed on the external faces of the building other than those shown on the drawings hereby submitted

Reason: In the interests of protecting the Listed Building.

15. Demolition work at abutments with the mills shall be carried out by hand or by tools held in the hand other than power-driven tools

Reason: In the interests of protecting the Listed Building.

16. Interpretative information panels shall be provided:

a. at the blast wall
b. at the entrance to the mill
c. at principle communal spaces
d. at the retained weaving shed structures

The wording, design and positions shall be agreed with council and HED prior to procurement.

Reason: In the interests of the special architectural and historic qualities of the Listed Building

17. Temporary Wastewater Treatment Plant:

The temporary wastewater treatment plant hereby approved shall be installed, commissioned and fully operational prior to the occupation of any dwelling within the development.

The temporary wastewater treatment plant shall serve no more than [XX] residential units in total. No residential unit in excess of [XX] units shall be occupied or brought into use for any purpose while the temporary wastewater treatment plant remains in operation.

The [XX] unit limit shall apply to the development as a whole, irrespective of phasing, subdivision, change of ownership or occupation, and shall not be exceeded.

No additional residential unit shall be occupied or brought into use until the temporary wastewater treatment plant has ceased operation and the development is served by a permanent foul drainage solution approved in writing by the Council.

The temporary wastewater treatment plant shall be removed from the site immediately upon the permanent foul drainage solution becoming operational, and the land occupied by the plant shall thereafter be restored in accordance with a scheme of restoration submitted to and approved in writing by the Council.

Reason: To ensure that the temporary wastewater treatment plant is not overloaded and that foul drainage arrangements are adequate for the number of residential units occupied, in the interests of protecting the water environment and public health.

18. Permanent Foul Sewer Connection

Prior to the occupation of, or commencement of operational use of, any part of the development in excess of the [XX] units served by the temporary wastewater treatment plant, written confirmation shall be submitted to and approved in writing by the Council confirming that Northern Ireland Water has consented to the connection of the development to the public foul sewer and that all necessary agreements, including any required Section 161 sewer agreement, have been completed and are in force.

No part of the development in excess of the [XX] units shall be occupied, brought into use or operated until the requirements of this condition have been fully complied with.

(The submission of an application for connection, the intention to connect, correspondence with Northern Ireland Water, or the existence of an agreement in principle shall not constitute compliance with this condition).

Following completion and commissioning of the permanent connection to the public foul sewer, the temporary wastewater treatment plant shall cease operation and shall be decommissioned and removed from the site. The land occupied by the temporary plant shall thereafter be restored in accordance with a scheme of restoration to be submitted to and approved in writing by the Council.

Reason: To ensure that adequate permanent foul drainage infrastructure is secured before further occupation or operational use of the development and to ensure that the temporary wastewater treatment plant is not relied upon beyond its approved capacity, in the interests of public health and protection of the water environment.

19. The development hereby permitted shall not commence until all fuel storage tanks (and associated infra-structure) are fully decommissioned in line with current Guidance for Pollution Prevention (GPP2 and GPP27) and the Remediation Strategy as detailed in Tetra Tech GQRA Report B005145 dated April 2023. The quality of surrounding soils and groundwater should be verified and, should any additional contamination be identified during this process, conditions for new contamination or risks, as detailed, will apply.

    Reason: Protection of environmental receptors to ensure the site is suitable for use.

20. No development shall commence until the applicant has submitted evidence in writing to the Planning Authority for its agreement demonstrating that the risks to groundwater and other environmental receptors due to contamination of the ground and groundwater in the vicinity of borehole GLOBH01 have been effectively assessed and mitigated. This evidence should include:

    1. Groundwater quality monitoring data and a Detailed Quantitative Risk Assessment to investigate the risks to groundwater and surface water from contamination identified at borehole GLOBH01;
    2. Provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to identified receptors.

    The remedial criteria are required to be derived through quantitative risk assessment based on the conceptual site model and the Environment Agency's Hydrogeological Risk Assessment for Land Contamination, Remedial Targets Worksheet v3.2 (P20).
    If unacceptable risks to receptors are identified a remediation strategy should be developed, implemented and verified to the satisfaction of the Council.

    Reason: Protection of environmental receptors to ensure the site is suitable for use.

21. The development hereby permitted shall not commence until a Detailed Remediation Strategy to address all unacceptable risks to environmental receptors has been agreed with the Planning Authority. This strategy should include a water monitoring plan and should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. This strategy must be submitted in writing and agreed with the Planning Authority and should identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).

    Reason: Protection of environmental receptors to ensure the site is suitable for use.

22. Prior to occupation of each phase of the development, the applicant should submit evidence in writing to the Planning Authority for its agreement demonstrating that the risks to water and other environmental receptors due to on-site contamination have been effectively investigated and mitigated. This evidence should be provided to the Planning Authority for agreement on at least an annual basis following initiation of works. The evidence should include suitable groundwater and surface water quality monitoring data and assessment, as detailed in Tetra Tech report B005145 dated April 2023, to investigate the risks to water. In the event that unacceptable risk to the water environment is identified, works on the relevant phase should cease and the condition for new contamination or risks, as detailed, shall apply.

    Reason: Protection of environmental receptors to ensure the site is suitable for use.

23. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: https://claire.co.uk/home/news-new/piling-and-penetrative-ground-improvementmethods-on-land-affected-by-contamination-guidance-on-pollutionprevention.html

    Reason: Protection of environmental receptors to ensure the site is suitable for use.

24. If during the development works, new contamination or risks are encountered which have not previously been identified, works at that phase should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks In the event of unacceptable risks being identified, a

remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Regulation Unit

Reason: Protection of environmental receptors to ensure the site is suitable for use.

25. After completing all necessary remediation works for each phase of the development, and prior to occupation of each phase, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

26. Prior to the commencement of development, details of the provision of a minimum of 56 residential units as social housing shall be submitted to and approved in writing by the Council. The 56 units shall be delivered through an arrangement with the Northern Ireland Housing Executive or a Registered Housing Association, and the submission shall include details of the dwelling mix, location, tenure and phasing of the social housing provision.

No residential unit hereby approved shall be occupied until the Council has received written confirmation that the approved arrangements are in place with the Northern Ireland Housing Executive or a Registered Housing Association for the delivery and permanent retention of the minimum 56 social housing units.

The approved 56 social housing units shall thereafter be provided, made available for occupation and permanently retained as social housing within the development. Unless otherwise agreed in writing by the Council. Development shall take place in accordance with the approved details.

Reason: To meet the requirement for Social Housing provision as identified by NIHE.

27. The recommendations and mitigation measures contained in the noise assessment report,784- B041921 dated 7th March 2023 shall be implemented in full.

Reason: To protect the amenity of those occupying the dwellings in the application.

28. The conclusions and recommendations, in conjunction with the requirements set out in section 7, The Remedial Strategy, contained in the Preliminary Risk & Generic Quantitative Risk Assessment (GQRA), GQRA B005145 dated April 2023, shall be implemented in full.

Reason: To protect nearby residents, employees and construction personnel.

29. The proposals outlined in the Construction Environmental Management Plan (OCEMP) Report B005145, dated June 2023 shall be adhered to throughout the duration of the project until final completion.

    Reason: In the interests of amenity

30. Commercial units shall only be used for A2: Financial, professional and other services or Class B1: Business as defined within The Planning (Use Classes) Order (Northern Ireland) 2015 and for no other purpose.

    Reason: To control uses and to protect residential amenity

31. The commercial unit should also operate 0800 to 1800 only, including deliveries or despatch

    Reason: In the interests of residential amenity.

32. Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%).

    Reason: In order to safeguard against surface water flood risk.

33. A 5m Maintenance strip shall be provided adjacent to the watercourse to allow access and egress at all time by Rivers Agency or relevant personnel.

    Reason: In the interest of maintenance and management of the watercourse.

34. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council. The POW shall provide for:

    • The identification and evaluation of archaeological remains within the site;
    • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
    • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
    • Preparation of the digital, documentary and material archive for deposition.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

35. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 35.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

36. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 35. These measures shall be implemented and a final archaeological report shall be submitted to Newry, Mourne and Down District Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

37. No development shall commence until an updated bat survey, undertaken by a suitably qualified and experienced ecologist, has been submitted to and approved in writing by the Council. The survey shall be undertaken in accordance with current best practice guidance and shall identify any bat roosting potential, presence or activity associated with the site and the approved development.

Where the survey identifies the need for mitigation, compensation or enhancement measures, full details of such measures shall be submitted to and approved in writing by the Council prior to the commencement of the relevant works. The approved measures shall thereafter be implemented in full and retained in perpetuity unless otherwise agreed in writing by the Council.

Reason: In the interest of protected species

38. Prior to the commencement of development, a detailed external lighting plan and lighting assessment shall be submitted to and approved in writing by the Council. The plan and assessment shall demonstrate that the proposed lighting will result in illumination of less than 1 lux at the watercourse and pond, and will avoid direct illumination of any key bat features identified.

The lighting scheme shall incorporate appropriate optical controls, including suitable positioning, orientation, shielding of light fittings, to prevent light spill onto the watercourse, pond and identified key bat features. The approved

lighting scheme shall be installed and operated in accordance with the approved details and shall thereafter be retained and maintained as approved. No external lighting shall be installed or altered other than in accordance with the approved scheme

Reason : In the interest of protection of protected species.

39. Prior to the commencement of the development, details of measures to avoid significant impacts to roosting bats arising from the approved development shall be submitted to and approved in writing to the Council. The approved measures shall be implemented in full and thereafter retained and maintained for the life time of the development.

The mitigation measures shall include, but not be limited to the measures identified in an approved bat survey/ ecological assessment and shall ensure that works do not result in disturbance, injury or loss of roosting bats or damage to or destruction of any bats roosts.

Reason: In the interests of protection of protected species.

40. Prior to the commencement of any development, a Habitat Management Plan detailing measures to compensate for the loss of open mosaic habitat on previously developed land as a result of the development shall be submitted to and agreed in writing by the Council. The Habitat Management Plan shall include details of the location, extent and design of the compensatory habitat, the measure to ensure that it provides suitable conditions for the establishment and maintenance of open mosaic habitat and associated species; implementation timescales; management and maintenance measures and arrangements for the monitoring and report. The approved measures shall be implemented in accordance with the agreed timescales and thereafter managed and maintained in accordance with the approved Habitat Management Plan.

Reason: In the interests of protection of habitat.

41. During the first available planting season after the occupation of the first residential unit, or as otherwise agreed in writing by the Council, landscaping shall be carried out in accordance with the Proposed Landscaping Plan (Drawing No XX) and maintained thereafter.

Reason: In the interest of visual and residential amenity.

42. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be

planted at the same place, unless the Coucnil gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

43. The open space and amenity areas as indicated on the drawing XX date stamp received XX (XX) shall be managed and maintained in accordance with a detailed Landscape Management and Maintenance Plan which shall be submitted to and agreed in writing by the Council prior to the first occupation of any dwelling hereby approved.

    Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.

44. No vegetation clearance/removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

    Reason: To protect breeding birds.

45. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

    The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 20-029-DR-106 Rev F published date on consultee hub 23rd September 2026 and Drawing No. 20-029-DR-107 Rev B published date on consultee hub 30th June 2026.

    Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

46. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

    No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No. 20-029-DR-106 Rev F

published date on consultee hub 23rd September 2026 and Drawing No. 20-029-DR-107 Rev B published date on consultee hub 30th June 2026. The Council hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3(4C).

No other development hereby permitted, shall be occupied until the Footway outlined in blue along the Derrymore Road has been completed and fully resurfaced in accordance with details submitted to and approved by Planning on Drawing No. 20-029-DR-106 Rev F published date on consultee hub 23rd September 2026.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out

47. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 20-029-DR-106 Rev F published date on consultee hub 23rd September 2026 and Drawing No. 20-029-DR-107 Rev B published date on consultee hub 30th June 2026, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

48. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

49. No dwellings shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking and turning of private cars as shown on the approved plan.

Reason: To ensure adequate (in-curtilage) parking in the interests of road safety and the convenience of road users.

50. The access gradients to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25)

maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

51. The development hereby permitted shall not be commenced until any (highway structure/retaining wall/culvert) requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG300 of Design Manual for Roads and Bridge.

Reason: To ensure that the structure is designed and constructed in accordance with CG300 of Design Manual for Roads and Bridges.

52. No retailing or other operation in or from any building hereby permitted shall commence until hard surfaced areas have been constructed within the site and permanently marked to provide parking and servicing in accordance with the requirements of the Council's current published Parking Standards. No part of the hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles

Reason: To ensure that adequate provision has been made-for parking, servicing and traffic circulation within the site.

Submission on behalf of Councillor David Taylor per Bessbrook Mill Proposal – LA07/2023/2901/F, LA07/2023/2908/LBC, LA07/2023/2912/DCA

I write in respect of the above planning applications due to be presented to the November Planning Committee Meeting of Newry, Mourne and Down District Council with recommendation for approval/consent. I wish to request speaking rights and to outline my serious concerns and objections to the proposed development at the Bessbrook Mill site. My objection is based on a number of significant planning concerns relating to overdevelopment, infrastructure capacity, heritage protection and the impact the proposal would have on the character of Bessbrook village.

Firstly, there is significant concern within the local community regarding the scale and intensity of residential development proposed for the site. The proposal would introduce a substantial number of residential units within a relatively confined area and represents an over-intensification of development which is not in keeping with the scale, character or historic context of Bessbrook village.

The proposal appears to conflict with the principles set out within the Strategic Planning Policy Statement (SPPS), which states that new development should respect the character and appearance of the surrounding area and be sympathetic to the scale, form and layout of existing settlements. The density and scale proposed for the Bessbrook Mill site risks creating a development which is out of character with the established built form and historic setting of the village.

There are also serious concerns regarding the capacity of existing infrastructure to accommodate development of this scale. The SPPS is clear that development should only be permitted where there is adequate infrastructure to support it. Bessbrook village already faces ongoing issues relating to road conditions, water infrastructure and drainage capacity due to historic underinvestment. The addition of a significant number of residential units would place further strain on this infrastructure and could adversely affect the quality of life of existing residents.

The proposal also raises significant issues in relation to the protection of the historic environment. Bessbrook is widely recognised as a historic model village, with the mill complex forming a central part of its industrial and social heritage. Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS 6) states that planning authorities should seek to protect, conserve and, where possible, enhance the historic environment and heritage assets. Any development which results in the loss or inappropriate alteration of important historic features would therefore conflict with this policy objective.

In addition, Planning Policy Statement 7: Quality Residential Environments (PPS 7) emphasises that residential development should respect the surrounding context, protect local character and provide a high quality environment. The scale and intensity of the proposed development raises concerns that these principles may not be adequately achieved.

Furthermore, the proposal appears to miss an important opportunity to deliver a more balanced regeneration of the Bessbrook Mill site. Given the historic significance of the location, there is considerable potential for development which supports economic activity, tourism and community uses while preserving the heritage of the mill complex. The current proposal appears instead to focus predominantly on maximising residential units without fully considering the wider social and economic opportunities associated with the site.

There is also significant opposition to the proposal within the local community, as evidenced by the substantial number of objections submitted by residents to the Planning Department and the considerable number of signatories to a petition opposing the development. Given the strength of local feeling and the volume of objections received, I believe these genuine and relevant concerns must be given due consideration and should not be disregarded in the assessment of this application.

For these reasons, I believe the proposal conflicts with key planning policies relating to sustainable development, infrastructure capacity, heritage protection and the preservation of local character. If approved in its current form, the development risks having a detrimental impact on the character of Bessbrook village and on the quality of life of existing residents.

I respectfully request that the Planning Committee gives serious consideration to these concerns when assessing the application alongside other concerns raised by many within the local community in relation to the proposal.

Councillor David Taylor

Request for speakers rights on behalf of

John Davis,

REF:LAO7/2023/2901/F

John wishes to attend on 4th November to speak to the committee.

He has submitted 1094 signatures on 01.09.25 objecting to this application.

He submitted his points in writing on 19.03.26 and 08.04.25.

The argument is that the area is saturated with huge housing developments completely surround the village? With thousands built within the last 10 years. Yet the sewage and water system, nor road infrastructure cannot bear another influx of people and cars. In addition, the primary schools are already under pressure. Can a member of the committee enlighten the population as to the plans to develop schools, sewers, roads etc?

The general village population want the site to be developed to benefit the village, to bring much needed investment and jobs by way of tourism. Presently, tourists are bypassing on way to 'Ring of Gullion' and the rich heritage of the Quaker village built around the linen production is overlooked . This history will be lost. Bessbrook only exists because of linen. Quakers saw Camlough lake, the lay of the land and chose the site for the Mill as water could effectively be redirected down hill to keep wheels turning. The granite to build the Wall , the Mill and the quaint terraces came from local quarries.

The diaspora around the world can trace their families back to Mill workers and often come to the Village to see it from USA. Its a gem and could have an economic impact if part of the site was retained to tell the story of the linen industry of 19th Century.

Mossley Mill Antrim and Lisburn have had the foresight to retain their heritage and sensitively develop to generate an income for their area. Why does Newry & Mourne not follow their example?

There are no facilities in Bessbrook for young people or elderly. Could the developer not consider space for them.

And only eight units for small businesses, maybe a gym? Paying lip service but not really considering the needs of residents in the Village or the new people who will buy apartments.

Ripping out our built heritage and building houses on the street is not in keeping with the modern needs of families and is certainly going to change the Boiler hill forever.

It's a huge site and can accommodate mixed use without destruction and with more understanding of its history the developer can make a profit , can make an income and could leave a legacy that includes more than a nod to the Richardson Family who built Bessbrook.

They could be part of the drive to open up South Armagh to more tourists. Generating more income by giving access to the Mill, a museum, a coffee shop, gift shop. Even more tourist beds in the area, as there are few.

The villagers want to see progress not just more houses. They are proud of their heritage and are saddened by the sheer lack of understanding by the council officials, councillors, MLA and developers of what this could be for the future of the area and the jobs that would come with a different approach.

John Davis

Agenda Item No. 15.0 – LA07/2023/2901/F, LA07/2023/2908/LBC & LA07/2023/2912/DCA

Lands at Bessbrook Mill, Derrymore Road, Bessbrook – Speaking Notes

Planning Committee Meeting – Wednesday 4th November 2026

Introduction

- Chair, Members of the Planning Committee, we thank you for the opportunity to address you. Both myself (Ronan Woods as Director of Genesis Planning Consultants and Eamon Larkin Director of Milligan Reside Larkin) are here today to seek your support to gain planning approval for the proposed development that will see the important regeneration of Bessbrook Mill.

- For the record we are here to represent the prospective applicant, Farlstone Construction Limited, as we have been the lead project team on the planning application over the last number of years.

- At the outset we take the opportunity to express our appreciation that the Council's Planning Department has recommended approval of all three applications. In this regard we also thank the planning officers, and Historic Environment Division, for their constructive engagement in bringing this landmark scheme to a positive recommendation before the Committee today.

Proposed Development

- In summary, this heritage-led regeneration of the Bessbrook Mill complex provides for:
  - The Restoration and conversion of the Mill building to provide 165 apartments, with an additional storey, six commercial office units and a gym;
  - 48 new-build dwellings and 54 further apartments, delivering 267 homes in total, of which 56 are social housing;
  - Retention of the blast wall, the Derrymore Road boundary wall, with railings reinstating the historic gateway;
  - Careful removal as required along with re-erection of sections of the Weavers' Shed, with interpretation boards;
  - Approximately 0.84 hectares of new public open space both for residents and the wider community to avail of, with pedestrian and cycle links to Derrymore Road, Fountain Street and the village; and
  - New accesses from Derrymore Road and Fountain Street, parking, landscaping and all associated site works.
- Overall the proposal will bring a long-vacant landmark, the historic focal point of the village back into active use after many years of decline.
- It will also deliver badly needed housing for the area.

Principle of Proposed Development

- The site lies within the development limits of Bessbrook and is zoned for mixed-use development under BK09 of the Banbridge, Newry and Mourne Area Plan 2015. Residential, employment and leisure uses are all envisaged by the zoning, and the proposal delivers each of them.
- By way of background the principle of redevelopment is firmly established. Planning permission P/2007/1392/F and listed building consent P/2008/1506/LBC were granted in 2012 for a larger scheme of 272 units. In this context the proposal hereby proposed is a reduced and more sensitive scheme of 267 units, with greater retention of historic fabric.
- Historic Environment Division as a Statutory Consultee are fully content that the change of use, alterations, partial demolition and development within the setting of the listed building all satisfy policy, subject to conditions. HED Historic Monuments is likewise content, subject to a programme of archaeological works for monitoring during construction works.

- As you will hear the respective Planning Officers have concluded that the proposal fully complies with Policies BH7, BH8, BH10, BH11, BH12 and BH14 of PPS 6, preserving and enhancing the Conservation Area and the BK14 McKnight's Hill Local Landscape Policy Area.
- In terms of the capital investment; the restoration requires capital investment exceeding £60 million. Officers accept that the scheme satisfies Policy ED1 of PPS 23 (Enabling Development), with the new-build elements providing the means of securing the Mill's long-term future. Delivery is tied to the restoration through the binding contract and Phasing Plan conditions.
- Also the proposed 56 social homes, supported by NIHE and Ark Housing Association, will make a meaningful contribution to an identified need of 123 dwellings in the Bessbrook/Derramore area, in accordance with Policy HS2 of PPS 12.

Third Parties and Consultee Responses

- We recognise the strength of local feeling about the Mill and welcome the letters of support. Every issue raised has been carefully addressed in the officer's report.
- Social housing forms a minority of around 21% of the homes, reflecting identified need. Officers conclude it will not prejudice a balanced and sustainable community.
- DfI Roads raises no objection, subject to conditions, and accepts the access arrangements and Transport Assessment.
- DfI Rivers has no objection under Policies FLD 1 to FLD 5. Both Bessbrook Pond and Camlough Reservoir hold Responsible Reservoir Manager Status, and all dwellings lie outside the climate change floodplain.
- On wastewater, NI Water has confirmed that its £26 million investment programme in the Newry catchment creates a pathway to connection. The temporary treatment plant is an interim measure only. Conditions 17 and 18 strictly cap occupation until a permanent connection is secured.
- Ecology will be fully safeguarded through conditions requiring updated bat surveys, a Bat Mitigation Plan, a sensitive lighting scheme and a Habitat Management Plan before any works begin.
- Environmental Health, NIEA Regulation Unit and NIE raise no objection. EIA and HRA screening confirm that no Environmental Statement or Appropriate Assessment is required.

Conclusion

- Bessbrook Mill is one of the most significant industrial heritage assets in the area. Without planning approval and investment, it's decline will continue.
- This proposal secures it's restoration and viable reuse, delivering 267 new homes including 56 social homes, local employment space and new public open space.
- It accords with the BK09 zoning and the site's planning history and, assessed against relevant policy under Section 45(1) of the Planning Act (Northern Ireland) 2011, it is acceptable.
- We thank the Planning Committee for the opportunity to speak and trust that Members will agree that Full Planning Permission, Listed Building Consent and Conservation Area Consent should be granted.
- We would be happy to answer any questions.

Thank you.

Ronan Woods
Director, Genesis Planning Consultants

Committee Application

Development Management Officer Report	
Case Officer: Laura O'Hare	
Application ID: LA07/2024/0628/F	**Target Date:**
Proposal: Demolition of existing listed outbuildings, extensions to existing listed Mill building for storage and addition of 3 Grain Silos & covered intake pit.(amended plans)	**Location:** 120 The Old Mill, Annsborough, Castlewellan, BT31 9NH.
Applicant Name and Address: Jamie Clegg The Old Mill Annesborough Castlewellan BT31 9NH	**Agent Name and Address:** Ryan Hood 134 MOORE STREET AUGHNACLOY BT69 6AA
Date of last Neighbour Notification:	24 April 2025
Date of Press Advertisement:	29 July 2026
EIA Determination:	
Consultations: • DFI Rivers • DFI Roads • NIEA (NED) • Environmental Health • HED See below content of report for more details on each consultation.	
Representations:	

Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Summary of Issues:

Site Visit Report

Site Location Plan:





Date of Site Visit: September 2025

Characteristics of the Site and Area

The application site as outlined in red comprises an established industrial complex centred upon the former Old Mill, a Grade B1 Listed Building, located on the northern side of the public road within Annsborough. The site extends to approximately 0.5 hectares.

The site is occupied by a range of industrial and storage buildings associated with a long-established commercial operation. The listed mill building forms the principal structure on the site and is accompanied by a number of later additions, ancillary buildings, areas of hardstanding, circulation space, parking and servicing areas. Existing vehicular access is taken directly from the adjoining public road.

The site is generally enclosed by established boundary treatments including walls and mature vegetation. To the north and west, the site is bounded by agricultural land and associated vegetation, whilst residential development is located predominantly to the south on the opposite side of the public road and to the east. A watercourse runs to the western side of the site and existing flood defence infrastructure is located adjacent to the eastern boundary.

The site is located within the designated settlement limits of Annsborough. The Ards Down Area Plan 2015 indicates the application site is within the designated Mourne Area of Outstanding Natural Beauty (AoNB) and also within a Local Landscape Policy Area (LLPA).

Description of Proposal

Demolition of existing listed outbuildings, extensions to existing listed Mill building for storage and addition of 3 Grain Silos & covered intake pit.

Planning Assessment of Policy and Other Material Considerations

The application will be assessed against the following guidance and policy g policies were used in assessment of this planning application:

- Regional Development Strategy
- Strategic Planning Policy Statement 2nd Ed SPPS2
- Ards and Down Area Plan 2015
- PPS2 – Natural Heritage
- PPS4 – Planning and Economic Development
- PPS15 – Planning and Flood Risk
- PPS6 – Planning, Archaeology and the Built Heritage
- PPS3 – Access, Movement and Parking

PLANNING HISTORY

Enforcement
Application Number: R/2005/0085CA Decision: Decision Date:
Proposal: Works to Listed Building

Planning
Application Number: R/2008/0310 Decision: Decision Date:
Proposal: Provisional Tree Preservation Order

Application Number: R/1990/0424 Decision: Permission Granted Decision Date: 16 July 1990
Proposal: Covered loading and storage area at existing meal processing area

Application Number: R/1997/0388 Decision: Permission Granted Decision Date: 28 July 1997
Proposal: Covered loading and storage area adjacent to existing meal processing area

Application Number: R/1997/0387 Decision: Permission Granted Decision Date: 28 July 1997
Proposal: Covered loading and storage area adjacent to existing meal processing area

LA07/2024/0629/LBC - 120 The Old Mill, Annsborough, Castlewellan, BT31 9NH, Demolition of existing listed outbuildings, extensions to existing listed Mill building for storage and addition of 3 Grain Silos & covered intake pit. Under Consideration.

SUPPORTING DOCUMENTS

- Full set of detailed plans
- Heritage, Impact Design and Access Statement prepared by HBK Architects
- Photo Montage prepared by HBK Architects
- Solar Panel Specification
- Roof and Panel Cladding Specification
- Structural Condition Report prepared by PM Consulting Structural and Civil Engineers
- Planning Supporting Statement prepared by Genesis Planning Consultants
- Bat Activity Survey prepared by MCL Consulting
- Biodiviersity Checklist and Bat Roost Potential Assessment prepared y MCL Consulting
- Flood Risk Assessment prepared by McCloy Consulting

CONSULTATIONS

- DFI Rivers - DfI Rivers, while not being responsible for the preparation of the Flood Risk Assessment, accepts its logic and has no reason to disagree with its conclusions. The overall hazard rating at the location point of the existing access is considered high and is considered by Rivers Directorate to be an unacceptable combination of depth and velocity for this particular development proposal. Policy FLD 5 of PPS 15 states that there will be a presumption against any development located in areas where it is indicated that there is the potential for an unacceptable combination of depth and velocity. (26/02/2026)
- DFI Roads - No objections to this proposal subject to a condition. (08/10/2024)
- NIEA (NED) - No concerns in relation to Natural Heritage. (05/12/2025)
- Environmental Health - Environmental Health have reviewed the proposed application. Environmental Health have no objections to the application as proposed. (19/09/2024)
- HED - HED Historic Buildings considers the proposal now satisfies the policy requirements of Paragraph 6.13 of Strategic Policy Planning Statement for Northern Ireland and Policy BH 8 (Extension or Alteration of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage, subject to conditions. (08/07/2026).

REPRESENTATIONS

Neighbour notification and advertising was undertaken in line with statutory requirements. There were no representations received.

EVALUATION

Ards and Down Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is the Ards and Down Area Plan 2015 as the Council has not yet adopted a LDP. The application site is located within the Settlement Development Limit of Annsborough.

The site is on un-zoned land within the settlement limit and therefore the proposal is acceptable in principle provided it complies with relevant planning policies and does not result in harm to interests of acknowledged importance

Strategic Planning Policy Statement 2nd Ed (SPPS2)
The SPPS is material to all decisions on individual planning applications and appeals. Regional planning policies of relevance are set out in the SPPS and other retained policies. There is no conflict between the provisions of the SPPS (Ed 2 December 2025 – thereafter referred to as the SPPS and the retained policies in relation to the proposal.

Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. The proposed development represents a sustainable form of development through the extension of an industrial unit within a settlement limit and is therefore acceptable in principle subject to its compliance with the relevant planning policies as set out below.

The application site is operated by Feedwell and is utilised for the manufacturing of dog food. The existing available floorspace on-site totals 1173sqm and is used for operations including production, offices, storage and ancillary uses, with the associated curtilage also used for storage, loading, dispatch and vehicle parking.

This application has been submitted for an extension that is required for product and material storage and will facilitate the storage of raw materials on-site to facilitate the manufacturing process. During the processing of the application the agent amended the scheme which now represents part demolition and new extensions.

PPS4 Planning and Economic Development
PPS 4 sets out the Department's planning policies for economic development uses and indicates how growth associated with such uses can be accommodated and promoted in development plans. It seeks to facilitate and accommodate economic growth in ways compatible with social and environmental objectives and sustainable development.

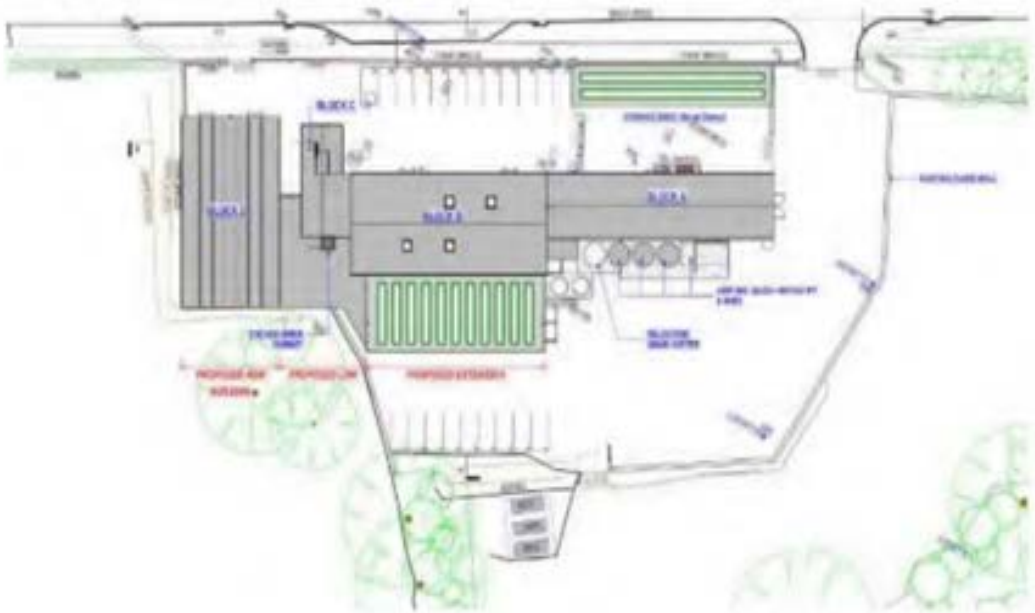
The proposed development consists of the demolition of part of the existing building and erection of new extension with a link to the remaining building on site. The gross floor space will increase to 1832sqm. For the purposes of this policy, economic development uses comprise industrial, business and storage and distribution uses, as

currently defined in Part B 'Industrial and Business Uses' of the Planning (Use Classes) Order (Northern Ireland) 2004.

The new side extension to be formed is required for the storage of pallets. On demolishing the 'L' shaped building, Block D, within the eastern portion of the site, a new building will be erected featuring a twin-gabled front elevation with pitched roofs, rendered external walls, dark cladding elements and large vertical windows openings. The frontage width of the new building will extend approx. 16m from the existing built form, at a depth of approx. 23m and with an overall building height of approx. 8.6m from G.F.L. To the rear a small flat roof link formed to integrate the new building with the existing on site buildings.

A further extension is proposed to the rear of the existing building, measuring approximately 23 metres by 9.5 metres with a maximum height of 8.5 metres. The extension will provide additional storage and dispatch facilities. In addition, the existing grain hopper is to be relocated, and three new silos, together with an intake pit and associated shed, are proposed adjacent to the extension.

See below proposed site plan and elevations.





Policy PED 1- Economic Development in Settlements is applicable, in where it states a development proposal to extend an existing economic development use or premises within settlements will be determined on its individual merits having regard to Policy PED9, therefore an assessment of such will take place below.

Policy PED 9 General Criteria for Economic Development

Proposals for economic development are required to meet criteria A-M set out in Policy PED 9 which is as follows:

(a) it is compatible with surrounding land uses;

The proposal seeks to extend an established industrial business operation currently operating from the site. The proposed works are intended to facilitate and support the ongoing use and development of the existing enterprise rather than introduce a new or unrelated use.

It is considered that the proposal complies with criterion (a) of Policy PED9, as there is a demonstrated need for the development in connection with an existing economic activity operating from the site. The extension will provide additional accommodation required for the efficient functioning of the business, assisting in the continuation and potential growth of the enterprise. As such, the development represents a logical and

appropriate expansion of an established business use and would contribute to the retention and support of economic activity within the area.

(b) it does not harm the amenities of nearby residents;

The application site is occupied by an established industrial business and the proposal seeks permission for an extension to facilitate the continued operation and growth of the existing enterprise. The proposed development is located within the existing business premises and is not anticipated to give rise to any significant adverse impacts on the amenities of neighbouring properties.

Environmental Health has been consulted as part of the assessment process and has raised no objections to the proposal. Having regard to the nature and scale of the extension, and in the absence of any concerns from consultees, it is considered that the development would not result in unacceptable impacts in terms of noise, disturbance, pollution, or general residential amenity.

(c) it does not adversely affect features of the natural or built heritage;

The proposal relates to the part demolition and extension of an existing industrial building which is a Listed Building. As part of the assessment of this planning application, and the corresponding Listed Building Consent application, consultation has been undertaken with the Historic Environment Division (HED). As noted above, there is a corresponding Listed Building Consent application being processed in tandem with this Full application, ref. LA07/2024/0629/LBC.

HED has considered the proposal and has raised no objection, subject to the imposition of a condition as detailed within the conditions section of this report. Having regard to the nature and design of the proposed extension, and the specialist advice received from HED, it is considered that the development would not have an unacceptable adverse impact on the architectural or historic interest of the Listed Building.

In addition, in support of the application, a bat survey has been submitted to assess the potential impact of the development on protected species and their habitats.

The Natural Environment Division (NED) was consulted as part of the assessment process and has raised no objections to the proposal. Having regard to the findings of the submitted survey and the specialist advice received, it is considered that the development would not result in an unacceptable adverse impact on biodiversity, nature conservation interests, or protected species.

The application site is located within Local Landscape Policy Area LLPA 2: Parkland at the Junction of Mill Hill and Ballylough Road. The purpose of this designation is to protect the landscape quality, setting and visual amenity of the parkland character associated with this area.

The proposal relates to the extension of an existing industrial building within an established industrial complex. All works are contained within the existing site boundaries and are closely associated with the existing built form. The proposal does not involve the loss of mature landscape features, significant vegetation, or other elements which contribute to the character and appearance of the Local Landscape Policy Area.

(d) it is not located in an area at flood risk and will not cause or exacerbate flooding;

The application site lies predominantly within the 1 in 100-year fluvial floodplain and, in part, within an undefended floodplain. In support of the proposal, a Flood Risk Assessment (FRA) has been submitted to consider the potential flood risk implications of the development.

The submitted FRA demonstrates that the proposed extensions are to be located outside the undefended floodplain. In addition, a freeboard level has been recommended as a mitigation measure to reduce flood risk to the development. The proposal is also located adjacent to existing flood defences, and provision has been made to ensure that access to, and maintenance of, these flood defences can be retained.

The site is also situated within a reservoir inundation area.

Consultation has been undertaken with DfI Rivers, who have assessed the proposal and accompanying Flood Risk Assessment. DfI Rivers has indicated that it is partially satisfied with the information submitted and its detailed comments and recommendations are addressed elsewhere within this report.

Having regard to the submitted Flood Risk Assessment, the siting of the proposed extensions outside the undefended floodplain, the incorporation of mitigation measures, and the ongoing consideration of flood risk matters by DfI Rivers, the proposal is considered to demonstrate that flood risk implications have been appropriately assessed. Further details in respect of flood risk and consultee responses are set out in the relevant sections of this report.

(e) it does not create a noise nuisance;

Giving existing operations on this site and on considering the nature and level of extensions works proposed there is not considered to be any resulting noise nuisance impact. Environmental Health have been consulted on this proposal and have offered no objections.

(f) it is capable of dealing satisfactorily with any emission or effluent;

It is not anticipated that the proposed development will result in any significant increase in emissions, pollution, or effluent. The site currently operates as an established industrial use and this proposal comprises extensions to facilitate the ongoing use of the existing business rather than the introduction of a new industrial process or activity.

Having regard to the nature and scale of the proposed works, it is considered that the development would not generate additional emissions or effluent that would adversely affect the environment or surrounding land uses. There is no evidence to suggest that the proposal would give rise to unacceptable levels of air, water or land pollution.

(g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;

It is not anticipated that any additional traffic will be generated, it is further noted that existing parking at the application site has not been lost as a result of the proposal.

(h) adequate access arrangements, parking and manoeuvring areas are provided;

The proposal will utilise the existing access arrangements serving the site, with no alterations proposed to the established vehicular access. In support of the expansion of the business, an additional nine parking spaces are proposed within the site to accommodate the anticipated increase in staff and visitor parking demand associated with the development.

DfI Roads was consulted as part of the assessment process and has raised no objection to the proposal, subject to the imposition of a condition requiring the provision and retention of appropriate visibility splays and sightlines at the site access.

(i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;

This is not considered applicable to this proposal. The site comprises an established industrial operation with all necessary access arrangements and infrastructure already in place. The proposal does not involve the creation of a new access or the provision of new infrastructure requirements that would necessitate assessment under this criterion.

(j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;

As outlined above, all proposed works are to be undertaken within the established boundaries of the existing industrial site. No encroachment onto adjoining land is proposed and the development represents a logical extension of the current operation.

Having regard to the existing industrial use of the site and the character of the surrounding area, the proposed design, layout and associated infrastructure are considered appropriate to the scale and function of the development. The extension integrates with the existing complex and makes use of established access, servicing and parking arrangements, supplemented by additional parking provision where required.

(k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;

The existing boundary treatments at the application site are to be retained as part of the proposed development. Existing areas of external storage are predominantly located to the rear of the site, thereby limiting their visibility from the public realm and surrounding properties.

In addition, existing areas of hardstanding along the side of the site are currently screened by mature roadside vegetation and the established front boundary wall.

Having regard to the retention of the existing boundary treatments and screening vegetation, it is considered that the proposal would not result in any unacceptable visual impact on the surrounding area.

(l) is designed to deter crime and promote personal safety; and the existing access and enclosure arrangements at the application site are not effected by this proposal.

The proposed development will not alter the existing access arrangements, boundary treatments or enclosure of the site. The established pattern of access and movement within the site will remain unchanged, and the proposal does not introduce any features that would give rise to concerns regarding security or personal safety.

(m) in the case of proposals in the countryside, here are satisfactory measures to assist integration into the landscape.

Existing boundary treatments are to be retained, which provide effective screening of the site from the surrounding area. The proposed extension will be viewed in the context of the existing industrial complex and will not extend beyond the established site boundaries.

PPS6

The application site contains a Listed Building, namely the Old Mill, Annsborough. The proposal involves the partial demolition of a section of the Listed Building and the

construction of extensions to facilitate the continued operation of the existing industrial use. Accordingly, the proposal has been assessed against Policies BH8 (Extension or Alteration of a Listed Building) and BH10 (Demolition of a Listed Building) of PPS 6.

Consultation was undertaken with the Historic Environment Division (Historic Buildings) in respect of both the planning application and the corresponding Listed Building Consent application. Following consideration of the submitted drawings and supporting information, HED Historic Buildings advised that the proposal satisfies the requirements of Paragraph 6.13 of the SPPS and Policy BH8 of PPS 6, subject to conditions.

In reaching this conclusion, HED acknowledged that, whilst there remains a strong presumption in favour of retaining and repairing listed buildings rather than replacing them, the proposed replacement of Block D is acceptable in this instance. This view is informed by the overall heritage benefits arising from the scheme, including the repair of the historic chimney and slate roofs and the reinstatement of cast-iron rainwater goods. HED further advised that the proposed materials, recessed wall sections, and stone detailing are important design features which contribute significantly to the acceptability of the development.

HED also noted that the proposed rear extension will be constructed as an independent structure, allowing for its future removal without detriment to the historic fabric of the mill, and that it will not adversely affect the historic window openings within the rear elevation. Furthermore, HED expressed no concerns regarding the inclusion of solar panels on the rear extension.

While recognising that the proposed extensions, particularly that to the front, are substantial in scale when compared with the footprint of the listed building, HED accepted that the mill remains an active industrial building and that the extensions will support its continued viable use and long-term maintenance.

Having regard to the specialist advice provided by HED, it is considered that the proposal would preserve the special architectural and historic interest of the Listed Building whilst enabling its continued use and conservation. Subject to the recommended conditions, the proposal is considered to comply with Policies BH8 and BH10 of PPS 6.

PPS15 Planning and Flood Risk

The application has been assessed against the provisions of PPS 15, having particular regard to the flood risk constraints affecting the site. The majority of the application site lies within the 1 in 100-year fluvial floodplain, with part of the site also located within an undefended floodplain. In support of the proposal, a Flood Risk Assessment (FRA) prepared by McCloy Consulting has been submitted.

Policy FLD1

DfI Rivers has reviewed the submitted Flood Risk Assessment and, whilst not responsible for its preparation, has accepted its logic and indicated that it has no reason to disagree with its conclusions. The proposed building extensions are located outside the 1 in 100-year climate change fluvial floodplain. However, DfI Rivers notes that the proposed finished floor level is substantially below the recommended 600mm freeboard above design flood level.

The FRA concludes that it is not feasible to achieve the recommended freeboard level and therefore proposes a range of flood mitigation measures, including flood resistant and flood resilient construction techniques extending to a level 600mm above finished floor level. DfI Rivers has requested that these measures, as detailed within Section 4.3.2 of the Flood Risk Assessment, be secured by condition should planning permission be granted.

Subject to the implementation of these mitigation measures, it is considered that the proposal has satisfactorily addressed fluvial flood risk.

Policy FLD2
The eastern extension (Block D) is located in proximity to an existing flood defence. DfI Rivers has confirmed that, as the extension remains within the footprint of the existing boundary walls, there will be no reduction in the maintenance strip available to the flood defence. Furthermore, consultation with the relevant Rivers Area Office raised no objection to the proposed maintenance wayleave arrangements.

Accordingly, the proposal is considered to comply with Policy FLD 2, as it would not prejudice the operation, maintenance or future improvement of flood defence infrastructure.

Policy FLD3
DfI Flood Maps indicate that portions of the site are susceptible to pluvial (surface water) flooding. DfI Rivers has advised that it remains the responsibility of the developer to obtain appropriate professional advice regarding surface water drainage and to secure any necessary approvals relating to storm water discharge.

Given the scale and nature of the proposal, and subject to the implementation of appropriate drainage measures, no objection is raised under Policy FLD 3.

Policy FLD5
The site is located within the reservoir inundation area associated with Ballylough Reservoir. DfI Rivers has advised that it has not been demonstrated that the condition, management and maintenance regime of the reservoir provides sufficient assurance regarding reservoir safety, as required by Policy FLD 5.

DfI Rivers has undertaken an assessment of the potential flood hazard associated with an uncontrolled release of water from the reservoir. This assessment concluded that the areas containing the proposed building extensions would be subject to a low

hazard rating and, therefore, are generally acceptable in flood risk terms. However, DfI Rivers has identified that the existing site access is located within an area where the hazard rating would be classified as high in the event of reservoir failure.

DfI Rivers notes that the proposal would result in an intensification of use of this access through additional staff and vehicle movements associated with the expanded operation. As Policy FLD 5 contains a presumption against development within areas where there is the potential for an unacceptable combination of flood depth and velocity, DfI Rivers has highlighted this matter as a material consideration for the Planning Authority.

In response to DfI Rivers' comments regarding Policy FLD5 of PPS15, the agent submitted additional information from McCloy Consulting in support of the proposal.

McCloy Consulting notes that DfI Rivers has confirmed that the proposed building extensions are located within an area categorised as having a "very low hazard" and "danger for some" in the event of reservoir inundation. The submitted Flood Risk Assessment states that this hazard category is considered acceptable for development of this nature under the relevant Technical Guidance.

The agent contends that Policy FLD5 should be applied to the proposed development itself rather than the wider planning unit. In this regard, it is highlighted that:

- All proposed built development is located within an acceptable flood hazard category;
- No development is proposed within the western access and yard area identified by DfI Rivers as being subject to a higher hazard rating;
- No alterations are proposed to the existing access arrangements; and
- No permanent occupation is proposed within the area identified as being at higher risk.

On this basis, the agent maintains that the proposal complies with Policy FLD5 and does not result in a significant intensification of development within the area identified as being subject to an unacceptable flood hazard.

The agent further argues that, should the Planning Authority consider the wider established planning unit rather than solely the proposed development, regard should be had to the lawful planning baseline of the site.

It is submitted that the increases in staffing and vehicle movements associated with the proposal are modest in scale and relate primarily to storage and operational throughput rather than significant increases in permanent occupation. Furthermore, no additional occupation is proposed within the western access area identified by DfI Rivers as having a higher hazard rating.

Having regard to the established industrial use of the site, the unchanged access arrangements, the location of all proposed development within an acceptable flood hazard zone, and the limited scale of any increase in activity, the agent concludes that the proposal would not result in a significant increase in exposure to reservoir flood risk. The residual risk associated with a potential reservoir failure event is therefore considered low and, in the agent's view, should not be afforded determinative weight in the overall planning balance.

These matters are material considerations in the assessment of the proposal against Policy FLD5 and must be weighed alongside DfI Rivers' concerns regarding the existing access arrangements and the potential intensification of use associated with the development

The Planning Department has carefully considered the consultation response received from DfI Rivers in respect of Policy FLD5 of PPS15, together with the supplementary information submitted by McCloy Consulting on behalf of the applicant.

In assessing the proposal, it is necessary to adopt a balanced approach and weigh all material considerations. It is acknowledged that DfI Rivers identified the existing site access as being located within an area that could be subject to a high hazard rating in the event of a reservoir failure. However, it is also noted that no development is proposed within this area, no alterations are proposed to the existing access arrangements, and the proposed extensions themselves are located within an area identified as having an acceptable flood hazard rating.

The Planning Department considers that the existing access currently serves an established industrial operation and that the proposal represents an extension to that existing use rather than the creation of a new planning unit. While some increase in staff numbers and vehicle movements may arise, it is not considered that the proposal would result in a significant intensification of activity at the access to such an extent that would materially increase flood risk to vulnerable groups beyond that which already exists.

Having regard to the lawful established use of the site, the location of the proposed development outside the area of greatest hazard, and the limited increase in activity associated with the proposal, it is considered that the development would not create a materially greater risk to life or property than is currently experienced at the site.

On balance, the Planning Department is satisfied that the proposal is acceptable in flood risk terms and that the concerns raised by DfI Rivers in relation to Policy FLD5 do not warrant refusal of planning permission in this instance.

PPS 3 Access Movement and Parking

PPS 3 sets out planning policies relating to access, movement and parking considerations, with particular regard to the safety and convenience of all road users.

The proposal does not involve any alterations to the existing vehicular access arrangements serving the site. The established access is considered adequate to serve the proposed development and will remain in use. In support of the proposed extension, an additional nine in-curtilage parking spaces are to be provided, ensuring sufficient parking provision is available to accommodate the needs of the expanded operation.

DfI Roads have been consulted as part of the assessment process and has raised no objections to the proposal, subject to compliance with a recommended condition in regards to sightlines and visibility splays.

PPS 2 Natural Heritage

PPS 2 sets out the planning policies for the conservation, protection and enhancement of our natural heritage. In safeguarding Biodiversity and protected habitats, the Council recognises its role in enhancing and conserving our natural heritage and should ensure appropriate weight is attached to designated site of international, national and local importance, priority and protected species and to biodiversity and geological interests with the wider environment.

In assessment of the above, NIEA's Bio-Diversity checklist was used as a guide to identify any potential adverse impacts on designated sites.

As indicated within the attached Evaluation and Ecological Statement, the proposed site is not located in any internationally or nationally recognised designated sites which include: Natura2000 sites i.e., Special Areas of Conservation (SAC) or Special Protection Areas (SPA), RAMSAR sites, Areas of Special Scientific Interest (ASSI), National Nature Reserve (NNR) or Nature Reserves (NR). The closest national or internationally designated sites is the Castlewellan Lake ASSI which lies 2km west of the development. Due to the scale of the development and the setback distance to the site, this designated site is considered beyond the scope of any possible impacts.

Given the demolition aspect of the identified Block D and internal works this triggered the need for a bat assessment. A bat activity survey was carried out to in the form of emergence/re-entry surveys of the structures present on site to establish the presence of roosting bats.

A Bat Roosting Potential Survey was undertaken and a subsequent Bat Activity Survey. It was concluded that there were no bat roosts recorded throughout the entire survey period, therefore no further surveys or licensing are required before altering the structure. The demolition/alteration of the structure is not considered to directly impact bats, as roost/roosting behaviour was not observed during the survey period

Consultation was undertaken with the Natural Environment Division (NED) who assessed the information provided and did not offer concerns in regards to natural heritage issues. It is considered therefore that the proposal would not have a negative impact on any natural heritage and therefore complies with policies NH 1-5 of PPS 2.

Area of Outstanding Natural Beauty AONB

As the site lies within the Mourne AoNB, then Policy NH 6 of PPS 2 is applicable. This policy requires development proposals in Areas of Outstanding Natural Beauty (AONB) to be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife. It also states that "new buildings should respect local architectural styles and patterns.

As the proposed works primarily comprise building extensions within an existing developed footprint, no significant impact on the overall character or landscape quality of the AoNB is anticipated.

Local Landscape Policy Areas (LLPA)

The application site is located within LLPA 1 - Parkland at the junction of Mill Hill and Ballylough Road, an area designated for its landscape, environmental and heritage value. The key features which contribute to the character and quality of this LLPA include:

- A local area of amenity importance comprising an attractive parkland setting with mature trees along the river corridor;
- The open character of the area and prominent road junction, which provide important views towards Annsborough House and the surrounding former mill buildings from the Mill Hill/Ballylough Road junction; and
- The presence of listed former mill buildings fronting Mill Hill and their wider setting.

Having regard to the nature, scale and siting of the proposed development, it is considered that the works would not adversely affect the environmental quality, integrity or character of the designated LLPA. The development is confined within the established boundaries of the existing site and does not encroach upon the open parkland setting, interrupt important views, or detract from the setting of the listed buildings within the area.

Accordingly, the proposal is considered acceptable in landscape terms and is not considered to result in any significant adverse impact on the features for which the LLPA has been designated. The scale and extent of the works are considered appropriate and acceptable for the reasons outlined elsewhere within this report.

Other Matters

Whilst the Planning Department has recommended approval of the application, having carefully considered all consultation responses and material planning considerations, the recommendation is contrary to the position adopted by a statutory consultee in respect of flood risk matters under Policy FLD5 of PPS15.

In accordance with the Council's published Scheme of Delegation, applications attracting a material planning objection from a statutory consultee, where the case officer's recommendation is for approval, cannot be determined under

delegated powers and must instead be referred to the Planning Committee for consideration.
Neighbour Notification Checked Yes
Summary of Recommendation *approval*

Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: Time Limit.

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided and maintained in accordance with Drawing No 03 Rev C bearing the date stamp published 19 October 2024. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

   Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road use

3. The proposed mitigation measures as laid out in section 4.3.2 of the Flood Risk Assessment, dated January 2026, must be carried out and evidence be submitted to the Planning Authority for its consideration and approval.

   Reason: To safeguard against flood risk to the development and elsewhere.

4. Materials shall be:
   - Existing Roof to Block A, B & C: Natural Slate / clay ridge tiles. Conservation style replacement rooflights.
   - RWG to Block A, B & C: Cast iron with profiles to match existing.
   - Existing Chimney and Walls to Block C: Red brick to match existing / Lime Mortar
   - New extension to replace Block D: Natural Stone lower section, smooth render to upper section and wall recesses. Painted timber doors. Natural Slate roof.

   Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and its setting.

Case Officer Signature: Laura O'Hare **Date:** 29 September 2026
Appointed Officer Signature: B.Ferguson **Date: 15/10/2026**

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

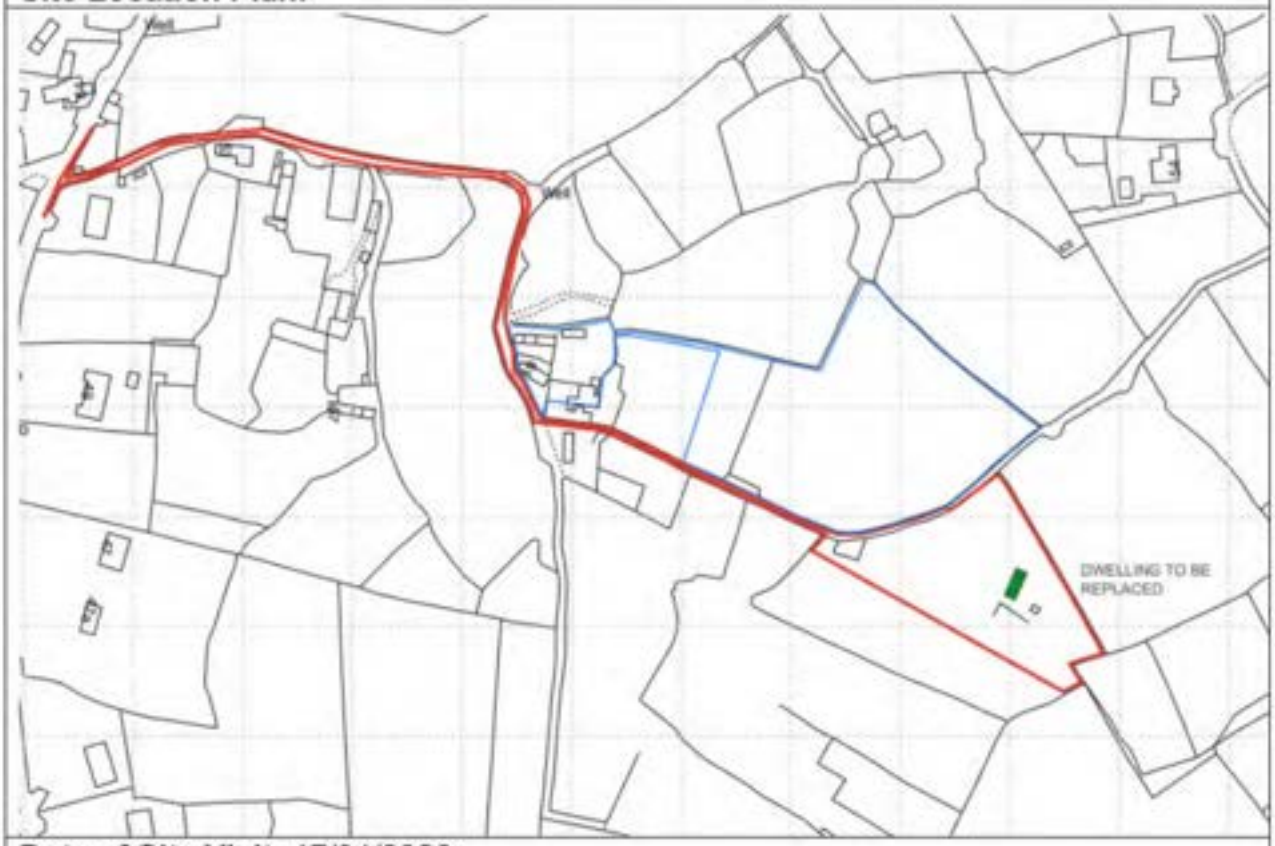
Committee Application

Development Management Officer Report	
Case Officer: Matthew Hunniford	
Application ID: LA07/2025/0157/F	**Target Date:**
Proposal: Replacement dwelling and detached garage under PPS21:CTY3	**Location:** 220m SE of 61 Foughilletra Road, Jonesborough, Newry,
Applicant Name and Address: Siobhan Rice 49 Foughilletra Road Jonesborough BT35 8JE	**Agent Name and Address:** Bernard Dinsmore 19 Spring Meadows Warrenpoint BT34 3SU
Date of last Neighbour Notification:	7 October 2026
Date of Press Advertisement:	26 February 2025
EIA Determination: The proposal falls within the threshold of Category 10 (b) – Urban Development Projects of Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (NI) 2017 and is within a sensitive are (AONB). The Local Planning Authority has determined through EIA screening that there will be no likely significant environmental effects, and an Environment Statement is not required.	
Consultations: • DfI Roads - DfI Roads considers the application unacceptable as submitted. • NIEA - No concerns in relation to Natural Heritage – informatives are provided	
Representations: 17 neighbours within close proximity of the site were last notified on 07/10/2026. This application was advertised in the local press on 25/02/2025 and 26/02/2025. Kevin Rice 51 Faughiletra Road Comment: The main concern expressed within the objection relates to the sight lines on the location map. The objector has stated that the sightlines cross their property including walls, gates and garden. No permission has been given by the objector for these sightlines. Planning acknowledges the objection and have requested that the agent address the concerns of the redline incorporating lands potentially not within ownership of the applicant by way of confirming that the certificate of ownership has been declared correctly and that any landowners are notified. The agent in response has provided a location plan with amended splays, neighbour were notified of the new plans. In relation to the objector giving permission for the sightline crossing his boundary this would be a civil matter and not within the remit of Planning. Should planning permission be granted an informative will be added to remind developers that permission does not confer title. It is the responsibility of	

the developer to ensure that he controls all the lands necessary to carry out the proposed development.	
Letters of Support	0.0
Letters of Objection	1
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report

Site Location Plan:



Date of Site Visit: 17/04/2026

Characteristics of the Site and Area

The site is located in a rural area with access from Foughilletra Road. The access from the public road is taken from a long laneway of which there are a number of properties and development pressure which has led to buildup. The site is set well back from the public road and existing properties along the access lane.

The application site is located outside any settlement limits as defined within the Banbridge / Newry and Mourne Area Plan 2015, the site lies within a designated Area of Outstanding Natural Beauty.

Description of Proposal

Replacement dwelling and detached garage under PPS21:CTY3

Planning Assessment of Policy and Other Material Considerations

Planning Policies & Material Considerations:

- SPPS - Strategic Planning Policy Statement for Northern Ireland (SPPS)

- Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)
- PPS 21 - Sustainable Development in the Countryside
  CTY 1 - Development in the Countryside
  CTY 3 - Replacement Dwellings
  CTY 13 - Integration and Design of Buildings in the Countryside; and
  CTY 14 - Rural Character
  CTY 16 - Development Relying on Non-Mains Sewerage
- PPS 3 - Access, Movement and Parking AMP 2 - Access to Public Roads
- PPS 2 - Natural Heritage Natural Heritage NH5 - Habitats, Species or Features of Natural Heritage Importance
- Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside

Planning History

No planning history.

Consultations

- NIEA - Natural Environment Division (NED) No concerns in relation to Natural Heritage – informativesare provided

- Dfl Roads - Dfl Roads considers the application unacceptable as submitted. Insufficient detail is available on transportation issues as listed below. Should Planning Service be minded to progress the application towards an approval Dfl Roads require the following points to be addressed: DFI Roads received confirmation from Planning that the proposed dwelling to be replaced could be reasonably occupied at present or following minor modification, therefore DFI Roads would require full access standards for this access.

  As stated in the previous consultation response, DFI Roads would require an amended red line to include all lands needed to create and maintain the sight visibility splays of 2.0m x 60m in both directions.

  DFI Roads would require an amended site access drawing demonstrating the required sight visibility splays at a minimum of 1:500 scale.

  The lane should be widened at the road access to 6.0m for the first 5m from the public road to allow for intensification of the access, this must be reflected within the red line.

As the above points still remain outstanding, DFI Roads would offer the following comments:

The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it proposes to intensify the use of an existing access at which visibility splays of 2.0 metres x 60 metres cannot be provided in accordance with the standards contained in Development Control Advice Note 15.

The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the width of the existing access renders it unacceptable for intensification of use and is not in accordance with the standards contained in Development Control Advice Note 15.

A further refusal reason should also be added for lack of information in relation to the points detailed above

Consideration and Assessment:

The application submitted is seeking full planning permission for the erection of a dwelling and a detached garage in the countryside. Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act requires that the determination of the application must be made in accordance with the development plan unless material considerations indicate otherwise. The site is currently within the remit of the Banbridge, Newry and Mourne Area Plan 2015 as the new council has not yet adopted a local development plan. The site is located outside settlement limits on the above Plan in open countryside. There are no specific policies in the Plan that are relevant to the determination of the application, and it directs the decision-maker to the operational policies of the SPPS and PPS21. The SPPS along with PPS 21 provide the relevant planning context for determining this application.

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Paragraph 1.10 of the SPPS states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of individual planning applications. However, the SPPS does not introduce a change of policy direction nor provide a policy clarification in respect of proposals for residential development in the countryside. Consequently, the relevant policy context is provided

by the retained Planning Policy Statement 21, Sustainable Development in the Countryside. Policy CTY1 of PPS21 sets out a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development.

Planning Policy Statement 21 - Sustainable Development in the Countryside

Policy CTY 1 of PPS 21 identifies a range of types of development which in principle are considered acceptable in the countryside. One of these is a replacement of a dwelling in accordance with Policy CTY 3. The proposed development will therefore be required to satisfy the following policies in PPS 21:

1. CTY 1 - Development in the Countryside
2. CTY 3 - Replacement Dwellings
3. CTY 13 - Integration and Design of Buildings in the Countryside
4. CTY 14 - Rural Character
5. CTY 16 - Development Relying on Non-Mains Sewerage

Principle of Development

Policy CTY3 states that planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantial intact. Having inspected the site I am content that the building exhibits some of the essential characteristics of a dwelling representing the characteristics of a dwelling house. The building has the remains of a fireplace and the chimney remains visible from the exterior of the building. The front, rear and 1 of the gable walls remain intact and what appears to be the original building material. The second gable wall appears to have been modified at a later date using more modern building materials which currently creates a large opening.

CTY 3 states that the proposed replacement dwelling be sited within the established curtilage unless either "*(a) the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling, or (b) it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits*". Having assessed the plans and visited the proposed site Case Officers are satisfied that the proposal is sited within the established curtilage of the dwelling.

The characteristics of the existing dwelling are noted. Annex 2 of PPS 21 provides guidance on what constitutes a rural vernacular dwelling. I am satisfied that whilst the dwelling does comprise some characteristics of a vernacular dwelling given the materials, form and design it does not make an important contribution to the heritage, appearance or character of the locality. As such the Department is content with the demolition of this building.

The principle of development is considered acceptable with the building to be replaced seen as a replacement opportunity. Although the principle of development is acceptable consideration must also be given to the design, appearance and layout of the proposed development to ensure the proposal meets all the other criteria set out in CTY 3.

In addition to the above, further guidance is set out within CTY 3 upon which all replacement cases should comply with.

Size / Scale

'the overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building;'

The proposal is for a 1.5 storey dwelling with a ridge height of approx. 7.3m from finished floor level. The overall size of the proposed dwelling allows it to integrate into the surrounding landscape and it is considered that the proposal would not have significantly greater visual impact given the remote location of the site. Taken together with the need for an increase in the size of dwelling to meet modern living standards it is considered the proposed dwelling is acceptable in terms of size and scale. The proposal will see the replacement dwelling positioned immediately in front of the original dwelling to be replaced. The proposal will result in the establishment of a curtilage which extends further to the rear of the existing site. The size of the new curtilage is considered acceptable and does not impact on the overall character of the rural area or neighbouring dwellings.

Design

'The design of the replacement dwelling should be of a high quality appropriate to its rural setting and have regard to local distinctiveness'

As stated, the proposal is for a 1.5 storey dwelling with a ridge height of approximately 7.3m FFL. The building is considered to be of an acceptable design for the rural setting and the locality. It contains elements of traditional rural design, using a form which is in keeping with the guidance outlined within the Building on Tradition Design Guide. Whilst dormer windows are considered to be a more urban design feature, they are a feature already established within the locality and given the remote siting it is not considered that they would impact negatively on the proposed design or the locality The dwelling also includes a side return set below the ridge level of the main dwelling. The dwelling includes some traditional features, such as a chimney located internally and on the ridge of the main portion of the dwelling.

The proposed dwelling is to be finished in blue/black flat slate roof tiles, painted roughcast render with smooth render straps at corners and reveals, UPVC double glazed windows, and black cast aluminium rainwater goods. The proposal is considered to be of an acceptable design and appearance. As such there are no concerns with the design and appearance as proposed.

Services

'all necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and'

It is anticipated all services can be provided without a significant adverse impact on the environment or character of the locality.

Access and Transport

The proposal seeks to use an existing access from the Foughilletra Road. Policy AMP2 of PPS3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.16 of Policy AMP2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to a new access onto a public road. Dfl Roads have been consulted and responded stating *"If the proposed dwelling to be replaced could be reasonably occupied at present or following minor modification and there is no intensification to the existing access, DFI Roads has no further objection to this application. If this is not the case then please re consult."*. Following site inspection the dwelling was noted as requiring extensive repairs to be reasonably occupied and given the current state of disrepair it has likely been unoccupied for some time thus intensification would be a further consideration. Following further consultations Roads consider the application as submitted with the final consultation containing refusal reasons as detailed in the consultations section within this report. Given Roads maintain that the proposal is unacceptable as submitted and would if permitted prejudice the safety and convenience of road users, the proposal is deemed to be contrary to PPS 3 - Access Movement and Parking.

Amenity

In this case the proposed dwelling will not result in a detrimental impact on the character of the area given the position of the new dwelling and distances from neighbouring dwellings. The proposed site is considered to be separated sufficiently that no detrimental impacts are anticipated on the amenity of any neighbour.

Policy CTY 13

New dwellings in the countryside must be able to visually integrate into the surrounding landscape and be of an appropriate design. Given the proposed house type, alongside

the existing trees and proposed new post and wire fencing, it is not considered that the dwelling will be a prominent feature. Existing boundaries are to be retained and improved upon. CTY 13 also advised that wherever possible access to a new building should be taken from an existing laneway. Access is taken from an existing access from Foughilletra Road. As outlined above, the design is considered appropriate to the location and the dwelling it is replacing. I am satisfied that the proposal meets the criteria laid out in Policy CTY 13.

Policy CTY 14

New dwellings in the countryside must not cause a detrimental change to, or further erode the rural character of an area. As noted above, the proposed dwelling will not be unduly prominent in the landscape. The new dwelling will not result in a suburban style build up when viewed with existing development nor will it add to ribbon development along Foughilletra Road. It is considered that the proposal will respect the traditional pattern of settlement exhibited in that area. On this basis, the proposal is considered to be acceptable to Policy CTY14.

Development relying on non-mains sewerage.

CTY16 ensures that new developments will not create or add to a pollution problem. A copy of 'Consent to Discharge' must be submitted to the Planning Department prior to the commencement of the development. The proposal appears to conform to Policy CTY16. A condition should be included to ensure a copy of a consent to discharge be submitted prior to commencement of the development.

PPS 2 - Natural Heritage

The proposal has been considered in respect of Planning Policy Statement 2 in terms of priority habitats and species. The agent has submitted a Biodiversity Checklist, Preliminary Bat Roost Assessment and Bat Emergence Survey. NED in a consultation response dated 12th November 2025 NED stated that they no concerns in relation to Natural Heritage and informatives have been provided.

Case officers having assessed the site taking into consideration NIEA as the competent authority are content that with recommended informatives that the proposal is compliant with PPS 2 policy NH2 and NH5 and conclude that there is no perceived adverse impacts on priority species or habitats.

Recommendation - Refusal

All information submitted has been duly considered throughout the assessment and processing of this application. Following consultation with DfI Roads the proposal has received the following refusal reasons;

1. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it proposes to intensify the use of an existing access at which visibility splays of 2.0 metres x 60 metres cannot be provided in accordance with the standards contained in Development Control Advice Note 15.

2. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the width of the existing access renders it unacceptable for intensification of use and is not in accordance with the standards contained in Development Control Advice Note 15.

Neighbour Notification Checked Yes/~~No~~

Summary of Recommendation Approval

Following Group discussions as detailed below the application has been recommended for approval.

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The construction of the dwelling hereby permitted, including the clearing of topsoil, shall not commence until the existing building, shaded in green on the approved plan P01 is demolished and all rubble and foundations have been removed in accordance with the details on the approved plans.

   Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.

3. All hard and soft landscape works shall be carried out in accordance with the approved details shown on Drawing P02 and the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out during the first available planting season following the occupation of the dwelling hereby approved.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

4. All existing mature trees and vegetation within and around the entire site boundaries shall be retained intact. No trees or vegetation shall be lopped, topped or removed.

   Reason: In the interests of visual amenity and to maintain screening between the dwelling and neighbouring dwellings.

5. If within a period If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

   Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

6. Prior to commencement of development the applicant shall submit a copy of a consent to discharge for the proposed site, to be agreed in writing by the Planning Authority.

   Reason: To protect the environment and to comply with CTY 16 of Planning Policy Statement 21- Sustainable Development in the Countryside.

Informatives

1. The applicant is advised to refer to the informative advice provided by consultees in their responses which are available to view at https://planningregister.planningsystemni.gov.uk/simple-search. The applicant is also advised that this permission does not confer title. Please ensure that you control all the lands necessary to carry out the proposed development

Case Officer Signature: [redacted]

Date: 21/10/2026

Development Management Consideration

Details of Discussion:

Whilst Transport NI has recommended refusal on the grounds of the proposed intensification of the existing access, the Council considers that significant weight should also be afforded to the circumstances surrounding the consideration of the application. In particular, it is noted that, a subsequent application involving an acceptable access arrangement was accepted as being satisfactory in Roads terms, whereas the current proposal has not been afforded the same outcome. Having regard to the principle of consistency in decision-making, and the need to ensure that applicants are treated fairly, the Council considers that it would be disproportionate to refuse the current application solely on the basis of the intensification of the access as the proposal is for a replacement dwelling, where a later application has been accepted notwithstanding the comparable circumstances. On balance, and having considered the Roads objection alongside all other material considerations, the Council is satisfied that refusal on this ground would not be justified in the particular circumstances of this case.

Letter(s) of objection/support considered: Yes/No

Group decision:

Approve – replacement dwelling

D.M. Group Signatures [redacted]

Date **21 October 2026**

Application

Development Management Officer Report	
Case Officer: Wayne Donaldson	
Application ID: LA07/2024/1125/F	**Target Date:**
Proposal: Demolition of Existing Dwelling / Domestic Garage and Erection of 4No. Semi-Detached Dwellings and all associated site works.	**Location:** 72 Dundalk Road, Crossmaglen, Co. Armagh BT35 9HL
Applicant Name and Address: Alanna McEntegart 72 Dundalk Road Crossmaglen Crossmaglen BT35 9HL	**Agent Name and Address:** DAVID MEAKLIM 9 Drumill Road Silverbridge BT35 9LA
Date of last Neighbour Notification:	18 February 2025
Date of Press Advertisement:	19 February 2025
EIA Determination: N/A	
Letters of Support	0.0
Letters of Objection	9
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	0.0
Summary of Issues: The proposal will be considered against all relevant policy and any material considerations including objections received.	

Site Visit Report

Site Location Plan:



Characteristics of the Site and Area

The application site is located within the Development Limits for Crossmaglen as defined within the Banbridge / Newry and Mourne Area Plan 2015.

The site is located on the edge of the busy Dundalk Road and within Pinewood Glen which is a small cul-de-sac development which is predominantly detached single storey style dwellings with a few semi-detached one and a half storey properties in the northern portion of this small development at a lower ground level.





The picture above on the left shows the view of the site from Dundalk Road, the photo on the left shows the site adjacent to No 12 which sits at a lower level.

The application siter contains a single storey style detached dwelling and garage, the site sits slightly above the adjacent property No 12, a low-level boundary walls runs along the shared boundary between the site and No 12. To the rear of the site a laneway runs which provides access to a dwelling set to the north east of the site, an old telephone exchange building site to the rear of the site on the opposite side of the access laneway. A boundary wall runs along the rear boundary of the site, the boundary along Dundalk Road and the front of the site is defined by a wooden fence with mature hedge planted to the rear of the fence.

As stated the site is within a small cul-de-sac with a mix of development although the dwellings adjacent to the site are single storey and detached matching the property currently on the site. On the opposite side of the Dundalk Road there are a mix of single story and one and a half storey properties.

Description of Proposal

Demolition of Existing Dwelling / Domestic Garage and Erection of 4No. Semi-Detached Dwellings and all associated site works.

Planning Assessment of Policy and Other Material Considerations

The following policy documents provide the primary planning context for the determination of this application:

- The Planning Act (Northern Ireland) 2011
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge Newry and Mourne Area Plan 2015 (BNMAP)
- Planning Strategy for Rural Northern Ireland (DES2)
- PPS2 - Natural Heritage
- PPS 3 - Access, Movement and Parking
- PPS 7 - Quality Residential Environments
- PPS 7 (Addendum) - Safeguarding the Character of Established Residential Areas
- PPS 12 - Housing in Settlements
- PPS 15 - Planning and Flood Risk
- Creating Places
- DCAN 8 - Housing in Existing Urban Areas
- DCAN 15 - Vehicular Access Standards
- Parking Standards

PLANNING HISTORY

No relevant planning permission on this site.

CONSULTATIONS

Environmental Health – no objections.
DFI Rivers – no objections.
DFI Roads – no objection subject to conditions.
NIEA (WMU) – standing advice.

NIW – no objection, condition suggested.

REPRESENTATIONS

The proposal was advertised in local press on 19/02/2025, 23 neighbours were notified of the proposal on 04/02/2025.
Nine objections and 3 comments have been received from 8 different postal addresses in the area, the points of objection are outlined below.

- Increase in traffic leading to road safety and congestion issues.
- Impacts on infrastructure including sewage and water.
- Impact on amenity including overshadowing, loss of light, overlooking and noise.
- Out of character with the existing cul-de-sac including design and layout.
- Over development of the site.
- Impact on house values.
- Lack of landscaping management plan.

The above points will be considered within the main evaluation against relevant policy and material considerations set out below.

EVALUATION

Proposal

Proposed demolition of existing dwelling / domestic garage and erection of 4No. semi-detached dwellings and all associated site works.

The proposal will see the existing detached single storey property and garage removed and replaced by 4 semi-detached one and a half storey dwellings.



The above plan shows the proposed four dwellings with adjacent detached properties.

The proposal will see the dwellings set back from the public edge with one shared access leading to a shared area and then individual parking for each property at to the front of proposed dwellings.

Proposed amenity space is to the rear of the dwellings with a very small area of landscaping at the front of the development, a shared bin storage point is shown close to Dundalk Road although bin storage is also shown within the amenity of each property.

The proposed dwellings are one and a half storey with a dormer windows to the front and rear, dwellings are to have ridge heights of 6.97 metres.

The agent for the application was contacted and advised that the proposal was considered contrary to policy as it was seen as overdevelopment of the site, not in keeping with the character of the area, level of parking and shared access to the front of the site not in keeping with adjacent properties and potential to impact on the amenity of neighbouring dwelling.

The agent was asked to address these issues however did not amend the proposal and advised that they felt the development is in line with policy.

EIA Screening
The proposal does not fall within the threshold set out in the Planning (Environmental Impact Assessment) Regulations (NI) 2017 and so an EIA determination is not required.

Planning Act:
Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the local development plans so far as it material to the application, and to any other material considerations. Section 6 of the Planning Act (NI) 2011, which deals with local development plans, states where, in making any determination under this Act, regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Strategic Planning Policy Statement (SPPS).
The SPPS sets out core planning principles and the need to achieve sustainable development. Of relevance to this application are the aims of supporting good design and positive place making while preserving and improving the built and natural environment, (Para 3.3).

Development Plan:
Banbridge Newry and Mourne Area Plan 2015
The site is within the settlement limit of Newry Crossmaglen, as designated in the Banbridge, Newry & Mourne Area Plan 2015, the application site is not zoned within the plan.

Planning Policy Statement 2

Policies NH 2 and NH 5 of PPS 2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance. This includes species protected by law.

The site is within an existing housing development with an existing dwelling and garage on the site, the proposal will see the removal of an existing hedge with proposed planting shown on the site layout plan. Given the existing use of the site and its location a Biodiversity Checklist was not considered necessary, it is not considered that the proposal will impact on biodiversity in the area.

Newry, Mourne and Down District Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, considered that the proposal would not have an adverse effect on the integrity of any European site given the size, scale, nature and location of the proposed development.

The proposal will be assessed against regional operational policy, Planning Policy Statement 7 – Quality Residential Environments, PPS 7 Addendum: Safeguarding the Character of Established Residential Areas and Creating Places.

PPS7 sets out planning policy for achieving quality in new residential development. Policy QD1 of PPS7 states that residential development should draw on the positive aspects of the surrounding area's character and appearance. Proposals' layout, scale, proportions, massing and appearance should respect the character and topography of their site.

It also states that proposals for housing developments will not be permitted where they would result in unacceptable damage to the local character, environmental quality and residential amenity of the area. Developments should not be in conflict with or cause adverse impacts upon adjacent land uses. Development Control Advice Note 8 "Housing in Existing Urban Areas" (DCAN 8) similarly notes that a development's impact on the character and amenity of a neighbourhoods are important matters to consider.

Notwithstanding the strategic objective of promoting more housing in urban areas, paragraph 1.4 of PPS7 states that this must not result in town cramming. It adds that in established residential areas the overriding objective will be to avoid any significant erosion of the local character and the environmental quality, amenity and privacy enjoyed by existing residents.

Policy QD1 of PPS7 requires planning permission for new residential development to demonstrate a quality and sustainable residential development where the design and layout will reflect the positive aspects of the character and appearance of the surrounding area. Such proposals will not be permitted where they would result in

unacceptable damage to the local character, environmental quality or residential amenity of these areas.

Policy QD 1 of PPS 7 states:
All proposals for residential development will be expected to conform to all of the following criteria:

a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

The site is located within the settlement limits of Crossmaglen as previously outlined; the site sits on the edge of Dundalk Road at the entrance to the small development of Pinewood Glen. The site is quite prominent at the entrance to the cul-de-sac development and when travelling along the busy Dundalk Road, at present the site is in keeping with the character of the area and adjacent properties with the character defined as detached dwellings with individual vehicle access points, the character of Pinewood Glen when entering from Dundalk Road is defined by properties which appear single storey in their design, it is noted that properties on the opposite side of the public road and to the rear of Pinewood Glen are one and a half storey however the character at the entrance to the small development is clearly single storey properties.



The image above on the left shows the existing site layout with one detached property, the image on the right shows the proposed four dwellings on the site, this is considered out of keeping with the character of the area.

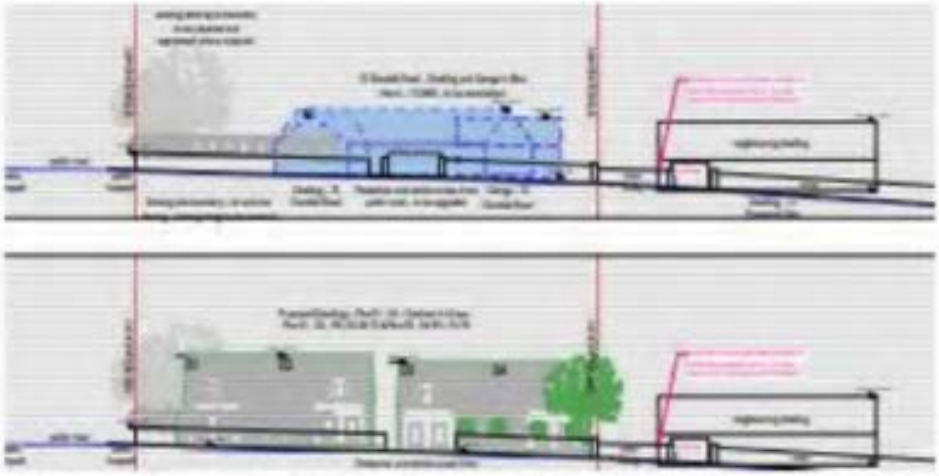
The character of the area at present is defined at the entrance to Pinewood Glen and on the opposite side of Dundalk Road by detached single properties, the semi-detached properties to the rear of the development do not set the character when travelling along Dundalk Road or when entering the development.

The proposal is looking to replace a single dwelling on a prominent site at the entrance to the development and on the edge of the busy public road with two sets of semi-detached properties. This proposal will alter the character of the site and surrounding area when viewed travelling along the Dundalk Road and when entering Pinewood Glen.

The proposed development is not seen as appropriate for the site and area as it will result in a detrimental impact on the character and appearance of the area.

The proposed development will see one dwelling on the site replaced by 4 dwellings, this is a significant increase in the density on the site and is out of keeping with the adjacent properties which see one detached property on each plot, the proposal is considered as overdevelopment of the site.

The proposed layout is not considered to be in keeping with the character of the area given the introduction of 4 dwellings on the site with one access point serving the dwellings and each property having parking to the front of the property and all amenity space to the rear. Existing properties in the area have individual access points and some form of garden space at the front of properties. This proposed layout will completely alter the appearance and character of the area with the front of the proposed development defined by a large shared access and parking for each property, this is not in keeping with the existing properties in the area. The level of hard surfaced areas is seen as unacceptable.



The above image shows the site at present with one dwelling adjacent to a similar detached single storey property, also shown is the proposed development with the two sets of semi-detached dwellings at a higher level than the adjacent property. The proposed dwellings are closer to the adjacent dwelling and their design is not in keeping with the properties immediately adjacent.

It is considered that the scale, massing and appearance of the proposed dwellings is not in keeping with the character of the area given the one and a half storey design proposed and the semi-detached nature of the development, this massing and design does not respect the surrounding context and is not seen as appropriate to the character of the site and surrounding area.

The agent for the development was advised of concerns and given the opportunity to amend the proposal, no amendments were submitted.

The proposed development is not considered to respect the surrounding context and is inappropriate to the character and topography of the site in terms of layout, scale, massing and appearance of buildings and structures.

The proposal is seen to be in contrary with this criterion.

b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

The site is not located adjacent to any sites of archaeological or built heritage.

c) Adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

Given the size of the development there is no requirement for public open space although a small area of shared space is shown to the front of the development including the area adjacent to the bin storage area.

'Creating Places' sets the guidance for private amenity space provision. The overall design concept for the development will determine the setting for houses, including the level of private back garden provision. The Planning Department having considered the need for a lower density housing at this location would require a back garden provision in excess of 70sqm.
The proposed level of private open space is above the 70sqm space as recommended by Creating Spaces.

The layout with regards to the level of hard surfaced area to the front of the development is not considered appropriate, this removed the provision of any level of amenity space to the front of properties. Although the layout is not seen as acceptable the policy criteria states that adequate provision is made for open space and the level of amenity space is adequate in line with policy requirements.

The layout plan indicates the applicants' intentions to plant a landscape buffer of native species to the edge of the settlement limit. A condition shall be applied to any decision ensuring the retention, augmentation and maintenance of this boundary to help soften the visual impact of the development on the countryside.

The proposal does show a small area of landscaping to the front of the development with a lawn area and minimal planting, no management plan has been submitted as was raised as a point of objection. If any approval was to be granted on the site a condition shall be included requiring the submission of a management plan prior to the commencement of any development.

The proposal is in line with this criterion.

d) Adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

Given the nature and scale of the proposal, the developer is not required to make provision for local neighbourhood facilities. Nonetheless all the necessary services are located in close proximity to the site given its location within Crossmaglen. The proposal will require new water links and this will require the inclusion of a negative condition to ensure these links are agreed and provided.

e) A movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

The proposed layout includes a convenient pedestrian footway link to the main road. The site provides a good location in terms of providing a movement pattern that supports walking and cycling, the proposal meets the needs of people whose mobility is impaired as provision is made for a public footpath. The proposal offers proximity to good public transport links with regards to bus links and neighbourhood facilities.

f) Adequate and appropriate provision is made for parking;

The proposal includes the provision of in curtilage parking for four properties (2 spaces at each), the proposal also includes the provision of a further 2 spaces for visitors giving a total of 10.

The proposal is considered to provide adequate parking however the provision of the parking is not considered appropriate. The proposal will see a large are how hard surfaced access and parking to the front of the development with no provision for any garden space to the front of properties. The level of hard surfaced areas to the front of the development to provide the required level of parking is not considered appropriate and is out of keeping with surrounding properties and will have a detrimental impact on the character and appearance of the area.

The proposal is considered contrary to this policy criterion.

g) The design of the development draws upon the best local traditions of form, materials and detailing;

As previously stated, the proposal is out of keeping with adjacent properties within Pinewood Glen given the semi-detached nature along with the one and a half storey design including dormer windows front and rear.

The site is prominent at the entrance to Pinewood Glen and as such and proposed development on this site should draw upon the single storey detached form of the properties at this location within this development, the proposal is a step away from the existing form and design. The proposed design will see the development viewed as a stand alone element and not considered as part of Pinewood Glen as any new development on the site should be viewed.

It is not considered that the design of the development draws upon the best local traditions of form, materials and detailing, the proposal is seen as being contrary to this policy criterion.

h) The design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;

As previously detailed a number of objections were received, one of the areas of objection related to impact on amenity including overshadowing, loss of light, overlooking and noise.

The proposal will see the proposed development move closer to the adjacent property No 12 which sits at a lower level than the application site. Concerns were raised with the agent regarding possible amenity impacts although no amendments were provided.
It is considered that given the proposed development moving closer to the adjacent property and the increase in the number of units along with the one and a half storey design this would result in an adverse impact on the amenity of the neighbouring property. The submitted cross section drawing clearly shows the proposed dwelling significantly closer to the adjacent property at a higher ground level, this will result in impacts of dominance, overshadowing and loss of light. The side elevation does not include any first-floor windows however a first-floor dormer window is proposed in close proximity to the adjacent property. Even if this window does not look directly into the amenity area of the adjacent property it there will be a perceived overlooking impact given the close proximity of the window to the boundary and the elevated nature of the site above the adjacent property.

The objection raised concerns with noise, although noise may be an issue during construction it is not considered that the proposal will result in an unacceptable impact with regards to noise when completed given the location within an existing residential development, Environmental Health raised no concerns.

As such it is considered that the design and layout of the proposal will result in unacceptable adverse impacts on existing residential properties by way of dominance, overshadowing, loss of light and overlooking.

It is considered that the proposal is contrary with this criterion.

i) The development is designed to deter crime and promote personal safety.

The proposal is designed to deter crime and promote personal safety as far as is appropriate for a proposed residential development. The proposal is considered to comply with this criterion.

Overall, the proposal considered contrary to Policy QD 1 as it fails to meet criterion a, f, g and h.

Addendum to PPS7 – Safeguarding the Character of Established Residential Areas Policy LC 1 of Addendum PPS 7 states:
In established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

(a) The proposed density is not significantly higher than that found in the established residential area;

Policy LC 1 is an amplification of Policy QD 1 and is intended to strengthen existing policy criteria to ensure that the quality of these areas is maintained, if not enhanced. This criterion was discussed above. In line with Policy QD 1 in PPS 7 the Department will not permit proposals for new housing development in established residential areas where these would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.

The Planning Department as discussed above are of the opinion that the proposed increase in density of the development is significant in that it would result in unacceptable damage to the local character.

(b) The pattern of development is in keeping with the overall character and environmental quality of the established residential area;

As discussed above the proposed density, layout, scale, massing and appearance of buildings are not in keeping with the character of the area.

(c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

The proposed residential units meet the minimum space standards for urban developments as set out in Annex A of PPS7 Addendum –Safeguarding the Character of Established Residential Areas.

Policy LC2 not applicable to this case.

The proposal is considered contrary to Policy LC1 criteria (a) &(b) of adPPS7.

PPS 12: Housing in Settlements

Planning Control Principle 1

Increased Housing Density without Town Cramming

An increase in the density of housing development should be promoted in town and city centres and other locations which benefit from high accessibility to public transport facilities. It should also form an integral part of major housing or mixed-use development proposals.
When considering an increase in housing density in established residential areas, great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents.

In residential areas of distinctive townscape character an increase in density should only be allowed in exceptional circumstances.

Policy PCP 1 promotes an increased housing density within town/city centres but recognises that any increase in housing density needs to be handled sensitively. As previously discussed, the increase in density, inappropriate layout, scale and massing proposed does not respect that of the adjacent housing and therefore will erode the character of the site and area.

Planning Control Principle 2

Good design should be the aim of all those involved in housing development and will be encouraged everywhere.
All new housing developments should demonstrate a high quality of design, layout and landscaping.
Good design is not just about the architecture but also about the functionality and impact of the development on the overall character, quality and sustainability of an area. In housing, a well-designed development should therefore respect its context and make the most of existing site characteristics.

As discussed above the proposed development through overdevelopment, inappropriate layout, scale, massing and appearance of buildings fails to respect the surrounding context and does not utilise the existing site characteristics.

The proposed development does not offend PCP 3, PCP 4, HS 1,2,3&4.

The proposal is considered contrary to Policy PCP1 &PCP 2 of PPS 12.

PP3 Access, Movement and Parking/DCAN 15 & Parking Standards
As stated above the parking is considered adequate for the proposal, DFI Roads raised no objections to the proposal subject to conditions, the proposal is considered in line with the requirements of PPS3.

PPS 15: Planning and Flood Risk
The consultation response received from DFI Rivers raised no objections to the proposal against any policies set out in PPS15.

Areas of objection

- Increase in traffic leading to road safety and congestion issues.

DFI Roads considered the objections and stated that they have no concerns or reason to object to the proposal.

- Impacts on infrastructure including sewage and water.

NIW and DFI Rivers raised no objections within their responses, it is considered that there is adequate infrastructure in the area.

- Impact on amenity including overshadowing, loss of light, overlooking and noise.

Considered in main evaluation above, area of concern was seen as justified.

- Out of character with the existing cul-de-sac including design and layout.

Considered in main evaluation above, area of concern was seen as justified.

- Over development of the site.

Considered in main evaluation above, area of concern was seen as justified.

- Impact on house values.

The is not considered a relevant planning consideration.

- Lack of landscaping management plan.

A condition can be placed on any approval requiring the submission of a landscape management plan.

The points of objection have been considered.

Neighbour Notification Checked Yes

Summary of Recommendation
The proposal is considered contrary to policy as detailed above given the overdevelopment of the site, impact on the character of the area, unacceptable design, layout and impact on residential amenity. The agent was advised of the concerns with the proposal and afforded an opportunity to amend the proposal, no amendments were provided.

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland, and Policy QD1 (criteria a) of PPS7 Quality Residential Developments,

in that the development fails to respect the surrounding context and is inappropriate to the character and topography of the site in terms of layout, scale, massing and appearance of buildings and structures.

2. The proposal is contrary to the Strategic Planning Policy Statement, and Policy QD1 (criteria f) of PPS7 Quality Residential Developments, in that the layout fails to provide adequate and appropriate provision for parking.

3. The proposal is contrary to the Strategic Planning Policy Statement, and Policy QD1 (criteria g) of PPS7 Quality Residential Developments, in that the design of the development does not draw upon the best local traditions of form, materials and detailing.

4. The proposal is contrary to the Strategic Planning Policy Statement, and Policy QD1 (criteria h) of PPS7 Quality Residential Developments, in that the design and layout will result in unacceptable adverse impacts on existing residential properties by way of dominance, overshadowing, loss of light and overlooking.

5. The proposal is contrary the Strategic Planning Policy Statement for Northern Ireland and Policy LC1 (criteria a) of the Addendum to PPS7, Safeguarding the Character of Existing Residential Areas, in that the proposed density is significantly higher than that found in the established residential area

6. The proposal is contrary the Strategic Planning Policy Statement for Northern Ireland and Policy LC1 (criteria b) of the Addendum to PPS7, Safeguarding the Character of Existing Residential Areas, in that the pattern of development is not in keeping with the overall character and environmental quality of the established

residential area by reason of its density, layout, scale, massing and appearance of buildings.

7. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland, Planning Control Principle 1 of PPS12 Housing in Settlements and Policy QD1 (criteria a, f, g & h) of PPS7 Quality Residential Developments in that the proposed density, layout, scale, and massing fails to respect the surrounding context and character of the surrounding area.

8. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland, Planning Control Principle 2 of PPS12 Housing in Settlements and Policy QD1 (criteria a, f, g & h)of PPS7 Quality Residential Developments, in that the proposal fails to demonstrate a high quality of design, layout and landscaping.

Case Officer Signature: W Donaldson

Date: 13/10/2026

Appointed Officer Signature: Annamarie Loughan

Date:14 October 2026

Delegated Application

Development Management Officer Report	
Case Officer: Karen Reid	
Application ID: LA07/2025/0661/O	**Target Date:**
Proposal: Erection of a Detached Rural Infill Dwelling House with Detached Domestic Garage, Associated Landscape and Ancillary Site Works	**Location:** Lands 51 meters South East of No. 33 Lower Foughill Road, Jonesborough, Newry City, Co. Armagh, N. Ireland, BT35 8SQ
Applicant Name and Address: John McNally 33 Lower Foughill Road Jonesborough Newry BT35 8SQ	**Agent Name and Address:** Barney Mc Kevitt Mourne House 3 Downshire Close Newry BT34 1FD
Date of last Neighbour Notification:	23 September 2025
Date of Press Advertisement:	9 July 2025
EIA Determination:	
Consultations: - DFI Roads – No objections subject to planning conditions.	
Representations: No objections or representations have been submitted for consideration.	

Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Summary of Issues:

Site Visit Report

Site Location Plan:





Date of Site Visit: 10/10/2025

Characteristics of the Site and Area:

The application site is located outside any settlement limits as defined within the Banbridge, Newry and Mourne Area Plan 2015. The site is also located within an Area of Outstanding Natural Beauty (AONB).

The site is made up of part of the existing curtilage of No 33 lower Foughill Road and a portion of an agricultural field located along the edge of the public road. The site slopes down from the public road to the eastern boundary of the site. To the north of the site is No 33 lower Foughill Road at the time of site inspection all associated outbuildings had been demolished/ removed from the site. To the south of the site is an old agricultural building which is in a state of disrepair. A number of dwellings are located further south of this agricultural building. The site is within a rural area although there are a number of dwellings and other structures in the surrounding area, the character of the area remains rural at present.



Figure 1 No 33 Lower Foughill Road



Figure 2 Agricultural building to the south

Description of Proposal
Erection of a Detached Rural Infill Dwelling House with Detached Domestic Garage, Associated Landscape and Ancillary Site Works

Planning Policy and Other Material Considerations:

- Banbridge, Newry and Mourne Area Plan
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- PPS 21: Sustainable Development in the Countryside
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- Building on Tradition Design Guide

Planning History:
Planning Reference: P/1986/1022
Location: 33 Faughill-Etra Road, Jonesborough
Proposal: Replacement Dwelling
Decision: Approved

Planning Reference: P/1981/0426
Location: Extension And Improvements To Dwelling
Proposal: Foughill Etra Road, Jonesborough
Decision: Approved

Planning Reference: LA07/2019/1798/O
Location: Adjacent and 85m north west of no. 29 Lower Foughill Road, Jonesborough
Proposal: Proposed new dwelling and garage
Decision: Approved

Planning Reference: LA07/2020/1814/RM
Location: Adjacent and 85m north west of No. 29 Lower Foughill Road, Jonesborough, Newry
Proposal: Proposed new dwelling and garage
Decision: Approved

Objection and Representations:
Six neighbours were notified of the proposal on the 9th of September 2025 and one neighbour was notified on the 19th of September 2025. The proposal was also advertised in the local press on the 8th and 9th of July 2025. No objections or representations have been submitted for consideration to date.

Correspondence with Agent
Following a site inspection and internal discussion of the application, an email was issued to the Agent on the 22nd of June 2026 advising that the department had concerns with the proposed development and how it did not meet with the requirements of PPS 21 Policy CTY 8 – Ribbon Development and CTY 14 – Rural Character. A response was received on the 30th of July 2026, this has been considered by the department and assessed within the assessment section of this report.

Consideration and Assessment

Proposal:
The proposal is an outline application for the erection of an infill dwelling and detached garage under CTY 8 of PPS 21. No floor plans or elevations have been submitted with this application; these would be required at RM stage.

The Banbridge, Newry and Mourne Area Plan 2015
Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge, Newry and Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan. The site is located outside any settlement limits on the above Plan and is un-zoned. There are no specific policies in the Plan that are relevant to the determination of the application, and it directs the decision-maker to the operational policies of the SPPS and the retained PPS 21.

Strategic Planning Policy Statement (SPPS)
Para 1.12 of the SPPS states that where the SPPS introduces a change of policy direction and/ or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of an individual planning application. However, the SPPS does not introduce a change of policy direction nor provide a policy clarification in respect of proposals for residential development in the countryside. Consequently, the relevant policy context is provided by the retained Planning Policy Statement 21, Sustainable Development in the Countryside.

Planning Policy Statement 21 – Sustainable Development in the Countryside
Policy CTY 1 states that there are a range of types of development which are considered to be acceptable in principle in the countryside and that will contribute to the aims of sustainable development. PPS 21 states that planning permission will be granted for infill dwellings in accordance with Policy CTY 8.

Policy CTY 8 – Ribbon Development
As the proposed development is for the infill of a site, the relevant policy is Policy CTY 8 – Ribbon Development. This policy outlines the criteria that must be met in order to grant planning permission for an infill site. Policy CTY 8 is a restrictive policy. It states that 'planning permission will be refused for a building which creates or adds to a ribbon of development'. It also states that *'An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements'.*

For the purpose of this policy the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

The first step in determining whether the proposal constitutes an exception in accordance with Policy CTY 8 is to determine whether there is a substantial and continuously built-up frontage (SCBUF). Officers consider that a derelict agricultural building and No 29 to the south of the site have frontage onto the Lower Foughill Road, and No 33 to the north of the site also has frontage onto the Lower Foughill Road, however it is considered that the application site itself does not

have frontage onto the road for the purposes of the policy, as it is set back behind the existing curtilage of No 33, separating the application site from the public road. As the curtilage of No 33 separates the site from the public road, preventing it from sharing the frontage with the derelict agricultural building, Nos 29 and 33, a substantial and continuously built-up frontage is not therefor present. A dwelling on this site will sit behind the existing access and curtilage of the adjacent dwelling.
The first test of CTY 8 has not been met and the proposal will be recommended for refusal on this basis.

CTY 8 also requires proposals to respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. In assessment of this officers note that the building-to-building gap between the derelict agricultural building to the south and No 33 is approx. 110m. A site was recently approved adjacent and directly south of the application site by the department under LA07/2019/1798/O. In assessing this application case officers considered that the building to building gap between No 33 Lower Foughill Road and the derelict agricultural building was big enough to accommodate 1 dwelling while respecting size, siting, scale and plot size along the frontage. The proposed site falls within the same 'gap', and therefore cannot be considered a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage.

Building on Tradition
Para 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' a Sustainable Design Guide for the NI Countryside is taken into account in assessing all development proposals in the countryside. Section 4.0 is relevant to the assessment of this application on visual integration. Para 4.4.0 of this document advises that a new development under CTY 8 'will require care in terms of how well it fits in with its neighbouring buildings in terms of scale, form, proportion and overall character'. Para 4.5.1 further states that appropriate gap sites 'follow the established grain of the neighbouring buildings. The layout of the proposal fails to follow the established grain of neighbouring buildings given the dwelling is to be set back with a narrow frontage.

Policy CTY 13: Integration and Design of Buildings in the Countryside
Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design.

The proposal is for the infilling of a small gap site with one dwelling and detached garage. The application seeks outline permission. The site is an open agricultural field with no defined boundaries. The site is positioned behind the curtilage and access laneway which serves No 33 Lower Foughill Road, the site slopes gradually to the east away from the public road. Any dwelling on the site would be considered a prominent feature in the landscape. Given the lack of natural boundaries the site would also be unable to provide a suitable degree of enclosure and screening and would rely on the use of new landscaping for integration. It is considered that the proposal fails to comply with criteria (a), (b) and (c) of Policy CTY 13.

CTY 14: Rural Character
Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area.

As previously stated the site is an open agricultural field and would require substantial planting to allow a dwelling to integrate and so any dwelling on the site would be unduly prominent in the

landscape. A new dwelling on the site would result in a sub-urban style build up of development when viewed with existing buildings in the area. As previously set out in this report the department considers that the proposal does not comply with the exceptions set out in Policy CTY 8 and the proposal would therefore create a ribbon of development along the Lower Foughill Road. Para 5.8 of the amplification and justification of CTY 14 states that *'ribbon development' is always detrimental to the rural character of an area as it contributes to a localised sense of build-up and failes to respect the traditional settlement pattern of the countryside'* Such erosions of character should therefore be resisted. It is considered that the proposal fails to comply with criteria (a), (b) and (d) of Policy CTY 14.

CTY 16: Development relying on non-mains sewerage
The application complies with Policy CTY 16. A condition should be included to ensure a copy of a consent to discharge be submitted prior to commencement of the development.

PPS 3: Access, Movement and Parking
Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to both new access and intensified use of an existing access onto existing public roads.

DFI Roads were consulted on this application and have no objections in principle to the proposal subject to conditions.

PPS 2: Natural Heritage
Policy NH 2 and NH 5 of PPS 2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance. This includes species protected by law.

A completed NI Biodiversity Checklist and Ecological Statement were submitted as part of the application. A site survey was undertaken on the 8th of May 2026 in order to identify any major ecological constraints to the proposed development on NI Protected Species including badgers, bats, nesting birds etc.

Following receipt of these surveys NIEA refers Case Officers to the new DAERA Standing Advice – NED – Single Dwellings. Case Officers have observed the results of the survey work undertaken on the 8th of May 2026 and are satisfied that no further survey work is required, and it is not necessary to consult with NED. The proposal is not considered to harm any protected/ priority species of priority habitats.

Having reviewed the NI Biodiversity Checklist and survey submitted by the Applicant the report states that no further survey work is required. Therefore, on the basis of the report no further surveys, conditions or informatives are required.

NH 6 – Areas of Outstanding Natural Beauty
Planning permission for a new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
c) the proposal respects: local architectural styles and patterns; traditional boundary details, by retaining features such as hedgerows walls, trees and gates; and local materials, design and colour.

The proposal is contrary to Policy NH 6 in that the siting of the proposal is not sympathetic to the special character of the AONB and of the particular locality. Given that the siting fails to meet the policy criteria for infill development this would result in build-up and add to a ribbon of development detrimental to the character of that area. As this is an outline application, no plans have been submitted. The design, size and scale of the new dwellings would be considered at reserved matters stage. There are no buildings or trees on site to be removed.

The proposal is contrary to criteria a) of policy NH6 of PPS 2.

EIA Screening:
The proposal falls within the threshold of Category 10 (b) – Infrastructure Projects of Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (NI) 2017 and is within a sensitive area (AONB). The Local Planning Authority has determined through EIA screening that there will be no likely significant environmental effects and an Environmental Statement is not required.

On the basis of this assessment, refusal is recommended. All information submitted has been duly considered throughout the assessment and processing of this application.

Neighbour Notification Checked Yes/~~No~~

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1, Development in the Countryside of Planning Policy Statement 21 Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8, Ribbon Development of Planning Policy Statement 21 Sustainable Development in the Countryside, in that;
   - the application site does not constitute a small gap site within an otherwise substantial and continuously built-up frontage and would, if permitted, add to a ribbon development along the Lower Foughill Road.
   - the proposal does not respect the existing development pattern along the road frontage in terms of plot size;

- the proposal does not meet other planning and environmental requirements; and does not represent an exception to policy.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 13, Integration and Design of Buildings in the Countryside of Planning Policy Statement 21 Sustainable Development in the Countryside, in that:
   - The site is prominent and unable to provide a suitable degree of enclosure for a building to integrate into the landscape and the proposal relies primarily on the use of new landscaping for integration, and therefor would not visually integrate into the surrounding landscape.

4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14, Rural Character of Planning Policy Statement 21 Sustainable Development in the Countryside, in that:
   - The proposal does not respect the traditional pattern of settlement exhibited in the area;
   - The proposal would result in a suburban style build-up of development when viewed with existing and approved buildings; and
   - The proposal would add to a ribbon of development along the Lower Foughill Road

5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH 6, Areas of Outstanding Natural Beauty of Planning Policy Statement 2, Natural Heritage in that;
   - the siting of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality.

Case Officer Signature: K. Reid

Date: 10/09/2026

Appointed Officer Signature: A Loughan

Date: 19/09/2026

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

Submission on behalf of the Applicant

Response to the Case Officer's recommendation to refuse outline planning permission

Application	LA07/2025/0661/O (Outline)
Proposal	Rural infill dwelling with detached domestic garage, associated landscaping and ancillary site works
Site	Lands 51m south east of No. 33 Lower Foughill Road, Jonesborough, Newry, BT35 8SQ
Applicant	Mr John McNally
Recommendation	Refusal (Reasons 1–5: Policies CTY 1, CTY 8, CTY 13, CTY 14 and NH 6)

1. SUMMARY

1. The Case Officer's Report (signed 10/19 September 2026) recommends refusal for five reasons, yet accepts that the agricultural building and No. 29 to the south, and No. 33 to the north, all have frontage onto Lower Foughill Road. Reasons 1, 2, 4 and 5 rest on a single proposition; that the site cannot share that frontage because it is "set back behind the existing curtilage of No 33".
2. That proposition is not a test in Policy CTY 8, and it is contrary to the Council's own decision on the adjoining site under LA07/2019/1798/O. If it falls, Reasons 1, 2, 4 and 5 fall with it, and Reason 3 can be met by the same conditions the Council imposed next door.

2. MATTERS ACCEPTED IN THE CASE OFFICER'S REPORT

Issue	Finding in the Report
Frontage	The derelict agricultural building and No. 29 (south) and No. 33 (north) all have frontage onto Lower Foughill Road.
Gap	The Report itself describes the proposal as "the infilling of a small gap site with one dwelling".
Consultees	No objection from DfI Roads, subject to conditions.
Ecology (NH 2 / NH 5)	Survey of 8 May 2026 – no further survey work, conditions or NED consultation required.
Sewerage and EIA	Complies with CTY 16; EIA screening found no likely significant environmental effects.
Representations	No objections or representations received.

3. REFUSAL REASON 2 – POLICY CTY 8 (RIBBON DEVELOPMENT)

3. **The policy wording.** CTY 8 defines a substantial and continuously built-up frontage as "a line of 3 or more buildings along a road frontage without accompanying development to the rear". On the officer's own findings that line exists. Paragraph 5.33 states that buildings "sited back, staggered or at angles and with gaps between them" can still share a common frontage, and that a road frontage includes a private lane. "Set back" is not a test in the policy.
4. **The case law.** In *McNamara* [2018] NIQB 22 the High Court held that CTY 8 requires no continuous or uniform building line, and rejected an argument built on alignment.
5. **The curtilage of No. 33.** No planning history defines the curtilage of No. 33, and its outbuildings have since been removed. The Report itself describes the site as taking in part of that curtilage and land "along the edge of the public road", and the red line runs to the road edge (presentation slide 3). The site cannot be "behind" a boundary that has never been fixed.
6. **Consistency – LA07/2019/1798/O.** In August 2020 the Council approved the dwelling immediately south of this site (reserved matters LA07/2020/1814/RM, 24 May 2021), finding "three buildings all sharing a common frontage": the same No. 33, the same agricultural building and No. 29. A shed then sat between No. 33 and that site and did not break the frontage (slide 6). The Report identifies no material difference.
7. **The gap.** The Report says the 110m gap was used by the 2020 approval. CTY 8 permits a small gap "sufficient only to accommodate up to a maximum of two houses". This would be the second dwelling within the gap – the policy's own limit, not a breach of it.
8. **Plot size.** The Report gives no figures. The applicant's plot analysis shows No. 33 at 44.0m frontage and 2,723m², and the plots to the south at 22.8m / 2,480m² and 66.8m / 3,187m² – an average of 44.5m and 2,797m². The site has a 42.0m frontage and 2,423m² – 94% of the average frontage and 87% of the average area (slide 7). It respects the existing pattern, and the Report's "narrow frontage" point under Building on Tradition is not borne out. All four elements of CTY 8 are met.
9. **Not addressed.** Paragraph 5.33, *McNamara*, the undefined curtilage and the 2020 decision were all put to the case officer on 30 July 2026. The Report does not engage with any of them.

4. REFUSAL REASON 3 – POLICY CTY 13 (INTEGRATION AND DESIGN)

10. On the adjoining 2020 site – the same slope and the same AONB – the Council found compliance with CTY 13 and CTY 14, and secured integration by condition: a ridge height below 6.5m, underbuilding limited to 0.3m, agreed floor levels, and native hedgerow and mixed woodland planted before occupation with five-year replacement (slide 8). The site sits between No. 33, the approved dwelling, the agricultural building and No. 29, and will read as part of that group. This is an outline application; siting, design and landscaping return to the Council at reserved matters.

5. REFUSAL REASONS 1, 4 AND 5 – POLICIES CTY 1, CTY 14 AND NH 6

11. CTY 1 expressly lists a small gap site in accordance with CTY 8 as acceptable in principle. The test of "overriding reasons" applies only to proposals outside the listed categories, so Reason 1 falls with Reason 2.

12. CTY 14 criterion (d) cross-refers directly to CTY 8, and build-up and settlement pattern are controlled by siting, height and landscaping, as next door. The NH 6 reason rests, in the Report's own words, on the siting failing "the policy criteria for infill development"; the Report confirms design is reserved and no buildings or trees would be lost. Reasons 4 and 5 therefore also fall with Reason 2.

6. CONCLUSION AND REQUEST TO THE COMMITTEE

13. The recommendation turns on a single, incorrect proposition: that a site set back from the road cannot share a frontage.

14. That is contrary to paragraph 5.33 of CTY 8, *McNamara* and the Council's own decision under LA07/2019/1798/O. Once corrected, Policies CTY 1, CTY 8, CTY 13, CTY 14 and NH 6 are all satisfied.

15. We therefore respectfully request that the Committee overturn the recommendation and grant outline planning permission, subject to the conditions recommended by DfI Roads, together with the conditions imposed on the adjoining site: siting, ridge height (6.5m), underbuilding (0.3m), floor levels, landscaping and consent to discharge. If members have any doubt, we would welcome a site visit, as requested by Councillor Mathers.

Delegated Application

Development Management Officer Report	
Case Officer: Matthew Hunniford	
Application ID: LA07/2025/0075/O	**Target Date:**
Proposal: Erection of a detached rural infill dwelling and detached domestic garage, site access, associated car parking, ancillary site works and associated landscaping	**Location:** Lands approximately 38m NW of No. 72 Maytown Road, Bessbrook, Newry, BT35 7NF
Applicant Name and Address: Ciaran McGuinness 8 Kingsmill Road Whitecross Newry BT60 2SX	**Agent Name and Address:** Barney Mc Kevitt Mourne House 3 Downshire Close Newry BT34 1FD
Date of last Neighbour Notification:	9 September 2026
Date of Press Advertisement:	5 February 2025
EIA Determination: N/A	

Consultations:

- DfI Rivers – No objections. Informatives E01, E02, E03, E06.
- DfI Roads - DFI Roads has no objections in principle to this proposal subject to submission of detailed plans at reserved matters stage.

Representations:

10 neighbours within close proximity of the site were notified on 14/05/2025 and 26/08/2026. This application was advertised in the local press on 05/02/2025. 8 objections have been received to date, 7 of the objections are associated with one address with 1 objection from a further neighbouring address.

Objections Received.

Full detail on the representations received can be found on the public portal, the following represents a summary of the main planning related issues raised

- The Principle of the Development
- Unacceptable impact on the established rural character of the area
- Unacceptable impact on my residential amenity
- Unacceptable impact on neighbours privacy
- Unacceptable impact on biodiversity and existing mature vegetation
- Unacceptable impact on neighbours with complex medical needs.

Should the planning department be minded to approve the application, I would ask that conditions be imposed to limit the impact on neighbouring properties, such as retention of mature vegetation and addition of native species hedges and trees to boundaries. As this is an outline application final details of the proposed house and garage are not considered, this includes the ridge height, siting, levels of hardstanding etc. Should the proposal be approved, a condition can be imposed to restrict the ridge height of the proposed dwelling. Privacy and amenity to neighbouring properties will be considered in more detail at reserved matters stage when full details are submitted for consideration. The Planning Department cannot comment on matters that are not of material planning concern such as the medical conditions of neighbours. The principle of the development and impact on the rural character of the area are discussed within the assessment below.

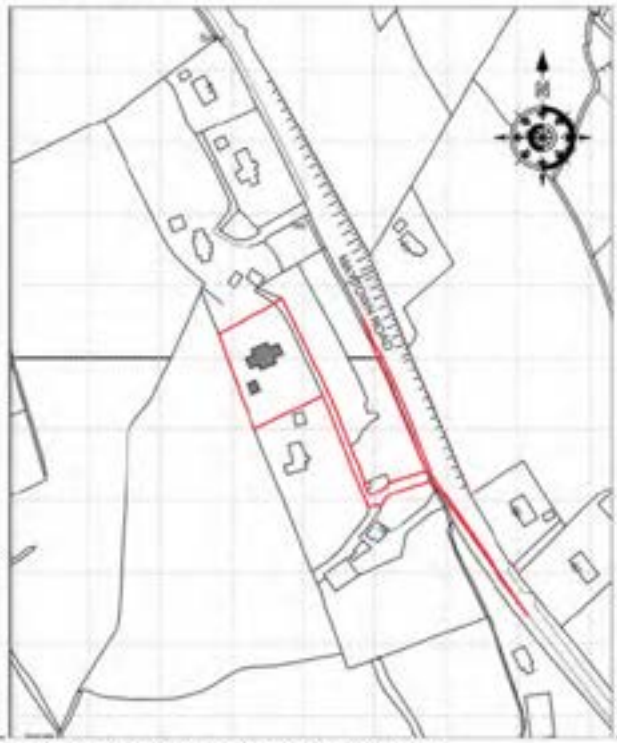
The main planning matters raised by objections/representations are considered in the assessment of the proposal in Case Officer's Report below.

Letters of Support	0.0
Letters of Objection	8
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Summary of Issues:

Site Visit Report

Site Location Plan:





Date of Site Visit: 12/12/2025

Characteristics of the Site and Area

The application site is on land to the northwest of 72 Maytown Road, Bessbrook. The site is located on land set back from the public road and accessed via an existing agricultural track which runs along the front of the site to a field gate situated to the northeast corner of the site. The site is currently an agricultural field.

The site is located within a rural area with several properties in the surrounding area. The application site is located outside any settlement limits as defined within the Banbridge / Newry and Mourne Area plan 2015.

Description of Proposal

Erection of a detached rural infill dwelling and detached domestic garage, site access, associated car parking, ancillary site works and associated landscaping

Planning Assessment of Policy and Other Material Considerations

- SPPS - Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)
- PPS 21 - Sustainable Development in the Countryside
  CTY 1 - Development in the Countryside
  CTY 8 - Ribbon Development

CTY 13 - Integration and Design of Buildings in the Countryside; and
CTY 14 - Rural Character
CTY 16 – Development relying on non-mains sewerage

- PPS 15 - Planning and Flood Risk
- PPS 3 - Access, Movement and Parking
- PPS 2 - Natural Heritage Natural Heritage
- Building on Tradition – A sustainable design guide for the Northern Ireland Countryside

Planning History

Application Number: P/1998/1557
Decision: Permission Granted
Decision Date: 25 February 1999
Proposal: Site for dwelling and domestic garage

Application Number: P/2001/1761/O
Decision: Permission Granted
Decision Date: 18 December 2001
Proposal: Renewal of Outline Planning Permission, site for dwelling & garage.

Application Number: P/2004/2665/O
Decision: Appeal Dismissed
Decision Date: 21 September 2005
Proposal: Site for dwelling and garage

Application Number: P/2004/3110/O
Decision: Withdrawal
Decision Date: 10 October 2005
Proposal: Site for replacement dwelling with domestic garage

Application Number: P/2004/3276/F
Decision: Permission Granted
Decision Date: 23 September 2006
Proposal: Erection of dwelling and garage

Application Number: P/2013/0680/O
Decision: Appeal Upheld
Decision Date: 20 February 2015
Proposal: Replacement dwelling with domestic garage

Application Number: LA07/2016/0398/RM
Decision: Permission Granted
Decision Date: 21 July 2017
Proposal: Replacement dwelling and domestic garage (Amended plans).

Application Number: LA07/2015/1321/F
Decision: Permission Granted
Decision Date: 18 August 2017
Proposal: Temporary Retention of Mobile Home (amended address)

Strategic Planning Policy Statement for Northern Ireland (SPPS)
As there is no significant change to the policy requirements for a dwelling on a gap site following the publication of the SPPS and it is arguably less prescriptive, the retained policy of PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.10 of the SPPS.

PPS 21 - Sustainable Development in the Countryside Policy
CTY 1 of PPS 21 identifies a range of types of development which in principle are considered acceptable in the countryside. One of these is the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8. The proposed development will therefore be required to satisfy the following policies in PPS 21:

1. CTY 1 - Development in the Countryside
2. CTY 8 - Ribbon Development
3. CTY 13 - Integration and Design of Buildings in the Countryside
4. CTY 14 – Rural Character
5. CTY 16 – Development Relying on Non-Mains Sewerage

Policy CTY 8
Policy CTY 8 'Ribbon Development' states that planning permission will be refused for a building which creates or adds to a ribbon of development. However, an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within a substantially and continuously built up frontage. This policy requires four specific elements to be met, the gap site must be within a substantially and continuously built up frontage, the gap must be small, the existing development pattern along the frontage must be respected and other planning and environmental requirements must be met. The policy defines a substantial and built up frontage as a line of three or more buildings along a road frontage without accompanying development to the rear.

The agent contends that there are at least 3 buildings with frontage to Maytown Road, with 4 dwellings highlighted to the Council. The dwellings are nos. 70, 72, 74 and 74B. For clarity it appears that the dwelling referred to by the agent as no.74 is no.76 on Council and LPS maps, in this report it will be referred to as no.76. For the purposes of

interpreting the policy a line of 3 or more buildings along a frontage without accompanying development to the rear is required. No. 70 Maytown Road has an access directly onto Maytown Road and appears to have frontage to the public Road. No. 72 Maytown Road takes access from a lane to Maytown Road which runs along the front of the dwelling. The curtilage and the access lane to no. 72 Maytown Road are set behind the agricultural track and vacant lands that sit between the site and the public road. As such it has been assessed that No.72 does not have frontage to Maytown Road.



Figure 1. View of access lane to No.72 Maytown Road showing it has a separate access to the public road.

No. 74B and no. 76 Maytown Road are accessed via a shared laneway onto Maytown Road. No.74B is directly adjacent to and north of the proposed site with the curtilage to no.74B set back from Maytown Road and separated from the road by vacant/agricultural lands to east. Assessment of this dwelling concluded that no.74B does not have frontage to the Maytown Road and it is separated from the agricultural track that runs to the front of the proposed site by a single field gate. Based on this assessment no.74B does not have frontage to either the agricultural track or the Maytown Road.



Figure 2. View from agricultural track showing double field gate access to the site.

No.76 Maytown Road referred to in the Agents correspondence as No. 74 sits adjacent and north of no.74B and shares the same laneway access to the public road. No.76 is set back from the Maytown Road with much of the main dwelling and curtilage sitting behind No.74 Maytown Road which has direct frontage to the public road. In assessing No.76 it is not accepted that this dwelling exists in a line of 3 or more buildings along a road frontage.

In assessing all four proposed dwellings and associated buildings it is not accepted that they would meet CTY 8 policy requirement as a line of 3 or more buildings along a road frontage.



Figure 3. View from proposed access showing lands separating frontage to Maytown Road.

In determining whether an infill opportunity exists Case Officers must determine if the gap site proposed is sufficient only to accommodate up to a maximum of two houses. In policy terms the critical issue is the size of the gap between the buildings. In assessing this proposal Case Officers have made an assessment of the site through a site visit and visual assessment both on the ground and through a desktop review of maps. Case Officers have determined that the site does not meet the Policy criteria in relation to having a substantial and built-up frontage that includes a line of 3 or more buildings along a road frontage without accompanying development to the rear. The proposed site is also deemed to not have a direct frontage to the Maytown Road with a large area of land and an agricultural track with boundaries separating the site physically and visually from the public road. Figures 3 and 4 show the extent of separation from the public road and a view of the existing agricultural access to the site. The proposal does not constitute a gap site.

On the basis of the assessment outlined above the proposal fails to meet the requirements of Policy CTY 8 in that the site is not deemed to be a small gap within a line of 3 or more buildings along a road frontage.



Figure 4. View of agricultural access to the front of the proposed site.

Policy CTY13 - Integration and Design of Buildings in the Countryside

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design. Whilst there would have to be some ancillary works, there would be sufficient opportunity for a dwelling of an appropriate elevation to fit in with a similar pattern of development in this area. The proposal would comply with Policy CTY 13 subject to suitable conditions.

Policy CTY14 - Rural Character

Policy CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural

character of the area. As discussed above Case Officers are satisfied that with an appropriate ridge height a dwelling can be provided on the site which is not unduly prominent in the landscape. The proposed development would not result in a suburban style build-up of development and would respect the traditional pattern of development already exhibited in the immediate area. The proposed development will create a ribbon of development as the site is not considered to comply with the gap site exception and therefore is contrary to policy CTY 8. It is unlikely that ancillary works would damage the rural character and the levels of landscaping and hardstanding will be assessed at reserved matters stage. Overall Case Officers are of the opinion that the proposed development fails to meet the requirements of Policy CTY 14 and therefore would cause a detrimental change to the rural character in this area by way of ribbon development.

Planning Policy Statement 15 – Planning and Flood Risk (Revised)

Following consultation with DFI Rivers, the Department has confirmed policies FLD1, FLD2, FLD4 and FLD 5 are not applicable to the site. As the proposal has not issued detailed plans to assess the level of hardstanding against the threshold requiring a Drainage Assessment under policy FLD 3, Case Officers if minded to approve will provide a condition requesting a Drainage Assessment in the event the proposal exceeds the 1000sqm threshold. At this stage the proposal does not offend any of the policies contained within PPS 15. In their response Dfl Rivers have recommended that planning informatives E01, E02, E03 & E06 be included in any planning decision.

Policy CTY16 - Development Relying on Non-Mains Sewerage

CTY16 ensures that new developments will not create or add to a pollution problem. Should Planners be minded to approve the development then copy of 'Consent to Discharge' must be submitted to the Planning Department prior to the commencement of development.

PPS 3 - Access, Movement and Parking

Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for the sightlines that will be applied to a new access onto a public road. Dfl Roads were consulted as part of the assessment of this application. In a response dated 04/07/2025, Dfl Roads have no objections to the proposal with regard to the above policy criteria subject to submission of detailed plans at reserved matters stage.

PPS 2 - Natural Heritage

Policies NH2 and 5 of PPS 2 state that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance. Plans submitted at RM should include compensatory planting which will create new habitats to compensate for any impacted habitat through the removal of any vegetation on the site ensuring that biological communities are able to relocate to a suitable nearby location. It is noted the vast majority of the hedging to the front of the site should remain intact – this can be conditioned along with the retention of all mature trees as part of any planning approval. Give the application is outline application the proposed entry point to the site is not submitted for approval, from site visit it was apparent that the site has an entrance point via existing double field gates which are next to portion to the front of the site which is not bounded by mature trees.

Neighbour Notification Checked	Yes
Summary of Recommendation	Refusal

All information submitted has been duly considered throughout the assessment and processing of this application.

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1, Development in the Countryside of PPS 21 Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8, Ribbon Development of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the application site does not constitute a small gap site within an otherwise substantial and continuously built up frontage, and would, if permitted, add to ribbon development, and does not represent an exception to policy.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14, Rural Character of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the proposal would, if permitted, add to a ribbon of development.

Case Officer Signature: [redacted]

Date: 17th September 2026
Appointed Officer Signature: [redacted] **Date:21 September 2026**

Submission on behalf of the Applicant

Response to the Case Officer's recommendation to refuse outline planning permission

Application	LA07/2025/0075/O (Outline)
Proposal	Rural infill dwelling and detached domestic garage, site access, car parking, ancillary site works and landscaping
Site	Lands approx. 38m north west of No. 72 Maytown Road, Bessbrook, Newry, BT35 7NF
Applicant	Mr Ciaran McGuinness
Recommendation	Refusal (Reasons 1–3: Policies CTY 1, CTY 8 and CTY 14)

1. SUMMARY

1. The Case Officer's Report (signed 17/21 September 2026) recommends refusal for three reasons, yet accepts almost every element of the proposal. All three reasons rest on a single proposition; that the buildings either side of the site do not form a frontage because they lack "direct frontage to the Maytown Road".
2. That proposition applies the wrong test. Paragraph 5.33 of CTY 8 states that "a road frontage includes a footpath or private lane". Assessed against the shared laneway, the frontage is met, and all three reasons for refusal fall with it.

2. MATTERS ACCEPTED IN THE CASE OFFICER'S REPORT

Issue	Finding in the Report
Frontage to Maytown Road	No. 70 has frontage to Maytown Road; No. 74 has direct frontage to the public road.
The laneway	No. 72 takes access from a lane "which runs along the front of the dwelling"; the site is reached by a track "which runs along the front of the site".
Integration and design (CTY 13)	Would comply, subject to suitable conditions.
Rural character (CTY 14)	Not unduly prominent with an appropriate ridge height; no suburban build-up; respects the traditional pattern of development; ancillary works acceptable.
Consultees	No objection from DfI Roads or DfI Rivers; no conflict with PPS 15; consent to discharge by condition (CTY 16).

3. REFUSAL REASON 2 – POLICY CTY 8 (RIBBON DEVELOPMENT)

3. **The policy wording.** CTY 8 defines a substantial and continuously built-up frontage as "a line of 3 or more buildings along a road frontage without accompanying development to the rear". Paragraph 5.33 states that "a road frontage includes a footpath or private lane", and that buildings "sited back, staggered or at angles" can share a common frontage. The Report tests only frontage to Maytown Road and never asks whether the buildings front the laneway.
4. **The officer's own findings.** The Report describes the lane as running "along the front of" both No. 72 and the site, and finds No. 74B separated from it only "by a single field gate". A gate opening onto a lane is a frontage onto that lane.
5. **Planning history of No. 72.** The stamped approved drawings for P/2004/3276/F (granted 23 September 2006; Drawing 01 and Drawing 02 Rev 2) show the red line running the full length of the existing laneway, with the dwelling, garage and access laid out off it (presentation slide 6). The detached garage is an in-curtilage building and counts towards the frontage, as the PAC and this Council have accepted.
6. **Planning history of No. 74B.** The approved site location map for P/2013/0680/O, allowed on appeal under 2014/A0254, shows No. 74B fronting both Maytown Road and the laneway. Its gated access opens directly onto the lane today (slide 5).
7. **Historic mapping.** The OSNI First (1829–1835), Second (1838–1862) and Fourth (1916–1957) Edition maps show the laneway running from Maytown Road past the site. It has existed as early as 1829, fronting the Maytown Road, and has been in constant use since. The outbuilding shown at the foot of the lane in 1916 still stands (slides 7–8).
8. **The objectors' own evidence.** Letters from No. 72 state that the dwelling "does front onto my access laneway from the Maytown Road" and describe "the private sloped laneway at the front of no 72" – a private lane in the terms of paragraph 5.33.
9. **Council precedent.** The Council accepted laneway frontage in LA07/2023/3300/O (Ballynaclosha Road, 2024: dual frontage and an in-curtilage garage), LA07/2020/1033/F (Ayallogue Road, 2020: No. 29a fronting the laneway without taking access from it, as No. 74B does here) and LA07/2016/1141/O (Moyad Road, 2016: "the policy does not insist on a visual linkage provided they have a common frontage"). These were put to the case officer on 2 April 2026 and are not addressed in the Report.

10. **Application of the policy.** Correctly applied, the laneway frontage contains a line of three or more buildings – the dwelling at No. 72, its detached garage and No. 74B – with no development to the rear and the site the only gap. The Report calls gap size "the critical issue" but makes no finding on it. The gap plot is 3,584m² against an average of 3,759m² for Nos. 70, 72 and 74B (2,798m², 4,341m² and 4,139m²) – 95% of the average and larger than No. 70. It can accommodate one dwelling only and respects the existing pattern of development. All four elements of CTY 8 are met.

4. REFUSAL REASON 1 – POLICY CTY 1 (DEVELOPMENT IN THE COUNTRYSIDE)

11. CTY 1 expressly lists a small gap site in accordance with CTY 8 as acceptable in principle. The test of "overriding reasons why this development is essential" applies only to proposals outside the listed categories. Reason 1 is wholly consequential on Reason 2 and falls with it.

5. REFUSAL REASON 3 – POLICY CTY 14 (RURAL CHARACTER)

12. The Report finds that the dwelling would not be unduly prominent, would not result in a suburban build-up and would respect the traditional pattern of development. The only criterion said to be breached is ribbon development, which cross-refers directly to CTY 8. A proposal meeting the CTY 8 exception does not create a ribbon in policy terms, so Reason 3 also falls with Reason 2.

6. THIRD-PARTY REPRESENTATIONS

13. Eight objections were received, seven from No. 72 and one from No. 75. Concerns about privacy, overlooking, ridge height and drainage are matters for reserved matters and can be controlled by condition, as the Report itself notes. The family's personal circumstances are acknowledged with respect; the Report notes these are not material planning considerations.

7. CONCLUSION AND REQUEST TO THE COMMITTEE

14. The recommendation turns on a single, incorrect proposition: that only direct frontage to Maytown Road can count.
15. That is contrary to paragraph 5.33 of CTY 8, the approved planning history of Nos. 72 and 74B, the historic mapping and the Council's own decisions. Once corrected, Policies CTY 1, CTY 8, CTY 13 and CTY 14 are all satisfied.
16. We therefore respectfully request that the Committee overturn the recommendation and grant outline planning permission, subject to the conditions recommended by DfI Roads and DfI Rivers, together with conditions on ridge height, siting and window placement, retention of the front hedging and mature trees, landscaping, consent to discharge and underground services.

Application

Development Management Officer Report	
Case Officer: Roisin Bird	
Application ID: LA07/2025/1164/O	**Target Date:**
Proposal: Farm dwelling applied under CTY10	**Location:** 50m SW and adjacent to 42 Levallyreagh Road, Warrenpoint, BT34 3DW
Applicant Name and Address: Margaret Kane 142 Dundrum Road Newcastle BT33 0LN	**Agent Name and Address:** Ryan Milligan 32a Bryansford Avenue Newcastle BT33 0LG
Date of last Neighbour Notification:	6 July 2026
Date of Press Advertisement:	29 October 2025
EIA Determination: EIA Screening carried out. No further action required	
Consultations: • DAERA – Farm business allocated in November 1991. The farm is a category 1 farm • DFI Roads – Following amendments DFI Roads content with the application as presented • Environmental Health – No objections. • NI Water – No objections	
Representations: None received	

Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Summary of Issues:

Site Visit Report

Site Location Plan:



Date of Site Visit: 3rd July 2026

Characteristics of the Site and Area

The application site is located outwith the defined settlement development limits as designated in the Banbridge, Newry and Mourne Area Plan 2015 (Map 3/01 Newry and Mourne District). The application site is located approximately 1.5 miles north east of the settlement development limit of Warrenpoint and within the Mourne Area of Outstanding Natural Beauty. The application site is located within a field and is accessed via a field gate. The application site has been screened for natural and built heritage features. No features have been identified.

This is an outline application and therefore no details, elevations or finishes have been submitted as part of this application these would be assessed at reserved matters stage. This application is to establish the principle of the development on the application site.

Description of Proposal

Farm dwelling applied under CTY10

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

Planning
Application Number: P/1989/0599 Decision: Permission Granted Decision Date: 08 August 1989
Proposal: Site for replacement dwelling
Application Number: P/1996/1082 Decision: Permission Granted Decision Date: 04 December 1996
Proposal: Site for replacement dwelling
Application Number: P/2001/1849/O Decision: Permission Granted Decision Date: 10 December 2001
Proposal: Replacement dwelling.
Application Number: P/2006/0420/F Decision: Permission Refused Decision Date: 24 August 2007
Proposal: Site for replacement dwelling
Application Number: P/2008/0794/F Decision: Permission Granted Decision Date: 17 October 2008
Proposal: Erection of replacement dwelling and detached garage.
Application Number: P/2014/1010/F Decision: Permission Granted Decision Date: 16 June 2015
Proposal: Erect replacement dwelling and detached garage with new access to public road.
Application Number: LA07/2016/0401/F Decision: Permission Refused Decision Date: 13 October 2017
Proposal: Farm Building without underground tanks
Application Number: LA07/2018/0027/F Decision: Permission Granted Decision Date: 31 August 2018
Proposal: Proposed Farm Building without underground tanks
Application Number: LA07/2020/0407/O Decision: Permission Refused Decision Date: 15 February 2021
Proposal: Proposed site for a farm dwelling and domestic garage
Application Number: LA07/2022/1723/LDE Decision: Application Required
Decision Date: 17 October 2023
Proposal: The retention of an existing agricultural building

Assessment
This Planning Application has been assessed against the following policies:

- Banbridge, Newry and Mourne Area Plan 2015
- Strategic Planning Policy Statement for Northern Ireland
- PPS 2 Natural Heritage
- PPS 3 Access, Movement and Parking

- DCAN 15 Vehicular Access Standards
- PPS 21 Sustainable Development in the Open Countryside
- Building on Traditional Sustainable Design Guide

Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The application site is located outwith any defined settlement limit as designated in the Banbridge Newry and Mourne Area Plan. There are no specific policies in the Plan regarding the proposed use therefore this application will be assessed against regional planning policy.

The potential impact of this proposal on European Sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended). The proposal would not have any likely significant effect on the features of any European Site

Strategic Planning Policy Statement for Northern Ireland

As there is no significant change to the policy requirements for the proposal following the publication of the SPPS and it is arguably less prescriptive; the retained policies of PPS2, PPS 3 and PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

PPS 2 Natural Heritage

Policy NH5 Habitats, Species or Features of Natural Heritage Importance

Policy NH 5 sets out:

Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:

- *priority habitats;*
- *priority species;*
- *active peatland;*
- *ancient and long-established woodland;*
- *features of earth science conservation importance;*
- *features of the landscape which are of major importance for wild flora and fauna;*
- *rare or threatened native species;*
- *wetlands (includes river corridors); or*

• other natural heritage features worthy of protection.

A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.

In such cases, appropriate mitigation and/or compensatory measures will be required.

Having considered the proposal in line with the policy set out above it is considered that the proposal is compliant with policy NH5. A biodiversity checklist and extended ecological statement was carried out in relation to the proposed works on the site and it concluded that the works proposed would not have an adverse impact on habitats, species or features of natural ecological importance. The design and access statement submitted by the Agent highlights that where possible the existing mature boundaries will be retained and enhanced through additional planting. The report further sets out that the topography of the site given that it rises to the west provides a natural backdrop with trees further limiting visibility from the public road.

With careful detailed design it is considered that the proposal will have a negligible impact with regards to PPS 2.

PPS 3 Access, Movement and Parking

DCAN 15 Vehicular Access Standards

Policy AMP 2 Access to Public Roads

Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and

b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

The acceptability of access arrangements, including the number of access points onto the public road, will be assessed against the Departments published guidance. Consideration will also be given to the following factors:

• the nature and scale of the development;

• the character of existing development;

• the contribution of the proposal to the creation of a quality environment, including the potential for urban / village regeneration and environmental improvement;

• the location and number of existing accesses; and

• the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.

DFI Roads are the competent body in relation to road safety and were consulted with regards to the proposed development. DFI Roads offered no objection to the proposal

as presented provided that conditions and informatives were attached to any positive determination on the application site.

The Planning Department have no reason to query DFI Roads consultation response and would consider that the access proposed is appropriate.

Building on Traditional Sustainable Design Guide

Paragraph 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' a Design a Sustainable Design Guide for the NI countryside' is taken into account in assessing all development proposals in the countryside. Section 6 on New Builds as well as the various design principles throughout the document are relevant to the proposal. Section 6 highlights how buildings can be designed to respect the natural landscape and contours as well as guidance on site boundaries. As this is an outline application no detailed design has been submitted and this would be subject to a reserved matters application or full application on the site.

PPS 21 Sustainable Development in the Open Countryside

Policy CTY1 states a range of types of development which in principle are considered to be acceptable in the countryside. This includes a dwelling on a farm if it is in accordance and meets the policy requirements of CTY10.

Policy CTY10- Dwellings on Farms

Policy CTY10 states planning permission will be granted for a dwelling on a farm whereby:

(a) the farm business is currently active and has been established for at least 6 years;

DAERA have confirmed that the farm business ID was allocated in 1991. They have further confirmed that the farm business has been in existence for more than 6 years and is a category one farm that does claim payments. Criterion A is met.

(b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and

The planning history has been investigated throughout the past 10 years using the farm maps supplied by the applicant and online search engines. The Agent supplied a supporting statement that further sets out no opportunities have been sold off. It is confirmed that there has been no dwellings or development opportunities out-with the settlement limits sold off from the farm holding within 10 years and therefore this criterion is met.

(c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of

buildings on the farm or out-farm, and where there are either: • demonstrable health and safety reasons; or

• verifiable plans to expand the farm business at the existing building group(s).

An indicative site layout plan was submitted alongside the application which shows the proposed dwelling to be located between an approved farm building (approved under LA07/2018/0027/F approved on the 30th August 2018) and a structure to the front of the application site which the Planning Department would consider is of temporary construction.

Appeal reference 2019/A0105 was for a CTY8 development however, it focuses on buildings to be considered as part of a substantive and built-up frontage and thus what constitutes a building. The structure described is not dissimilar to that upon which is considered as part of this application. Paragraph 5.7 – 5.9 (inset below) set out the commissioners views on the proposed structure:

The structure is a corrugated metal arrangement and its structural element comprises timber posts. Whilst the posts have been embedded in concrete, it has no typical foundations or accompanying hard standing. Some loose stones and blocks have been used to provide haphazard flooring. It does not have any windows. The entry ways are small in scale and one has to crouch to enter inside. There are no doors. There are no services of any nature. The absence of a formal hard-standing curtilage or typical foundations or indeed any base which links it to the ground in a permanent manner indicates that it is not of a typically permanent construction. The metal cladding, once used for providing shelter is badly weathered and, in several places, warped and worn away. Whilst the structure has been present at the site over a reasonable timescale, it is currently in a ruinous state.

There is no formal access, hardstanding or external circulation areas other than those defined by pens. While the structure is fixed to the ground by fence posts, none of the external or internal walls are attached to the ground or are load bearing. Therefore, the only elements of the structure which make contact with the ground are the posts themselves. These are grounded in concrete to provide support to the structure providing a degree of physical attachment, but it could be dismantled easily. As alluded to above, the mere fact that something has been on land over time with a degree of physical attachment does not necessarily make it a building and for reasons given, the subject structure cannot be regarded as a building under the policy.
It is a well-rehearsed phrase in planning parlance that each case must be judged on its own merits, as this case must be. Given my findings above, I judge that as a matter of fact and degree, this particular structure is not a building for the purposes of interpreting Policy CTY8.

The Planning Department would consider that there are not 'buildings' on the farm for the purposes of CTY 10 and therefore the application fails to meet this criterion.

An email was issued to the Agent setting out the Planning Departments opinion and provided the Agent an opportunity to provide comment. The Agent submitted the following for consideration.

While we acknowledge that the Council subsequently described the structure as being of temporary construction, we do not consider that description, of itself, determines whether it is capable of constituting a building for the separate purposes of CTY10(c).

Section 250 of the Planning Act (Northern Ireland) 2011 provides that a "building" includes "any structure or erection". Furthermore, the previous LDE material records that this particular structure is physically attached to the ground, incorporates concrete flooring, cannot readily be moved and would require physical dismantling/demolition to remove it.

There is also relevant Northern Ireland PAC authority. In 2020/E0017 (see attached), the Council had described a development as a "building of temporary construction". Having considered its physical characteristics, the Commissioner concluded that because the building "lacks mobility and could not readily be moved from the land" it was not temporary. The appeal was allowed and the development was certified as a permanent building.

While 2020/E0017 concerned a Certificate of Lawfulness rather than CTY10, it demonstrates that describing a structure as being of "temporary construction" is not, in itself, determinative of its permanence in planning terms.

The Planning Department would consider this appeal not relevant to the application under consideration the proposed certificate of lawfulness was related to the use as a dwelling house; the materials of the dwelling and circumstances of that appeal are differential to the application under consideration.

More directly, I have attached 2019/A0008, where the Commissioner stated specifically in relation to CTY10:
"The policy does not distinguish between types of buildings on the farm, nor specify that they be a certain size, only that they are buildings on the farm."

We consider this directly relevant. CTY10 does not prescribe a minimum size, particular construction method or particular type of building before it can form part of an established group. Furthermore this is not an unrelated structure; it is a longstanding hen/chicken house which continues to perform an agricultural function and which the Council itself previously described as a "small complex for birds".

The appeal reference above referred to the distance from the established buildings on the farm; in this case there were a number of buildings present on the farm. The Planning Department were not content on the distance the proposed dwelling was from the principal group of buildings on the farm. There was no dispute in relation to buildings of temporary construction raised in this appeal. The Planning Department would not consider this appeal relevant to the application under consideration.

I have also attached 2017/A0252, where the Council sought to disregard a shed because it was being used in connection with a vehicle recovery business rather than the farm business. The Commissioner rejected that approach, stating:
"The policy only requires that the new building is visually linked or sited to cluster with an established group of 'buildings on the farm' it does not specify that they must be in use with the farm business." The Commissioner concluded that it remained a building on the farm irrespective of what it was being used for.

In the present case, the position is arguably stronger. The hen house has occupied the farm since approximately 2013; the Council has accepted its longstanding presence and immunity from enforcement; it is physically attached to the land and cannot readily be moved; and it continues to perform an agricultural function.
Against the Council's previous findings and the authorities above, we respectfully consider that there is a clear evidential and policy basis for the hen house to be regarded as a building on the farm and taken into account alongside the building approved under LA07/2018/0027/F when assessing the established group for the purposes of CTY10(c).

Appeal 2017/A0252 is not relevant to the application under consideration. The original case officers report set out that the Planning Department considered there was no direct association to the buildings nor demonstration of ownership and set out when requested no information was submitted.

The appeal set out that the farm business is registered to the appellant and the dwelling upon which the appellant resides in is the farm house. The appeal further set out that the appellant owns a vehicle recovery business. The Councils opinion was that this business should be discounted. The commissioner determined that the new building *is visually linked or sited to cluster with an established group of 'buildings on the farm' it does not specify that they must be in use with the farm business. There is no evidence that the shed has been 'hived off' from the farm and so it is a building on the farm irrespective of what it is being used for.*

This appeal is not relevant to the application under consideration as the section highlighted referred to whether a building that a business was operating from should be considered as a building on the farm. The circumstances were also set out that the Planning Department requested information that was not submitted.

CTY 13 Integration and Design of Buildings in the Countryside CTY 13 states that:
A new building will be unacceptable where:

(a) it is a prominent feature in the landscape; or

(b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or

(c) it relies primarily on the use of new landscaping for integration; or

(d) ancillary works do not integrate with their surroundings; or

(e) the design of the building is inappropriate for the site and its locality; or

(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or

(g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

The application under consideration is for outline planning permission and details would be submitted at reserved matters stage; having considered the proposal in line with CTY 13 it is considered that a proposed dwelling could integrate into the site given the current backdrop and enclosure of the existing farm building; if the dwelling was of a low ridge height. However, the proposal fails to meet criterion G in that there is no established group of buildings on a farm.

CTY14 Rural Character / CTY 8 Ribbon Development

CTY 14 states that: *A new building will be unacceptable where:*

(a) it is unduly prominent in the landscape; or

(b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or

(c) it does not respect the traditional pattern of settlement exhibited in that area; or

(d) it creates or adds to a ribbon of development

(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

Having considered the application in line with CTY 14 it is considered that the proposal would be in compliance with CTY 14 and would not appear out of character when viewed with existing development in the area. Whilst detailed design has not been submitted it is considered that ancillary works to implement the proposal would not be considered to damage rural character. It is considered that the proposal complies with the criteria set out in CTY 14.

CTY 16 Development Relying on Non-Mains Sewerage

CTY 16 ensures that new developments will not create or add to a pollution problem. A septic tank is proposed, a copy of 'Consent to Discharge' must be submitted to the Planning Department prior to the commencement of development. The applicant appears to own/control sufficient lands to accommodate this tank and associated soak-aways. Accordingly, the application does not offend Policy CTY 16.

Neighbour Notification Checked	Yes

Summary of Recommendation
Refusal is recommended. The proposal fails to comply with PPS 21 CTY 10 Criterion C and CTY 13 Criterion G.

Reasons for Refusal:
1. The proposal is contrary to Policies CTY1 Development in the Countryside and CTY10 Dwellings on Farms of Planning Policy Statement 21,Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm.

2. The proposal is contrary to Policy CTY13 Integration and Design of Buildings in the Countryside of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm and therefore would not visually integrate into the surrounding landscape.

Case Officer Signature: Roisin Bird

Date: 28 September 2026

Appointed Officer Signature: A Loughan

Date:01/10/2026

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

Chair and Members of the Committee, thank you for the opportunity to speak today.

I am speaking in support of this application for a dwelling on a farm at Levallyreagh Road, and to ask Members to reconsider the officer's recommendation for refusal.

The crux of the Departments argument is whether the existing agricultural building to the east, should be recognised as a building on the farm for the purposes of Policy CTY10(c).

Firstly, it is important to establish what is not in dispute.

This is an active and established farm business, dating back to 1991, and has not sold any development opportunities in the past ten years. As such, the Council accepts that criteria (a) and (b) of CTY10 are satisfied. The Council also accepts the presence of another established agricultural building on the farm, to the west of the site.

The disagreement arises because officers have discounted a second agricultural building, on the basis that they consider it to be temporary in nature - We respectfully disagree with that assessment.

The existing agricultural building has been on site since approximately 2013 — some 13 years (Figure 1).

Throughout that period, it has remained as an identifiable agricultural building, serving a distinct agricultural function – whether it be for housing of animals or storing agricultural materials. The Planning Department have accepted its longevity on the site.

It is physically attached to the ground, incorporates a concrete base, windows and doors, and has services connected to it. It is not a mobile structure that can simply be lifted and relocated.



Figure 1 – The Disputed Building

We consider that the length of time it has been established, together with its physical characteristics and continued agricultural use, clearly demonstrates a degree of permanence consistent with an established farm building.

Secondly, the council have relied on appeal decision 2019/A0105 to justify their refusal (Figure 2). However, we feel this reliance is entirely misplaced.

That appeal concerned a materially different set of circumstances. The structure considered by the Commissioner was in a ruinous and badly weathered condition. It lacked a number of the physical characteristics ordinarily associated with a functioning building, including proper foundations, hardstanding, windows, doors and services - **It is fundamentally different from the agricultural building before Members today.**



Figure 2 – 2019/A0105 Building Reference

Our building is not ruinous, derelict or abandoned. It remains clearly visible and identifiable on the ground, is physically attached to the land, and continues to perform an agricultural function.

Thirdly, there is relevant appeal precedent which supports our interpretation.

- In appeal **2019/A0008**, which specifically considered CTY10, the PAC confirmed that the policy does not distinguish between different types of buildings on the farm or prescribe that they must be of a particular size. That is particularly important because **CTY10 does not require agricultural buildings to be constructed from any specific materials or to a particular standard of construction**.

- In appeal **2022/A0120**, the PAC considered an agricultural structure comprising timber posts, metal sheeting and only three enclosed sides.

  The Council argued that this was not a building for planning policy purposes, relying on the same appeal, 2019/A0105, that officers have referred to in the present case. However, **the Commissioner accepted that the structure constituted a building, notwithstanding its relatively basic construction**.

- In appeal **2022/A0192**, the Commission considered a modest agricultural structure with a concrete base, vertical supports and corrugated metal walls. Again, the Council disputed its permanence. However, the Commissioner accepted it as a building, with the length of time it had been on site being a relevant consideration.

These decisions demonstrate that the permanence of a building cannot be determined solely by its construction materials or whether it resembles a conventional agricultural shed.

We consider that the existing agricultural building, having stood for approximately 13 years, being physically attached to the land and continuing in agricultural use, should properly be recognised as a building on the farm.

When considered alongside the other established agricultural building, it forms an established group of buildings on the farm with which the proposed dwelling can visually link.

The Council has already acknowledged that the site benefits from an existing backdrop and enclosure, and that a dwelling could integrate into this location.

To conclude, we are asking Members to apply CTY10 consistently with its wording, the physical evidence on the ground and the relevant decisions of the Planning Appeals Commission.

The Council's reliance on an appeal concerning a ruinous structure is, in our view, not comparable to the circumstances of this application.

By contrast, the appeal decisions we have highlighted demonstrate that these buildings can qualify as permanent buildings for planning policy purposes.

We therefore respectfully submit that the existing agricultural building should be recognised for the purposes of CTY10(c), and ask Members to overturn the officer's recommendation and approve the application. Thank you.

Delegated Application

Development Management Officer Report	
Case Officer: Catherine Moane	
Application ID: LA07/2023/3295/F	**Target Date:**
Proposal: Proposed 3 Nos Camping PODS, laundry room, landscaping and all associated site works	**Location:** Former Quarry, approx. 40m North of No 11 Slievenaman Road, Newcastle, BT33 0QD
Applicant Name and Address: Richard Magowan 51 Drumneath Road Banbridge BT32 4ER	**Agent Name and Address:** Andrew Stephens Saba Park 14 Balloo Avenue Bangor BT19 7QT
Date of last Neighbour Notification:	20 March 2024
Date of Press Advertisement:	15 November 2023

EIA Determination: Yes
ES not required: No

Under regulation 12 of the Planning 'Environmental Impact Assessment (EIA) Regulations (NI) 2017, the Planning Authority is required to make a determination as to whether the proposed development would or would not be deemed EIA development.

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 are considered and it is noted that this development proposal falls under Schedule 2 part 12e – tourism and leisure – The carrying out of development to provide for permanent camp sites and caravan sites. the site does not exceed 0.5ha at approx. 0.37ha. The development is located within a sensitive area (Mourne AONB), therefore an EIA determination is required by Schedule 2 of the EIA Regulations.

In accordance with the regulations, a screening exercise was carried out to determine whether or not an EIA is required. An Environmental Statement is not required – see determination for reasons.

Consultations: See report

Representations: 3

Stephen McNamara

Mr McNamara objects to the application on environmental and infrastructure grounds, with reference to PPS 15 – Planning and Flood Risk, PPS 3 – Access, Movement and Parking and PPS 21 – Sustainable Development in the Countryside. His main concerns are:

- Inadequate information regarding storm-water drainage and the absence of a comprehensive drainage strategy/SuDS proposals.
- Potential for the development to increase or exacerbate existing flood risk, particularly during more extreme rainfall events.
- Insufficient information regarding foul sewage treatment and disposal, with concern about potential effects on soil, groundwater, watercourses and biodiversity.
- The proposal has not adequately demonstrated that the necessary environmental and infrastructure requirements can be satisfactorily provided.
- Concern that the development does not represent sustainable rural development in accordance with PPS 21.
- Reference is made to concerns raised by Roads Service and Environmental Health, which the objector considers reinforce the concerns identified.
- Mr McNamara requests that the application be refused in its present form unless these environmental and infrastructure matters are satisfactorily addressed.

Landowner on Slievenaman Road (representation submitted on their behalf)
Objection submitted on behalf of a landowner situated further down Slievenaman Road from the application site, mainly concerning drainage and flooding. The matters raised are:

- The site is described as a former quarry, while the application proposes disposal of surface water by soakaway and foul sewage through a sewage treatment plant.
- No detailed drainage layout is identified within the submitted plans/documents showing how surface water and treated foul effluent would be managed or discharged.
- Concern exists as to whether drainage would be retained within the application site or ultimately discharge onto or towards lower-lying land.
- The landowner states that their land already experiences flooding from fields at a higher level.
- Concern is therefore raised that additional surface-water runoff or treated effluent arising from the development could increase existing flooding or water accumulation on the landowner's property.
- On this basis, it is contended that the proposal has not demonstrated a sustainable drainage solution and could adversely affect land downstream of the application site.

Owners/Occupiers of 6 Slievenaman Road, Newcastle, whom are located directly opposite the application site, object to the proposal on the following grounds:

- The proposed tourist accommodation is excessive in scale, floorspace and height and, given its self-contained nature and facilities, would not sufficiently deter permanent residential occupation.
- The development would have an unacceptable visual impact on the rural landscape, with the height and elevated position of the buildings making them particularly prominent.
- The design, form, proportions and materials are considered inappropriate to the rural setting and local character.
- Existing vegetation and screening along Slievenaman Road has been removed, reducing the site's ability to absorb the development. It is contended that

photographs submitted with the application pre-date this clearance and do not accurately represent the site's current condition.

- Proposed landscaping and screening are inadequate, with insufficient details of species, planting sizes and implementation.
- Insufficient information has been provided regarding boundary treatments, including walls and fencing.
- The proposal would result in overlooking and loss of privacy to No. 6 due to the elevated site, building heights and limited screening.
- Tourist occupation could result in noise, night time disturbance and nuisance, adversely affecting neighbouring residential amenity.
- Insufficient information has been provided regarding external/flood lighting, with concern regarding light pollution and impacts on residential amenity and the rural environment.
- The development is considered incompatible with the surrounding pattern of individual dwellings, farms and rural land uses and would detract from landscape quality and rural character.
- Concerns are raised regarding foul sewerage and drainage, particularly given the stated absence of mains sewerage.
- There are concerns regarding surface-water runoff and flooding, including an existing flooding issue affecting the objector's property which it is considered could be exacerbated by the development.
- Additional traffic generated by the tourist accommodation could adversely affect road safety and the free flow of traffic on Slievenaman Road, with concern regarding the capacity of the existing road network to accommodate the development.

The matters raised by the objectors are considered within the assessment of the application insofar as they constitute material planning considerations.

Letters of Support	0.0
Letters of Objection	3
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Site Visit Report

Site Location Plan: The site is located at lands approx. 40m North of No 11 Slievenaman Road, Newcastle.





Date of Site Visit: 2nd May 2024 & May 2026

Characteristics of the Site and Area

The site is accessed via an existing short laneway which is located just off the Slievenaman Road. The existing boundaries are defined by exposed earth/rock faces to the north and west with some areas of scrub, gorse and other vegetation and dispersed trees to the south and east. At the time of the first site visit the roadside boundary had been cleared, but through the passage of time, some of this has gown back. The topography of the site rises gradually from the roadside from east to west. There is a difference in levels of approximately 10m from east to west and a difference of approx. 2.4m from north to south. The area is characterised by dispersed single dwellings in the countryside, farm complexes and some tourist accommodation.

Description of Proposal

Proposed 3 Nos Camping PODS, laundry room, landscaping and all associated site works.

Planning Assessment of Policy and Other Material Considerations

The Ards and Down Area Plan 2015 identifies the site as being located within the countryside, outside any defined settlement limits. The site is located within the Mourne Area of Outstanding Natural Beauty and an Area of Constraint on Minerals Development.

The following plan and planning policy statements are relevant to the proposal;

- Regional Development Strategy 2035
- The Strategic Planning Policy Statement for Northern Ireland (SPPS) Ed 2
- PPS 2 Natural Heritage
- PPS 3 Access, Movement and Parking
- PPS 15 Planning and Flood Risk
- PPS 16 Tourism
- PPS 21 Sustainable Development in the Countryside
- Ards and Down Area Plan 2015

Published guidance documents will also be considered such as:-

- DCAN 15
- Parking standards
- Building on Tradition

The third-party representations are also material considerations. Matters raised include the principle of tourist accommodation; scale and potential permanent residential occupation; height; design and materials; AONB and landscape impact; removal of vegetation; overlooking and residential amenity; noise and lighting; access and road safety; foul and surface-water drainage; and flooding.

PLANNING HISTORY

Planning
Application Number: R/1975/0563
Decision: Permission Granted
Decision Date: 20 July 1977
Proposal: To erect replacement bungalow

Application Number: R/1978/0869
Decision: Permission Granted
Decision Date: 12 February 1979
Proposal: HV and MV O/H Lines

Application Number: R/2001/0699/O

Decision: Permission Granted
Decision Date: 07 January 2002
Proposal: Site for replacement dwelling.

Application Number: R/2003/0741/F
Decision: Permission Granted
Decision Date: 09 September 2003
Proposal: Extension and improvements to dwelling

Application Number: R/2004/0984/F
Decision: Permission Granted
Decision Date: 08 November 2004
Proposal: Site for replacement dwelling

Application Number: R/2005/0903/F
Decision: Permission Granted
Decision Date: 02 February 2006
Proposal: proposed change of house type for replacement dwelling as approval ref: r/2004/0984

Application Number: R/2008/0896/F
Decision: Permission Granted
Decision Date: 25 February 2009
Proposal: Proposed change of house type, for replacement dwelling (as previous approval ref: R/2005/903/F)

Application Number: LA07/2018/1491/F
Decision: Permission Refused
Decision Date: 28 January 2019
Proposal: Single storey extension to provide home office area.

Objections & Representations

In line with statutory requirements neighbours were notified on 05-03-2024 and again with amended plans on 05-12-2025. The application was advertised in the Mourne Observer on 15.11.2023.

A total of 3 objections have been received from 3 different addresses. The objection letters are detailed above, all letters have been read in full and are available to read in full on the planning portal.

The objectors include neighbours who live in close proximity to the site and those who live in the general vicinity and further away from the site (but on behalf of a local landowner close to the site). Many of the concerns raised will been addressed through

this report and many will have been addressed through the consultation process, whereby all consultees are content subject to conditions.

Consultations

DFI Roads – No objection subject to conditions

Northern Ireland Water - No objections

Environmental Health - No objections subject to a condition requiring any waste water treatment plant has consent. That there is a minimum separation distance of 15m recommended between the wastewater unit and the nearest habitable dwelling. They also make comments in terms of noise (from pods and construction) and lighting.

NIEA - **Water Management Unit-** No objections subject to conditions any relevant statutory permissions being obtained, and the applicant referring and adhering to DAERA Standing advice.

Shared Environmental Services - No objections. HRA - due to the scale, nature and location of the proposal there is no viable environmental pathway for conceivable effects on any European site.

Consideration and Assessment:

Section 45 (1) of the planning Act 2011 requires that regard must be had to the local development plan (LDP), so far as material to the application. Section 6(4) of the Act requires that where in making any determination under the Act, regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise, until such times as a Plan Strategy for the whole of the Council Area has been adopted. The LDP in this case is the Ards and Down Area plan 2015 (ADAP).

<u>The Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Ed 2</u>

The Second Edition of the Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS2) was recently published (December 2025, thereafter referred to as SPPS). Its Preamble makes it clear that it includes new policy provisions on Renewable and Low Carbon Energy and that all other policy provisions within the former SPPS are unchanged.

Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. In practice this means that development that accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate

otherwise. Any conflict between retained policy and the SPPS is to be resolved in favour of the SPPS.

Principle of Development

Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS ed 2) and Planning Policy Statement 21 – Sustainable Development in the Countryside, Policy CTY 1 states there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. All proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental considerations. It goes on to state that planning permission will be granted for tourism development in accordance with the TOU policies of the PSRNI. However, those policies have since been superseded by the provisions of Planning Policy Statement 16 – Tourism (PPS16). It follows that if the development complies with the relevant provisions of PPS16 it will comply with Policy CTY1 of PPS21. The proposal comprises Camping Pods for tourism purposes and therefore PPS 16: Tourism will be a relevant consideration.

Proposal

The application was initially submitted seeking full planning permission for 5 Nos Camping PODS, laundry room, landscaping and all associated site works. Concerns were raised with the applicant's agent regarding the proposal in terms of the overall scale and massing of the pods, the access road, layout of the pods and proximity to the roadside. The agent submitted plans to reduce the scheme down to 3Nos Camping PODS, laundry room, landscaping and all associated site works. This assessment is therefore based on this amended reduced scheme.

The pods are now all type 1 pods which measure approximately 8.2 metres (in height) by 6.7 metres (width) by 8.4 metres (length) with a ground floorspace of 56sq2 and first floor floorspace of 16sqm (total approx. 72sqm in total). The materials and finishes include – roof standing seam finish in dark grey colour. Windows and door double glazed aluminium dark grey colour and walls will have a smooth render finish. Internally the ground floor will have a kitchen (with breakfast bar), shower room, living space, two person jacuzzi, wood burning stove, with stair leading up to a mezzanine and 1 double bedroom.

The pods will have a modern design, featuring a steep high-pitched roof and high levels of glazing. The surface material identified on the site plan for the new road within the site includes a permeable stone finish, however, the finish of the car parking spaces remains

unclear. It will be served by a private wastewater treatment plant. There is an additional building described as 'existing building' and to be used as a laundry building. No finished floor levels exist on the site plan, so its unclear where this building lies is in relation to the pod development.



Proposed site layout

Tourism

PPS 16 is silent on glamping pod development, however, as pods can be of similar scale to a caravan and have limited facilities, Policy TSM 6 has been referred to in order to assess these types of proposals, however, in this instance and on the basis of the proposed floor plan of the buildings and the level of accommodation provided which is all fully self-contained, the Planning Authority consider the units to be self-catering units and will assess them as such under the relevant policy TSM 5. For completeness the proposal will also be assessed under TSM 6 and TSM 7.

PPS 16 – Tourism

Policy TSM 5 – Self-Catering Accommodation in the Countryside states that planning permission will be granted for self-catering units of tourist accommodation in any of the following circumstances (listed below). TSM 5 is clear in that it states that the overall design of the self-catering scheme, including layout, the provision of amenity open space and the size and detailed design of individual units, must deter permanent residential use.

(a) one or more new units all located within the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park;

The application site is not located within the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park. The site is located on a rural site located within the open countryside.

(b) a cluster of 3 or more new units are to be provided at or close to an existing or approved tourist amenity that is / will be a significant visitor attraction in its own right;

It does not comprise a cluster of 3 or more new units at or close to an existing or approved tourist amenity as defined by Article 2 of the Tourism NI Order 1992 (an amenity, facility or service provided primarily for tourists but does not include tourist accommodation). Case officers acknowledge that the application is located within the Mourne AONB, which although is considered a tourism asset, is however considered distinct from a tourism amenity.

(c) the restoration of an existing clachan or close, through conversion and / or replacement of existing buildings, subject to the retention of the original scale and proportions of the buildings

The proposal does not involve the restoration of an existing clachan or close.

Paragraph 7.24 of PPS 16 which states TSM 5 does support self-catering development, but it must be focused around existing nodes of tourist activity. This is in order to prevent random development throughout the countryside to ultimately safeguard the value of tourist assets such as the Mournes. The proposal would create a more sporadic form of tourist development in the countryside, against the spirit of the policy and against what is considered to be sustainable development.

Size and Permanent Residential Use

In addition to establishing the principle of development, TSM 5 requires consideration of the nature and design of self-catering accommodation. The policy seeks to ensure that the overall design of self-catering schemes, including the size and detailed design of individual units, deters permanent residential use. PPS 16 also envisages occupancy controls to ensure qualifying units remain available for tourism rather than permanent residential accommodation. The policy's introduction specifically identified retention of countryside self-catering accommodation for tourism use as an important safeguard.

The third-party representation raises concern regarding the approximately 72 m² floorspace of each proposed unit and contends that this is excessive for glamping accommodation and would facilitate permanent residential occupation. The scheme has been amended to include only type 1 pod (72m2 – Pod 2 was larger in scale at approx.

130m2 over 3 levels). Each pod 1 unit provides substantial self-contained accommodation comprising Kitchen/living and sleeping facilities with mezzanine. The provision of such facilities is not in itself unacceptable. Self-catering tourist accommodation necessarily provides a degree of domestic accommodation, and permanent occupation could additionally be prohibited through an appropriately worded planning condition.

However, an occupancy condition would not remove the separate policy requirement concerning the physical design of the development. The floorspace, internal accommodation, parking, external amenity arrangements and overall character of the units must therefore be considered cumulatively in determining whether the scheme has been designed in a manner which deters permanent residential occupation.

At approximately 72 m² per unit, the buildings are substantial for development described as glamping pods. This matter requires particular justification against TSM 5.

The Planning Authority consider that this proposal does not comply with any of the above circumstances and is therefore contrary to TSM 5

TSM 6 New and Extended Holiday Parks in the Countryside

Policy TSM 6 relates to new and extended holiday parks in the countryside and requires proposals to represent a high-quality and sustainable form of tourism development which integrates satisfactorily with the surrounding landscape.

Proposals for holiday park development must be accompanied by a layout and landscaping plan (see guidance at Appendix 4 of TSM6) and will be subject to the certain specific criteria:

(a) The site is located in an area that has the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character;
(b) Effective integration into the landscape must be secured primarily through the utilisation of existing natural or built features. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist its integration with the surrounding area;
(c) Adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development;
(d) The layout of caravan pitches / motor homes is informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping;
(e) The design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls

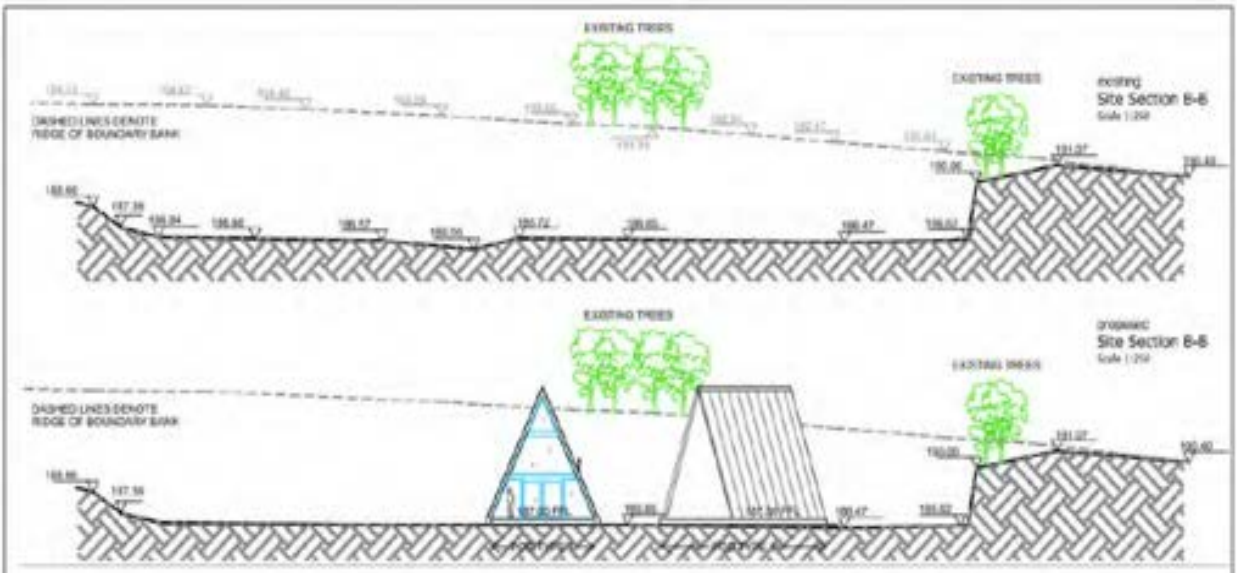
and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing;
(f) Environmental assets including features of the archaeological and built heritage, natural habitats, trees and landscape features are identified and, where appropriate, retained and integrated in a suitable manner into the overall design and layout;
(g) Mains water supply and sewerage services must be utilised where available and practicable.

TSM 6 requires the overall design concept to respect the landscape, rural character and site context, criterion (d) discusses the informal nature and criterion (e) specifically covers the design of buildings, the design of internal roads, paths, car parking areas, walls and fences. Appendix 4 also encourages informal clusters, avoidance of regimented layouts, integration of parking/hard landscaping, and appropriate boundary treatment.

The proposal comprises three substantial A-frame tourist accommodation units, each approximately 72m² in floorspace and 8.2m in height. Concerns arise regarding not only the scale and design of the individual units, but also the overall layout and associated infrastructure.

The proposed units have a height of approximately 8.2 metres. This represents a substantial vertical form for buildings described as glamping accommodation. Their height must additionally be considered in the context of the existing topography. It is acknowledged that the site (which the agent indicates was a former quarry), does have enclosed sides comprised of rock, but the height of the pods are in excess of this. The site is located approx. 2.5-3m above the existing road level, this combined with the pods height would be inappropriate at this roadside location. The buildings would occupy ground elevated above Slievenaman Road and consequently their perceived height and prominence would have public views, mainly on approach to the site when travelling southwards.

The site layout indicates retention of some trees along the frontage (the frontage had been cleared at the time of the site visit and some regrowth is now apparent given the intervening time frame). The layout does indicate new planting along the eastern roadside boundary, however this will take some time to mature. The formalised access which requires to be 4.8m for 10m will also open up the site further.



The development has a more formalised layout, with the units presented as individual plots with associated access arrangements, paths, boundary treatments and separate in-curtilage car parking. This development therefore lacks a the informal, integrated form of holiday accommodation encouraged by TSM 6.

The internal road and parking areas would further increase the developed appearance of the site. The plan again is unclear with regard to plot divisions but the layout would reinforce the separation of the individual units and reduce the sense of a cohesive, landscaped tourism development. Appendix 4 of PPS 16 specifically encourages informal groupings of accommodation, appropriate landscaping and the integration of roads, paths, parking and other hard landscaping into the rural setting.

While the proposal is compatible with the surrounding land uses and the site does offer some sense of enclosure given the existing quarry faces, on balance and having regard to the scale and design of the units together with the formalised layout, individual plots, separate parking areas, internal access arrangements and boundary treatments, the proposal is not considered to demonstrate the high-quality, landscaped design required by Policy TSM 6. The development would have a more formal and appearance and as such it is considered that the proposal would detract from landscape quality, be detrimental to the visual amenity and as a consequence harm rural character of this area.

TSM7 - Criteria for Tourism Development is also applicable to the application. The following design and general criteria must be met:

"Design Criteria

(a). a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;

(b). the site layout, building design, associated infrastructure and landscaping arrangements (including flood lighting) are of high quality in accordance with the Department's published guidance and assist the promotion of sustainability and biodiversity;

(c). appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are screened from public view;

(d). utilisation of sustainable drainage systems where feasible and practicable to ensure that surface water run-off is managed in a sustainable way;

(e). is designed to deter crime and promote personal safety;

(f). development involving public art, where it is linked to a tourism development, needs to be of high quality, to complement the design of associated buildings and to respect the surrounding site context.

In addition to the above design criteria, a proposal will also be subject to the following general criteria (g – o).

General Criteria

(g). it is compatible with surrounding land uses and neither the use or built form will detract from the landscape quality and character of the surrounding area;

(h). it does not harm the amenities of nearby residents;

(i). it does not adversely affect features of the natural or built heritage;

(j). it is capable of dealing with any emission or effluent in accordance with legislative requirements. The safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains sewerage and water supply services must be utilised where available and practicable;

(k). access arrangements must be in accordance with the Department's published guidance;

(l). access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic;

(m). the existing road network can safely handle any extra vehicular traffic the proposal will generate;

(n). access onto a protected route for a tourism development in the countryside is in accordance with the amendment to Policy AMP 3 of PPS 3, as set out in Annex 1 of PPS 21.

(o). it does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourism asset, unless a suitable alternative is provided".

It is considered regarding the proposal that there are no issues with points (a), (d) (e) and (f – n/a) (h) (j -through condition) (k) (l) (m) (n-n/a) and (o)

While the proposal is compatible with the surrounding land uses, the proposed development as described above will result in an unacceptable impact on this area due to its size, siting, and nature on this roadside open site. As such it is considered that the proposal would detract from landscape quality, be detrimental to the visual amenity and as a consequence harm rural character.

Areas of Outstanding Natural Beauty

Policy NH6 of PPS 2 Natural Heritage states that planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and

b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and

c) the proposal respects:
- local architectural styles and patterns;
- traditional boundary details, by retaining features such as hedges, walls, trees and gates; and
- local materials, design and colour.

The site lies within the Mourne AONB and the wider Mourne and Slieve Croob (25) as indicated within the Regional Landscape Character Assessment (NIRLCA). At a more local level, the site is located within the area known as LCA 84 – Mourne Foothills. The identified key characteristics include 'undulating foothills on the fringes of Slieve Croob and the Mourne Mountains', a 'strong geometric field pattern reinforced by stone walls', 'sheep grazing, stands of beech and scattered farms and cottages'. The landscape is described as being in 'particularly good condition', with much of it designated as an AONB in recognition of its 'scenic importance'. The assessment states that 'landscape sensitivity is high as the area is exposed to views from the surrounding lowlands' and that 'sensitivity increases with altitude'.

In this context regard has been given to Policy NH6 and the site's location within the AONB. As noted above while LCA 84 identifies the Mourne Foothills as a landscape of particularly good condition and scenic importance, with high landscape sensitivity due to its exposure to views from surrounding lowlands, the application site reflects some of these characteristics. The proposal will introduce built development into this sensitive landscape, with the main concern relating to the overall siting and scale of the proposal and lack of satisfactory integration and the impact that this would have on the special character of this AONB. On this basis it is considered that the totality of the development is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality. The proposal would therefore have an adverse impact upon the visual amenity and landscape character of the area and is considered contrary to Policy NH 6 of PPS 2.

TSM 8 - Safeguarding of Tourism Assets

Planning permission will not be granted for development that would in itself or in combination with existing and approved development in the locality have an adverse impact on a tourism asset (as defined in paragraph 7.39 of the J&A and in Appendix 1 Glossary of Terms) such as to significantly compromise its tourism value. This policy provides for the safeguarding of all tourism assets, including those which are subject to protection for other reasons under various legislative or policy instruments and those which are not subject to such protection.

The purpose of this policy is to safeguard tourism assets from unnecessary, inappropriate or excessive development which is a vital element in securing a viable and sustainable tourism industry. The policy is applicable to all forms of development which may impact adversely upon a tourism asset, this may include Areas of Outstanding Natural Beauty, Conservation Areas and historical and archaeological sites, however this is not an exhaustive list. Adverse impact will include visual impact, for example within an area of high landscape quality or in a Conservation Area, either of which could be important for attracting tourists.

The site is located within the Mourne AONB, which is considered a tourism asset for the purposes of Policy TSM 8 of PPS 16.

As considered under Policy NH 6, concerns arise regarding the scale, height, design and elevated siting of the proposed units and their impact upon the character of the AONB. However, Policy TSM 8 requires consideration of whether this impact would be sufficient to significantly compromise the tourism value of the wider asset.
The scale and magnitude of the development comprising the three units would have a localised adverse landscape impact, however it would not be so significant that it would

compromise the overall tourism value of the Mourne AONB in terms of its wider strategic importance.

The proposal is therefore considered acceptable under TSM 8, notwithstanding the separate concerns identified under NH 6 regarding its site-specific landscape impact.

Planning Policy Statement 3

While there had previously been a gate at the entrance of the site, there is the remains of a partial laneway access to the site, it would however require a new access onto the road constructed to DFI Roads standards. DFI Roads have raised no objections subject to conditions. The proposal is considered to be in accordance with Policy AMP2. While the parking layout which sees individual pods being served by individual car parking spaces, the proposal would still be compliant with AMP 7 in that 3 car parking spaces have been provided which would be adequate to serve the proposal (in terms of numbers).

Planning Policy Statement 2

Policy NH 1 - European and Ramsar Sites

In accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority should ensure an assessment is carried out to determine if the proposal, either alone or in combination, is likely to have a significant effect on a European site and the qualifying features, in line with the site conservation objectives.

Consultation also took place with Shared Environmental Services, having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site. Elimination Reason: Due to the scale, nature and location of the proposal there is no viable environmental pathway for conceivable effects on any European site.

Policy NH2- Species Protected by law & NH 5- Habitats, Species or Features of Natural Heritage

PPS 2 sets out the planning policies for the conservation, protection and enhancement of our natural heritage. In safeguarding Biodiversity and protected habitats, the Council recognises its role in enhancing and conserving our natural heritage and should ensure appropriate weight is attached to designated site of international, national and local importance, priority and protected species and to biodiversity and geological interests with the wider environment.

In assessment of the above, NIEA's Biodiversity checklist was used as a guide to identify any potential adverse impacts on designated sites. The biodiversity was completed by the agent. It is considered that the development would not trigger any of the scenarios listed in the checklist. In consideration of protected and priority species, no issues were identified that would reasonably require additional survey information. It is considered therefore that the proposal comply with policies NH 1-5 of PPS 2.

Planning and Flood Risk

Third-party objections raise concerns regarding surface water drainage, foul sewage disposal and the potential for the development to increase flooding on lower-lying land along Slievenaman Road.

The concerns have been considered against PPS 15 – Planning and Flood Risk and the NI Flood Maps. The application site is not identified as being at significant flood risk and there is no identified requirement for a Flood Risk Assessment or consultation with DfI Rivers.

The application proposes surface water disposal by soakaway and foul sewage disposal by a treatment plant. While objectors have referred to existing localised flooding, no evidence has been provided to demonstrate that the proposed development would cause or worsen flooding on neighbouring land.

Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal subject to conditions, any relevant statutory permissions being obtained, and the applicant referring and adhering to DAERA Standing advice.

The concerns raised by third parties have therefore been considered; however, there is insufficient evidence to substantiate a refusal on flooding or drainage grounds. The proposal is considered to comply with the relevant requirements of Policies FLD 1–5 of PPS 15.



NI Flood map

PPS 21 - Policy CTY 13 - Integration and Design of Buildings in the Countryside

CTY 13 Integration and Design of Buildings in the Countryside

Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape. It is not acceptable where:

- It is a prominent feature in the landscape
- The site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure
- It relies primarily on new landscaping for integration
- Ancillary works do not integrate with their surroundings
- The design of the building is inappropriate for the site and its locality
- It fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.

As mentioned above, the form of the development is inappropriate for the site and its locality and would therefore not be integrated on the site. Thus the proposal is contrary to CTY 13.

PPS 21 - Policy CTY 14 – Rural Character

Policy CTY 14 of PPS 21 'Rural Character' states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. It sets out five circumstances where a new building would be unacceptable. The proposal has already been deemed to be unacceptable being prominent in the landscape due to this elevation above the roadside which would be detrimental to the rural character of the area. The proposal therefore offends Policy CTY14.

PPs 21 - CTY 16 Development relying on non mains sewerage

Planning permission will only be granted for development relying on non mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem. P1 form states that surface water will be disposed of using soakaways to adjacent land and foul sewage using a treatment plant (septic tank has also been ticked) Although the site plan shows the location of the sewerage treatment plant and polishing filter. The granting of planning approval does not dispense with the necessity of obtaining other consents from other statutory bodies. On this basis a condition could be placed on the decision notice to ensure that a consent to discharge is obtained by the relevant authorities.

Residential Amenity

Third-party objections raise concerns regarding overlooking, loss of privacy, noise, disturbance and lighting, particularly in relation to No. 6 Slievenaman Road opposite the site. The proposed units are located on elevated ground and are approximately 8.2m in height. However, having regard to the separation from neighbouring properties, the limited number of units proposed and existing/proposed boundary screening, it is not considered that the development would result in an unacceptable impact through overlooking or loss of privacy.

While some additional noise and activity would arise from the tourist use, the proposal comprises only three units and is not considered likely to result in unacceptable noise or disturbance. Any external lighting could be appropriately controlled by condition. Environmental Health have been consulted and are the experts on these matters have no objections and relevant conditions could be added to any decision notice. It is therefore considered that the proposal would not result in an unacceptable adverse impact on the residential amenity of neighbouring properties and is acceptable in this regard.

Other Matters

The agent has provided the Planning Authority with examples of other pod developments previously approved by the Council and these are noted, however, each planning application must be assessed on its own merits, having regard to the site-specific circumstances and relevant planning policy considerations.

Conclusion

Taking into account the content and requirements of the relevant policies and consultee responses, it is acknowledged that while sustainable tourism development can contribute positively to the countryside it must be appropriate to its setting. In this case it is concluded that it has not been demonstrated that the proposed development will not result in an unacceptable impact on the character of this area due to its layout, size & scale, location, extent and nature. The proposal is contrary to the policies listed and it is recommended that the application be refused.

Recommendation:

Refusal

Refusal Reason:

1. The proposed development, by virtue of its height, scale, form and layout, would have unacceptably harmful effect on the character and appearance of the local area, which is a designated AONB. As such, it conflicts with the SPPS and policies TSM5, TSM 6, TSM7 and of PPS16, Policy NH 6 of PPS 2 and policies CTY13 and CTY14 of PPS21.

Informative

The plans to which this refusal relate include:

Site Location Plan – 25412NW

site plan showing access and visibility splays – SR-200-06 REV C

POD 1 -Proposed elevations and floor plans – SR-200-01

Section A-A - SR-200-04 REV A

Section B-B - SR-200-05 REV A

Neighbour Notification Checked	Yes
Summary of Recommendation - Refusal	
Case Officer Signature: C Moane	**Date:** 2nd October 2026
Appointed Officer Signature: B.Ferguson	**Date: 02/10/2026**

Ref – LA07/2023/3295/F - Proposed 3 Nos Camping PODS - Former Quarry, approx. 40m North of No. 11 Slievenaman Road, Newcastle

The application site is a **former quarry** that operated until 1953 and has laid dormant. The proposal seeks it's the **redevelopment of an established economic development use in the countryside to positive ruse for tourism in accordance with the Councils Tourism Strategy Plan 2024-2029,** by seeking sustainable 3no. self-catering accommodation units nestling within the former quarry void providing natural enclosure and shelter.

Policy TSM5 – Self-Catering Accommodation in the Countryside

Policy TSM 5 is **positively framed** and states that planning approval **will be granted** for self-catering units of tourist accommodation in **any** of three circumstances.

It is a disjunctive test, and the applicant seeks a cluster of 3 or more new units are to be provided at **or** close to an existing **or** approved tourist amenity that is / will be a significant visitor attraction in its own right.

A tourist amenity is defined within Appendix 1 of PPS 16 as an amenity, facility or service provided primarily for tourists.

In the absence of any further elaboration or amplification in Policy TSM5 **the dictionary definition of close to is "not far from something in distance or time".**

- **The Rock Caravan & Camping – approx. 150m**
- **Trassey Track & The Ulster Way approx. 600m;**
- **Meelmore Lodge Amenity Site – Visit Mourne Gullion approx. 1km**
- **Slievenaman Goat Trail & Petting Farm – approx.1.4km**
- **Moneyscalp forest – approx. 1.5km**
- **Tollymore Forest Park – approx. 2km**

The proposal complies with Policy TSM5, and it is noted that the Council has permitted this type of development on a locational basis. The Slievenaman Road is a **clear tourist node** and reuse of a quarry will not result in sporadic tourist development as alluded.

As demonstrated on **the cross-sections the units are read against the quarry walls, which assist with integration and enclosure**. The policy test does not require invisibility, and that is the existing landscape context. **It is not a greenfield in open countryside.**

Numerous examples have been provided of what NMDDC have deemed to be acceptable, some in the immediate locality with a more generous policy application.

Unfortunately, hiding behind each site on its own merits doesn't sit with the requirement to take decision consistently, nor the **Supreme Court decision in *Tesco Stores Ltd v Dundee City Council [2012] UKSC 13***, where Lord Reed stated that;

"planning authorities do not live in the world of Humpty Dumpty: they cannot make the development plan mean whatever they would like it to mean".

Local councils do not have the power to decide what their policies mean; they must interpret policy statements objectively according to the language used and in their proper context. It is in this respect where there is a clear and apparent inconsistency, which hasn't been reconciled, for example **LA07/2019/0344/F - Tollymore Luxury Log Cabins.**

There is no evidence of **permanent residential accommodation**, that is a **generalised fear.** Notwithstanding it is an accepted and well-practiced planning principle that **if a condition can make unacceptable development acceptable, then permission should be granted.**

It is accepted there is no policy guidance in respect of the design and layout

Policy TSM6 & TSM 7 – New Holiday Parks & General Design Guidance

There is a considerable degree of overlap between the policies, and the concerns relate to the design and layout of the scheme, which has been amended and to which further amendments are being made, to engage with the concerns in this respect.

These concerns are subjective and not insurmountable with amendments to the design, which the applicant is now prepared to undertake.

Consultations

There are **no objections from any of the statutory consultees** to the proposal on road safety impacts, environmental impact, drainage flooding, built heritage or residential amenity grounds.

There has been **no evidence presented to the contrary of these expert opinions**, which remain material considerations.

Areas of Outstanding Natural Beauty (AONB) – Policy NH6 of PPS2

Whilst the site is in the Mournes AONB, which was designated in 1986 by the Department of Environment (DoE). It extends over a considerable area of 570sqkms (57,000 hectares) in the southeast of Northern Ireland. **It is the physical and natural landscape that is the most dominant feature of the Mournes AONB.**

The report refers to the development (0.33hectare or 0.000579% of the AONB) **not being sympathetic to the special character of the AONB**.

However, it does not identify how the proposal offends the features, especially when considering the sites former use a quarry.

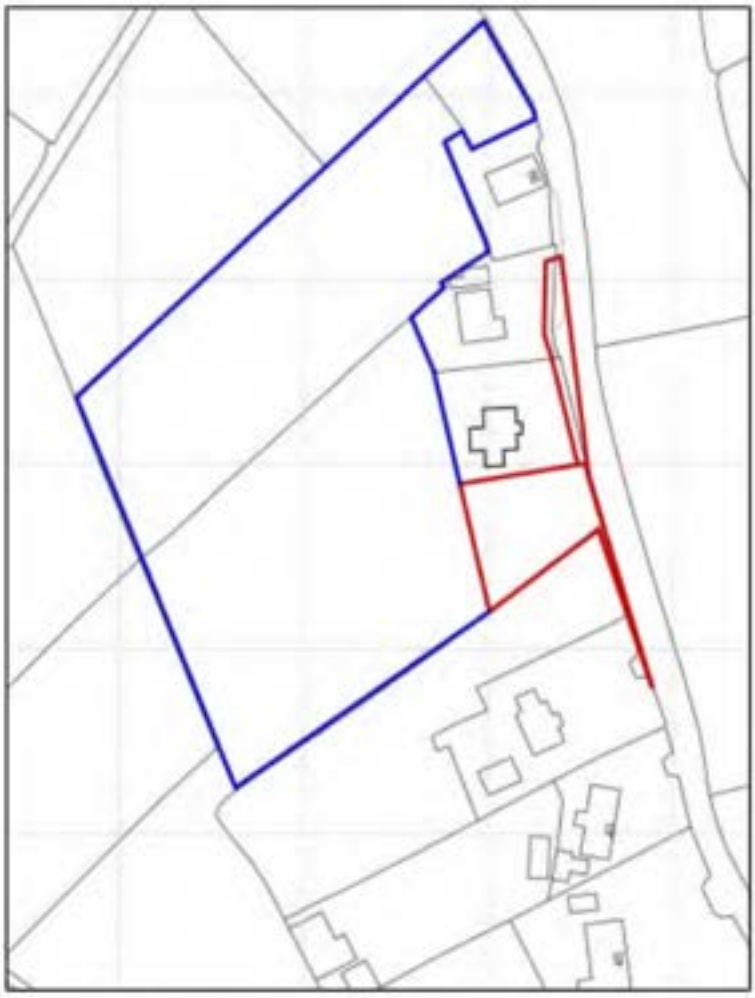
The proposal does not introduce anything that would significantly or unacceptable detract from the overall character and appearance of the AONB, or LCA 84 – Mourne Foothills, as it is **contained in a former quarry, so to suggest bringing it into positive tourism use would harm the AONB, cannot be sustained.**

Delegated Application

Development Management Officer Report	
Case Officer: Richard McMichael	
Application ID: LA07/2025/1488/O	**Target Date:**
Proposal: Proposed infill dwelling	**Location:** Between No.39B and No.41 Mayo Road Mayobridge BT34 2HA
Applicant Name and Address: Donna Magee 30 Mayo Road Mayobridge BT34 2HA	**Agent Name and Address:** John Cole 12A Duke Street Warrenpoint
Date of last Neighbour Notification:	28 March 2026
Date of Press Advertisement:	10 December 2025
EIA Determination:	
Consultations: NI Water (25/03/26): Approve, subject to standard conditions DfI Roads (25/03/26): Approve, subject to condition	
Representations: No representations received	
Letters of Support	0
Letters of Objection	0
Petitions	0
Signatures	0
Number of Petitions of Objection and signatures	0

Site Visit Report

Site Location Plan:



Date of Site Visit: April 2026

Characteristics of the Site and Area

The site is located outside of any settlement development limits, as defined by the Banbridge/Newry and Mourne Area Plan 2015. The proposed site is located between number 39B and 41 Mayo Road Mayobridge and is bordered to the north and south by a number of different house types, including detached bungalows to storey and a half dwellings.

There is an existing agricultural access serving the field to the south. The boundary hedgerow between the site and this field is not aligned perpendicular to the road, creating two irregularly shaped plots. As a result, the application site broadens towards the rear, while the adjoining field narrows in the same direction.

Description of Proposal

Proposed infill dwelling

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

Application Number: P/2002/1659/O
Decision: Permission Granted
Decision Date: 07 October 2003
Proposal: Site for dwelling

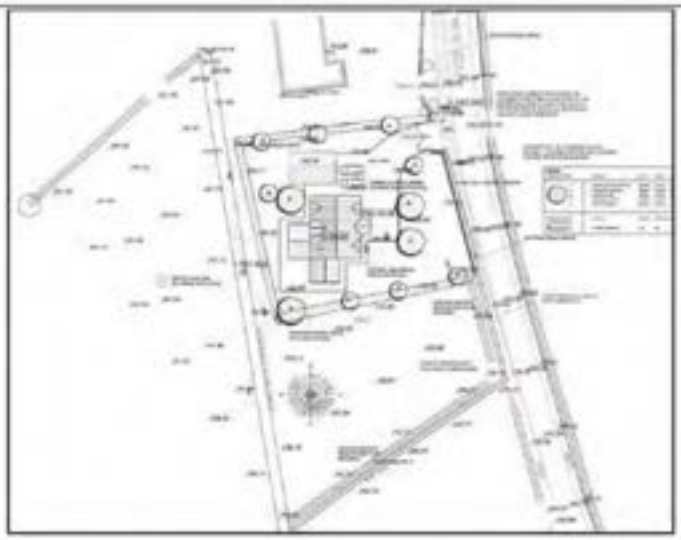
Application Number: P/2005/0446/F
Decision: Permission Granted
Decision Date: 24 November 2005
Proposal: Erection of dwelling & garage

Application Number: LA07/2016/0938/O
Decision: Permission Granted
Decision Date: 26 August 2016
Proposal: Proposed infill dwelling



Application Number: LA07/2019/0571/RM
Decision: Permission Granted
Decision Date: 04 September 2019
Proposal: Proposed dwelling and garage with associated site works with previous outline permission (LA07/2016/0938/O) (Amended description)





SUPPORTING DOCUMENTS

- *Design & Access Statement*, Cole Partnership (November 2025)
- *Ecological Statement,* Rymont Ecology, (September 2026)

PLANNING POLICIES & MATERIAL CONSIDERATIONS

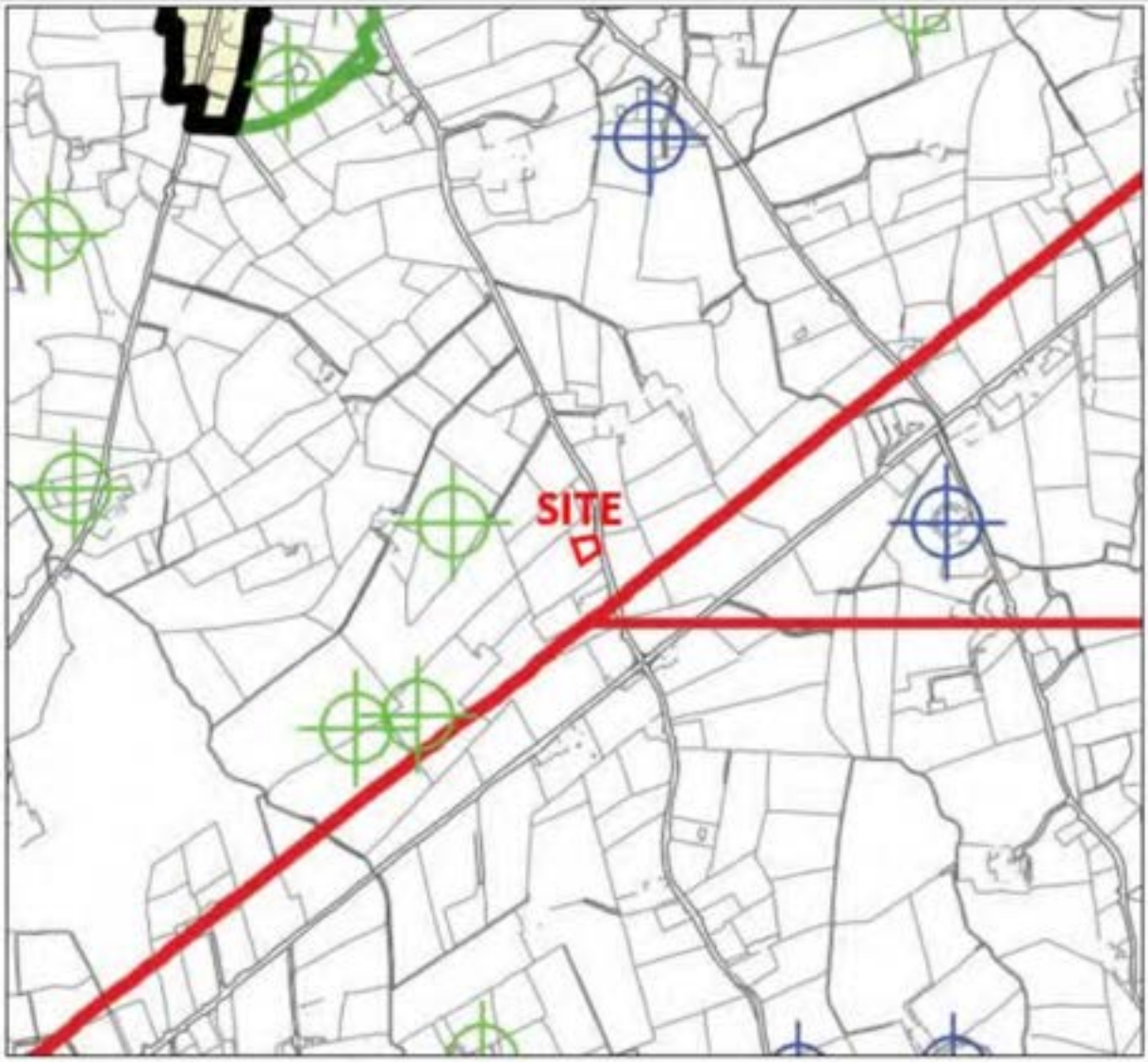
This application will be assessed against the following planning policies:

- Regional Development Strategy 2035
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge, Newry and Mourne Area Plan 2015
- PPS2 Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 6: Planning, Archaeology and the Built Heritage
- PPS 21: Sustainable Development in the Countryside
- DCAN 15: Vehicular Access Standards
- Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside

CONSIDERATION AND ASSESSMENT

Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is the Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The site is located outside of any development limits and outside the boundary of the AONB. There are no specific policies in the Plan relating to the proposed use therefore this application will be assessed against regional planning policy.



The Strategic Planning Policy Statement for Northern Ireland (SPPS)

As there is no significant change to the policy requirements for the residential development following publication of the SPPS, the retained planning policy is PPS 21: Sustainable Development in the Countryside. This policy will be given substantial weight in determining the proposal in accordance with paragraph 1.12 of the SPPS.

On 11th December 2025 the Department for Infrastructure published the SPPS Edition 2 which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged.

PPS 21 – Sustainable Development in the Countryside

As stated, the site is located within the countryside whereby policy CTY1 outlines the scenarios whereby planning permission may be granted.

Policy CTY 8 – Ribbon Development

Policy CTY 8 states that planning permission will be refused for development that creates or contributes to ribbon development. An exception is made for a small gap site within an otherwise substantial and continuously built-up frontage, where the gap is only sufficient to accommodate up to a maximum of two dwellings.

The existence of such a substantial and continuously built up frontage has previously been established under planning application LA07/2016/0938/O, which related to a single infill dwelling located immediately to the north of the current site. As such, the dwelling now proposed would represent the second of the two dwellings permitted within the identified gap.

However, the combined sites of the two dwellings would not fully occupy the extent of the original gap, leaving a remaining frontage of approximately 22 metres. Policy CTY8 allows for the development of a small gap site, with the policy clearly stating that the gap is for a maximum of two houses.

One infill house has already been approved and since fully constructed. The current application is for the second, however a gap remains. This is entirely at odds with and contrary to the policy. To reiterate, the policy is for the development of a gap site, whereby a proposal is effectively developing the gap site, not leaving a gap for a further third plot.

In this case, although the gap was previously considered capable of accommodating two dwellings, based on typical plot widths and the overall frontage, the applicant has chosen to propose a site layout that does not fully utilise the remaining gap. A similar approach was taken under the earlier application. At that time, the Case Officer acknowledged that the proposed plot was slightly below the average size and would leave a residual frontage of approximately 40 metres. Nevertheless, it was concluded that, within the context of the surrounding area, the remaining plot width was acceptable and consistent with the established pattern of development.

However, in the current proposal, that flexibility has not been utilised, resulting in a situation where the gap has effectively exhausted its potential under the policy while still leaving a sizeable undeveloped gap site. Therefore, the proposal is considered contrary to Policy CTY 8, as it does not develop this remaining gap site.

Policy CTY 13 – Integration and Design of Buildings in the Countryside

Policy CTY 13 allows for a dwelling in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. At outline stage, the emphasis is on whether there are any fundamental constraints that would prevent integration at a later stage.

In relation to prominence, this can only be partly assessed at outline stage. The application site is relatively flat. As such, it is unlikely that an appropriately sized dwelling on the site would appear as a prominent feature in the wider landscape and it is therefore unlikely to fall foul of this element of the policy.

The presence of long-established natural boundaries is a key consideration at outline stage. In this case, two of the four site boundaries would require new boundary treatments. However, this is often considered acceptable in the context of infill dwellings, particularly where rear boundaries rear, as well as side boundaries where agricultural accesses are to be retained. On this basis, the proposal would not necessarily conflict with the policy in this regard.

In terms of reliance on new landscaping, the provision of an infill dwelling is often considered acceptable in terms of integration, given the substantial and continuously built-up frontage, whereby the development of the gap site will read together and often be bounded and enclosed by existing development to either side. As such, even where some new planting may be required, this would not necessarily give rise to a policy conflict in this instance.

Ancillary works cannot realistically be assessed at outline stage and would instead be considered at reserved matters stage when more detailed proposals are available.

The appropriateness of the design cannot be assessed in detail at outline stage. However, there should be no obvious constraints, such as an overly exposed or awkward site, that would prevent an appropriate design solution being achieved. A suitable sized, well proportioned and balanced dwelling could be accommodated on the site, in keeping with the character of the area.

The relationship to landform and natural features can be considered in a general way at this stage. However, the infill nature of the site inherently provides a degree of integration with the surrounding landform, existing vegetation, buildings and other natural features. Given the characteristics of the site and its context, it is considered that only a development of an inappropriate scale or design would be likely to conflict with this element of the policy.

Overall, at outline stage, elements of the policy cannot be fully assessed as detailed matters such as design, scale, materials, and landscaping will be considered at Reserved Matters stage. However, based on the site characteristics and surrounding context, there is nothing in the current proposal that would prevent it from meeting the policy requirements at Reserved Matters. The site demonstrates sufficient potential for integration into the landscape, and any future design could reasonably be expected to comply with the policy.

Policy CTY 14 – Rural Character

Policy CTY 14 seeks to ensure that new buildings in the countryside do not cause a detrimental change to, or further erosion of, the rural character of an area.

In relation to prominence, the site is relatively flat. This suggests that a dwelling on the site would not be unduly prominent in the landscape, and therefore would not conflict with criterion (a).

With regard to suburbanisation, the proposal partly represents an infill dwelling. As such, it does not result in a suburban-style build-up of development and would comply with criterion (b).

For the reasons set out in the assessment of Policy CTY 8, the proposal is considered to fail to meet criterion (c), as it does not fully respect the traditional pattern of settlement in the area.

The proposal extends the linear form of development along the road frontage and due to the extent of the site boundary and relationship with existing development results in ribbon development, contrary to criterion (d).

At this outline stage, the impact of ancillary works cannot be fully assessed. However, there is no reason to expect that necessary access, visibility splays, or other ancillary works would materially harm the rural character of the area, meaning criterion (e) is likely to be met.

Overall, while most elements of the policy cannot be fully determined until Reserved Matters, the proposal does not meet criterion (d) and therefore fails to satisfy the full requirements of Policy CTY 14.

Policy CTY 16 – Development Relying on Non-Mains Sewerage

Policy CTY 16 states that planning permission will only be granted for development relying on non-mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem. The information submitted indicates the dwelling will be served by a package treatment plant.

It is standard practice to secure this information via a pre-commencement condition that seeks confirmation that a consent to discharge has been granted under the terms of the Water (NI) Order 1999 for the method of sewage disposal. Therefore, subject to obtaining consent, the proposal is considered to adhere to the requirements of the policy.

PPS 3 – Access, Movement and Parking

The proposal has been assessed against Policy AMP 2 (Access to Public Roads). Consultation with DfI Roads has been undertaken, and no objection has been raised. The proposed development involves access to a public road, and DfI Roads have confirmed that the arrangement would not prejudice road safety or significantly disrupt the flow of traffic. The access arrangements are therefore deemed acceptable and compliant with the requirements of Policy AMP 2.

In terms of Policy AMP 7 (Car Parking and Servicing Arrangements), while the final site layout design is not confirmed at this stage, the site is large enough to accommodate the necessary level of parking provision. This ensures that the development can provide appropriate servicing arrangements without compromising traffic flow or road safety.

PPS 2 – Natural Heritage

Given the extent of hedgerow removal associated with the proposed vehicular access and visibility splay, the proposal required the submission of a Biodiversity Checklist and associated Ecological Statement to assess any potential impacts on natural heritage interests. This was duly submitted (Rymont Ecology, September 2026) and formed the following conclusions:

- The site is not located within, or immediately adjacent to, any nationally or internationally designated nature conservation site (the nearest ASSI and SAC lie several kilometres away, within the wider Mourne Mountains). No Local Nature Reserve or Site of Local Nature Conservation Importance was identified within 250m of the site. The vegetation loss proposed comprises a short (approximately 7-8m) section of species-poor, fern-covered roadside verge/bank required to form the vehicular access and visibility splay; no woodland, wetland or other NI Priority Habitat is affected.
- No significant impacts on priority habitats or designated sites are anticipated, subject to the use of best environmental practice during construction, including appropriate storage of fuels/oils and use of silt fencing where required to protect nearby watercourses.
- In terms of protected species, no trees or structures with bat roosting potential are present or proposed for removal, and the fern bank itself offers no roosting potential, so no further bat survey is required. While there is some potential for common nesting bird species (e.g. wren, dunnock) within the boundary vegetation, this can be mitigated by timing clearance works outside the bird nesting season (1st March to 31st August inclusive) or, where this is not practicable, by undertaking a pre-works nesting check.
- No evidence of badgers or otters, and no areas of standing water or suitable habitat for smooth newts, were identified within or adjacent to the site. Impacts on these species are therefore considered negligible.

Overall, with standard mitigation measures in place, the development is not expected to result in significant ecological effects.

While no significant ecological impacts are anticipated, the Ecological Statement recommends the imposition of standard planning conditions and precautionary mitigation measures, including compensatory native hedgerow/shrub planting (e.g. hawthorn, blackthorn, hazel and holly, in line with NIEA Native Species Planting Guidance) to offset the loss of the removed verge/hedgerow vegetation and enhance boundary vegetation for foraging bats, nesting birds and invertebrates.

Overall, the proposal is considered to comply with Policy NH 5, as no significant harm to natural heritage interests will arise as a result of the works. Taking into account the modest scale of the development and the findings of the Ecological Statement, no unacceptable impacts on habitats or species are anticipated. Subject to standard mitigation measures, including timing of vegetation clearance outside the bird nesting

season and compensatory native planting, the proposal is compliant with Policies NH 2 and NH 5 of PPS 2 and is acceptable in natural heritage terms.

PPS 6 – Planning, Archaeology and the Built Heritage
While the site is in close proximity to DOW 047:092, the Historic Environment Division were not consulted because planning application LA07/2016/0938/O, which lies marginally closer to the souterrain, was assessed and deemed to have no detrimental impact on the heritage asset. This is likely due to the absence of any visible remains, as all above-ground features have been removed. In line with Policy BH 2 (The Protection of Archaeological Remains of Local Importance and their Settings), development proposals affecting archaeological sites of local importance will only be permitted where the importance of the proposed development or other material considerations outweigh the value of the remains, which in this case, given the lack of surviving features, was not considered to be compromised. Having account, the proximity to the archaeological records and existing intervening built form, it is considered that the proposals do not offend the requirements of PPS6 and nothing further is required.

Residential Amenity
While the precise scale, design, and layout details are required to fully assess the proposal's impact on residential amenity, it is considered that a well-positioned and sized and designed dwelling on this site would not cause any unacceptable overlooking, overshadowing, or a sense of dominance, primarily due to the distances to neighbouring properties.

Neighbour Notification Checked Yes

Summary of Recommendation
Refusal

Refusal reasons:

1. The proposed development is contrary to Policy CTY1 & CTY 8 and criterion (c) of Policy CTY 14 of Planning Policy Statement 21 in that it does not comprise the development of a gap site sufficient only to accommodate a maximum of 2 houses.

Case Officer Signature: R. McMichael

Date: 25 September 2026

Appointed Officer Signature: M Keane

Date: 01-10-26

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

Cole Partnership
Architecture and Project Management
12A Duke Street Warrenpoint
Co.Down BT34 3JY

Proposed infill dwelling Mayo Road Mayobridge. Ref LA07/2025/1488/O

This is an outline planning application for an infill dwelling between No.39 and 41 Mayo Road Mayobridge.

The criteria for an infill dwelling as per CTY8 of PPS 21 is that the proposed site must be a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up road frontage. The proposed site or sites must respect the existing pattern of development along the frontage in terms of scale, siting and plot size. The definition of a substantial and built-up frontage includes a line of 3 of more buildings along a road frontage without accompanying development to the rear.

The planning department are of the opinion that the proposed site does not meet the criteria for an infill for one reason:

- The site does not comprise the development of a gap site sufficient only to accommodate a maximum of 2 houses.

The proposed site is positioned between 39 and 41 Mayo Road Mayobridge. This section of the Mayo Road consists of 6 dwellings with road frontage. The six dwellings are of various size and style, ranging from bungalows to storey and a half dwellings. A number of these dwellings also have agricultural buildings to the rear. The proposed site is a small gap site positioned in centre of this group of dwellings and farm buildings. Development at this site would not extend development further into the countryside.

The Case Officer's report acknowledges that a suitably designed dwelling could satisfy all the requirements of Policy CTY 13 and the majority of Policy CTY 14, with the exception of criterion (d), which forms the part of the refusal. No objections were received from an of the statutory consultees.

The case officer has identified in the report that there has been a previous planning application at this section of the Mayo Road, LA07/2016/0938/O, which was granted on an infill basis. This site has now been developed.

In application LA07/2016/0938/O the applicant submitted an application showing the redline boundary of the proposed site (now constructed) and the blue line of the ownership which included the proposed site in question with this application. The case officers report from 2016, clearly notes that the gap would only be capable of two dwellings, it states 'therefore the gap is sufficient to accommodate two dwellings'

The Planning Department had already assessed the identified gap and concluded that it had the capacity to accommodate two dwellings. The first dwelling has been approved and constructed. The current application seeks to complete the development opportunity previously identified by the Planning Department. The current proposal represents the logical rounding off of development within a gap that was previously assessed as capable of accommodating only two dwellings.

The case officer's report for the current application states that the proposal does not utilise the full extent of the remaining gap. However, the lands considered in the 2016 application included land within the current application site, which the Case Officer assessed in 2016 as being acceptable for the development of two dwellings. It is therefore relevant that the principle of developing this land has previously been considered acceptable.

No where in CTY8 of PPS 21 does it state that an infill must fill the full gap site. Paragraph 5.34 of PPS21 notes that 'Many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help maintain rural character.' This would imply that the policy does not envisage every section of the road frontage to be occupied by development.

The proposed dwelling does not need to physically occupy the entirety of the gap between the existing dwellings in order to satisfy Policy CTY 8. The relevant consideration is whether the site represents a small gap within an otherwise substantial and continuously built-up frontage and whether the proposed dwelling respects the established development pattern.

The areas of land retained between the proposed and existing dwellings do not undermine the infill nature of the proposal. Rather, these areas provide appropriate separation between the buildings and retain the spacious character associated with the existing rural frontage. There is no requirement under CTY 8 for a dwelling to occupy every part of the physical gap between existing buildings.

The proposal is situated within an established group of six dwellings forming a substantial and continuously built-up road frontage.

The site is centrally positioned within this group and would not result in the outward expansion of development into the surrounding countryside.

The proposal is not sited at either end of the row of dwellings along the continuously built-up road frontage, and will not expand development into the counrtyside

The Case Officer has acknowledged that a suitably designed dwelling could integrate successfully into the landscape, and no statutory consultees have objected to the proposal.

Most significantly, the Planning Department's own assessment in 2016 established that the identified gap was capable of accommodating only two dwellings.

One of those dwellings has since been constructed, and the current application seeks to complete that previously identified development opportunity.

We believe the proposal respects the existing development pattern, maintains appropriate separation between buildings and would not cause demonstrable harm to the character or appearance of the surrounding countryside

We feel that the information presented shows that the proposal meets the criteria for an infill dwelling.

Aidan. J. Cole M.C.I.A.T A. C. Cole A.C.I.A.T John. A. Cole M.C.I.A.T
Cole Partnership Architecture and Project Management
Tel: 02841753679 Email: info@colepartnership.co.uk

Report to:	Planning Committee
Date of Meeting:	Wednesday 4th November 2026
Subject:	Mixed Tenure Information Seminar
Reporting Officer and Job Title:	Jonathan McGilly, Assistant Director - Regeneration
Contact Officer and Job Title:	Margaret Rodgers, Business Support Manager

Purpose of Report:

For Decision

1.0	**Purpose and Background**
1.1	Department for Communities (DfI) are hosting an event, the fourth in the series of seminars, on Thursday 10th December 2026, at Mossley Mill, Newtownabbey. In response to an increased focus on mixed tenure development and the emergence of new affordable housing requirements in new Local Development Plans, the Department has delivered three information seminars for Local Council Development Plan and Development Management teams, Housing Associations and developers. These events have provided a forum to discuss the challenges in delivering mixed tenure schemes and to share information on affordable housing policy and delivery. Feedback from the seminars highlighted an opportunity to deliver a similar seminar for local Government Councillors to help build awareness and understanding of how affordable housing need is identified, what the available products are, and the process of delivering mixed tenure developments. The seminar will cover a range of topics, including a presentation from the Northern Ireland Housing Executive on its role, alongside updates on the Department's affordable housing policy developments and products. Presentations will also include Affordable Rent and Co-Ownership, as well as a case study/presentation from the Northern Ireland Federation of Housing Associations. The event will conclude with a panel Q&A session, providing attendees with an opportunity to discuss the issues raised and share their views.
2.0	**Key Issues**
2.1	Where: Mossley Mill, Newtownabbey When: Thursday 10th December 2026 Time: 10:00 – 13:00 Registration from 09:30, concluding at 13:00, followed by lunch.
3.0	**Recommendations**
3.1	The committee agree Elected member attendance. Interested parties are to register their interest to attend the event by emailing Democratic Services by Wednesday 11th November 2026.
4.0	**Resource Implications**
4.1	n/a

5.0	**Due Regard to equality of opportunity and regard to good relations**
5.1	General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes « It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations »
5.2	Does the proposal relate to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision « No » If yes, please select one of the following: « Choose an item. »
5.3	Proposal initiating consultation The consultation seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves Please select the consultation period: « Choose an item. » Rationale:
6.0	**Due regard to Rural Needs**
6.1	Does the proposal relate to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service. « No – The policy / strategy / plan / public service is not influenced by rural needs »
7.0	**Appendices**
7.1	DfC Invite
8.0	**Background Documents**
8.1	None

Department for
Communities
www.communities-ni.gov.uk

You are invited to attend a Mixed Tenure Information Seminar, organised by the Department for Communities, on Thursday 10th December 2026, at Mossley Mill, Newtownabbey.

This information event will be the fourth in a series of seminars hosted by the Department.

In response to an increased focus on mixed tenure development and the emergence of new affordable housing requirements in new Local Development Plans, the Department has delivered three information seminars for Local Council Development Plan and Development Management teams, Housing Associations and developers. These events have provided a forum to discuss the challenges in delivering mixed tenure schemes and to share information on affordable housing policy and delivery.

Feedback from the seminars highlighted an opportunity to deliver a similar seminar for local Government Councillors to help build awareness and understanding of how affordable housing need is identified, what the available products are, and the process of delivering mixed tenure developments.

A detailed agenda will be circulated in due course however, the seminar will cover a range of topics, including a presentation from the Northern Ireland Housing Executive on its role, alongside updates on the Department's affordable housing policy developments and products. Presentations will also include Affordable Rent and Co-Ownership, as well as a case study/presentation from the Northern Ireland Federation of Housing Associations.

The event will conclude with a panel Q&A session, providing attendees with an opportunity to discuss the issues raised and share their views.

It is intended that the event will commence at 10.00am, with registration available from 9.30am. The seminar will conclude at 1.00pm, followed by lunch.

We look forward to welcoming you to the event.

Housing Division

Department for Communities

Report to:	Planning Committee
Date of Meeting:	4 November 2026
Subject:	Proposed Material Alterations to the Variation No.4 of the Louth County Development Plan 2021-2027 (as varied)
Reporting Officer and Job Title:	Jonathan McGilly (Assistant Director: Regeneration)
Contact Officer and Job Title:	Lois Jackson (Development Plan Manager and Planning Enforcement)

Purpose of Report:

For Noting

1.0	**Purpose and Background**
1.1	The purpose of this report is to provide Members with an update in relation to Proposed Material Alterations to the Variation No.4 of the Louth County Development Plan 2021-2027 (as varied). **Proposed Material Alterations to Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied)** **Purpose** Following public consultation on Variation No. 4, Louth County Council received 162 submissions and has proposed 21 Material Alterations for further public consultation. The alterations principally relate to long-term growth planning, residential zoning amendments, infrastructure delivery, flood risk management, and enhanced master-planning requirements. **Alteration 1** **Core Strategy Update** Updates the Core Strategy housing and population figures (Table 2.15) to reflect the revised residential zoning proposals arising from the material alterations. **Alteration 2** **North Drogheda Long-Term Strategic Opportunity Area** Introduces extensive new text identifying lands north of the PANCR in Drogheda as a long-term growth area, including potential for a transport hub, park-and-ride, employment lands, community facilities, sports infrastructure and future residential development, subject to further studies and masterplanning. **Alteration 3** **Clarification on Future Rezoning** Clarifies that the Drogheda Long-Term Strategic Opportunity Area is not currently zoned for development and that any future rezoning will require a future Plan or Variation process.

Alteration 4

New Policy on Long-Term Strategic Opportunity Areas
Introduces a policy supporting a plan-led, sequential approach to the future development of strategic growth lands in Drogheda and Dundalk.

Alteration 5

Strategic Opportunity Area Study Requirements
Requires environmental, infrastructure, transport, heritage, climate and ecological assessments before any future development proposals are considered and requires comprehensive masterplans for future development.

Alteration 6

Protection Against Premature Development
Introduces a policy to prevent piecemeal or ad hoc development that could compromise the coordinated future development of the identified strategic lands.

Alteration 7

Developer-Led Wastewater Infrastructure Policy
Allows consideration of developer-led wastewater infrastructure solutions in exceptional circumstances to support housing delivery, subject to compliance with planning, environmental and operational standards.

Alteration 8

Future Climate Flood Risk Areas Policy
Introduces a new section addressing lands identified as vulnerable to flooding under future climate change scenarios, with development controls for affected sites in Drogheda and Ardee.

Alteration 9

Ardee Future Flood Risk Controls
Adds a specific flood-risk requirement for lands north of Irish Street and east of the N2 in Ardee, limiting development in areas identified as vulnerable under future climate scenarios.

Alteration 10

Dundalk South of Ardee Road Masterplan Amendments
Strengthens masterplan requirements including transport assessments, phased development, a 7ha linear park, school site provision, recreational facilities, community uses, railway protection measures, famine graveyard protection and surface water management.

Alteration 11

Rockfield Masterplan, Ardee
Updates the masterplan requirements for lands west of Rockfield by requiring active open space, playing pitches and associated community facilities to be delivered alongside housing.

Alteration 12

Drogheda Old Slane Road Spot Objective
Introduces a new spot objective requiring nature-based Sustainable Urban Drainage Systems (SuDS) for residential development lands south of the Old Slane Road.

Alteration 13

Ardee HSE Lands Spot Objective
Amends the housing objective for HSE lands on Kells Road to require a mix of tenure and housing types to support a balanced community.

Alteration 14

Flood Risk Spot Objective for Ardee Lands
Introduces a spot objective applying future climate flood-risk controls to lands north of Irish Street and east of the N2.

Alteration 15

Louth Village Heritage Protection Measures
Requires consultation with heritage authorities and archaeological assessment for lands north of St. Mochta's National School to protect the nearby historic Motte.

Alteration 16

Drybridge Stream Rezoning (Drogheda)
Rezones lands along the Drybridge Stream from Residential Phase 1 (A2) to Open Space (H1) and introduces an associated drainage-related spot objective.

Alteration 17

Racecourse Road Rezoning (Drogheda)
Rezones lands along Racecourse Road from Strategic Reserve (L1) to Residential Phase 1 (A2), making additional lands available for housing. This alteration requires Strategic Environmental Assessment.

Alteration 18

Ardee Future Flood Scenario Zoning Revision
Removes proposed Open Space zoning from parts of residential lands affected by future climate flood mapping and restores their residential zoning while applying flood-risk controls through a spot objective.

	Alteration 19 **John Street Rezoning (Ardee)** Rezones lands on John Street from General Employment (E1) to Residential Phase 2 (A3), facilitating future residential development. **Alteration 20** **Currabeg Rezoning (Ardee)** Rezones lands at Currabeg from Strategic Reserve (L1) to Residential Phase 2 (A3) and updates the associated spot objective. **Alteration 21** **Residential Zoning Reconfiguration** Reconfigures and extends Residential Phase 1 zoning while rezoning part of the affected lands from Existing Residential (A1) to Open Space (H1) to improve the overall layout and environmental response of the site. **Consultation Period:** 8 October 2026 to 6 November 2026. Submissions may only relate to the proposed material alterations and associated environmental reports. Closing date for submissions/observations is 4.00pm on Friday 6th November 2026.
2.0	Key Issues
2.1	The Development Plan team having reviewed the proposed material alterations consider that these do not raise any significant cross-boundary impacts or strategic issues for our district. No formal comment is therefore considered necessary.
3.0	Recommendations
3.1	It is recommended that the Committee notes the content of this report.
4.0	Resource Implications
4.1	N/A
5.0	Due Regard to equality of opportunity and regard to good relations
5.1	General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes « It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations »
5.2	Does the proposal relate to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision « No »

	If yes, please select one of the following: Choose an item.
5.3	Proposal initiating consultation The consultation seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves Please select the consultation period: Choose an item. Rationale:
6.0	Due regard to Rural Needs
6.1	Does the proposal relate to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service. No – The policy / strategy / plan / public service is not influenced by rural needs
7.0	Appendices
7.1	• Proposed Material Alterations to the Variation No.4 of the Louth County Development Plan 2021-2027 _ Louth County Council's • Advert - Proposed Material Alteration to V4 Louth County Development Plan 2021-2027
8.0	Background Documents
8.1	N/A

PROPOSED MATERIAL ALTERATION TO THE VARIATION No. 4 TO THE

LOUTH COUNTY DEVELOPMENT PLAN 2021-2027 (as varied)

Notice is hereby given pursuant to Section 58(13) of the Planning and Development Act 2024 (as amended) that Louth County Council have prepared Proposed Material Alterations to Proposed Variation No.4 of the Louth County Development Plan 2021-2027 (as varied).

In accordance with Section 58(13) of the Planning and Development Act 2024 (as amended), Louth County Council has screened the Proposed Material Alterations for the need to undertake Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) and has determined that: SEA is required with respect to one Proposed Material Alteration; and Stage 2 AA is not required for any Proposed Material Alteration. SEA and AA related documents comprise:

- Screening for SEA Determination
- SEA Environmental Report on the likely significant environmental effects of implementing the relevant Proposed Material Alteration, including an appended Screening for SEA Report and Strategic Flood Risk Assessment
- Screening for AA Determination
- Screening for AA Report

The Proposed Material Alterations and associated SEA and AA documents will be placed on public display and may be inspected from **Thursday 8th October 2026 to 4pm on Friday 6th November 2026** inclusive, during normal opening hours at the following locations:

Louth County Council Customer Service Counters:

- County Hall, Millennium Centre, St. Alphonsus Road, Dundalk, Co. Louth, A91 KFW6
- Civic Offices, Fair Street, Drogheda, Co. Louth, A92 P440
- Town Hall, Crowe Street, Dundalk, Co. Louth, A91 W20C
- Mid Louth Civic Services Centre, Fairgreen, Ardee, Co. Louth A92 RYT2

As well as Louth County Council Libraries (during their respective opening hours)

Making a Submission/ Observation

Written Submissions or observations with respect to the proposed Material Alterations to the Variation No.4 to the Louth County Development Plan 2021-2027 (as varied), and associated documents are invited from members of the public and other interested parties during the above period and **before 4pm on Friday 6th November 2026.** In one of the following forms:

- **Consultation Portal**: https://consult.louthcoco.ie

  or

- In **writing** to the Forward Planning Section, Louth County Council, Town Hall, Crowe Street, Dundalk, Co. Louth A91 W20C

Written submissions or observations must state the full name and address of the person or relevant body, or agency, making Material Alterations and should be clearly marked **"Proposed Material Alterations to the Variation No.4 to the Louth County Development Plan 2021-2027 (as varied)"**.

When making a submission/observation please note the following:

- Proposed Alteration(s) **Reference Number(s)** as shown in the document
- Submissions/Observations should be made in **one** format only either **hard copy** (by post) or via the **consultation portal**. **Email submissions will not be accepted**.
- Submissions/Observations will be made available on the Council's website within 10 days of their receipt (personal details should be provided on a separate page).
- Children or groups or associations representing the interests of children are entitled to make submissions/observations.

All written submissions that relate to the proposed material alteration and/or associated SEA or AA documents associated with the proposed material alterations and received within the period specified in this notice will be taken into consideration by the Council before the making of any material alteration.

Please note that submissions that do not relate to a proposed material alteration and/or associated documents cannot be considered. Submissions that relate to other aspects of Variation No.4 or any other issue cannot be considered at this stage in the process.

The closing date for Submissions/Observations is Friday 6th November 2026 at 4pm.

Late Submissions will not be accepted.

Louth County Council is subject to the provisions of the Freedom of Information (FOI) Acts (as amended). If you consider that any of the information supplied by you is either commercially sensitive or confidential in nature, this should be highlighted and the reasons for its sensitivity specified. In such cases, the relevant material will, in response to FOI requests, be examined in light of exemptions provided for in the FOI Act.

Louth County Council is subject to the provisions of the Data Protection Act (as amended) and General Data Protection Regulation (GDPR). In order to assist us in complying with Data Protection and GDPR **please include your name and contact details on a separate sheet** to the content of your submission/observation.

Notice of Determination in Respect of the Appropriate Assessment of Proposed Material Alterations to Proposed Variation No. 4

With respect to the Determination pursuant to Section 58(13)(c) and Section 202 of the Planning and Development Act 2024 (as amended) and the EU Habitats Directive (92/43/EEC), on the basis of a screening for appropriate assessment, the planning authority has determined that any likelihood of any Proposed Material Alteration (either individually or in combination with any other plan or project) having any significant effect on any European site can be excluded in view of the conservation objectives of the habitats or species for which these sites have been designated. Therefore, Stage 2 AA for the Proposed Material Alterations is not required. The Determination in relation to the need for Appropriate Assessment can be accessed at https://consult.louthcoco.ie/en/consultation/proposed-variation-no-4-louth-county-development-plan-2021-2027-0

Queries

Queries relating to Material Alteration to the Variation No. 4 can be directed to variation@louthcoco.ie

Thomas McEvoy

Director of Services



Comhairle Contae **Lú**
Louth County Council

Proposed Material Alteration to Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied)

October 2026

Table of Contents

Table of Contents i
Section 1: Introduction and Context 3
Public Consultation 3
Environmental Assessments 4
Material Alterations and Accompanying Reports 4
How to Read the Proposed Material Alterations 4
Making a Submission or Observation 5
Next Steps 6
Section 2: Proposed Material Alterations to the Written Statement 7
Section 3: Proposed Material Alterations to Zoning and Flood Zones Maps 23

www.towthorpe.ie

Section 1: Introduction and Context

Public Consultation

This report sets out the proposed Material Alterations to Proposed Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied), following consideration of the Proposed Variation, submissions received during the public consultation and the Chief Executive's response and recommendations on submissions received in respect of the proposed variation.

Proposed Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied) was placed on public display from Friday 26th June 2026 until 4pm on Friday 24th July 2026. A total of 162 submissions were received within the statutory timeframe for public display. The breakdown of submissions, in terms of the format in which they were received, is set out in Table 1 below.

Table 1: Breakdown of submissions received to Proposed Variation No. 4

Total number of submissions received	In writing	Via Louth County Council's Online Consultation Portal
162	15	147

In accordance with Section 58(11) of the Planning and Development Act 2024 (as amended), a Chief Executive's report was prepared, which summarised the submissions received to Proposed Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied) and provided a response and recommendation(s) of the Chief Executive on the issues raised.

The Chief Executive's Report was submitted to the Elected Members on the 20th August 2026 for consideration. The Elected Members, having considered Proposed Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied) and the Chief Executive's Report on submissions received and following a series of Special Meetings, as detailed in Table 2 below, resolved, at a Special Council meeting on the 24th September 2026 to make the Proposed Variation with modifications.

Table 2: Special Meetings to consider Chief Executive's Report

Meeting Number	Date	Form
1	10/09/2026	In Person and Microsoft Teams
2	15/09/2026	In Person and Microsoft Teams
3	17/09/2026	In Person and Microsoft Teams
4	22/09/2026	In Person and Microsoft Teams
5	24/09/2026	In Person and Microsoft Teams

These proposed modifications as agreed by the members would constitute in material alterations to Proposed Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied). Accordingly, the Council resolved to place the proposed alterations on public display in accordance with Section 58(13) of the Planning and Development Act 2024 (as amended).

Environmental Assessments

In accordance with Section 58(13) of the Planning and Development Act 2024 (as amended), Louth County Council has screened the proposed Material Alterations for the need to undertake Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) and has determined that: Strategic Environmental Assessment (SEA) is required with respect to one Proposed Material Alteration (Proposed Material Alteration No. 17); and Stage 2 Appropriate Assessment (AA) is not required for any Proposed Material Alterations.

Material Alterations and Accompanying Reports

The following documents are published for inspection and public consultation:

- Proposed Material Alterations to Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied)
- Zoning and Flood Maps for Drogheda, Dundalk, Ardee and Baltray;
- Screening for SEA Determination;
- SEA Environmental Report on the likely significant environmental effects of implementing the relevant Proposed Material Alteration, including an appended Screening for SEA Report and Strategic Flood Risk Assessment
- Screening for AA Determination;
- Screening Report for Appropriate Assessment (AA)

The Proposed Material Alterations to Variation No. 4 (text and map format) are provided for in Sections 2 and 3 of this document. The Environmental Reports associated with the proposed Material Alterations are published in a separate document.

An overview of each section is set out below:

- **Section 1**: This section provides an Introduction and Context to the Report.
- **Section 2**: Proposed Material Alterations to the Written Statement.
  Note: Each alteration is assigned a reference number with its location in the Proposed Variation documentation identified. The submission number attributable to each alteration is also provided.
- **Section 3**: Proposed Material Alterations to Zoning and Flood Zones Map

How to Read the Proposed Material Alterations

The Proposed Material Alterations are set out in Sections 2 and 3 of this Report. Each Alteration has been assigned a reference number with its section/location in Proposed Variation No. 4 identified. The submission number attributable to each alteration is also provided where applicable.

Proposed deletions to text are shown with a ~~strikethrough~~ text. Proposed material alterations are shown as red text.

The proposed amendments to land use zonings and the flood zones as set out within Section 3 will also be detailed on the 'Zoning and Flood Zones Map'. Note that these changes will also apply to the corresponding 'Composite Map'.

Note: Should any of the Proposed Material Alterations listed in this report be adopted, consequential changes may occur in various sections throughout the Plan as a result.

Making a Submission or Observation

A copy of the Proposed Material Alterations is on display

From **Thursday 8th October 2026 until 4.00pm on Friday 6th November 2026 (inclusive)**, during normal opening hours at the following locations:

Louth County Council Customer Service Counters:

- County Hall, Millennium Centre, St. Alphonsus Road, Dundalk, Co. Louth, A91 KFW6
- Civic Offices, Fair Street, Drogheda, Co. Louth, A92 P440
- Town Hall, Crowe Street, Dundalk, Co. Louth , A91 W20C
- Mid Louth Civic Services Centre, Fairgreen, Ardee, Co. Louth, A92 RYT2

As well as Louth County Council Libraries (during their respective opening hours) and online via the Consultation Portal: https://consult.louthcoco.ie/

Written submissions or observations with respect to the Proposed Material Alterations to Variation No. 4 of the Louth County Development Plan 2021-2027 (as varied) and associated documents are invited from members of the public and other interested parties during the above period and **before 4pm on Friday 6th November 2026** in **one** of the following forms:

- **Online** through the *Make a Submission* facility on Louth County Council's consultation portal: https://consult.louthcoco.ie/,

OR

- In **writing** to: Forward Planning Section, Louth County Council, Town Hall, Crowe Street, Dundalk, Co. Louth, A91 W20C.

Written submissions or observations must state the **full** name and address of the person or relevant body, or agency, and should be clearly marked '**Proposed Material Alterations to Variation No. 4 of the Louth County Development Plan2021-2027 (as varied)**'.

When making a submission/observation, please note the following:

- Proposed Alteration(s) **Reference Number(s)** as shown in the document
- Submissions/Observations should be made in **one** format only either **hard copy** (by post) or via the **consultation portal**. **Email submissions will not be accepted.**
- Submissions/Observations will be made available on the Council's website within 10 days of their receipt (personal details should be provided on a separate page).
- Children or groups or associations representing the interests of children are entitled to make submissions/observations.

All written submissions that relate to the proposed material alteration and/or associated SEA or AA documents associated with the proposed material alterations and received within the period specified in this notice will be taken into consideration by the Council before the making of any material alteration.

Please note that submissions that do not relate to a proposed material alteration and/or associated documents cannot be considered. Submissions that relate to other aspects of Variation No.4 or any other issue cannot be considered at this stage in the process.

The closing date for Submissions/Observations is Friday 6th November 2026 at 4pm.

Next Steps

The material alterations shall go on public display, as required under Section 58(13) of the Planning and Development Act 2024 (as amended) for a period of not less than 4 weeks, giving the public an opportunity to comment on the proposed alterations **only.**

Following the public consultation period, a Chief Executive's report will be prepared on any submissions or observations received on the Proposed Material Alterations to Variation No. 4 and accompanying documents. The report will be submitted to the Elected Members for their consideration. Members shall consider the Proposed Material Alterations and the Chief Executive's Report and shall, no later than a period of six weeks after the Chief Executive's Report has been furnished, make or amend Variation No. 4 as appropriate.

In making the Variation, the Elected Members must consider the proposed Material Alterations to Variation No. 4, the Environmental Reports and the Chief Executive's Report on any submissions received and decide whether to make the variation with or without the Proposed Material Alterations.

In addition, the Elected Members, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the 'Code of Conduct for Councillors' (July 2019) prepared under the Local Government Act 2001 (as amended), carry out their duties in a transparent manner, follow due process and make their decisions based on relevant considerations.

Section 2: Proposed Material Alterations to the Written Statement

Alteration No.	Chapter 2 - Development Strategy Proposed Amendments to Table	Table	Submission No.	CE Report
1	**Update to Table 2.15 Core Strategy to take account of amended residential zonings**	2.5	/	/

Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L
Settlement Category	Settlement	Population 2022	Projected Population Increase to 2027	Projected 2027	Housing allocation 2021-2027 Without headroom	Housing allocation 2021-2027 With 50% headroom	Percentage allocation	Lands with potential to deliver Infill or Brownfield Development (ha)	Potential units to be delivered on Infill/ Brownfield Lands	Total Lands Zoned New Residential Phase 1 (ha)	Total lands zoned New Residential (Phase 1 and Phase 2) (ha)
County	Louth	139,700	11,830	151,532	7,700	8580	100.00%	195.44	6,215-6,865	618.1 618.16	873.06 716.59
Regional Growth Centre	Drogheda	35,000	3,890	38,870	2,888	5,518	37.50%	58.1	2,223-2,534	277	277
	Dundalk	43,112	4,294	47,406	2,888	3518	37.50%	86.78	2,973-3,060	213.6 213.81	261.8 285.78
Self-Sustaining Growth Towns	Ardee	5,478	935	6,413	516	628	6.70%	5.76	203	46.5 46.75	56.1 73.23
	Dunleer	2,143	328	2,668	177	210	2.30%	13.73	298	5.2	5.2
	Carlingford	1,528	106	1,634	62	75	0.80%	1.86	35-36	4.4	4.4
Self-Sustaining Towns	Castlebellingham / Kilsaran	1,232	65	1,297	77	94	1.00%	4.73	80-97	13.7	13.7
	Clogherhead	2,275	166	2,441	85	103	1.10%	2.97	52-58	6.2	6.2
	Termonfeckin	1,883	142	2,125	85	103	1.10%	4.71	92-99	10.1	10.1
	Tullyallen	1,697	130	1,827	77	94	1.00%	0.5	9	3.8	3.8
Small Towns & Villages	Level 4 Settlements	5,417	438	5,855	270	328	3.50%	13.3	249-270	36.4 37.2	36.4 37.2
Rural area		38,848	1,147	39,995	578	704	7.50%	N/A	N/A	N/A	N/A

Alteration No.	Chapter 2 - Development Strategy Proposed Amendments to Text	Section	Submission No.	CE Report
2	**Insertion of additional text into Section XX Long Term Strategic Opportunity Area No. 2 Drogheda** Phase 1 of the Port Access Northern Cross Route (PANCR) has been completed, with Phase 2 scheduled for completion by the end of 2026. Funding has also been secured for Phase 3 of the project under the Housing Infrastructure Investment Fund (HIIF), which will include the construction of a railway underpass and providing a link between Phase 1 and 2 of the projects. This next phase will not only support the development of residential lands but will also significantly enhance connectivity and permeability within the wider area. In addition to the improved road connectivity the PANCR is providing, there is an opportunity to develop a rail-based Transport Hub that would serve the emerging residential community to the south of the PANCR. This would include the population residing east of the railway track and the surrounding catchment to the north of Drogheda town centre. This Transport Hub could include integrated bus services and associated facilities along with a park and ride. Associated with this Transport Hub there is also an opportunity to create a residential neighbourhood with associated neighbourhood, education, community facilities and services in combination with lands that could facilitate economic investment and employment generating uses. An assessment of the capacity of existing social and physical infrastructure (including schools, community buildings, recreational facilities, neighbourhood services, energy, transport and water services) will be carried out to determine any deficits and future investments/upgrades required to facilitate the release of lands north of the PANCR for development. The assessment relating to transport/roads will include an analysis of the motorway interchange at Drogheda North (Jn 10) Pedestrian connectivity between the potential future Transport Hub and other land uses north of the PANCR with the existing and emerging residential areas south of the PANCR would also need to be identified.	New section under 2.11	105	Pg 102-103

Alteration No.	Chapter 2 Development Strategy Proposed Amendments to Text	Section	Submission No.	CE Report
2 Cont'd	The findings of these assessments will inform the future development strategy for this area. The location of these lands is set out in Figure xx below. Note that the area identified on the map is indicative and may be subject to change following more detailed assessments. Within this Long-Term Strategic Opportunity Area east of the railway line there are lands identified in the North Drogheda Environs Masterplan 2006 as a location for a proposed sports centre. This Plan recognises the potential for these lands to accommodate sports, recreational, and other ancillary uses that would serve the residential population in North Drogheda and the wider area. The identification of the Long-Term Strategic Opportunity Area does not seek to prejudice the progression or delivery of such infrastructure and facilities. In this context, consideration may be given to proposals for sports, recreational, and other ancillary uses on these lands prior to a masterplan for the wider Long Term Strategic Opportunity Area being finalised, subject to any design, layout and infrastructure provision for such development taking account of the potential for adjacent lands being developed in the future. Consideration may also be given for enabling infrastructure such as electricity, water services, telecommunications or transport related infrastructure such as a park and ride or rail-based infrastructure in advance of any masterplan being finalised, subject to any proposals taking account of the future development potential of surrounding lands in any proposals.			

Alteration No.	Chapter 2 - Development Strategy Proposed Amendments to Text	Section	Submission No.	CE Report
3	**Amendment to text in Section XX Long Term Strategic Opportunity Area No. 2 Drogheda** The inclusion of these lands does not constitute zoning for development as part of the current Plan. The lands within the Long-Term Strategic Opportunity Areas may be subject to rezoning through a future Variation/Development Plan informed by detailed assessment. Proposals for infrastructure related development or sports, recreational, and other associated facilities prior to any rezoning will be considered on a case-by-case basis.	New section under 2.11	105	Pg 103
4	**Insertion of additional text in Policy Objective CS XX:** Policy Objective CS XX: Long term Strategic Opportunity Areas The Council will support a plan-led and sequential approach to the future development of the Long-Term Strategic Opportunity Areas identified in Dundalk and Drogheda in order to meet the projected housing and land-use needs of the County beyond the horizon of the current County Development Plan, subject to future rezoning or as set out in the narrative in Section ** of this Plan 'Long Term Strategic Opportunity Areas', at the following locations: • Lands between Newry Road, Doylesfort Road and Armagh Road, Dundalk (extent of lands on zoning map indicative only). • Lands north of the PANCR, to the east and west of the railway line Drogheda (extent of lands on zoning map indicative only).	2.11.1	105	Pg 104

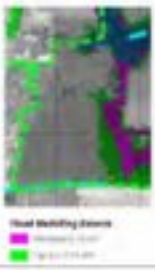
Alteration No.	Chapter 2 - Development Strategy Proposed Amendments to Text	Section	Submission No.	CE Report
5	**Insertion of additional text in Policy Objective CS XX:** Policy Objective CS XX: To undertake initial studies to inform the future development of each Long-Term Strategic Opportunity Area, to include: • Assessment of existing land use and receiving environment; • Environmental and ecological assessment; • Assessment of infrastructure and servicing capacity; • Flood risk and climate resilience considerations. • Assessment of historic and cultural assets. The outcome of these studies will inform the extent, phasing and layout of any future development and may result in changes and refinement to the lands identified. Any future development of these lands (subject to rezoning or as set out in the narrative in Section ** of this Plan 'Long Term Strategic Opportunity Areas') shall be guided by a comprehensive masterplan or appropriate framework demonstrating any proposal is compatible with the requirements of the Development Plan, which shall: • Promote compact growth and sustainable settlement patterns; • Integrate land use and transport including prioritising sustainable modes; • Ensure co-ordinated delivery of infrastructure and community facilities; • Provide for employment, education and open space; • Protect and enhance green infrastructure networks; • Support climate action and resilience; • Protect biodiversity, ensuring no net loss of ecological value. • Protect and enhance historic and cultural assets.	2.11.1	9 105	Pg. 94 Pg.104

Alteration No.	Chapter 2 - Development Strategy Proposed Amendments to Text	Section	Submission No.	CE Report
6	**Insertion of additional text in Policy Objective CS XX:** Policy Objective CS XX: To protect the Long-Term Strategic Opportunity Areas by resisting piecemeal, premature or ad hoc development that fails to demonstrate compatibility with the potential future land uses envisaged within the Long-Term Strategic Opportunity Areas as set out in Table ** of this Plan or would prejudice the comprehensive planning and future coordinated development of these lands.	2.11.1	105	Pg 104

Alteration No.	Chapter 10 - Utilities Proposed Amendments to Text & Table	Section	Submission No.	CE Report
7	**Amendment to wording of Policy Objective IU XX** ~~"To facilitate the provision of interim enabling infrastructure solutions, including temporary pumping stations and treatment facilities, to support housing development, subject to normal planning and environmental considerations, and where Louth County Council is satisfied as to the design of the system and the proposed arrangements for its operation and maintenance."~~ To consider, on a case-by-case basis and only in exceptional circumstances, proposals for Developer Led Infrastructure in accordance with the 'Developer Led Infrastructure Initiative (DLI) for Wastewater Services to support housing delivery' published by the DHLGH in March 2026, or any subsequent update thereof. Any infrastructure to be provided shall be designed in accordance with Uisce Éireann's relevant standards and any guidance documents provided by Uisce Éireann or other stakeholders relating to Developer Led Infrastructure (DLI). Such proposals shall be developed in consultation with Uisce Éireann and the Environmental Protection Agency and shall be subject to strict compliance with all relevant planning, environmental, public health, operational, engineering and statutory requirements.	New section after Section 10.2.2	47	Pg. 25 (Note: wording amended from Chief Executive Recommendation as part of consideration during Special Meeting)
8	**Insertion of new text and table into Chapter 10 'Utilities'** **10.3.3 Future Climate Risk Scenario Areas** Under Variation No. 4 to the County Development Plan an analysis of lands subject to a proposed zoning change was carried out to identify if they were at risk of flooding under the OPW Mid-Range and High-End Future Climate Risk Scenario Area Mapping. Parts of two sites are identified as being at risk by the OPW Future Climate Risk Scenario Area Mapping are zoned for residential use. To reduce the flood risk associated with any development on these lands any future development shall comply with the following requirements:	New Section 10.3.3	123 69	Pg 12-13 Pg 23-24

Alteration No.	Chapter 10 - Utilities Proposed Amendments to Text & Table	Section	Submission No.	CE Report
8 cont'd	Table XX – Future Climate Risk Scenario Areas	New Section 10.3.3	69 123	Pg 12-13 Pg 23-24

Settlement and location	Requirement for any future development to comply with
Drogheda – redevelopment site opposite Bus Station 	This site has lands identified as being at risk under future climate scenarios, (see Section 2.2 of the SFRA Report in Appendix 2 of the SFRA for the Louth County Development Plan 2021-2027, as varied). Finished floor levels of new developments at these lands shall be set above the 0.1% Annual Exceedance Probability High-End Future Climate Scenario design flood level, including an appropriate freeboard allowance, having regard to the findings of site-specific flood risk assessment. Sustainable Urban Drainage Systems that seek to minimise flood risk elsewhere shall be incorporated into new developments at this site.
Ardee – north-eastern corner of Potters Field residential development 	This site has lands identified as being at risk under future climate scenarios, (see Section 2.2 of the SFRA Report in Appendix 2 of the SFRA for the Louth County Development Plan 2021-2027 as varied). Any new uses at these at-risk lands will generally be limited to less vulnerable uses, while facilitating existing development uses that may require small scale development such as small extensions. This limitation shall take primacy over any other related land use zoning provision. Any proposals for development at this site shall demonstrate compliance with the Plan's flood risk management and drainage provisions.

Alteration No.	Chapter 10 - Utilities Proposed Amendments to Text & Table	Section	Submission No.	CE Report
9	**Insertion of new text into the proposed table in Section 10.3.3 'Future Climate Risk Scenario Areas'** **Settlement and location** / **Any future development shall comply with the following requirement** Ardee – lands north of Irish Street and east of the N2  This site has lands identified as being at risk under future climate scenarios, (see Section 2.2 of the SFRA Report in Appendix 2 for the Louth County Development Plan 2021-2027 as varied). Any new uses at these at-risk lands will generally be limited to less vulnerable uses. This limitation shall take primacy over any other related land use zoning provision. Any proposals for development at this site shall demonstrate compliance with the Plan's flood risk management and drainage provisions.	New Section 10.3.3	57 127	Pg 122-123 Pg 127

<table>
<tr><th>Alteration No.</th><th>Chapter 13 - Development Management Guidelines
Proposed Amendments to Text & Table</th><th>Section</th><th>Submission No.</th><th>CE Report</th></tr>
<tr><td>10</td><td>Amendment to text in Section 13.5 Masterplans, Table 13.1 Masterplan Areas relating to Dundalk – Lands to the south of Ardee Road
<table>
<tr><th>Masterplan No.</th><th>Settlement</th><th>Description</th><th>Status</th></tr>
<tr><td>XX</td><td>Dundalk</td><td>Lands to the south of Ardee Road

This Masterplan Area consists of c. 22 65 hectares of land situated to the southern side of the Ardee Road and to the west of the railway line, c. 1km to the east of Dundalk town centre. The lands are zoned primarily for residential uses. however to
To support sequential development and the creation of a sustainable community the development of the lands shall be carried out in accordance with a comprehensive Masterplan and phasing programme, to be agreed with the Planning Authority prior to the commencement of any development.

A Traffic and Transport Assessment shall be carried out to assess the potential traffic impacts of the development of these lands on the transport network. This shall include travel by car, public transport, and walking and cycling. Any potential upgrades to existing infrastructure or requirements for new infrastructure shall be identified.</td><td>Awaiting preparation</td></tr>
</table></td><td>13.5</td><td>Wording amended as part of consideration during Special Meeting</td><td>Pg 60 of Proposed Variation Report</td></tr>
</table>

Alteration No.	Chapter 13 - Development Management Guidelines Proposed Amendments to Text & Table	Section	Submission No.	CE Report
10 cont'd	The findings of this Traffic and Transport Assessment shall inform the future phasing of the build out of the lands. The phasing programme to be agreed shall detail the sequencing of the build out of the lands and shall ensure social and physical infrastructure is delivered in tandem with residential development. The Masterplan shall include provision of the following: ~~there will also be a requirement to include provision for~~ neighbourhood, community, educational, and recreation uses as follows: - A Linear Park (7ha) along the western boundary adjoining Sidella Lane, which leads to the existing area of Open Space and the Famine Graveyard to the south-western corner of the Masterplan area. The Linear Park shall provide a network of public open space and green infrastructure to incorporate a range of functional uses including children's play area, pedestrian and cycle paths. The linear park and shall be delivered concurrently with any residential development in accordance with agreed phasing; - A site for a school (~~1.5~~ 2.5ha in area);	13.5	Wording amended as part of consideration during Special Meeting	Pg 60 of Proposed Variation Report

Alteration No.	Chapter 13 - Development Management Guidelines Proposed Amendments to Text & Table	Section	Submission No.	CE Report
10 cont'd	- A dual use playing pitch and associated changing facilities that can be utilised by a future school and the local community. - Provision of retail/community facilities (e.g. retail, crèche, and medical facilities) which shall be determined on the findings of a Social and Community Audit. Any crèche facilities shall be located in proximity to the future school. - A buffer shall be provided along the eastern boundary of the site (along the railway line) to facilitate any future expansion of the railway, the extent of which shall be agreed with Iarnród Éireann. The proposed access point to the lands shall be agreed as part of the Masterplan, with provision also included for future access from the Masterplan area to surrounding undeveloped lands. This shall include a future potential vehicular and pedestrian/cycle link over the railway line in the long term. The historic Famine Graveyard to the south-western corner of the Masterplan area shall be preserved in situ and protected as a burial ground and place of significant historical and community importance. The graveyard and its setting shall be sensitively incorporated into the public open space in this area of the Masterplan area. Appropriate measures for its conservation shall be included, which shall be informed by archaeological assessment and consultation with the relevant statutory authorities.	13.5	Wording amended as part of consideration during Special Meeting	Pg 60 of Proposed Variation Report

Iteration No.	Chapter 13 - Development Management Guidelines Proposed Amendments to Text & Table				Section	Submission No.	CE Report
10 cont'd			No development or infrastructure shall be permitted in the vicinity of the graveyard which would adversely impact on the known or potential burials, its setting or commemorative character. To ensure a robust and evidence-based approach to surface water drainage a Surface Water Management Plan (SWMP) for the lands shall be prepared as part of the Masterplan. This SWMP shall be evidence based and be informed by identifying the overland flow routes of surface water (pre and post development) and directing these flows into suitable storage or retention areas prior to allowing the flows into the urban drainage system. Hydraulic modelling may be required to inform the most effective way of managing surface water. The design of any system shall be cognisant of the fact that the Ramparts River and Blackwater River are at capacity during storm events therefore any proposal on these lands that would increase the surface water discharge to these watercourses during storm events would have the potential to result in flooding downstream and would therefore be unacceptable. Appropriate alternatives would therefore be required to be considered in the preparation of the Surface Water Management Plan to mitigate against increased flood risk upstream or downstream of the lands and to manage the amount of surface water entering the piped sewer system and watercourses.			13.5	Wording amended as part of consideration during Special Meeting	Pg 60 of Proposed Variation Report

<table>
<tr><th>Alteration No.</th><th>Chapter 13 - Development Management Guidelines
Proposed Amendments to Text & Table</th><th>Section</th><th>Submission No.</th><th>CE Report</th></tr>
<tr><td>11
(See also Material Alteration No. 20)</td><td>Amendment to text in Section 13.5 Masterplans, Table 13.1 Masterplan Areas relating to Ardee – Lands to the west of Rockfield housing development

<table>
<tr><th>Masterplan No.</th><th>Settlement</th><th>Description</th><th>Status</th></tr>
<tr><td>XX</td><td>Ardee</td><td>Lands to west of Rockfield housing development

To support the development of a sustainable community, a comprehensive Masterplan shall be prepared for the subject site with indicative proposals and details of future access arrangements also included for the adjoining lands to the west and north~~, which are currently zoned 'L1 Strategic Reserve'~~. An area of active open space, such as a playing pitch with associated parking shall be provided on lands zoned A2 New Residential Phase 1.

The Masterplan shall also include provision for a building associated with the active open space (such as changing rooms) within may be located on the adjoining lands identified as ~~'Strategic Reserve'~~ A3 New Residential Phase 2. These facilities shall be co-located to ensure ease of access and maximise convenience thereby creating strong synergies between recreational and community uses and shall be delivered in tandem with residential development.</td><td>Awaiting preparation</td></tr>
</table></td><td>13.5</td><td>Wording amended as part of consideration during Special Meeting</td><td>Pg 61 of Proposed Variation Report</td></tr>
</table>

<table>
<tr><th>Alteration No.</th><th>Chapter 13 - Development Management Guidelines
Proposed Amendments to Text & Table</th><th>Section</th><th>Submission No.</th><th>CE Report</th></tr>
<tr><td>12
(See also Material Alteration No. 16)</td><td>Insertion of new Spot Objective into Table 13.2 Spot Objectives (Chapter 13, Section 13.6) relating to Drogheda – Lands to the south of The Old Slane Road
<table><tr><th>Spot Objective</th><th>Settlement</th><th>Location</th><th>Objective</th></tr><tr><td>XX</td><td>Drogheda</td><td>Lands south of the Old Slane Road</td><td>The Surface Water Drainage System of any residential development on these lands shall be a nature-based Sustainable Drainage System (SuDS) designed in accordance with the 'Nature-Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Interim Guidance Document' published by the DHLGH in 2022.</td></tr></table></td><td>13.6</td><td>138</td><td>Pg 28</td></tr>
<tr><td>13</td><td>Amendment to Spot Objective No. 5 in Table 13.2 Spot Objectives (Chapter 13, Section 13.6) relating to Ardee – HSE lands, Kells Road
<table><tr><th>Spot Objective</th><th>Settlement</th><th>Location</th><th>Objective</th></tr><tr><td>5</td><td>Ardee</td><td>HSE Lands, Kells Road</td><td>Any residential development of the overall lands shall include a mix of tenure and house types to support the creation of a balanced and sustainable community, ~~including a number of housing units for older persons, specifically designed for flexibility and adaptability to accommodate the physical and cognitive needs of residents as they develop over time.~~</td></tr></table></td><td>13.6</td><td>Wording amended as part of consideration during Special Meeting</td><td>Pg 61 (of Proposed Variation Report)</td></tr>
</table>

<table>
<tr><th>Alteration No.</th><th>Chapter 13 - Development Management Guidelines
Proposed Amendments to Text & Table</th><th>Section</th><th>Submission No.</th><th>CE Report</th></tr>
<tr><td>14
(See also Material Alteration No. 18)</td><td>Insertion of new Spot Objective into Table 13.2 Spot Objectives (Chapter 13, Section 13.6) relating to Ardee – Lands to the north of Irish Street and east of the N2
<table>
<tr><th>Spot Objective</th><th>Settlement</th><th>Location</th><th>Objective</th></tr>
<tr><td>XX</td><td>Ardee</td><td>lands north of Irish Street and east of the N2</td><td>This site has lands identified as being at risk under future climate scenarios, (see Appendix I of the SFRA Addendum). Any new uses at these at-risk lands will generally be limited to less vulnerable uses. This limitation shall take primacy over any other related land use zoning provision. Any proposals for development at this site shall demonstrate compliance with the Plan's flood risk management and drainage provisions.</td></tr>
</table></td><td>13.6</td><td>57
127</td><td>Pg 121
Pg 126</td></tr>
<tr><td>15</td><td>Amendment to Spot Objective in Table 13.2 Spot Objectives (Chapter 13, Section 13.6) relating to Louth Village – Lands to the north of St. Mochta's N.S.
<table>
<tr><th>Spot Objective</th><th>Settlement</th><th>Location</th><th>Objective</th></tr>
<tr><td>XX</td><td>Louth Village</td><td>lands to the north of St. Mochta's N.S.</td><td>To provide for town/village centre related use, such as a shop, as part of the development of these lands. To consult with the relevant bodies at the concept design stage, including the National Monuments Service in the Department of Housing, Local Government and Heritage to ensure the provision of an adequate buffer to protect the conservation and heritage interests of the Motte (LH011-149) to the south-west of the subject lands. Any development of the site shall include an Archaeological Heritage Impact Assessment.</td></tr>
</table></td><td>13.6</td><td>/</td><td>/</td></tr>
</table>

Section 3: Proposed Material Alterations to Zoning and Flood Zones Maps

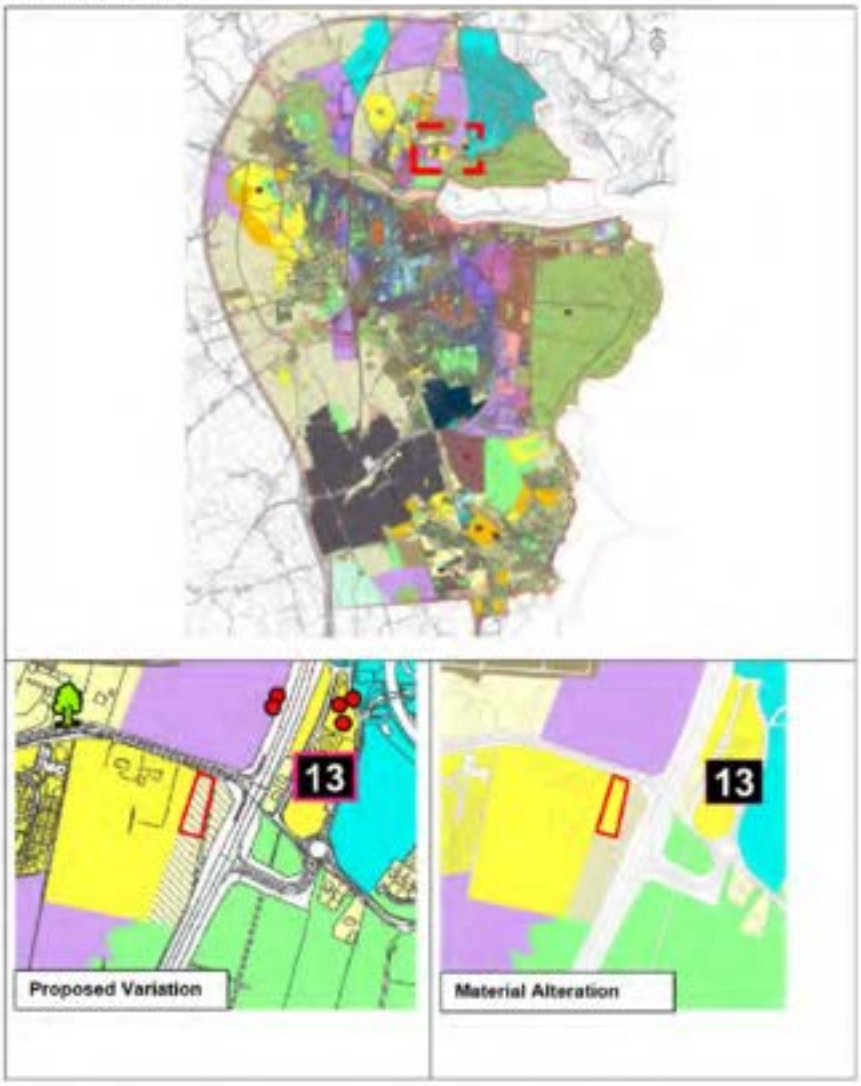
Material Alteration No. 16 (Submission No. 20 & 138, page 17 & 28 of Chief Executive's Report on Submissions received in respect of Proposed Variation No. 4 of LCDP 2021-2027 as varied)

Change the land use zoning of lands along the Drybridge Stream outlined in black from A2 New Residential Phase 1 to H1 Open Space and include a Spot Objective to the A2 Residential Phase 1 lands – See also Material Alteration No. 12.



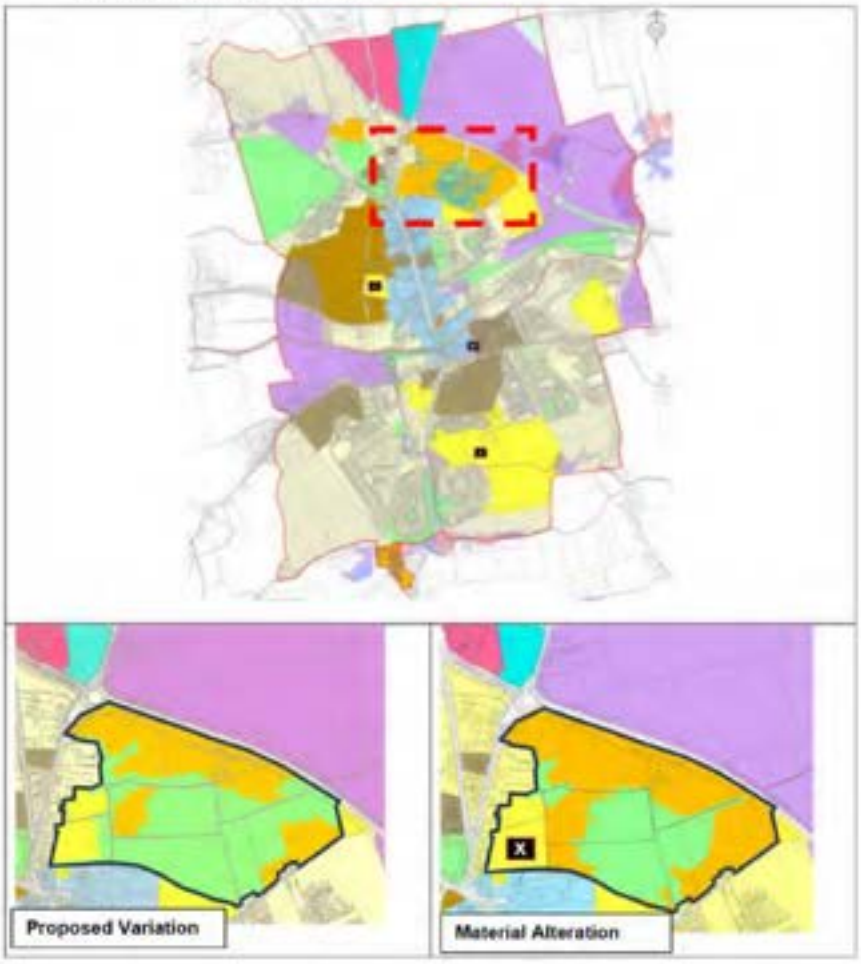
Material Alteration No. 17 (Submission No. 87, page 72 of Chief Executive's Report on Submissions received in respect of Proposed Variation No. 4 of LCDP 2021-2027 as varied)

Change the land use zoning of lands along the Racecourse Road outlined in red from L1 Strategic Reserve to A2 New Residential Phase 1.



Material Alteration No. 18 (Submission No. 57 & 127, page 121 & 126 of Chief Executive's Report on Submissions received in respect of Proposed Variation No. 4 of LCDP 2021-2027 as varied)

- Remove the H1 Open Space zoning on the areas within the mid-high range Future Climate Scenario Flood Risk Area within the A3 New Residential Phase 2 lands and change this zoning back to A3 New Residential Phase 2.
- Remove the H1 Open Space zoning on the areas within the mid-high range Future Climate Scenario Flood Risk Area within the A2 New Residential Phase 1 lands and change this zoning to A2 New Residential Phase 1. Include a Spot Objective relating to the Future Climate Scenario Flood Risk on this portion of the lands – See also Material Alteration No. 14.



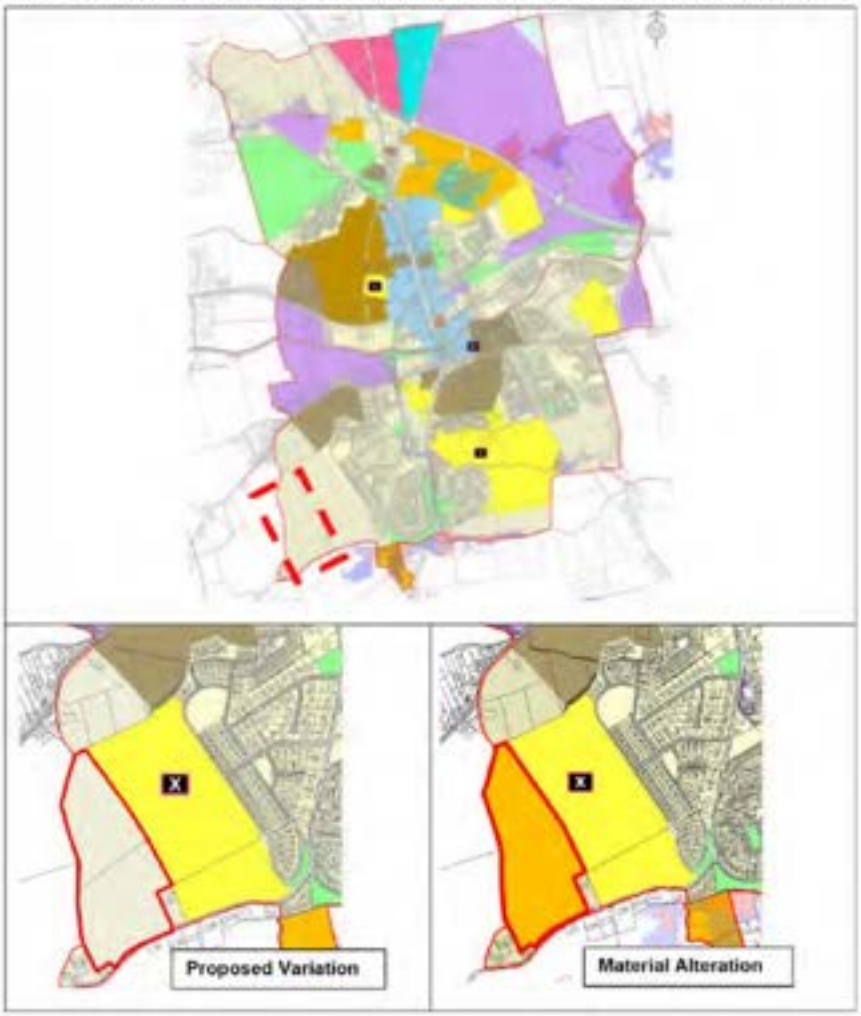
Material Alteration No. 19 (Submission No. 17, page 112 of Chief Executive's Report on Submissions received in respect of Proposed Variation No. 4 of LCDP 2021-2027 as varied)

Change the land use zoning of lands along John Street outlined in red from E1 General Employment to A3 New Residential Phase 2.



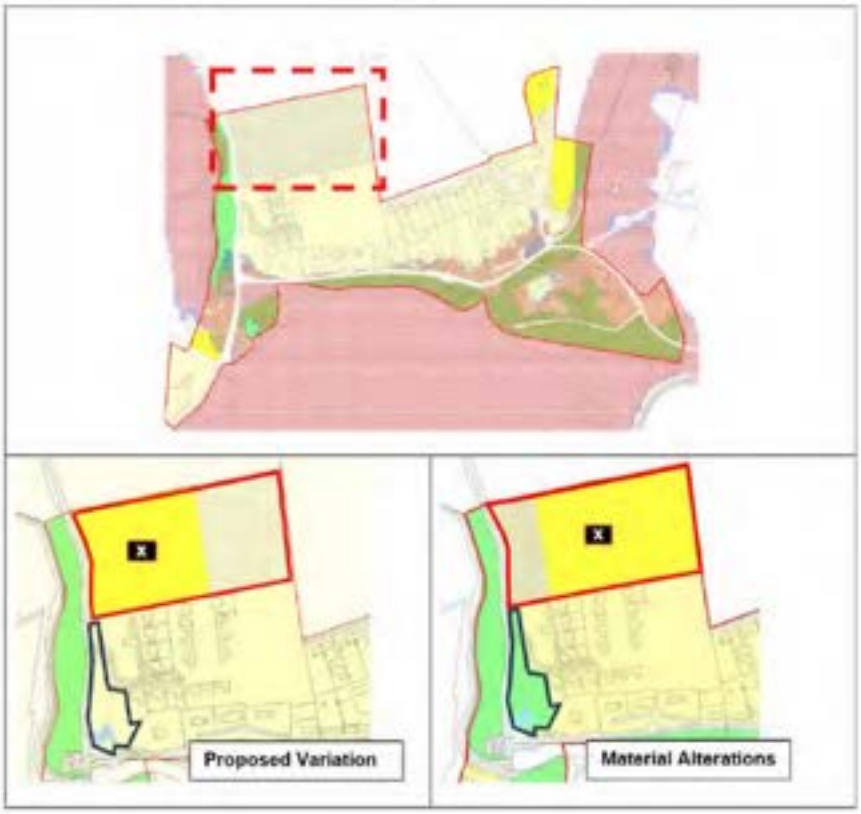
Material Alteration No. 20 (Submission No. 102, page 130 of Chief Executive's Report on Submissions received in respect of Proposed Variation No. 4 of LCDP 2021-2027 as varied)

Change the land use zoning of lands at Currabeg outlined in red from L1 Strategic Reserve to A3 New Residential Phase 2 and update the Spot Objective relating to those lands – See also Material Alteration No. 11.



Material Alteration No. 21 (Submission No. 98, page 159 of Chief Executive's Report on Submissions received in respect of Proposed Variation No. 4 of LCDP 2021-2027 as varied)

- Reconfigure the location of the proposed A2 New Residential lands and extend the proposed A2 New Residential zoning, as indicated within the red line boundary.
- Rezone the lands outlined in black from A1 Existing Residential to H1 Open Space.





Comhairle Contae Lú
Halla an Bhaile
Sráid Crowe
Dún Dealgan
Contae Lú
A91 W20C

Louth County Council
Town Hall
Crowe Street
Dundalk
Co. Louth
A91 W20C

Locall 1890 202303
T + 353 42 9335457
E info@louthcoco.ie
W www.louthcoco.ie

Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome

Report to:	Planning Committee
Date of Meeting:	4 November 2026
Subject:	Notice of the Making of Variation No.2 of the Monaghan County Development Plan 2025 – 2031
Reporting Officer and Job Title:	Jonathan McGilly (Assistant Director: Regeneration)
Contact Officer and Job Title:	Lois Jackson (Development Plan Manager and Planning Enforcement)

Purpose of Report:

« For Noting »

1.0	**Purpose and Background**
1.1	The purpose of this report is to provide Members with an update in relation to Proposed Variation No.2 to the Monaghan County Development Plan 2025-2031. In accordance with Section 58 (18)(c) of the Planning and Development Act 2024 notice is hereby given that on the Monday 5th October, Monaghan County Council made a variation (Variation No.2) of the Monaghan County Development Plan 2025 – 2031.
2.0	**Key Issues**
2.1	The Development Plan team having reviewed the proposed material alterations consider that these do not raise any significant cross-boundary impacts or strategic issues for our district. No formal comment is therefore considered necessary.
3.0	**Recommendations**
3.1	It is recommended that the Committee notes the content of this report.
4.0	**Resource Implications**
4.1	N/A
5.0	**Due Regard to equality of opportunity and regard to good relations**
5.1	General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes « It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations »
5.2	Does the proposal relate to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision « No »

	If yes, please select one of the following: Choose an item.
5.3	Proposal initiating consultation The consultation seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves Please select the consultation period: Choose an item. Rationale:
6.0	**Due regard to Rural Needs**
6.1	Does the proposal relate to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service. No – The policy / strategy / plan / public service is not influenced by rural needs
7.0	**Appendices**
7.1	Notification - Variation No.2 to MCDP 2025 - 2031
8.0	**Background Documents**
8.1	N/A

Comhairle Contae Mhuineacháin
Monaghan County Council

Rannóg Pleanáil
Planning Section
00353 47 30532
planning@monaghancoco.ie

8th October 2026

A Chara,

Notice of the Making of Variation No.2 of the Monaghan County Development Plan 2025 – 2031

In accordance with Section 58 (18)(c) of the Planning and Development Act 2024 notice is hereby given that on the Monday 5th October, Monaghan County Council made a variation (Variation No.2) of the Monaghan County Development Plan 2025 – 2031.

The Variation provides for the alignment of the Monaghan County Development Plan 2025-2031 with the Section 28 Guidelines – The National Planning Framework (NPF) Implementation: Housing Growth Requirements – Guidelines for Planning Authorities (2025). Variation No. 2 consists of amendments to the text of the Written Statement of the Monaghan County Development Plan 2025-2031 and amendment to land use zonings in the settlements of Monaghan Town, Carrickmacross, Castleblayney, Clones and Ballybay.

A copy of the Monaghan County Development Plan 2025 – 2031 as varied, together with the associated Strategic Environmental Assessment (SEA) Screening Report and Determination and Appropriate Assessment (AA) Screening Report and Determination, are available for inspection at The Planning Office of Monaghan County Council, 1 Dublin Street, Monaghan Town, H18 X982 from 9:15am – 1pm and 1.30pm – 5.00pm and on the Council's website **https://monaghan.ie/planning/monaghan-county-development-plan-2025-2031-july25/.**

Adrian Hughes,
Senior Planner

Minute Ref	Subject	Decision	Lead Officer	Actions taken / progress to date	Remove from Action Sheet? Y/N
		Planning Committee Meeting 20 August 2025			
LA07/2023/2331/F	66 Moss Road, Glassdrumman, Ballynahinch, BT24 8XZ, accessed via 19 Old Saintfield Road - Dwelling on a Farm (Amended drawings provided)	Withdrawn by the Planning Department	B Ferguson	Deferred for further consideration.	N
		Planning Committee Meeting 25 March 2026			
LA07/2022/0939/F	180m northwest of 22 Ringhaddy Road, Killinchy - Replacement boat house ancillary to existing camping tourism development to facilitate water sports	**Deferred at request of planning department to allow for further consideration.**	B Ferguson	Additional info to be submitted from agent	N
		Planning Committee Meeting 22 April 2026			
LA07/2024/0749/O	Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR - Section 54 application for non-compliance with condition No. 9,Social Housing Provision, of Planning Approval LA07/2021/2131/F	**Deferred to allow for further consideration.**	P Manley	To be tabled for consideration at November Committee meeting.	Y
LA07/2024/0547/F	Lands opposite No 1 Ashgrove Avenue, Carneyhough, Newry, BT34 1PR - Proposed social residential development consisting of 20no. dwellings and 4 no. apartments with associated landscaping and car parking	**Deferred to allow for further consideration.**	P Manley	To be tabled for consideration at November Committee meeting.	Y

Planning Committee Meeting 1 July 2026					
LA07/2023/2585/F	Nos. 59-61 and Nos. 63-65 Main Street, and Nos. 2 and 4 Valentia Place, Newcastle - Demolition of existing buildings and the erection of an apart hotel comprising of 14Nos. units, a restaurant, ancillary golf storage area, and all associated site works.	**Deferred at request of planning department to allow for further consideration.**	B Ferguson		N
Planning Committee Meeting 7 October 2026					
LA07/2025/1367/O	Site 10m E. No.2 Mullaghans Road, Mullaghbawn, Newry - Dwelling within an existing cluster.	**Deferred to allow for a site visit**	A Loughan	Site visit attended 22/10/2026. To be tabled at November Committee.	Y