



February 17th, 2017

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 1st March 2017** at **10:00 am** in the **Boardroom, District Council Offices, Monaghan Row, Newry.**

The Members of the Planning Committee are:-

Chair: Councillor W Clarke

Vice Chair: Councillor J Macauley

Members:	Councillor C Casey	Councillor G Craig
	Councillor L Devlin	Councillor G Hanna
	Councillor V Harte	Councillor M Larkin
	Councillor K Loughran	Councillor D McAteer
	Councillor M Murnin	Councillor M Ruane

Agenda

**Closing date for speaking rights/written submissions.
(Attached).**

📎 [Closing date for submissions.pdf](#)

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- 1. Apologies.**
- 2. Declarations of Interest.**

Minutes for Adoption

- 3. Minutes of Planning Development Committee Meeting held on Wednesday 15 February 2017. (To follow).**

For Consideration and/or Decision

- 4. Addendum list - planning applications with no representations received or no requests for speaking rights. (To follow).**

Development Management - Planning Applications for determination

- 5. LA07/2016/0821/F - C Canning - change of house type to that previously approved under R/2012/0323/F on lands at 24 Ringhaddy Road, Killinchy. (Case Officer report attached).**

Rec: APPROVAL

📎 [LA07-2016-0821-F \(C Canning\).pdf](#)

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- 6. LA07/2016/0854/0 - Richard Cleland - replacement dwelling (off-site) (amended description and site address) - replacement of former dwelling located 70m NE of 24 Ballybrannigan Road on land directly north of 185 Ardglass Road, Downpatrick. (Case Officer report attached).**

Rec: REFUSAL

📎 [LA07-2016-0854-0 \(R Cleland\).pdf](#)

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- 7. LA07/2016/1148/F - Edel Patterson - proposed balcony to rear of first floor apartment - flat 24, Edgewater, 61 South Promenade, Newcastle. (Case Officer report attached).**

Rec: REFUSAL

[LA07-2016-1148-F \(E Patterson\).pdf](#)

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8. **LA07/2016/1189/F - Ryan Lundy - retrospective planning permission to retain shop front facade - 55 Main Street, Castlewellan. (Case Officer report attached).**

Rec: APPROVAL

[LA07-2016-1189-F \(R Lundy\).pdf](#)

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9. **LA07/2016/1422/DCA - Ryan Lundy - retrospective planning permission for demolition of facade to include ground floor shop front and first floor windows in a conservation area - 55 Main Street, Castlewellan. (Case Officer report attached).**

Rec: CONSENT

[LA07-2016-1422-DCA \(R Lundy\).pdf](#)

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10. **LA07/2016/1578/F - Newry, Mourne and Down District Council - regrading of site levels creating new kick-about football pitch and associated site drainage, extension to car park and alterations to existing access, on lands off Green Road, Ardglass. (Case Officer report attached).**

Rec: APPROVAL

[LA07-2016-1578-F \(NMD Council\).pdf](#)

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11. **LA07/2016/1585/F - Newry, Mourne and Down District Council - improvement works to the existing football pitch including new land drainage regarding site levels, perimeter fence 1.2m high wind lockable gates to pitch boundary, 3 No. shelters on lands off Green Road, Ardglass. (Case Officer report attached).**

Rec: APPROVAL

[LA07-2016-1585-F \(NM&D Council\).pdf](#)

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12. **Q/2014/0449/F - Newry, Mourne and Down District Council - repairs to an existing free-standing chimney and a new concrete access footpath to the existing Dechomet cemetery -**

approx 190m SW of 41 Moneyslane Road, Ballyward, Castlewellan. (Case Officer report attached).

Rec: APPROVAL

[Q-2014-0449-F \(NM& D Council\).pdf](#)

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- 13. LA07/2015/0349/F - James Cunningham - proposed change of house type to previously approved under P/2009/0393/F - adjacent to and south of 78 Moor Road, Kilkeel. (Case Officer report attached).**

Rec: REFUSAL

[LA07-2015-0349-F \(Cunningham\).pdf](#)

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- 14. LA07/2015/0456/F - Richard Nummy - relocation of access to that approved under planning approval P/2010/1452 - 35m south of 93 Belfast Road, Newry. (Case Officer report attached).**

Rec: REFUSAL

- 15. LA07/2015/0700/0 - Derryogue Developments Ltd - site for housing development - Lands at the junction of Greencastle Road and Kittys Road, Kilkeel (south of No. 39 Greencastle Road (Joinery Works) opposite and south-east of Nos. 18-21 Derryogue Park extending to opposite Nos. 5-11 Kittys Road, Kilkeel. (Case Officer report attached).**

Rec: REFUSAL

[LA07-2015-0700-0 \(Derryogue Devs\).pdf](#)

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- 16. LA07/2015/0971/0 - John McNally - site for dwelling and garage on a farm - 100m NE of 37 Sheeptown Road, Saval, Newry. (Case Officer report attached).**

Rec: REFUSAL

[LA07-2015-0971-0 \(J McNally\).pdf](#)

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- 17. LA07/2015/1114/F - Glen & Shauna Matthews - erection of dwelling on a farm - 122m NE of 47 Bernish Road, Newry. (Case Officer report attached).**

Rec: REFUSAL

📄 *LA07-2015-1114-F (G & S Matthews).pdf*

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- 18. LA07/2015/1219/F - Malachy Burns - erection of dwelling and garage on a farm - lands adjacent and 40m SE of 39 Kilmonaghan Road, Armagh. (Case Officer report attached).**

Rec: REFUSAL

📄 *LA07-2015-1219-F (M Burns).pdf*

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- 19. P/2014/0977/F - Belinda & Ross McArdle - erection of farm dwelling - approx. 60m north of 53 Upper Fathom Road, Killeen, Newry. (Case Officer report attached).**

Rec: REFUSAL

📄 *P-2014-0977-F (McArdle).pdf*

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- 20. LA07/2016/0150/0 - Alan & Ronald Davidson - site for farm managers dwelling and garage - adjacent and immediately south of No. 17 Ardaragh Road, Newry. (Case Officer report attached).**

Rec: REFUSAL

📄 *LA07-2016-0150-0 (A & R Davidson).pdf*

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- 21. LA07/2016/1212/0 - Thomas Grant - replacement dwelling on farm (amended site address) - adjacent and immediately south of 20 Ryan Road, Mayobridge. (Case Officer report attached).**

Rec: REFUSAL

📄 *LA07-2016-1212-0 (T Grant).pdf*

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- 22. LA07/2016/0431/F - Riverway Precision Engineering - proposed replacement light engineering shed for existing building and retain existing workshop as a garage - 29a Ballinran Road, Kilkeel. (Case Officer report attached).**

Rec: REFUSAL

📄 *LA07-2016-0431-F (Riverway Precision Engineering).pdf*

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- 23. LA07/2016/1449/0 - Mary Slane - proposed dwelling and detached domestic garage (infill site) - 30m north of 34 Seafin Road, Newry. (Case Officer attached).**

Rec: REFUSAL

[LA07-2016-1449-0 \(M Slane\).pdf](#)

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- 24. LA07/2016/1460/0 - Sheila and Brian Fearon - dwelling - Kilnasaggart Road (approx 150m south of 9 Kilnassagart Road Jonesborough, Newry. (Case Officer report attached).**

Rec: REFUSAL

[LA07-2016-1460-0 \(S & B Fearon\).pdf](#)

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- 25. P/2014/0966/F - Thomas Davis GFC - Installation of temporary changing facilities (comprising 2no. pre-fabricated buildings) and 2no. storage containers for equipment (involving relocation from existing GFC Ground, off Chancellors Road, Newry - Lands approx 180 Metres south-west of No.15 Doran's Hill Newry (within the grounds of Thomas Davis GFC/Community Sports Facility under construction). (Case Officer report attached).**

Rec: APPROVAL

[P-2014-0966-F \(Thomas Davis GFC\).pdf](#)

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- 26. P/2015/0056/F - Colin McManus - Change of House Type to include increased ridge height, garage incorporated into main dwelling and associated works. (amended description) - 360m north-east of No 37 Shaughan Road Belleek, Newry. (Case Officer report attached).**

Rec: REFUSAL

[P-2015-0056-F \(C McManus\).pdf](#)

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Local Development Plan

- 27. Planning Appeals Commission - Independent Examination of Local Development Plans (Draft Procedures). (Attached). (For noting).**

28. Local Development Plan: Preparatory Studies - Paper 8 - Coast. (Attached). (For noting).

📄 *Planning Report re LDP Paper 8 - Coast.pdf*

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29. Local Development Plan: Preparatory Studies - Paper 11: Minerals. (Attached). (For noting).

📄 *Planning re LDP Paper 11 - Mineral Developments.pdf*

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30. Local Development Plan: Preparatory Studies Paper 14: Education, Health and Community Services. (Attached). (For noting).

📄 *Planning Report re LDP Paper 14 - Education etc.pdf*

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Invitees

Cllr Terry Andrews	terry.andrews@nmandd.org
Cllr Naomi Bailie	naomi.bailie@nmandd.org
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Mrs Marie Ward	marie.ward@downdc.gov.uk

Ag freastal ar an Dún
agus Ard Mhacha Theas
Serving Down
and South Armagh



Comhairle Ceantair

an Iúir, Mhúrn agus an Dúin

Newry, Mourne and Down

District Council

1

SPEAKING RIGHTS/Written SUBMISSIONS

PLANNING COMMITTEE MEETING

WEDNESDAY 1 MARCH 2017

The closing date/time for requests for speaking rights/written submissions for Planning Applications listed on the agenda for the above Planning Committee Meeting is as follows:-

Wednesday 22 February 2017 by 5.00 pm

Requests for speaking rights/written submissions should be emailed to:-

democratic.services@nmandd.org



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/0821/F

Date Received: June 2016.

Proposal: Full planning permission is sought for a Change of House type to that previously approved under R/2012/0323/F, on lands at 24 Ringhaddy Road, Killinchy.

Applicant: Mr C Canning

Location:

The site is located in the countryside several mile north of Killyleagh in an AONB and Area of Constraint on Mineral Developments as identified in the Ards and Down Area Plan 2015. The site is also adjacent to Quarterland Bay and appears to be within/adjacent Strangford Lough Ramsar site, SPA, SAC, Marine Nature Reserve and ASSI. This Ringhaddy Road is a relatively narrow rural road which extends from the Ballymorrán Road and Killyleagh Road down to the shore and bay, whereby this area is largely characterised by agricultural lands although also comprises a number of roadside dwellings and holdings.

Site Characteristics & Area Characteristics:

The site is located towards the bottom end of Ringhaddy Road, adjacent to the shore (Quarterland Bay) and comprises a portion of land (field) adjacent to the dwelling of no.22 and its associated curtilage, buildings and lands, whereby development has commenced for the construction of a new dwelling, approved under application R/2012/0323/F.

The site for this dwelling is low lying, whereby the lands rise from the shore towards no.22. This site is accessed via the existing access serving no.24

Site History:

A history search has been carried out for the site and surrounds whereby it is noted there have been a number of applications within and adjacent to the site, however having account the nature of this proposal, the most relevant history observed

includes:

R/2012/0323- 70m north west of 22 Ringhaddy Road, Killinchy, New dwelling and double garage, Full, Approval, 12-02-14, Applicant: Mr Canning.

(This approved dwelling was located towards the lower lying portion of the field and comprised a single storey dwelling with detached double garage with store above. This dwelling shared the access point onto the Ringhaddy Road with no.22.

It is noted there was significant local opposition to this proposal while consultation was also undertaken with TNI, NIW, WMU, Rivers Agency, DAERA, PHB, PHM, and Natural Heritage)

Consultations:

Having account the nature of this proposal (change of house type) and constraints of the site and area, consultations have been carried out with Rivers Agency, NIEA and Shared Environmental Services, who offer no objections in principle. A HRA screening exercise was also undertaken as part of this application.

The comments from the respective consultees are noted, and having account the nature of this application, namely, a Change of house type, to an extant permission, in the same location, it is not considered necessary to seek further information or comments from any other body to determine this application.

Objections & Representations

Having account the red line of the application site, neighbour notification was carried out with several properties along Ringhaddy Road initially in June 2016, however further neighbour notification letters were issued again in Sept, Oct and Dec 2016 and again in Jan 2017, following receipt of amended plans and additional information. The application was also advertised in the local press in July 2016.

In excess of 50 objections have been received to date (08-02-17) from properties along Ringhaddy Road, Ballymorrán Road, Ringdufferin Road, Lusky Road, Quarterland Road, Rathcunningham Road, Whitecherry Road (killinchy), The Spires Grove (Killinchy), Donaldson Planning on behalf of Concerned Ringhaddy Area residents, the Concerned Ringhaddy Area Residents themselves, and also RSPB, whereby the main issues raised include:

- the dwelling proposed is substantially bigger in height, width, depth and footprint (scale, height, mass and intrusiveness) along with a unnecessarily large and inappropriate garage,
- the design is ill-proportioned with an incongruous mix of elements and is wholly inappropriate, and will destroy the very special and unique landscape of this sensitive location,
- the fenestration is out of keeping with the area,
- the quality of the information submitted is inadequate,
- the proposal is contrary to PPS2,
- the proposal is contrary to policies CTY13 and CTY14 of PPS21,
- request that NIEA are consulted,

- queries were raised regarding the timing of the application and period afforded to comment on it,
- the history of the site, namely the previously approved dwelling and associated opposition and complaints are referred to,
- 3D images have been provided.

See file for full content of representations received, as the above s only a summary of the main issues raised.

Policy- RDS, Ards & Down Plan 2015, SPPS, PPS2, PPS3, PPS6, PPS11, PPS15, PPS21 and supplementary guidance.

As stated above the site is located in the countryside, thus PPS21 applies.

PPS21 sets out the planning policies for development in the countryside (any land lying outside of development limits as identified in development plans), whereby Policy CTY 1 sets out the 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.

It is clear from the history outlined above there is a previous extant Full permission for a new dwelling on this site (R/2012/0323), the details of which are set out above. As such it is considered the principle of a dwelling has already been accepted and established for this site in accordance with the provisions of PPS21, subject to conditions.

The purpose of this report is to consider the change of house type proposed and not to re-visit the principle of development.

As outlined above neighbour notification has been carried out on a number of occasions since this application was first received in June 2016.

The original scheme and change of house type (June 2016) comprised a part 1 and part 2 storey dwelling with several returns and projections, whereby the Planning Dept queried where the agent had based the design of this dwelling having account the context of the guidance document Building on Design and also existing character of the area.

In response to this query amended plans were received in Sept whereby the tower/turret feature was removed while the elevations and finishes were also amended. As such a further round of neighbour notification was undertaken in Sept to advise neighbours and interested parties of these changes and affording an opportunity to comment.

However further amended plans were then received in Oct reverting back to the original scheme, which required a further round of neighbour notifications to be undertaken.

Following the expiry of the neighbour notification period these amended plans from Oct were considered and had been recommended for Refusal in Nov, with a view to being presented to the Planning Committee in Dec 2016.

However a further set of amended plans were then received from the agent in Dec, again removing the tower/turret feature and amending the house type/elevations. Receipt of these amended plans required a further round of neighbour notification. Further amended site layout plans were then received in Dec and again in Jan regarding the levels of both the site and dwelling. These again required further rounds of neighbour notifications to be undertaken.

It is clear from the above how this application for a change of house type has been amended on a number of occasions over the period of 7 months. These amendments have caused delays in the processing of the case, and have also been frustrating for all parties involved including neighbours/interested parties who have received a number of letters, whereby a number of interested parties have taken the time to make representations on each set of amendments, however the Planning Dept has a duty to consider amended plans received.

This situation is unfortunate for all parties involved, however this report is now based on the most recent plans received including the site layout plan date stamped 18th Jan 2017 and detailed plans date stamped 19th Dec 2016. (The site location plan and garage details have remained unaltered and are date stamped 20th June 2016).

The dwelling (change of house type) now proposed will be part single storey and part 2 storey, and will again include a number of projections.

This change of house type will be sited in the same place as that previously approved, whereby part of this previously approved dwelling has been constructed. It is noted the single storey portion of the dwelling comprising the sitting, dining, kitchen, bathroom and bedroom 3 are the same as that previously approved.

The dwelling previously approved was single storey with simple form, although it is noted there are a mix of house types, sizes and designs in this area.

While it is acknowledged the dwelling now proposed is larger than that previously approved, it is considered the size including height and scale, and also design and appearance are acceptable in this sensitive rural location, the zonings of which are outlined above.

The house type now proposed has been simplified from an earlier version whereby the central tower/turret feature and also end upper floor projection have been removed. The finishes proposed include a black natural slate roof, white upvc windows, painted cladding walls and black RWG's.

As stated above the dwelling will be sited in the same place, whereby the access, driveway, garage, levels, garden area, extent of curtilage and boundary planting will all largely remain as previously approved.

(As outlined above the levels will remain as previously approved. It is noted from the levels and drawings of the previous approval parts of the site were to be dug out and levelled with a retaining wall and bank being provided along the rear of the dwelling and garage. This will again be replicated whereby the height of which can be conditioned if considered necessary).

As such it is considered these change of house type proposal, will not result in any significant increased or unacceptable impact on the character of this area or any

adjoining property, on this low lying site, and complies with the applicable policy context including policy CTY13 and CTY14 of PPS21, and also NH6 of PPS2 and the SPPS.

It is noted there is considerable opposition to this application, and with regards to the representations received, it is considered that while there may be ongoing complaints, this is not a justifiable reason to hold the progressing of this application. The design of the dwelling now proposed has been outlined and considered above. This application was submitted in June, whereby there is no current restriction in place as to what day or month any application can be submitted. The history of this site is noted, however this application only deals with this current proposal for a change of house type to that previously approved, whereby the principle of a dwelling has already been considered acceptable at this location.

Taking into account the above, Approval is recommended, subject to conditions. (Conditions to include: substitution of previous approval, removal of permitted development rights, planting, height of retaining wall, NIEA comments, while also having account the conditions attached to the previous approval (R/12/0323)).

Recommendation: Approval.

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	10			
APPLIC NO	LA07/2016/0854/O	Outline	DATE VALID	27/06/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Richard Cleland 185 Ardglass Road Downpatrick BT30 7EA		AGENT	Ewart Davis 14 Killynure Avenue Carryduff Belfast BT8 8ED 07969919145

LOCATION Replacement of former dwelling located 70m North East of 24 Ballybrannagh Road on land directly north of 185 Ardglass Road Downpatrick BT30 7EA

PROPOSAL Replacement Dwelling (Off-Site) (Amended Description and Site Address)

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	3	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed replacement dwelling is not sited within the established curtilage of the existing dwelling and it has not been shown that the alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.

- 2 The proposal is contrary to Policy CTY6 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the applicant has not provided satisfactory long term evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused and it has not been demonstrated that there are no alternative solutions to meet the particular circumstances of this case.



Comhairle Ceantair
**an Iúir, Mhúrn
 agus an Dúin**

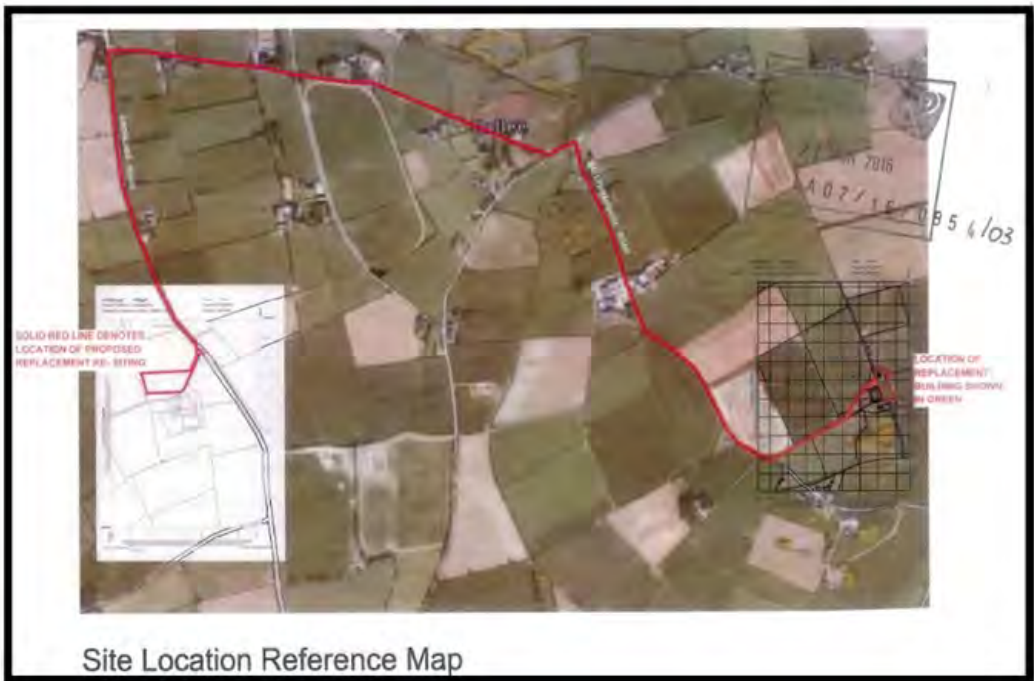
**Newry, Mourne
 and Down**
 District Council

Application Reference: LA07/2016/0854/O

Date Received: 27th June 2016

Proposal: Replacement Dwelling (Off-Site)

Location: The site consists of 2 separate locations which are located 1.9km apart as the crow flies. The dwelling to be replaced is located approximately 70m northeast of 24 Ballybrannagh Road. The proposed site for the replacement dwelling is to be located directly north of 185 Ardglass Road. The site is located approximately 7km to the southeast of Downpatrick.



Site Characteristics & Area Characteristics:

Characteristics of Site

(i) Site at 24 Ballybrannagh Road

This site contains a large detached 2 storey dwelling in a derelict state of repair. The dwelling is a 2 storey rear return and is of a traditional vernacular design. A large section of the roof has collapsed as has the majority of the interior 1st floor level. The dwelling is finished with smooth render which is breaking off to expose stone and red brick underneath. There is vegetation growing up through the centre of the building. The remaining sections of the roof are finished with non-profiled slate. There is a smaller stone vernacular outbuilding located to the north of the dwelling across a farm lane.

(ii) 185 Ardglass Road

The site contains a section of a larger agricultural shed located directly north of 185 Ardglass Road. The site is undefined to the north however the remaining boundaries are defined by mature hedges and trees. There is an existing agricultural access to the southeast of the site from the farm lane.

Characteristics of Area

The area is undulating open countryside mainly in agricultural use with sparsely located rural dwellings and farms. The main Ardglass Road runs north to south and is located to the east of the proposed site. The site is surrounded by agricultural land to the north, east and west with existing farm buildings to the south.

Site History:

R/1993/0092	Opposite 35 Ballybrannagh Road, Ballee, Downpatrick – Dwelling and Garage – Refused
R/1996/0468	185 Ardglass Road, Downpatrick Extension and refurbishment to dwelling – Granted
R/2009/0798/F	Ballybrannagh Farm Ballybrannagh Road Downpatrick Co. Down Proposed dwelling and garage – Granted
R/2010/0331/F	Ballybrannagh Farm, Ballybrannagh Road, Downpatrick - Amended dwelling siting to previously approved application R/2009/0798/F

Planning Policies & Material Considerations:

I have assessed the proposal against the following relevant policies:

- The Regional Development Strategy (RDS)
- The Strategic Planning Policy Statement (SPPS)
- The Ards and Down Area Plan 2015
- Planning Policy Statement 2 – Natural Heritage

- Planning Policy Statement 3 – Access Movement and Parking
- Planning Policy Statement 21 – Sustainable Development in the Countryside
- Building on Tradition – A sustainable Design Guide to the Northern Ireland Countryside

Development Plan – The Ards and Down Area Plan 2015

The site is located within an Area of Constraint on Mineral Developments and both sites are located within proximity to an archaeological monument (DOW038:032 & DOW038:043).

Consultations:

- Statutory – Transport NI – No objections
- Statutory – NIEA – WMU– No objections
- Statutory – NIEA – NED – request re-consultation at RM Stage
- Non-Statutory – NI Water – No objections
- Statutory – Historic Environment Division – No objections.

Objections & Representations

Neighbours notified on 18th July 2016 and re-notified on 4th October 2016:

- 185 Ardglass Road, Spittle Quarter, Downpatrick, Down, BT30 7EA
- 24 Ballybrannagh Road, Ballybrannagh Upper, Downpatrick, Down, BT30 7HF
- 26 Ballybrannagh Road, Ballybrannagh Upper, Downpatrick, Down, BT30 7HF

The application was advertised on 27th July 2016 and re-advertised on 12th October 2016.

There were no objections received in response to the application.

There were 3 letters of support for the application – 1 letter from the Ulster Farms Union and 2 letters from Margaret Richie MP both with the same content.

Consideration and Assessment:

Principle

PPS21 CTY1 states that a replacement dwelling will be granted in accordance with policy CTY3.

The SPPS and PPS21 CTY3 both state that provision should be made for the replacement of an existing dwellings where the building to be replaced exhibits the essential characteristics of a dwelling and, as a minimum all external structural walls are substantially intact.

The walls are all substantially intact. The roof has partially collapsed however large sections of roof remain. There are large chimneys on the ridge and internal fireplaces visible. There is no record of the dwelling being previously replaced. The dwelling meets the requirements for replacement. It is considered that the dwelling is a non-listed vernacular building however due to its derelict state of repair and its distance from the public road, and limited public views, it is not considered that it contributes to the local heritage or character of the locality.

The policy states that all replacement cases will only be permitted where all the following criteria are met:

The proposed replacement dwelling should be sited within the established curtilage of the existing building, 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.

The SPPS states that 'Replacement dwellings must be located within the curtilage of the original dwelling where practicable, or an alternative position nearby where there are demonstrable benefits in doing so.'

The dwelling to be replaced meets the criteria for replacement however the proposed siting for the replacement dwelling is located 3.76km (by road) from the site and would be located directly north of the main family farm at 185 Ardglass Road.

A supporting statement has been submitted with the application and states that the off-site replacement is required for the applicant who works on the main farm at 185 Ardglass Road. It states that a dwelling at Ballybrannagh Road would be too far for the applicant to travel to respond to milking and calving on the farm which occurs all year around. The applicant's father is no longer able to undertake heavy manual work on the farm. Further evidence was submitted including a P1C form and farm maps, medical evidence relating to the applicants father, the applicants education certificates, accounting information confirming the applicant is a partner of the farm business, and a letter from a vet to support the proposal for the applicant to live next to the farm. The Northern Ireland Code of Recommendations for the Welfare of livestock (Cattle) has also been submitted.

A farm dwelling was granted (R/2009/0798/F & R/2010/0331/F) under the family's farm business which was sited to cluster with the out-farm buildings at Ballybrannagh Road. The applicant's brother currently lives in this dwelling.

The existing curtilage of the dwelling to be replaced is sufficiently large to accommodate a replacement dwelling and is surrounded by tall trees and mature hedges which would allow a dwelling to integrate suitably - there are limited views from the public road. The off-site location would not result in any demonstrable landscape, heritage, access, or amenity benefits however it is noted that a dwelling

in in the off-site location would not appear prominent and would also integrate suitably subject to the reserved matters.

To grant this proposal would require an exception to the policy which requires a replacement dwelling to be located within the existing curtilage unless it would result in landscape, heritage, access, or amenity benefits. This has not been demonstrated.

Consideration is given to the requirement for the applicant to live beside the main farm. The family were granted a farm dwelling under Policy CTY10 in 2010 and chose to located the farm dwelling at the out-farm on Ballybrannagh Road (beside the dwelling to be replaced). The travel distance between the Ballybrannagh Road site and Ardglass Road site is approximately 5 minutes - therefore it is considered that the business could continue to be effectively managed without the applicant living directly beside the main farm. The applicants father lives on the main farm and CCTV can be used to monitor calving - the circumstances of the farm are not considered exceptional but are common to most dairy farms.

To grant this application would set an unacceptable precedent for replacement dwellings outside the locality of the dwelling being replaced.

CTY6

Evidence has been submitted regarding the personal circumstance including medical evidence to demonstrate the need for the applicant to live on the main farm as the applicant's father is unable to carry out heavy manual tasks on the farm.

The dwelling to be replaced is located approximately 5minutes drive from the farm and it is not considered that genuine hardship would be caused if the application were refused. No evidence of any caring arrangement has been submitted.

CTY13, CTY14 and CTY16

This is an outline application and the details of siting, design, access, and landscaping would be further assessed at the reserved matters stage. The proposed site north of 185 Ardglass Road would benefit from a mature natural backdrop and the siting of the dwelling could be conditioned and curtilage restricted. There are limited public views from the Ardglass Road due to mature hedges along its western side. A dwelling in this location would not result in a ribbon of development and would not appear prominent in the landscape. An appropriately designed dwelling would comply with CTY13, CTY14, and CTY16.

Natural Heritage

NIEA Natural Environment Division has raised concerns and requests a Bat Roost Potential Survey if the dwelling to be replaced is to be demolished. The dwelling to be replaced does not contribute to the character of heritage of the locality due to its location and condition therefore it would be a requirement of any approval granting its replacement that it be demolished. As the principle of the proposal is not accepted it would be unreasonable to request this survey which would put the applicant to additional expense.

The agent was informed that the principle of the development is not established under the SPPS and PPS21 and that the application would therefore be recommended for refusal, however an opportunity was given to address NIEA Natural Heritage Division's concerns in relation to bats. A Bat Roost Potential survey was received by the Council on 19th January 2017 and NIEA Natural Environment Division were re-consulted. NIEA NED responded on 3rd February to advise that they no longer have concerns in relation to Bats however there would be concerns in relation to Badger if the proposal at Ardglass Road would be sited within 25m of any hedge or if any mature hedges or trees were to be removed. NIEA request further consultation at the reserved matters stage when the foot print of the proposed dwelling is available.

The proposed dwelling is to be located within an existing agricultural field. Should any dwelling be approved a condition would be imposed that existing natural boundaries and mature trees are retained. During my site inspection I observed no Badger activity in or around the site. The existing access to the site should be used and minimal hedgerow loss would be required. It is not considered the proposal is contrary to PPS2 NH2.

Access

TNI have been consulted and have raised no objections to the proposal subject to access details being provided at the reserved matters application stage. Existing visibility splays at 185 Ardglass Road are considered acceptable (see TNI RS1 form dated 11th August 2016)

Summary

The proposal is for an off-site replacement dwelling which would be 3.76km from the dwelling to be replaced and would be located beside the main farm at 185 Ardglass Road. A supporting statement and information has been submitted with the application and have been fully considered, however it is not considered that an exception to the policy should be given as the circumstances of the case are not uncommon or exceptional and to grant permission would set an unwelcome precedent.

Recommendation –Refusal

Reasons for Refusal

The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed replacement dwelling is not sited within the established curtilage of the existing dwelling and it has not been shown that the alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.

The proposal is contrary to Policy CTY6 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the applicant has not provided satisfactory long term evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused and it has not been demonstrated that there are no alternative solutions to meet the particular circumstances of this case.

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	11			
APPLIC NO	LA07/2016/1148/F	Full	DATE VALID	31/08/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Edel Patterson 86 Church Street Dromore Co Down BT25 1AA		AGENT	Fletcher Architects (N.I.) LTD 25 Main Street Castlewellan Co Down BT31 9DF 02843778710
LOCATION	24 Edgewater Apartments South Promenade Newcastle Co Down			
PROPOSAL	Proposed balcony to rear of first floor apartment			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to policy EXT 1 of the Addendum to Planning Policy Statement 7 (Residential Extensions and Alterations) in that the proposal will have an adverse impact upon the privacy of the residents of Apartments 13, 14, 15 & 16 Edgewater, Newcastle, by reason of overlooking.



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**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1148/F

Date Received: 31/08/2016

Proposal: Proposed balcony to rear of first floor apartment

Location: Flat 24, Edgewater, 61 South Promenade, Newcastle



Site Characteristics & Area Characteristics:

Site is located in block of apartments at Edgewater, Newcastle. This apartment operates the upper floor level located on a corner with attached apartments on either side.

Site History:

R/1994/0430 - Conversion to 23 apartments – Approval – 16/11/1994

R/1995/0861 – 6No Apartments and associated car parking – Approval – 18/10/1996

Planning Policies & Material Considerations:

Principal Planning Policies:

Regional Development Strategy (RDS)
Ards/Down Area Plan 2015 (ADAP)
Strategic Planning Policy Statement for Northern Ireland (SPPS)
PPS 7: (Quality Residential Environments)
PPS 7 Addendum: (Residential Extensions & Alterations)

Supplementary Planning Guidance:

Creating Places: Achieving quality in residential environments

Consultations:

No consultations necessary.

Objections & Representations:

Notice of this application has been carried out in accordance with Part 8 (1) of the Planning (General Development Procedure) Order (Northern Ireland) 2015. This application was advertised on 14th September 2016 and 5 neighbouring properties were notified. To date no representations have been received.

Consideration and Assessment:

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. This proposal is for alterations to an existing approved apartment within the settlement limit of Newcastle in the ADAP 2015, the proposal in its own right does not conflict with the Area Plan. As the proposal is for alterations to an existing residential property, it must be assessed against the Criteria of the PPS 7 Addendum (Residential Extensions & Alterations).

As this proposal involves minimal work in terms of physical alterations to the building it is unlikely to cause any overshadowing. Also, in terms of design, it is not believed that this proposal is unacceptable given that it is located to the rear of the apartments and does not detract from the local streetscape or character of the area as is not visible from outside of the site due to the steep bank to the rear of these apartments.

The main concern for a structure of this nature is overlooking. An existing 'Juliet' balcony is located on the part of the apartment where the new external balcony is to be created. The existing balcony however does not appear to be part of the original permission for apartments on this site nor has it benefited from subsequent planning approval. That said, a window was originally approved on this opening so the main factor for consideration is does the proposed balcony lead to an unacceptable loss of privacy compared to the original window as approved on this apartment.

The area which the balcony overlooks is a shared area that is used as a rear entrance for the apartments of this development. It is not a concern though in

relation to overlooking of this shared area as this area would enjoy little privacy at present.

In terms of overlooking on individual properties, it is believed that this additional balcony could have an adverse impact upon the amenity of residents, in particular Nos 13, 14, 15 & 16 as per the PPS 7 Addendum (Residential Extensions & Alterations).

The two upper floor level properties are likely to suffer from overlooking due to the close proximity of the balcony. These upper floor levels would enjoy a substantial degree of privacy at present and if someone were to be using the balcony for recreational / domestic purposes, views into these properties would be clearly visible.

Although the ground level windows are not completely private due to their position beside the shared entrance, views into these properties from the shared entrance are more than likely to be 'glancing' views at present and not as invasive as may be achieved from someone positioned on a balcony looking directly down on these windows.

Recommendation:

Refusal

Reason:

The proposal is contrary to policy EXT 1 of the Addendum to Planning Policy Statement 7 (Residential Extensions and Alterations) in that the proposal will have an adverse impact upon the privacy of the residents of Apartments 13, 14, 15 & 16 Edgewater, Newcastle, by reason of overlooking.

Case Officer Signature:

Appointed Officer Signature:

Site Photos



1) View of Front Elevation



2) Side View of Rear Elevation



3) View of existing balcony on rear elevation



4) View looking South East from rear elevation

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	12			
APPLIC NO	LA07/2016/1189/F	Full	DATE VALID	08/09/2016
COUNCIL OPINION	APPROVAL			
APPLICANT	Mr Ryan Lundy 31 Clarkhill Road Castlewellan BT31 9DF		AGENT	Fletcher Architects (N.I) LTD 25 Main Street Castlewellan BT31 9DF 028 43778710
LOCATION	55 Main Street Castlewellan			
PROPOSAL	Retrospective planning permission to retain shop front facade			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	
	0	0	0	
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



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**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1189/F

Date Received: 12.09.2016

Proposal: The application is for Retrospective planning permission to retain shop front façade.

Location: The application site is located within the settlement limits of Castlewellan, within the Conservation area and within an area of Archaeological Potential as designated in the Ards and Down Area Plan 2015.







Site Characteristics & Area Characteristics:

The application is for retrospective planning to retain the shop front façade. The work had been carried out at the time of the site visit. The front façade includes white PVC window frames on the first floor level. A timber framed shop front which has been varnished and is mahogany in colour. The shop front has two timber mullions which break up the shop front window into three panes. There is a half glass/timber door also with mahogany colour. There is stone faced stallriser to the front and there remaining stone work is smooth plaster which is unpainted at present. There is a timber sign to the front.

Site History:

R/1993/0187 51 Main Street Castlewellan Change Of Use To Amusement Arcade And Games Room For Pool Permission Refused

R/1992/0242 49 Main Street Castlewellan Conversion Of Vacant Shop Premises To An Amusement Arcade. Permission Refused

R/1994/0355 Main Street, Upper Square, Lower Square, And Castle Avenue Castlewellan. Environmental Improvement Scheme Permission Granted

LA07/2016/1374/A 55 Main Street, Castlewellan, Co Down, BT31 9df, Retrospective Planning Permission To Retain Shop Front Signage
Valid Application Received

LA07/2016/1422/DCA 55 Main Street, Castlewellan, Co Down, BT31 9DF, Retrospective Planning Permission For Demolition Of Façade To Include The Ground Floor Shop Front And First Floor Windows In A Conservation Area
Pending

R/2012/0150/CA Playzone, 49-51 Main Street, Castlewellan, Down, BT 31 9DQ, Alleged Unauthorised Signage Enforcement Case closed

Planning Policies & Material Considerations:

The application site is located within the Castlewellan settlement as designated in the Ards and Down Area Plan 2015 and as such the SPPS is the relevant policy document, which is read in conjunction with PPS 6 – Planning, Archaeology and the Built Heritage.

Consultations:

Transport NI – No objections
Historic Environment Division (HED) – see below for response.

Objections & Representations

In line with statutory requirements five neighbours have been notified on 21.09.2016. The application was advertised in the Mourne Observer and the Down Recorder on 28.09.2016.

Consideration and Assessment:

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.

PPS 6 – Planning, Archaeology and the Built Heritage

The application for retrospective Permission to retain a shop front and along with it an associated application to demolish the shop front of 55 Main Street Castlewellan (LA07 2016 1422 DCA). HED have stated that this will impacts upon the following Listed Buildings

HB18 12 003 The Pheasant Inn 36 Main Street Castlewellan Grade B2
HB18 12 009 The Courthouse Upper Square Castlewellan Grade B2
HB18 12 028 Northern Bank 40-42 Lower Square Castlewellan Grade B1
HB18 12 029 Ulster Bank Upper Square Castlewellan Grade B1
HB18 12 011 11-29 Lower Square Castlewellan Grade B1

These are of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011.

Historic Environment Division: Historic Buildings (HED:HB) considers the proposal to have an adverse impact on the Listed Buildings and in its current form fails to satisfy the policy requirements of BH 11 (Development Affecting the Setting of a Listed

Building) of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage due to the lack of information provided.

Paragraph (a) of Policy BH11 (Development affecting the Setting of a Listed Building) requires the detailed design to respect the scale, height, massing and alignment of the Listed Buildings. HED would require contextual sketches and massing studies to provide further assessment under this part of the policy.

The application is a retrospective application, the ridge height of the building remains as it was, therefore in terms of the scale height and massing, the impact would be negligible, given the distance to the other listed buildings. In this particular case, significant weight is not being attached to this part of the policy, given that it is only the shop front which has been demolished and rebuilt (see previous photo from google street view dated 2008).

Paragraph (b) of Policy BH11 requires the proposed works to make use of traditional or sympathetic building materials which respect those on the listed buildings.

HED:HB consider that the current proposal contains several elements which they would not consider to comply with this part of the policy as follows:

We would wish to see traditionally detailed sliding sash painted timber windows in lieu of uPVC. We would wish to see traditionally detailed opaque painted timber shop front and external doors in lieu of a varnished plywood and hardwood mix.

We would wish to see cast iron or heavy cast aluminium rainwater-ware in lieu of uPVC.

Policy BH12 – New Development in a Conservation Area

Within the justification and Amplification section of this policy it refers to alterations and extensions.

It is important to look at the building in context and not in isolation. While it is acknowledged that the application site lies within the Castlewellan Conservation Area, it forms part of a terrace of existing buildings, all of which there is a mix of window types and styles, materials and shop front sizes and styles and signage. There are uPVC windows in many of the upper floor windows along this stretch of street. Given what was there previously and given the surrounding context, and in the interests of reasonableness and fairness, significant weight is not being attached to the requirements of HED's response and this is being set aside in this instance. The shop front would be in keeping with the character and appearance of the particular area and will not prejudice the amenities of adjacent properties. The retention of this shop front would not be so detrimental on the character and appearance of the Conservation area as to warrant a refusal.

Recommendation:

Approval

Conditions:

This permission is valid from the date of this decision notice and is granted under Section 55 of the Planning Act (Northern Ireland) 2011.

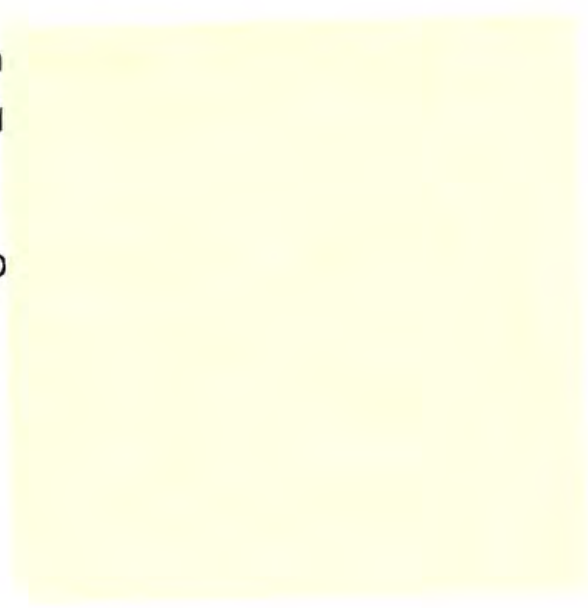
Reason: This is a retrospective application

Case Officer

Date

Appointed O

Date



**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	14			
APPLIC NO	LA07/2016/1422/DCA	Demolition w	DATE VALID	25/10/2016
COUNCIL OPINION	CONSENT			
APPLICANT	Ryan Lundy 31 Clarkhill Road Castlewellan BT31 8BJ	AGENT	Fletcher Architects (NI) Ltd 25 Main Street Castlewellan BT31 9DF 02843778710	
LOCATION	55 Main Street Castlewellan Co Down BT31 9DF			
PROPOSAL	Retrospective Planning Permission for Demolition of Façade to include the Ground Floor Shop Front and First Floor Windows in a Conservation Area			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



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**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1422/DCA

Date Received: 12.09.2016

Proposal: The application is for Retrospective Planning Permission for Demolition of Façade to include the Ground Floor Shop Front and First Floor Windows in a Conservation Area.

Location: The application site is located within the settlement limits of Castlewellan, within the Conservation area and within an area of Archaeological Potential as designated in the Ards and Down Area Plan 2015.





Site Characteristics & Area Characteristics:

The application is for retrospective planning to for Demolition of Façade to include the Ground Floor Shop Front and First Floor Windows in a Conservation Area. The work had been carried out at the time of the site visit. The front façade includes white PVC window frames on the first floor level. A timber framed shop front which has been varnished and is mahogany in colour. The shop front has two timber mullions which break up the shop front window into three panes. There is a half glass/timber door also with mahogany colour. There is stone faced stallriser to the front and there remaining stone work is smooth plaster which is unpainted at present. There is a timber sign to the front.

Site History:

R/1993/0187 51 Main Street Castlewellan Change Of Use To Amusement Arcade And Games Room For Pool Permission Refused

R/1992/0242 49 Main Street Castlewellan Conversion Of Vacant Shop Premises To An Amusement Arcade. Permission Refused

R/1994/0355 Main Street, Upper Square, Lower Square, And Castle Avenue Castlewellan. Environmental Improvement Scheme Permission Granted

LA07/2016/1374/A 55 Main Street, Castlewellan, Co Down, BT31 9df, Retrospective Planning Permission To Retain Shop Front Signage
Valid Application Received

LA07/2016/1422/DCA 55 Main Street, Castlewellan, Co Down, BT31 9DF, Retrospective Planning Permission For Demolition Of Façade To Include The Ground Floor Shop Front And First Floor Windows In A Conservation Area
Pending

R/2012/0150/CA Playzone,49-51 Main Street,Castlewellan,Down,BT 31 9DQ, Alleged Unauthorised Signage Enforcement Case closed

Planning Policies & Material Considerations:

The application site is located within the Castlewellan settlement as designated in the Ards and Down Area Plan 2015 and as such the SPPS is the relevant policy document, which is read in conjunction with PPS 6 – Planning, Archaeology and the Built Heritage.

Consultations:

Historic Environment Division (HED) – see below for response.

Objections & Representations

In line with statutory requirements five neighbours have been notified on 01.11.2016. The application was advertised in the Mourne Observer and the Down Recorder on 09.11.2016.

Consideration and Assessment:

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.

This application is associated with a full planning application LA07/2016/1189/F.

Having taken into account of the location, zonings and constraints of the site and nature of this proposal, consultations have been carried out with NIEA-HED along with other additional consultations as part of the associated Full application.

As stated above the site is located within the settlement of Castlewellan, and in the Conservation Area and an Area of Archaeology Potential as identified in the Ards and Down Area Plan 2015.

PPS 6 – Planning, Archaeology and the Built Heritage

The application for retrospective Permission demolish the shop front of 55 Main Street Castlewellan (LA07 2016 1422 DCA). HED have stated that this will impacts upon the following Listed Buildings

HB18 12 003 The Pheasant Inn 36 Main Street Castlewellan Grade B2
HB18 12 009 The Courthouse Upper Square Castlewellan Grade B2
HB18 12 028 Northern Bank 40-42 Lower Square Castlewellan Grade B1
HB18 12 029 Ulster Bank Upper Square Castlewellan Grade B1
HB18 12 011 11-29 Lower Square Castlewellan Grade B1

These are of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011.

Historic Environment Division: Historic Buildings (HED:HB) considers the proposal to have an adverse impact on the Listed Buildings and in its current form fails to satisfy the policy requirements of BH 11 (Development Affecting the Setting of a Listed Building) of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage due to the lack of information provided.

Paragraph (a) of Policy BH11 (Development affecting the Setting of a Listed Building) requires the detailed design to respect the scale, height, massing and alignment of the Listed Buildings. HED would require contextual sketches and massing studies to provide further assessment under this part of the policy.

The application is a retrospective application, the ridge height of the building remains as it was, therefore in terms of the scale height and massing, the impact would be negligible, given the distance to the other listed buildings. In this particular case, significant weight is not being attached to this part of the policy, given that it is only the shop front which has been demolished and rebuilt (see previous photo from google street view dated 2008).

Paragraph (b) of Policy BH11 requires the proposed works to make use of traditional or sympathetic building materials which respect those on the listed buildings.

HED:HB consider that the current proposal contains several elements which they would not consider to comply with this part of the policy as follows:

We would wish to see traditionally detailed sliding sash painted timber windows in lieu of uPVC. We would wish to see traditionally detailed opaque painted timber shop front and external doors in lieu of a varnished plywood and hardwood mix. We would wish to see cast iron or heavy cast aluminium rainwater-ware in lieu of uPVC.

Policy BH12 – New Development in a Conservation Area

Within the justification and Amplification section of this policy it refers to alterations and extensions.

It is important to look at the building in context and not in isolation. While it is acknowledged that the application site lies within the Castlewellan Conservation Area, it forms part of a terrace of existing buildings, all of which there is a mix of window types and styles, materials and shop front sizes and styles and signage. There are uPVC windows in many of the upper floor windows along this stretch of street. Given what was there previously and given the surrounding context, and in the interests of reasonableness and fairness, significant weight is not being attached to the requirements of HED's response and this is being set aside in this instance. The shop front would be in keeping with the character and appearance of the particular area and will not prejudice the amenities of adjacent properties. The retention of this shop front would not be so detrimental on the character and appearance of the Conservation area as to warrant a refusal.

Taking account of the acceptability of the associated full planning application, no objections are now offered to its demolition which is retrospective.

Therefore consent is recommended.

Recommendation

Consent

Conditions:

Consent is hereby granted in retrospect under Section 55 of the Planning Act (Northern Ireland) 2011 and takes effect from the date of this permission.

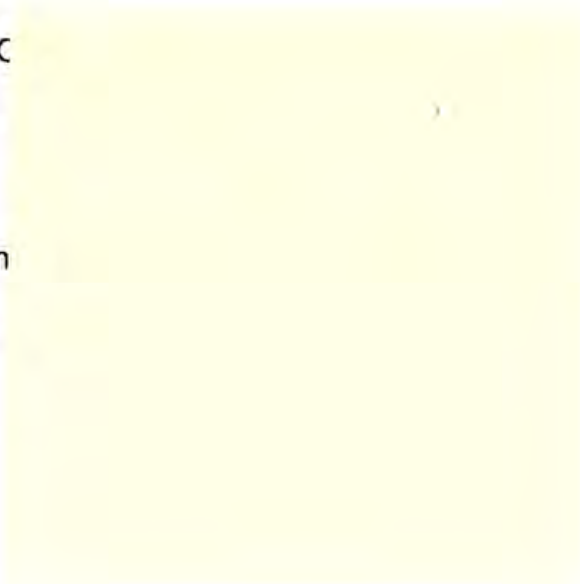
Reason: Retrospective application.

Case C

Date

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**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	17			
APPLIC NO	LA07/2016/1578/F	Full	DATE VALID	24/11/2016
COUNCIL OPINION	APPROVAL			
APPLICANT	Trevor Hughes Newry Mourne and Down District Council Downshire Civic Centre Downshire Estate Ardglass Road Downpatrick BT30 6GQ		AGENT	
LOCATION	Ardglass Playing Field Green Road Ardglass BT30 7UA		NA	
PROPOSAL	Re-grading of site levels creating new kick about football pitch and associated site drainage. Extension to car park and alterations to existing access. (Amended plans received showing relocation of bicycle stand)			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



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**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1578/F

Date Received: Dec 2016.

Proposal: Full planning permission is sought for the Re-grading of site levels creating new kick about football pitch and associated site drainage. Extension to car park and alterations to existing access, on lands off Green Road, Ardglass (Ardglass Playing Fields).

Applicant: Newry, Mourne and Down Council

Location:

The site is located within the development limits of the village of Ardglass on lands zoned as an existing amenity open space and recreation area as identified in the Ards and Down Area Plan 2015. The lands surrounding this area of open space are largely characterised by housing, comprising a mix of low and higher density housing developments. There do not appear to be any other zonings affecting the site. (The site is located outside the extent of Ardglass Conservation Area while it is noted there are also listed buildings in the vicinity of the application site)

Site Characteristics & Area Characteristics:

The site comprises the Council grounds/playing fields known as The Meadow, off Green Road, Ardglass, which is a roughly rectangular shaped site which gently undulates and slopes downhill towards the village and shore. These lands extend to adjoin the Green Road with a low level wall and grass verge forming the boundary with this road. This site also extends to adjoin a number of residential properties which are bounded by a mix of planting, walls and fencing. These properties open onto a public path, which adjoins and opens onto the grasslands comprising the application site. It is also noted there are a number of trees plotted along the boundaries of the site.

The site comprises a playing field, and other grass lands, playground, cark parking and pavilion, whereby the vehicular access opens onto Green Road, in the SE corner of the site.

This area is pre-dominantly residential in character, comprising a mix of low and high density housing.

Site history

A history search has been carried out for the site and surrounds, whereby the most relevant history observed includes:

R/2014/0480/F- Lands at existing playing fields, Green Road, Ardglass. Proposed development of Community Sports Facilities, to include 3G synthetic Football Pitch with 3m high perimeter pitch fencing, 6m high ball stops and 18m high floodlights. Multi Use Games Area with 3m high perimeter pitch fencing, 4.5m high ball stops and 15m high floodlights. Trim Trail with Exercise Stations and 5m high street lighting. Also alteration to existing entrance, driveway and car park. Full, Withdrawn, 26-08-16, Applicant: Down District Council,

It is noted there is a further application under consideration at present within part of this grassed area, ref LA07/2016/1585/F.

Representations

None received to date (06-02-17)

Having account the extent of the red line and current practice neighbour notification was undertaken with several properties along Green Road, Cedar Grove, St Nicolas Walk, Castle Park, Castle Lane, Tennis Cove, and Meadow Court in Dec 2016 and Jan 2017, while it was also advertised in the local press in Dec 2016.

(The further neighbour notification was undertaken in Jan 2017 following receipt of amended plans which showed the location of the bicycle area moved).

Consultations-

Having account the nature of this proposal, location and constraints of the site and area, consultations have been carried out with Transport NI, NIW and Environmental Health as part of this application, whereby it is considered no objections are offered in principle.

Policy- RDS, Ards & Down Plan 2015, SPPS, PPS2, PPS3, PPS6, PPS8, PPS15, and supplementary guidance

As stated above the site is located within the development limits of the village of Ardglass on lands zoned as an existing amenity open space and recreation area as identified in the Ards and Down Area Plan 2015. There do not appear to be any other zonings affecting the site. (The site is located outside the extent of Ardglass Conservation Area while it is noted there are also listed buildings in the vicinity of the application site).

The lands surrounding this area of open space are largely characterised by housing, comprising a mix of low and higher density housing developments.

This proposal includes the re-grading of site levels creating new kick about football pitch and associated site drainage. Extension to car park and alterations to existing access.

Having account the nature of this proposal it is considered the provisions of PPS8 (Open space, Sport and Outdoor Recreation) apply.

Having account the Definition of Open Space in Annex A of this policy, it is considered the development proposed as outlined above, constitutes open space.

These lands include a football (soccer) pitch, changing pavilion, car parking, area of grass land, and playground at present.

It is noted this entire green/grassed area measures some 2.5 hectares, although the red line of this current application measures approx 0.6 hectares.

As outlined above there are several elements to this proposal, including:

- regarding of the levels of this site,
- creation of a new kick-about football pitch,
- new drainage,
- extension to car park, and
- alterations to the existing access.

The lands comprising this application, and area to be regraded, with new drainage, to create a new pitch, comprises a grassed area at present, located towards the northern end of these grounds, adjacent to a number of properties within Meadow Court and St Nicholas Walk, and further point away from the Green Road.

This existing grassed area and playing fields in general gently undulate at present although generally slope downhill towards the cul-de-sac of Tennis Cove.

The levels proposed will generally respect the existing ground levels although will make them more level, with some minor cut and banking being required around parts of this new pitch. This new pitch will measure approx 55m by 35m.

It is also proposed to extend the existing parking area towards the northern boundary, although will still be set in some 15m from the site boundary of these lands. This car parking extension and layout includes provision for buses and disabled parking, while a new bicycle stand is also being provided.

The existing access point and entrance road is being retained although widened to allow better movement of traffic, with 2 extra parking spaces also being provided along this entrance road.

These existing playing fields are long established, with a football pitch, pavilion, parking area, and play park, with large grassed area at present.

It is considered the works proposed will improve the condition and appearance of these grounds and also facilities available, and will not result in the loss of any significant area of open space nor will it result in any significant increased or unacceptable impact on any adjoining property or character of the area, over and above that existing.

It is noted none of the statutory consultees as outlined above, have offered any objection in principle to this proposed scheme, including the heritage of the area and road network.

As such Approval is recommended subject to conditions.

Recommendation: Approval.

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	18			
APPLIC NO	LA07/2016/1585/F	Full	DATE VALID	24/11/2016
COUNCIL OPINION	APPROVAL			
APPLICANT	Trevor Hughes Newry Mourne Down District Council Downshire Civic Centre		AGENT	
	Downshire Estate Ardglass Road Downpatrick			
			NA	
LOCATION	Ardglass Football Club Green Road Ardglass BT30 7UA			
PROPOSAL	Improvement works to existing football pitch including new land drainage regarding of site levels, perimeter fence 1.2m high with lockable gates to pitch boundary, 3 no shelters			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1585/F

Date Received: Dec 2016.

Proposal: Full planning permission is sought Improvement works to the existing football pitch including new land drainage regarding of site levels, perimeter fence 1.2m high with lockable gates to pitch boundary, 3 no shelters, on lands off Green Road, Ardglass, (Ardglass Football Club).

Applicant: Newry, Mourne and Down Council

Location:

The site is located within the development limits of the village of Ardglass on lands zoned as an existing amenity open space and recreation area as identified in the Ards and Down Area Plan 2015. The lands surrounding this area of open space are largely characterised by housing, comprising a mix of low and higher density housing developments. There do not appear to be any other zonings affecting the site. (The site is located outside the extent of Ardglass Conservation Area while it is noted there are also listed buildings in the vicinity of the application site)

Site Characteristics & Area Characteristics:

The site comprises the Council grounds/playing fields known as The Meadow, off Green Road, Ardglass, which is a roughly rectangular shaped site which gently undulates and slopes downhill towards the village and shore. These lands extend to adjoin the Green Road with a low level wall and grass verge forming the boundary with this road. This site also extends to adjoin a number of residential properties which are bounded by a mix of planting, walls and fencing. These properties open onto a public path, which adjoins and opens onto the grasslands comprising the application site. It is also noted there are a number of trees plotted along the boundaries of the site..

The site comprises a playing field, and other grass lands, playground, cark parking and pavilion, whereby the vehicular access opens onto Green Road, in the SE corner of the site.

This area is pre-dominantly residential in character, comprising a mix of low and high density housing.

Site history

A history search has been carried out for the site and surrounds, whereby the most relevant history observed includes:

R/2014/0480/F- Lands at existing playing fields, Green Road, Ardglass.
Proposed development of Community Sports Facilities, to include 3G synthetic Football Pitch with 3m high perimeter pitch fencing, 6m high ball stops and 18m high floodlights. Multi Use Games Area with 3m high perimeter pitch fencing, 4.5m high ball stops and 15m high floodlights. Trim Trail with Exercise Stations and 5m high street lighting. Also alteration to existing entrance, driveway and car park.
Full, Withdrawn, 26-08-16, Applicant: Down District Council,

There is also a further current application under consideration at present for works to part of these grounds, ref LA07/2016/1578/F.

Representations

None received to date (06-02-17)

Having account the extent of the red line and current practice neighbour notification was undertaken with several properties along Green Road, Cedar Grove, St Nicolas Walk and The Ward in Dec 2016, while it was also advertised in the local press in Dec 2016.

Consultations-

Having account the nature of this proposal, location and constraints of the site and area, consultations have been carried out with NIW and Environmental Health as part of this application, whereby it is considered no objections are offered in principle.

Policy- RDS, Ards & Down Plan 2015, SPPS, PPS2, PPS3, PPS6, PPS8, PPS15, and supplementary guidance

As stated above the site is located within the development limits of the village of Ardglass on lands zoned as an existing amenity open space and recreation area as identified in the Ards and Down Area Plan 2015. There do not appear to be any other zonings affecting the site. (The site is located outside the extent of Ardglass Conservation Area while it is noted there are also listed buildings in the vicinity of the application site).

The lands surrounding this area of open space are largely characterised by housing, comprising a mix of low and higher density housing developments.

This proposal includes Improvement works to the existing football pitch including new land drainage regarding of site levels, perimeter fence 1.2m high with lockable gates to pitch boundary, 3 no shelters

Having account the nature of this proposal it is considered the provisions of PPS8 (Open space, Sport and Outdoor Recreation) apply.

Having account the Definition of Open Space in Annex A of this policy, it is considered the development proposed as outlined above, constitutes open space, and will not result in the loss of any existing open space on this lands.

These lands include a football (soccer) pitch, changing pavilion, car parking, area of grass land, and playground at present.

It is noted this entire green/grassed area measures some 2.5 hectares, although the red line of this current application measures approx 0.8 hectares.

As outlined above there are several elements to this proposal, including:

- regrading and improvement works to the existing football pitch including new drainage,
- new perimeter fence (1.2m high) with gates,
- 3 shelters.

The lands comprising this application, and area to be regraded, with new drainage, comprises the existing football pitch, which is centrally located on these grounds. This existing pitch and lands in general gently undulate at present although generally slope downhill towards the existing pavilion.

The levels proposed will generally respect the existing ground levels although will make them more level, with some minor cut, fill and banking being required around parts of this new pitch. This improved pitch will measure approx 100m by 55m.

It is also proposed to erect a path and fence around the outside of this pitch whereby the fence will be 1.2m high. Several gated access points are also proposed towards the lower end of the pitch, while 3 'dug-out' shelters are also proposed along the side of the pitch. These shelters will be constructed in clear shatter proof panels.

These existing playing fields are long established, with a football pitch, pavilion, parking area, and play park, with large grassed area at present.

It is considered the works proposed will improve the condition and appearance of these grounds and also facilities available, providing a better and more level playing surface, whereby the pitch will now be enclosed by fencing.

These works propose retaining and improving the existing pitch, thus will not result in the loss of any open space nor is it considered it will result in any significant increased or unacceptable impact on any adjoining property or character of the area, over and above that existing due to the nature of the works proposed and existing site usage.

It is noted none of the statutory consultees as outlined above, have offered any objection in principle to this proposed scheme, including the heritage of the area and road network.

As such Approval is recommended subject to conditions.

Recommendation: Approval.

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	22			
APPLIC NO	Q/2014/0449/F	Full	DATE VALID	03/12/2014
COUNCIL OPINION	APPROVAL			
APPLICANT	Newry, Mourne And Down District Council Haughey House, Rampart Road, Greenbank Industrail Estate Newry BT34 2QU		AGENT	
LOCATION	Dechomet Cemetery approximately 190 metres south west of 41 Moneyslane Road Ballyward Castlewellan BT31 9QD			
PROPOSAL	Repairs to an existing free-standing chimney and a new concrete access footpath to the existing Dechomet cemetery.			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
	Addresses		Signatures	
	0	0	0	0



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: Q/2014/0449/F

Date Received: 03.12.2014

Proposal: Repairs to an existing free-standing chimney and a new concrete access footpath to the existing Dechomet cemetery.

Location: Dechomet Cemetery approximately 190 metres south west of 41 Moneyslane Road, Ballyward, Castlewellan, BT31 9QD. The site is approx. 19.1 miles West of Downpatrick and approx. 16.5 miles NE of Newry. The site is within the Ballyward area of the Council District North of Moneyslane.



Site Characteristics & Area Characteristics:

The site is part of a larger agricultural field. The area has drumlin topography with an agricultural land use. The site is accessed through an existing field gate from the Moneyslane Road. The larger field shares its western boundary with the Moneyslane Road which is detailed by a fence and hedge. The site includes a portion of the hedge lined boundary of the Graveyard. There is a tall red brick chimney feature adjacent to the Graveyard and within the site.



Red brick Chimney



Photo of Chimney and Graveyard beyond.

Site History:

There is no site history relating to the proposed site.

Planning Policies & Material Considerations:

Banbridge/Newry and Mourne Area Plan 2015, Regional Development Strategy, Strategic Planning Policy Statement for Northern Ireland, PPS6 Planning Archaeology and the The Built Heritage, PPS2 Natural Heritage.

Consultations:*Transport NI*

6.1.2015 Transport NI queried potential visitor numbers and there is concern that the proposed footpath would provide access to Moneyslane Road close to a 'blind crest'.
9.1.2015 Further to communication between Banbridge Council and Transport NI which confirms that the arrangement will provide sufficient space to allow one car to park off road and no further information is sought. Information is provided for the applicant which can be included within the decision.

DFC Historical Monuments Unit (Previously fell under NIEA)

5.1.2015 requesting an archaeological evaluation under Policy BH 3 of PPS6 as development is within close proximity to a known graveyard with potential of uncovering original features or structures associated with the burial ground. The proposal also includes works to a scheduled monument () DOW 035:500

And Scheduled Monument Consent (SMC) which the applicant must apply for as without the consent could leave the applicant liable to prosecution under the Historic Monuments and Archaeological Objects (NI) Order 1995.

Applicant was made aware of NIEA Historic Monuments Unit comments in letter sent 9th January 2015 and the need for Scheduled Monument Consent prior to planning permission.

Additional letter sent to Banbridge District Council on 18th February 2016 highlighting previous letter sent 9.1.2015, comments from NIEA Historic Monuments Unit and the concern that the site is within the Ballyward area which transferred to the Newry, Mourne and Down District Council in April 2015.

Further to communications received via email (copies on file) confirmation that the project transferred to the Newry, Mourne and Down District Council was confirmed and applicants information was amended to reflect this with P1 received 16th March 2016.

Further to reminders of outstanding information required to determine the application Archaeological programme of Works was received via email on 18th of November and uploaded to the planning portal to enable consultation with DFC Historic Monuments Unit.

DFC – Historic Monuments Unit (HMU)

23.11.2017 responded to the submitted Archaeological Programme of Works and agree with the proposed mitigation details and are content to proceed to archaeological licensing. The applicant will need to provide the Archaeological Evaluation to inform a planning decision as per Policy BH3 PPS6. Once received HMU will be in a position to comment.

Further to receipt of these comments a copy of DFC HMU response was forwarded to agent and an Archaeological Evaluation was requested (13.1.2017).

Archaeological Evaluation received 19.1.2017, scanned to the planning portal and DFC HMU reconsulted.

DFC – Historic Monuments Unit (HMU)

Response received 8th February 2017 to state that the Archaeological Evaluation and plans for the repair work have been reviewed. HMU is now content the proposal satisfies PPS6 policy requirements subject to conditions such as implementation of a developer-funded programme of archaeological works to identify and record any archaeological remains in advance of new construction, or provide for their preservation in situ (as per Policy BH4 of PPS6)
HMU also advised that Scheduled Monument consent was granted April 2015.

Objections & Representations

Application advertised in Banbridge Chronicle, Rathfriland Outlook and Banbridge Leader on 19.12.2014. Total of 3 neighbours were notified. No representation have been received.

Consideration and Assessment:

The site is within the countryside to the South of Dechomet a small settlement. The site includes an Archaeological Site and Scheduled Monument and the adjacent graveyard is detailed within the Banbridge/Newry and Mourne Area Plan 2015 as an Archaeological Site and Unscheduled Monument. The proposal is also accompanied by a Structural Survey of the Chimney by G Dawson Structural Engineer Ltd which is stamped received 3rd Dec 2014 which advises the proposed works will ensure the chimney is structural stable and durable for the next 20 years.

The Strategic Planning Policy Statement for Northern Ireland provides overall context under which the Council will determine planning applications and incorporates the aims of the Regional Development Strategy.

The proposal is for works to a scheduled monument and provision of a footpath to connect the Moneyslane Road to the graveyard. PPS6 Policy BH1 refers to the preservation of archaeological remains of regional importance and their setting. Scheduled monuments, such as the Chimney which is the physical remains of the Flax Mill, together with state care monuments are of greatest importance within Northern Ireland and it is important that they are preserved in situ within an appropriate setting. The proposal will ensure this policy is met as it will repair the Chimney which is in a state of disrepair that includes loss of bricks at ground level which have created a tunnel effect and may affect the integrity of the structure. The repair will ensure the monument is preserved in situ. The setting of the monument would be affected by the provision of the footpath however this would also provide access to the monument and neighbouring graveyard that is still in use.

The applicant was required to provide additional archaeological assessments and evaluation prior to a positive response from DFC Historic Monuments Unit. This has been submitted and considered, this is in keeping with Policy BH 3 of PPS6. The SPPS requires the planning authority to seek all necessary information from applicants in order to make a well informed planning decision and ensure the impact of a development, in this case the footpath, on archaeological remains can be considered. HMU offer no objections to the proposal and have recommended conditions to be attached to an approval to ensure any uncovered remains will be recorded and preserved, this reflects Policy BH 4 of PPS 6 and SPPS.

The site is within a designated Mourne Area of Outstanding Natural Beauty (AONB) and Local Landscape Policy Area DT02 as detailed within the Area Plan 2015.

The details of the application must be considered in relation to the AONB and Policy NH6 of PPS2 is applicable. This policy states that permission for development within the AONB will only be permitted where the proposal is of an appropriate design, size and scale for the locality and the criteria (a)-(c) is met. Considering the proposal will ensure the upkeep and retention of a Scheduled Monument that is historically linked to the site and area the proposal will conserve an existing feature important to the character and heritage of the landscape. The proposal will respect, conserve and maintain the architectural detail of the chimney and while it will create a new footpath providing a visible physical link between the Moneyslane Road and the Graveyard it create accessibility to a feature and asset that is historically linked to the area.

The site is within a larger LLPA 2 – Local Landscape Policy Area of Dechomet (DT 02) which refers to locally significant buildings and archaeological sites and their settings to include the chimney remains of the old Flax Mill and Graveyard (existing old church site). Policy CVN 3 (Volume I of Area plan 2015) states that within designated LLPA's planning permission will not be permitted where the development proposal would be liable to adversely affect their intrinsic environmental value and character. The LLPA would not be adversely affected by the proposal which seeks to conserve and repair the Scheduled Monument (Chimney) and provide a connecting footpath from the Moneyslane Road to the Graveyard. While the path would introduce a new feature to the LLPA it provides access and will ensure the site can be accessed by members of the public and visitors to the existing Graveyard which is still in use. C I would not be of the opinion that the provision of the path would have an adverse impact on the LLPA.

The proposal would not have an impact on any neighbouring land use. While the monument and access are located within an agricultural field it will provide access to the established monuments.

Recommendation:

Approval

Conditions:

As required by Article 61 of the Planning (Northern Ireland) Act 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant

and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

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

Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

REASON: to monitor programmed works in order 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.

Case Officer DATE

Appointed Officer DATE

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

Council Newry, Mourne and Down

Date 01/03/2017

ITEM NO	1		
APPLIC NO	LA07/2015/0349/F	Full	DATE VALID 20/05/2015
COUNCIL OPINION	REFUSAL		
APPLICANT	Mr James Cunningham 78 Moor Road Kilkeel BT34 4NQ	AGENT	Cole Partnership 12A Duke Street Warrenpoint BT34 3JY 028417 53679

LOCATION Adjacent to and south of 78 Moor Road
Kilkeel

PROPOSAL Proposed change of house type to previously approved under P/2009/0393/F

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building is a prominent feature in the landscape; the design of the proposed building is inappropriate for the site and its locality; and the proposed building fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop and therefore would not visually integrate into the surrounding landscape.
- 2 The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, be unduly prominent in the landscape and would therefore result in a detrimental change to further erode the rural character of the countryside.
- 3 The proposal is contrary to Planning Policy Statement 2, Natural Heritage, in that the proposed design fails to respect the local architectural style of dwellings in the countryside.
- 4 Having notified the applicant under Article 3 (6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that an amended design is required to allow the Council to determine the application, and having not received any amendments despite several requests, the Council refuses this application as it is the opinion of the Council that this information is material to the determination of this application.



Application Reference: LA07/2015/0349/F

Date Received: 20th May 2015

Proposal: Proposed change of house type to previously approved under P/2009/0393/F

Location: Adjacent to and south of 78 Moor Road, Kilkeel

Site Characteristics & Area Characteristics:

The application site is an agricultural field that is located along the Moor Road, Kilkeel. This application is for a change in house type of that previously approved under reference P/2009/0393/F. For a full description of the site and area please refer to the previous approval.



Figure 1 - Satellite Image of Application Site

Site History:

P/2009/0393/F - Erection of dwelling and detached garage adjacent to and south of 78 Moor Road Kilkeel – Granted approval on 14th July 2010.

Planning Policies & Material Considerations:

- The Banbridge, Newry and Mourne Area Plan 2015;
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement (PPS) 2 – Natural Heritage;
- Planning Policy Statement 3 – Access, Movement and Parking;
- Planning Policy Statement 21 – Sustainable Development in the Countryside;
- The Building on Tradition Sustainable Design Guide; &
- A Design Guide for Rural Northern Ireland

Consultations:

Environmental Health -	No objections in principal.
NIEA WMU -	Content with the proposal subject to conditions.
Transport NI -	No objections subject to conditions.

Objections & Representations

Three neighbour notification letters were issued and the application was advertised in the local press the week beginning 8th June 2015. No objections or representations have been received to date.

Consideration and Assessment:

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 & Mourne Area Plan 2015 and does not fall within any settlement development limits as defined in the Plan. There are no specific policies in the Plan relevant to the determination of the application and it directs the decision-maker to the operational policies of the SPPS, PPS 2, PPS 3 and PPS 21.

Principle of Development

The principle of an infill dwelling under policy CTY 8 of PPS 21 was established on this site through the approval of planning application P/2009/0393/F on 14th June 2010. As this proposal is for a change of house-type it will be assessed under policies CTY13 and CTY 14 of PPS 21, PPS 2 and PPS 3.

The development approved under reference P/2009/0393/F was for a storey and a half detached dwelling with a two-storey front porch projection and a single storey sun-lounge annex to the right-hand side; and a detached single storey garage. The design of the approved dwelling is similar to that of a lot of dwellings throughout the Mournes.

As you can see from the images below, the new house design consists of a mixture of 1 and 1 ½ storey elements. The finishes are to be blue/black natural roof slates; black triple glazed PVC windows; timber sheeted doors and the walls are to be

finished in white k-rend render and grey Mourne granite stone work. The proposed garage has changed from a single to a double.



Figure 2 - Proposed Elevations

Integration and Design

Policy CTY 13 of PPS 21 states planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. 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
- (c) it relies primarily on the use of new landscaping for integration
- (d) ancillary works do not integrate with their surroundings
- (e) the design of the building is inappropriate for the site and its locality
- (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop

The proposed dwelling is suburban in style and has not been designed to respect traditional rural form. The traditional form of dwellings in the Mourne countryside tends to consist of a clean straight building line to the road, with perhaps a porch

projecting. Most rural designs are based upon this simple shape and form and are designed to blend in with their surroundings.

The proposed dwelling does not respect this form as it has a number of returns and also a gable end projection to the front. The *Building on Tradition* design guide contains examples which illustrate poor or unacceptable design in the countryside which should be avoided. The shape of the proposed house is of awkward form, is relatively complex and contains a mixture of gable widths. The design of the building is not suitable for the site and would result in the dwelling being a prominent feature in the landscape. The form of the building would make it incongruous in the local landscape.

I consider the proposal to be contrary to criteria (a), (e) and (f) of Policy CTY 13.

Rural Character

Policy CTY 14 of PPS 21 states 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 detailed above, the poor suburban style design of the dwelling would result in it being unduly prominent in the landscape. The proposal is therefore considered contrary to criterion (a) of Policy CTY 14.

Development relying on non-mains sewage

Policy CTY 16 states 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 applicant has indicated that fowl sewage will be disposed with by septic tank. I am satisfied the site could accommodate a septic tank and soak-away – subject to obtaining consent to discharge from NIEA.

Areas of Outstanding Natural Beauty

Policy NH6 of PPS 2 – Natural Heritage states planning permission for a new development within an AONB will only be granted where it is of an appropriate design, size and scale for the locality. I consider the application to be contrary to criterion (c) of Policy NH 6 as the proposal does not respect local architectural style for a rural dwelling.

Access, Movement and Parking

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 an access will not prejudice road safety. Transport NI have been consulted and have offered no objection to the access subject to conditions. The access would not prejudice road safety or significantly inconvenience the flow of traffic and is considered acceptable.

Correspondence with Agent

A letter was issued to the agent (Cole Partnership) outlining the Council's concerns regarding the design of the proposed dwelling and provided an opportunity to amend the scheme to a more traditional design. Mr Aidan Cole subsequently requested a meeting and also submitted a statement in support of the application which included photographs of houses with a range of different designs along the Moor Road. While I acknowledge there are a variety of house types and designs located along the Moor Road, the majority of them are within the settlement development limit of Kilkeel. This site is outside the settlement limits in an area that is classified as countryside.

Having considered the information provided, Mr Cole was notified that the Council still considered the design unacceptable as the application site is not within settlement limits and is within an AONB. Mr Cole was again provided an opportunity to amend the scheme to a more traditional design.

Mr Cole emailed an amended design with only a first floor balcony removed and with the design of the front door simplified. He requested clarification on what elements of the design were not considered to be acceptable. I informed Mr Cole the dwelling was suburban in style and was not considered acceptable. I directed Mr Cole to the *Building on Tradition* design guide which contains information on the form of dwellings in the countryside.

Mr Cole sent an email referencing a planning application that was approved for a change of house-type 200m south-east of no.86 Moor Road under reference P/2011/0909/F. Mr Cole included an extract from the case officers report in order to support his opinion that the design of this application is acceptable, and requested a meeting to discuss the case. Having checked the case referred to, the case officer clearly states in the report that while the design of the proposed dwelling is contemporary, the basic form of the dwelling is in keeping with the typical form of dwellings in the Mournes, i.e. it is built along simple lines and has a narrow gable with a simple rear return. I responded to Mr Cole's email on 17th November 2016 stating the Council had clearly outlined its position in regards to the design and did not feel a meeting was necessary on this occasion. Mr Cole was provided with a further 14 days to amend the design or the application would be presented to the Planning Committee with a recommendation of refusal. No further information has been received to date.

Recommendation:

The design of the proposed new dwelling is not considered to be acceptable. The proposal is considered to be contrary to criteria (a), (e) and (f) of Policy CTY 13 of PPS 21; criterion (a) of policy CTY 14; and criterion (c) of Policy NH 6 of PPS 2 for the reasons outlined above.

Reasons for refusal:

1. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building is a prominent feature in the landscape; the design of the proposed building is inappropriate for the site and its locality; and the proposed building fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop and therefore would not visually integrate into the surrounding landscape.
2. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, be unduly prominent in the landscape and would therefore result in a detrimental change to further erode the rural character of the countryside.
3. The proposal is contrary to Policy NH6 of Planning Policy Statement 2, Natural Heritage, in that the proposed design fails to respect the local architectural style of dwellings in the countryside.
4. Having notified the applicant under Article 3 (6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that an amended design is required to allow the Council to determine the application, and having not received any amendments despite several requests, the Council refuses this application as it is the opinion of the Council that this information is material to the determination of this application.

Case Officer Signature: _____ **Date:** _____

Authorised Officer Signature: _____ **Date:** _____

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	3			
APPLIC NO	LA07/2015/0700/O	Outline	DATE VALID	28/07/2015
COUNCIL OPINION	REFUSAL			
APPLICANT	Derryogue Developments Ltd Mr & Mrs Lindsay Wilson 47 Kittys Road Kilkeel Newry BT34 4EJ	AGENT	A J Bingham Architectural Design Services Mountpleasant Thomas's Lane 33 Anthonys Road Ballymartin Newry BT34 4PN 41769470 Mob:	

LOCATION Lands at the junction of Greencastle Road and Kittys Road
Kilkeel (south of No.39 Greencastle Road (Joinery Works) opposite and south-east of
No.s 18-21 Derryogue Park extending to opposite No.s 5-11 Kittys Road)

PROPOSAL Site for housing development

REPRESENTATIONS	OBJ Letters		SUP Letters		OBJ Petitions		SUP Petitions	
	0	0	0	0	0	0	0	0
			Addresses	Signatures	Addresses	Signatures		
			0	0	0	0		

- 1 The proposal is contrary to Policy FLD 3 of Planning Policy Statement 15: Planning and Flood Risk, in that it has not been demonstrated through a Drainage Assessment that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and development elsewhere.
- 2 Having notified the applicant under Article 4 (2) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that a Drainage Assessment in accordance with PPS15 is required to allow the Council to determine the application, and having not received sufficient information, the Council refuses this application as it is the opinion of the Council that this information is material to the determination of this application.



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2015/0700/O

Date Received: 30th June 2015

Proposal: Site for housing development

Location: Lands at the junction of Greencastle Road and Kittys Road, Kilkeel (south of No. 39 Greencastle Road (Joinery Works) opposite and south-east of Nos. 18-21 Derryogue Park extending to opposite Nos. 5-11 Kittys Road)
The site is at the southern edge of Kilkeel.

Site Characteristics & Area Characteristics:

The site comprises two large agricultural fields totalling over 3 hectares in size. The land is relatively flat with a slight rise towards the southern corner. The site is located at the junction of Greencastle Road and Kittys Road which form the NW and SW sides of the site respectively. There are 1m high trimmed hedges to the boundaries of the site. The internal field boundary is a concrete wall built from the remains of World War 2 runways that were in the area. There are additional mature trees along the northern edge of the site, adjacent to Kilkeel Joinery Works. A small stream runs along the NE boundary of the site.



Site from junction of Greencastle Road and Kittys Road



Within site

The site is within the development limit of Kilkeel, as defined on the Banbridge, Newry and Mourne Area Plan 2015. It is located towards the southern edge of the settlement and is zoned for housing (KL18). It is within the Mournes and Slieve Croob Area of Outstanding Natural Beauty. The main land uses in the area are residential and agriculture.

Site History:

An application (P/2004/0571/F) for three chalet bungalows and ten two-storey semi-detached houses along the Kittys Road side of the site was refused on 23.05.2007 and dismissed at appeal on 17.02.2010.

Outline planning permission for a residential development was granted on 19.08.2011 under application P/2006/0858/O. While no reserved matters application was made within the 3-year time limit, the approval remained live for five years from the date of the permission. As the present application was submitted within this period, weight can be given to the previous approval in the determination.

Planning Policies & Material Considerations:

- The NI Regional Development Strategy 2035
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge, Newry & Mourne Area Plan 2015
- PPS2 – Natural Heritage
- PPS3 – Access, Movement & Parking
- DCAN15 – Vehicular Access Standards
- Parking Standards
- PPS7 – Quality Residential Environments – Policy QD 1
- Addendum to PPS7 – Safeguarding the Character of Established Residential Areas
- PPS8 – Open Space, Sport and Outdoor Recreation
- DCAN8 – Housing in Existing Urban Areas
- PPS12 – Housing in Settlements

- PPS15 – Planning and Flood Risk
- A Planning Strategy for Rural Northern Ireland (Policies DES2 & SP18)
- Creating Places
- Living Places Urban Stewardship and Design Guide

Consultations:

TransportNI – Junction improvements and road widening at Kittys Road required, along with visibility splays of 4.5m x 60m. Details to be submitted at reserved matters stage.

NI Water – Public water supply and foul sewers available with capacity to serve the development. A storm sewer may be requisitioned.

Environmental Health – No objections provided public sewerage system is used.

NIEA – Standard advice on sewerage and drainage. Low risk of land contamination – conditions supplied.

Rivers Agency – A working strip is required adjacent to the Berry Stream and a more detailed Drainage Assessment is required including Schedule 6 Consent from Rivers Agency.

Shared Environmental Services – No likely significant effects on any European sites.

Objections & Representations

The application was advertised in the *Mourne Observer* on 12th August 2015. 10 neighbouring properties were notified of the original proposal on 25th August 2015 as required under Article 8 (1)(b) of the Planning (General Development Procedure) Order (Northern Ireland) 2015. One additional property was notified on 29th April 2016 following the site inspection. No objections or representations were received.

Consideration and Assessment:

RG8 of the RDS aims to manage housing growth to achieve sustainable patterns of residential development. It aims to provide more high quality accessible housing within existing urban areas without causing unacceptable damage to the local character and environmental quality or residential amenity of these areas. The SPSS sets out core planning principles to be employed in the quest to achieve sustainable development. Of particular relevance to this application are the aim of supporting good design and positive place making while preserving and improving the built and natural 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 site is currently within the remit of the Banbridge / Newry & Mourne Area Plan 2015 as the new council has not yet adopted a local development plan. The site is located within the settlement limit of Kilkeel on the above Plan, and is zoned for housing. The plan contains seven Key Site Requirements for zoning KL18:

- A minimum of 20 dwellings shall be provided for social housing;
- Housing development shall be a minimum gross site density of 20 dwellings per hectare and a maximum gross density of 25 dwellings per hectare;
- Existing mature vegetation on the site boundaries shall be retained and reinforced to afford adequate residential amenity to neighbouring dwellings;
- Access shall be to Greencastle Road or Kittys Road;
- If access is onto Kittys Road, widening of Kittys Road to an appropriate standard shall be required;
- The junction of Kittys Road / Greencastle Road shall require upgrading;
- The design layout shall include dedicated provision for cyclists and pedestrians with links to Kittys Road.

The submitted concept plan indicates access points to both Greencastle Road and Kittys Road. It indicates junction improvements which can be agreed in detail with TransportNI at reserved matters stage. With regard to density, the yield on this site would be in the region of 63 – 79 units. The agent indicated that they wish to go for the higher density of 79 units. This and the other requirements regarding landscaping and provision of 20 units of social housing can be conditioned to be shown at reserved matters stage if the application is approved. The principle of the development is therefore considered acceptable having regard to the provisions of the development plan.

The SPPS also addresses housing in settlements. It repeats the planning control principles listed in PPS12. The proposed housing density of 25 dwellings per hectare is in accordance with the provisions of the development plan and in keeping with the character of the area. While this is a greenfield development, it is zoned housing land and is therefore considered a sustainable form of development. The site is within walking distance of public transport and local services. Detailed design will be considered at reserved matters stage. The agent has submitted several concept drawings which do not fully correspond and may result in more than 79 dwellings on the site. Therefore these should not be stamped as part of any decision. As with the previous approval, the decision would include the red line map only with reference made to the agreed "Final Design Concept Statement" which sets out the design principles to be employed in any detailed plans, including the level of public and private open space. This will ensure the provision of a quality and sustainable residential environment in compliance with the requirements of policy QD1 of PPS7. A condition will be attached to ensure the provision of 20 social housing units, to help ensure a balanced community. Consultation can be carried out with the Housing Executive at reserved matters stage when there is more certainty about the delivery of the social housing and the relevant housing need in the area at that time.

Policy NH6 of PPS2 applies to development within Areas of Outstanding Natural Beauty. The site is zoned for housing and contains no features of importance to the character, appearance or heritage of the landscape that ought to be preserved. The detailed design will be assessed against this policy at reserved matters stage. The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.

The access proposals are in accordance with the requirements of PPS3 and DCAN15 and TransportNI have no objections at outline stage. They have identified matters to be shown on detailed drawings at reserved matters stage and this can be conditioned.

NI Water advised that public water supply and foul sewers were available with capacity to serve 79 units. A condition should be imposed to ensure that development does not commence until the method of sewage disposal has been agreed in writing with NI Water or a consent to discharge has been granted, in the interest of public health. There is no storm sewer available. The agent indicated that he proposed to discharge storm water to the Berry Stream on the NE boundary of the site. Due to the size of the site, a Drainage Assessment is required under policy FLD3 of PPS15. This should demonstrate adequate measures to mitigate the flood risk to the proposed development and development elsewhere. The Council wrote to the agent on 7th January 2016 to request a Drainage Assessment in accordance with policy FLD3 (to include agreement with NI Water or Rivers Agency for discharge of storm water). This information was requested by 4th February 2016. On 9th March 2016, the agent wrote to advise that he had applied to Rivers Agency for Schedule 6 Consent to discharge storm water from the site into the Berry Stream. After a series of further emails to chase this outstanding information, a Drainage Assessment was finally submitted on 16th November 2016. This document had been prepared by the agent rather than a drainage expert and contained no reference to PPS15 or correspondence with NI Water or Rivers Agency (supposedly the issue that delayed its submission so long). Unsurprisingly, Rivers Agency could not accept this as a valid Drainage Assessment as it has no confirmation of Schedule 6 Consent to discharge to the watercourse, no evidence that the surface water system would not flood any part of the site in a 1 in 30 year flood event whilst retaining a 300mm freeboard within the manholes network, no evidence that during exceedence, the properties will not flood internally, and no drawing of the exceedence flow path for a 1 in 100 year flood event. On 15th December 2016, the agent was given a final opportunity to address the issues listed above in accordance with PPS15, but he has failed to acknowledge this request or submit any additional information. The Council cannot continue to hold the application since a year has passed from the initial request for information. The application remains contrary to PPS15 and should also be refused based on failure to submit necessary information.

Recommendation: Refusal

Refusal Reasons:

1. The proposal is contrary to Policy FLD 3 of Planning Policy Statement 15: Planning and Flood Risk, in that it has not been demonstrated through a Drainage Assessment that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and development elsewhere.
2. Having notified the applicant under Article 4 (2) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that a Drainage Assessment in accordance with PPS15 is required to allow the Council to determine the application, and having not received sufficient information, the

Council refuses this application as it is the opinion of the Council that this information is material to the determination of this application.

Case Officer Signature:

Date:

Appointed Officer Signature:

Date:

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	4			
APPLIC NO	LA07/2015/0971/O	Outline	DATE VALID	30/09/2015
COUNCIL OPINION	REFUSAL			
APPLICANT	John McNally C/O Agent		AGENT	CGDM 27 Patrick Street Newry BT35 8EB 02830250844

LOCATION 100m North East of No. 37 Sheeptown Road
Saval
Newry
BT34 2LD

PROPOSAL Site for dwelling and garage on a farm

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to Policies CTY1 and CTY10 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 health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm.
- 2 The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building would be a prominent feature in the landscape and the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm. The proposed development therefore would not visually integrate into the surrounding landscape.
- 3 The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted, be unduly prominent in the landscape, it would add to a ribbon of development and would therefore result in a detrimental change to (further erode) the rural character of the countryside.
- 4 The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the addition of ribbon development along Sheeptown Road.



Comhairle Ceantair
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**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2015/0971/O

Date Received: 30/09/2015

Proposal:

Site for dwelling and garage on a farm.

The applicant seeks to develop a dwelling on a farm on an alternative site.

Location:

100m North East of No. 37 Sheeptown Road, Saval, Newry, BT34 2LD.

The site is located in a rural area approximately 3 miles north-east of Newry and 4 miles north-west of Mayobridge.

Site Characteristics & Area Characteristics:

This rectangular site is located in a rural area. The site is currently an agricultural field used for grazing. The south-eastern boundary of the site is with the Sheeptown Road and the south-eastern, north-eastern and south-western boundaries are comprised of hedging with some trees along the north-eastern and south-eastern boundaries. There is no definable boundary at the north-west of the site. The gradient of the site increases gently from the west to the east.

The site is located in an area of countryside and is outside of settlement development limits, as defined in the Banbridge / Newry and Mourne Area Plan 2015. The site itself is unzoned and is outside of the Mourne Area of Outstanding Natural Beauty. Two dwellings are located to the south-west of the site and the farm house associated with the DARD business number is located opposite the site (no.37 Sheeptown Road). There are some outbuildings to the rear of no.37 Sheeptown Road. Access to the site is proposed from a group of farm buildings located north-east of the site. A laneway would have to be created from these buildings through a field to reach the site. Four chicken broiler houses are located north-east of the site on the opposite side of the road.

Site History:

No planning applications have been previously submitted on this site.

Planning Policies & Material Considerations:

- The Regional Development Strategy 2035
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- The Banbridge / Newry & Mourne Area Plan 2015

- PPS 3 – Access, Movement and Parking
- PPS 21 – Sustainable Development in the Countryside
- The Building on Tradition Sustainable Design Guide.

Consultations:

- DARD – 07/01/2016 – Standard response.
- Environmental Health – 10/03/2016 – No objection with Informative
- NI Water – 18/04/2016 – Generic response.
- Transport NI – 25/04/2016 – No objections in principle.

Objections & Representations

The application was advertised in the local press on 12/10/2015 and five neighbours were notified by letter. No objections have been received and the only representation submitted was by the agent in reply to a request for supporting evidence for the use of an alternative site. This representation will be considered in the 'Consideration and Assessment' section.

Consideration and Assessment:

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 under the remit of the Banbridge / Newry and Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan. Using the above plan, the site is located outside of settlement limits and is outside the Mourne Area of Outstanding Natural Beauty. There are no specific policies in the plans that are relevant to the determination of the application so the application will be considered under the operational policies of the SPPS and PPS 21.

PPS 21 – Sustainable Development in the Countryside

As there is no significant change to the policy requirements for dwellings on farms 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 1.12 of the SPPS

Policy CTY 1 states that a range of different types of development are acceptable in principle in the countryside. This includes farms dwellings provided the proposed development is in accordance with Policy CTY 10.

Policy CTY 10 requires three criteria to be met for planning permission to be granted for a dwelling on a farm:

Criteria (a) requires the farm business to be currently active and to have been established for at least 6 years. DARD advised in a consultation response dated 07/01/2016 that the farm business (Ref: 639524) has been established for more than 6 years and it claims the single farm payment, which is the main means used to determine if the farm is active. Therefore the business is active and established and is eligible for a dwelling under criteria (a).

Criteria (b) requires that no dwellings or development opportunities have been sold off the farm holding since 25th November 2008. The application was accompanied

by full details of the land owned by the farm business and there is no evidence that any land or development opportunities have been sold off the farm in this period. Therefore criteria (b) is met.

Criteria (c) requires the new building to be visually linked or sited to cluster with an established group of buildings on the farm. Provision is made for the use of an alternative site when no other sites are available at another group of buildings on the farm, or out-farm, and where there is either demonstrable health and safety reasons to justify an alternative site or verifiable plans to expand the farm business at the existing building group. Concerns over the use of an alternative site and lack of evidence provided to justify the use the alternative site were expressed to the agent through a telephone conversation and subsequent email on 11/05/2016. The agent submitted documents to the Council on 18/05/2016 arguing for the use of an alternative site on the grounds of health and safety reasons due their belief that chicken broiler houses making other sites unsuitable.

Paragraph 5.42 states that when an alternative site is proposed, "*Appropriate and demonstrable evidence from a competent and independent authority such as the Health and Safety Executive or Environmental Health Department of the local Council to justify the siting.*" The evidence contained a DVD showing poultry waste from the broiler houses being loaded onto a trailer and a compilation of papers which was not site specific. The document was comprised of:

1. A paper from the Health and Safety Executive on respiratory hazards of poultry dust – this paper primarily relates to the effects on poultry workers.
2. A paper from the Health and Safety Executive on exposure to dust and bioaerosols in poultry farming – this paper primarily relates to the effects on poultry workers.
3. A paper from the Health and Safety Executive providing guidance to employers on how to control exposure to poultry dust – this paper relates primarily to poultry workers.
4. A paper from the Health and Safety Executive on health surveillance for occupational asthma – this paper is an advice note for employers.
5. Information sheets from the Health and Safety Executive on the following diseases:
 - a. Avian Influenza.
 - b. Campylobacteriosis.
 - c. Newcastle Disease.
 - d. Toxoplasmosis.
 - e. Psittacosis.
6. Information sheet from the Britannica Online Encyclopedia on histoplasmosis
7. Paper providing guidance on the application of chicken litter and how to manage human health risks during the process.
8. Academic paper on poultry production and the environment – this paper analyses the environmental impacts of intensive poultry production but does make reference to some local disturbance that may be caused.

The document received did not produce any site specific reasons why the alternative site should be used. The papers were generic in nature and related primarily to the health impact on poultry farm workers. The DVD did show that dust from the loading of poultry waste onto a trailer did blow onto the field located north-east of the site. The DVD was recorded on a windy day.

Overall I am not satisfied the case has been made for the use of an alternative site. Having considered the appeal 2015/A0124 (for application P/2014/0396/O) and the arguments for an alternative site based on similar dust and medical grounds, it is believed that this case is directly comparable and as the appeal was dismissed it is believed that likewise the reasons provided are not substantiated to require an alternative site. An outbuilding is present at the rear of no.37 Sheeptown Road, and potential exists to cluster a new farm dwelling with this building. Therefore the three criteria have not been met, as required for planning permission to be granted for a dwelling on a farm.

Integration and Design

Paragraph 6.73 of the SPPS confirms that "Dwellings on farms must also comply with LDP policies regarding integration and rural character." In the absence of an adopted LDP these considerations must be assessed under policies CTY 13 and CTY 14 of PPS 21. The proposed dwelling will not be visually linked to nor will it cluster with an established group of farm buildings. An alternative site has been proposed. Policy CTY 13 requires a dwelling on a farm to be visually linked to and to cluster with an established group of farm buildings. As the use of an alternative site has not been justified through the examination of Policy CTY 10, the proposal also fails under this section of CTY 13. Policy CTY 13 also states a new building will be unacceptable where it is a prominent feature in the landscape. The site is elevated in the context of the undulating landscape in the area and prominence is likely to be an issue for a dwelling on the proposed site.

Policy CTY 14 states 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. A building which would be unduly prominent is deemed to be unacceptable and as discussed above it is likely a dwelling on this site would be prominent in the landscape. A building on this site would also add to a ribbon of development which is contrary to Policy CTY 14.

Overall with regards integration and design, the proposed site is unsuitable as it fails to meet the requirements of Policy CTY 13 (in terms of prominence and as it is not visually linked or sited to cluster with the farm) and Policy CTY 14 (as the dwelling would be prominent and add to a ribbon of development).

PPS 3 - Access, Movement and Parking

Policy AMP 2 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. An existing access onto the Sheeptown Road is to be used by this development. Transport NI has been consulted and in their response dated 25/04/2016 stated they have no objections in principle. Visibility splays of 2.4m x 80.0m are to be provided.

Recommendation:

Refusal

Refusal Reasons/ Conditions:

1. The proposal is contrary to Policies CTY1 and CTY10 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 health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building would be a prominent feature in the landscape and the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm. The proposed development therefore would not visually integrate into the surrounding landscape.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted, be unduly prominent in the landscape, it would add to a ribbon of development and would therefore result in a detrimental change to (further erode) the rural character of the countryside.

Case Officer Signature:**Date:****Appointed Officer Signature:****Date:**

Addendum

This planning application was brought to the Planning Committee on 23/11/2016. The application was recommended for refusal but was deferred to allow the consideration of additional information on the location of the main farm buildings which was supplied at the Planning Committee by their agent. The application site and farm buildings located north-east of the application are owned by Bernard Joseph McNally who is identified as the owner of the farm business 639524 in the P1C Form.

While it has been demonstrated that farm buildings located north-east of the application site are owned by the owner of the farm business, criterion (c) of Policy CTY 10 in PPS 21 is still not met as a dwelling on the application site would not be visually linked or sited to cluster with an established group of buildings on the farm. The use of this alternative site has not been justified through demonstrable health and safety reasons. No evidence has been received from a competent and independent authority such as the Health and Safety Executive or Environmental Health Department to justify the siting, in accordance with Paragraph 5.42 of PPS 21. Rather only generalised reports on the effects of chicken houses have been received, as considered above, and these tended to focus on the health effects on poultry workers as opposed to the health impacts on nearby residential properties. I am therefore not satisfied to remove the proposed refusal reason no.1. The proposed access to the site is from an agricultural gate at the entrance to the field as no existing lane exists; normally access should be from an existing lane.

With regards the proposed refusal reason no.2, I am satisfied that this refusal reason should remain as the proposed dwelling would be prominent in the local landscape and is not visually linked or sited to cluster with an established group of buildings on the farm (it has been demonstrated that this application is not an exception to criterion (c) of Policy CTY 10 in PPS 21) and therefore the proposed development would be contrary to Policy CTY 13 of PPS 21.

The proposed refusal reason no.3 is also sustained as the proposed development would be contrary to Policy CTY 14 in that the proposed dwelling would be prominent and would add to a ribbon of development and therefore would result in a detrimental change to the rural character of the area. As a dwelling on the proposed site would add to a ribbon of development the proposed development is also contrary to Policy CTY 8 of PPS 21 and therefore this will be included as a fourth refusal reason.

Overall I am not satisfied that sufficient information has been submitted to the Council to rule out the site, or indeed other sites, adjacent to the existing group of farm buildings. Furthermore there are also sites around farm buildings adjacent to no.37 Sheeptown Road (the address the farm business is registered to) that would be a better alternative to the proposed site, provided the applicant was able to demonstrate that the sites adjacent to the principal group of farm buildings were unsuitable.

The refusal reasons should therefore be amended to as follows:

1. The proposal is contrary to Policies CTY1 and CTY10 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 health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building would be a prominent feature in the landscape and the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm. The proposed development therefore would not visually integrate into the surrounding landscape.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted, be unduly prominent in the landscape, it would add to a ribbon of development and would therefore result in a detrimental change to (further erode) the rural character of the countryside.
4. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the addition of ribbon development along Sheeptown Road.

Case Officer Signature:

Date:

Appointed Officer Signature:

Date:

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	5			
APPLIC NO	LA07/2015/1114/F	Full	DATE VALID	28/10/2015
COUNCIL OPINION	REFUSAL			
APPLICANT	Glen and Shauna Matthews C/O Agent		AGENT	ERES Limited Mourne House 41-43 Downshire Road Newry BT34 1EE 02830250135

LOCATION 122m North-East of 47 Bernish Road
Ballymacdermot
Newry
Co Armagh

PROPOSAL Erection of Dwelling on a Farm

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

1. The proposal is contrary to the Strategic Planning Policy Statement 2015 and Policies CTY1 and CTY10 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 dwelling is visually linked or sited to cluster with an established group of buildings on the farm.
2. The proposal is contrary to the Strategic Planning Policy Statement 2015 and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that:
 - the proposed dwelling is a prominent feature in the landscape;
 - the proposed site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape;
 - the proposed dwelling relies primarily on the use of new landscaping for integration;
 - the ancillary works do not integrate with their surroundings;
 - the design of the proposed dwelling is inappropriate for the site and its locality;
 - the proposed dwelling fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;
 - the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm;
 and therefore the proposal would not visually integrate into the surrounding landscape.
3. The proposal is contrary to the Strategic Planning Policy Statement 2015 and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that, the proposed dwelling would, if permitted, be unduly prominent in the landscape and the impact of ancillary works would damage rural character, and the proposal would therefore result in a detrimental change to the rural character of the countryside.

PLANNING (NI) ORDER 1991**APPLICATIONS FOR PLANNING PERMISSION**

4. The proposal is contrary to Policy NH6 of Planning Policy Statement 2, Natural Heritage in that, the siting and scale of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality and the proposed dwelling does not respect local architectural styles.



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**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2015/1114/F

Date Received: 28.10.15

Proposal: Erection of Dwelling on a Farm

Location: 122m North-East of 47 Bernish Road, Ballymacdermot, Newry

Site Characteristics & Area Characteristics:

The application site is located within the Ring of Gullion Area of Outstanding Natural Beauty within the open countryside. The area has a dispersed settlement pattern of single dwellings and farm complexes. There is a Site of Local Nature Conservation Importance (Bernish Rock) on the southern part of the application site designated for its habitat quality.

The application site consists of an agricultural field to the west of and abuts Bernish Road with land rising steeply from east to west. The western boundary of the site is defined in part by a post-and-wire fence and adjacent trees on a steeply rising slope. The eastern boundary is defined by a low roadside hedge and the northern boundary by small trees and a post-and-wire fence. The southern and western part of the site consists of bushes and some trees. The vegetation within the application site is an unspoilt area of vegetation which provides a natural habitat for wildlife.

Site History:

1. Planning ref: P/2004/0725/O
Applicant: Mr. P. Collins
Proposal: Site for single-storey farm retirement dwelling and detached garage.
Decision: Refusal (Integration and development within the greenbelt)
Decision date: 03/03/05
(Application site)
2. Planning ref: P/2000/1922/O
Applicant: Miss C & Mr Collins & Matthews
Proposal: Farm workers dwelling

Decision: Withdrawn (Integration, development within the greenbelt and personnel circumstances insufficient to warrant to justify need)

Decision date: 12.11.2001

(Application site)

3. P/2008/1136/O

Site for two-storey Dwelling.

Adjacent north west of no 12 Wood Hill, Newry.

Decision: Refusal

Appeal Decision Date:06.08.10 Appeal upheld (Dwelling approved adjacent to applicants existing home)

4. P/2005/0396/F

To the rear of 9 Carrivekeeney Road, Newry

Erection of Extension to Existing Greyhound Complex to Provide Greyhound Rehabilitation Unit with Associated Kennels plus Additional Kennels to House Existing Greyhounds on Site

Approved 10.12.07

Planning Policies & Material Considerations:

Banbridge/ Newry and Mourne Area Plan 2015: AONB

Policy and Advice considerations: SPPS, PPS21, PPS2, PPS3, DCAN 15 and Building on Tradition Sustainable Design Guide.

PPS3: Transport NI have raised no objections

SPPS and PPS21 (Dwellings on Farms)

The farm business is currently active and has been established for at least 6 years. DARD advised in a consultation response dated 21/03/16 that the applicant is associated with a Farm Business ID which has been established for more than 6 years and that Single Farm Payment (SFP) has been claimed in the last 6 years. Claiming SFP is the main means used to determine if the farm is active. Therefore, the DARD consultation response suggests that the farm business is currently active and has been established for 6 years or more.

No dwellings or development opportunities have been sold off from the farm holding within the last 10 years. The applicant has provided DARD scheme maps (dated 16.10.14 and 18.02.16) showing the fields associated with the applicant's farm Business ID. Planning history including records indicates that the applicant does not have any planning permission for a dwelling within the holding other than approval for a dwelling within an urban location P/2008/1136/O.

An email was sent to the agent on 09/05/16 requesting confirmation that the DARD farm maps dated 18/02/16 accurately represent the existing farm holding and that no dwellings or development opportunities out-with settlement limits have been sold off the farm holding within 10 years of the date of the application. A solicitor's letter, dated 10/05/16, was received confirming that there have been no sites or development opportunities sold or transferred from Folio AR121548 (application site)

within ten years of the date of the application. This letter confirmed that the farm holding shown on the submitted DARD farm maps (dated 18/02/16) accurately represent the existing farm holding.

The new building should be visually linked or sited to cluster with an established group of buildings on the farm. From the DARD farm maps submitted it can be determined that there are no buildings on this part of the farm holding where the site is proposed. Therefore the site is unable to be visually linked or clustered with an established group of buildings on the farm.

Additional information submitted by the agent dated 12.12.16 shows that there is also farm land at Carrivekeeney Road. The agent acknowledges that there are buildings at this part of the holding which include kennels and an abattoir. However development at this location has been ruled out by the agent as 'all the land is used solely for the grey hound business' and any reduction of use of this land will have a 'severe effect on the financial aspect of the business' but being in close proximity to an abattoir will lead to unacceptable health and safety issues.

Taking this into account the Planning Authority is satisfied that as buildings are sited within the holding of the farm business of Mr Matthews he can ultimately control the nature and degree of activity at this location to avoid any potential for impact to amenity. This part of the holding (Carrivekeeney Rd) may provide scope for visual linkage/ clustering than the proposed site and would have a lesser visual impact. The loss of a small area of land for a dwelling could surely be accommodated without severe effect, the applicant already has planning within an urban location which could also be implemented to avoid any loss to lands used by the business. The justification for a farm dwelling on the application site and not elsewhere on the holding is not deemed sufficient. (See recent PAC decision 2015/A0176 in relation to siting requirements).

Proposals fail to meet SPPS and PPS21 (CTY10)

SPPS and PPS21 (CTY 13 and 14) Integration and Design

Any dwelling at this proposed location will be obtrusive within the immediate and surrounding landscape. The application site is located on elevated ground with long critical views of the site from the A1 carriageway where development will appear open and exposed. The proposed dwelling has a finished floor level of 127.96 metres which would be almost 5 metres above the level of Bernish Road and will tower over the roadway appearing prominent within a relatively undisturbed landscape.

Concerns with regard to CTY13 and CTY14 were raised with the agent by letter on the 9th June 2016. A preliminary amended design was received from the agent on 24th June 2016. This proposal is of little consequence in terms of overcoming prominence issues, in that the dwelling will be moved closer to a line of mature trees. The agent states that this will eliminate the need for any significant "cut and fill". However, due to the site's elevated position along with its open and exposed nature, any dwelling on this site will read as an unacceptably prominent and incongruous feature in the landscape.

The planning history at the site for a farm retirement dwelling and detached garage (Planning Ref: P/2004/0725/O) was refused on the application site on 03/03/05 with the refusal reason citing that development will if permitted be 'unduly conspicuous'. This position has remained unchanged from previous despite changes in policy from that time.

The site comprises of a large roadside, elongated field with rising land to the west. Whilst rising land provides a backdrop for the proposal the site nevertheless lacks a suitable degree of enclosure for any dwelling to integrate, the roadside boundary will be completely removed further amplifying the open and exposed nature of the site. Any development at this location will sit above the roadside boundary appearing unduly conspicuous when travelling in either direction along the Bernish Road with long views from the A1. In order to integrate and provide a suitable degree of enclosure for new development the site will require additional planting.

The significant cutting and excavation of earth required to create a level platform for a dwelling on this site will increase the visual prominence of the proposed dwelling, particularly given the unspoilt character of this part of Bernish Road. The driveway to the proposed dwelling has a steep gradient and will be out of character with the surrounding landscape. Due to the contours of this site, any amended scheme would be an unacceptable incongruous feature in this unspoilt area of the Area of Outstanding Natural Beauty. It would not be possible to sensitively integrate a dwelling within the application site.

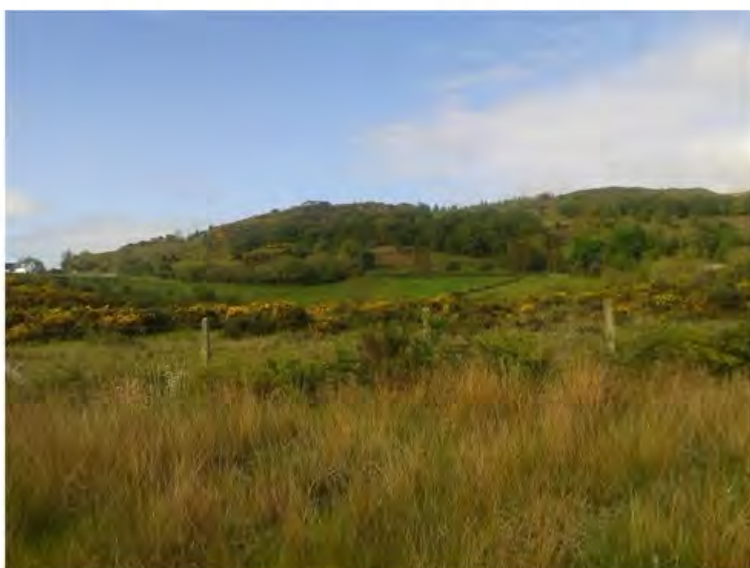
The design of the proposed dwelling is inappropriate for the site and its locality and will increase the adverse visual impact of the proposal. The scale, massing and form of the proposal would make it dominant and incongruous in the local landscape. The design of the proposal is not sympathetic to traditional design styles. Considering the design of this proposal, its excessive width (21.5 metres), the amount of cutting required, and the siting of this proposal adjacent to a SLNCl and within Slieve Gullion AONB, this proposal is inappropriate for the locality. The preliminary design of an amended scheme attempts to remedy this. However, even relocating and redesigning the proposed dwelling could not mitigate against the detrimental visual impact any dwelling on this site would have on the special character of this area of the AONB.

As discussed above the proposed dwelling cannot cluster or be visually linked with an established group of buildings on the farm.

In summary, and for the reasons outlined above, the proposal is contrary to criteria (a), (b), (c), (d), (e), (f) and (g) of policy CTY13.



Application site viewed from Bernish Road



Application site viewed from the A1 dual carriageway

Rural Character

A new dwelling at this location will have an adverse impact on rural character as the proposed dwelling would be unduly conspicuous and the impact of ancillary works would damage the rural character of this section of Bernish Road. The proposal would be an incongruous feature in this unspoilt rural area.

The proposal is contrary to criteria (a) and (e) of policy CTY14.

SPPS and PPS2 (AONB)

NIEA Natural Environment Division (NED) have advised in a consultation response, dated 21/03/16, that the proposed construction is adjacent to, and outside of, the SLNCI boundary. This consultation response also stated that priority species and

habitats are likely to be impacted by the proposal. Therefore, the proposal will have an unacceptable adverse impact on, or damage, priority species and habitats.

The proposal is contrary to Policy NH6 of PPS2 in that the siting and scale of the proposal is not sympathetic to the special character of the AONB and the particular locality as the proposed dwelling would be an incongruous and dominant feature in the local landscape, thereby having an adverse visual impact on this largely undeveloped area within the AONB. Additionally, the design of the proposal does not respect local architectural styles and patterns.

The proposed preliminary design (24.06.16) offers some level of improvement although the design remains unacceptable with the siting of the amended proposal is still not sympathetic to the special character of the AONB and will remain as an incongruous and dominant feature in the local landscape.



Unspoilt landscape and environmental character of this area of AONB

SPPS and PPS21 (CTY16) Sewerage

Environmental Health and NI Water have no objection in principle to the application, consent will be required for discharge which is outside the remit of the council.

Consultations:

DARD (21.03.16): The applicant has a Farm Business ID which has been established for more than 6 years and Single Farm Payment (SFP) has been claimed in the last 6 years.

Transport NI (21.03.16): No objection raised, conditions and informatives attached

Environmental Health: No objections in principle to this proposal.

NIW (07.03.16): A generic response but no objections in principle to this proposal.

NIEA (21.03.16) :

Natural Heritage and Conservation Areas: Bernish Rock (Site of Local Nature Conservation Importance (SLNCI), designated for its habitat quality, lies within the red line boundary associated with this proposal. The Natural Environment Division has concerns that there may be priority habitat on the site.

The consultation response notes that the development is restricted to the northern section of the application site out with the designated SLNCI. The consultation response also states priority species and habitats are likely to be impacted by the proposal.

Archaeology and Built Heritage: Content with the proposal

Drainage and Water: No specific comment

Objections & Representations

1 neighbour notified

No objections submitted

Advertised 02.11.15

Consideration and Assessment:

In summary the proposal is contrary to the Strategic Planning Policy Statement and PPS21: CTY1 and criterion (c) of CTY10, criteria (a), (b), (c), (d), (e), (f) and (g) of CTY13, criteria (a) and (g) of CTY14 and Policy NH6 of PPS2.

Proposals are unable to fully comply with the criteria set out in CTY 10 for farm dwellings in that there are no buildings at this part of the farm holding in which to visually link or site to cluster and thus fails policy test in this regard. Development proposals also fail policy tests of PPS21 namely CTY13, 14 and PPS2 for the reasons set out above. Supporting information submitted 12.12.16 has been fully considered however there is no exceptional need or overriding reason for a dwelling to be located at this part of the holding especially when there may be opportunity elsewhere and on this basis it is recommended that the application is refused.

Recommendation: Refusal

Refusal Reasons:

1. The proposal is contrary to the Strategic Planning Policy Statement and Policies CTY1 and CTY10 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 dwelling is visually linked or sited to cluster with an established group of buildings on the farm.
2. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that:
 - the proposed dwelling is a prominent feature in the landscape;
 - the proposed site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape;
 - the proposed dwelling relies primarily on the use of new landscaping for integration;
 - the ancillary works do not integrate with their surroundings;
 - the design of the proposed dwelling is inappropriate for the site and its locality;
 - the proposed dwelling fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;
 - the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm;and therefore the proposal would not visually integrate into the surrounding landscape.
3. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that, the proposed dwelling would, if permitted, be unduly prominent in the landscape and the impact of ancillary works would damage rural character, and the proposal would therefore result in a detrimental change to the rural character of the countryside.
4. The proposal is contrary to Strategic Planning Policy Statement and Policy NH6 of Planning Policy Statement 2, Natural Heritage in that, the siting and scale of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality and the proposed dwelling does not respect local architectural styles.

Case Officer:**Authorised Officer:**

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	6			DATE VALID	13/11/2015
APPLIC NO	LA07/2015/1219/F	Full			
COUNCIL OPINION	REFUSAL				
APPLICANT	Malachy Burns 39 Kilmonaghan Road Newry BT35 6QD		AGENT	ERES Limited Mourne House 41-43 Downshire Road Newry BT34 1EE 02830250135	

LOCATION Lands adjacent and 40m South-East of No 39 Kilmonaghan Road Armagh

PROPOSAL Erection of dwelling and garage on a farm

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses Signatures	Addresses Signatures
			0 0	0 0

- 1 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and CTY10 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 farm business is currently active and has been established for at least six years and that other dwellings/development opportunities have not been sold off from the farm holding within 10 years of the date of the application.

- 2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape. The proposed dwelling would also, if permitted, rely primarily on the use of new landscaping for integration and therefore would not visually integrate into the surrounding landscape.

- 3 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Kilmonaghan Road.

- 4 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings, create a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2015/1219/F

Date Received: 13.11.2015

Proposal: The applicant seeks Full Permission for the erection of a dwelling and garage on a farm.

Location: 40m South-East of No.39 Kilmonaghan Road. The site is located approximately 2 miles North West of Newry City in the rural countryside.

Site Characteristics & Area Characteristics:

The site includes a roadside portion of a larger steep agricultural field. The area is rural in character with a number dwellings and farm buildings evident in the area.

Site History:

P/1994/0001

Kilmonaghan Road (Adjacent to No. 41) Jerrettspass

Erection of Dwelling

Permission Granted: 03.06.1994

P/1992/1397

ADJACENT TO (IMMEDIATELY NORTH-WEST OF) 39 KILMONAGHAN ROAD,
GORAGHWOOD, NEWRY

Site for Dwelling

Permission Granted: 05.02.1993

P/1997/0990

ADJACENT TO NO41 GORAGHBANK HOUSE KILMONAGHAN ROAD GORAGH
NEWRY

Erection of two storey dwelling

Permission Granted: 05.11.1997

Planning Policies & Material Considerations:

Banbridge Newry and Mourne Area Plan 2015

Strategic Planning Policy Statement for Northern Ireland

Planning Policy Statement 21

Planning Policy Statement 3 / DCAN 15

Building on Tradition

Consultations:

Environmental Health – no objections although recommends dwelling should be moved at least 75m from farm dwellings.

Transport NI – following amendments no objections subject to conditions

NI Water – Generic

DAERANI – most recent and relevant response – The business has not been in existence from more than 6 years nor has any subsidies been claimed in the last year.

NIEA – No objections

Objections & Representations

No objections or representations received. Application advertised on 02.12.2015.

Consideration and Assessment:

There are no specific objections to the proposal with regard to the SPPS and Area Plan.

PPS3 – Access, Movement & Parking & DCAN15 – Vehicular Access

Following amendments Transport NI has no objections to the proposal with regard to the above policy criteria.

PPS21 – Sustainable Development in the Countryside

Policy CTY1 restricts new development in the countryside, but makes an exception for farm dwellings which are acceptable if in accordance with policy CTY10.

CTY 10 (a) DAERA has confirmed the farm business has not been established for the last 6 years or has claimed any subsidies in the last year. The P1C form confirms the farm business was established in July 2015. Regardless of receipts and con acre agreements submitted for dates prior to July 2015, the farm business has only been established in July 2015. The farm business has therefore not been active and established for the requisite 6 years. The application fails (a) of this policy.

CTY 10 (b) whilst a solicitor's letter has been sent confirming ownership of 3 parcels of land this does not confirm there is no other land in the applicant's ownership and consequently it has not been satisfactorily demonstrated that no development opportunities have not been sold off or disposed of from the holding. The application fails (b) of this policy.

CTY10 (c) It is considered the proposal will group / visually link with existing buildings at 39 Kilmonaghan Road. The proposal meets (c) of this policy criterion

CTY8 – the proposal will create ribbon development along the Kilmonaghan Road when read with the buildings at No.39. The proposal fails this policy criterion.

CTY13 – The hedging along the front of the site will have to be removed for visibility. The site therefore lacks long established boundaries and will rely heavily on new

planting for integration. The views of the site particularly when travelling from the north will be critical to the site. The design, on balance, is considered acceptable. The proposal fails (b) and (c) of policy CTY 13.

As previously discussed the proposal will create ribbon development along Kilmonaghan Road which is contrary to (d) of CTY14. The proposal also when considered with existing buildings West and North of the site will contribute to a build-up of development and have a detrimental impact on rural character. The proposal is also contrary to (b) of this policy.

Any approval notice would contain a negative condition for the applicant to provide the Council with the consent to discharge before work commences. The proposal is in general compliance with CTY16.

Recommendation: Refusal

Refusal Reasons:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and CTY10 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 farm business is currently active and has been established for at least six years and that other dwellings/development opportunities have not been sold off from the farm holding within 10 years of the date of the application.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape. The proposed dwelling would also, if permitted, rely primarily on the use of new landscaping for integration and therefore would not visually integrate into the surrounding landscape.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Kilmonaghan Road.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings, create a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.

Case Officer:

Authorised Officer:

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	20			
APPLIC NO	P/2014/0977/F	Full	DATE VALID	26/11/2014
COUNCIL OPINION	REFUSAL			
APPLICANT	Mrs Belinda McArdle & Mr Ross McArdle C/O Agent		AGENT	ERES Limited Mourne House 41-43 Downshire Road Newry
				NA

LOCATION Approximately 60 metres North of No 53 Upper Fathom Road
Killeen
Newry

PROPOSAL Erection of farm dwelling

REPRESENTATIONS	OBJ Letters		SUP Letters		OBJ Petitions		SUP Petitions	
					Addresses	Signatures	Addresses	Signatures
	0		0		0		0	
					0	0	0	0

- 1 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy NH 6 of Planning Policy Statement 2, Natural Heritage in that the siting of the proposal would, if permitted, be unsympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality.
- 2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 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.
- 3 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not been demonstrated that the farm business is currently active and has been established for at least six years or that the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm.
- 4 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 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.
- 5 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and would therefore result in a detrimental change to further erode the rural character of the countryside.



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: P/2014/0977/F

Date Received: 26.11.2014

Proposal: The application seeks Full permission for a farm dwelling.

Location: Approximately 60 metres North of No 53 Upper Fathom Road, Killeen, Newry. The site is located approximately 3.2 miles South of Newry City in the South Armagh part of the district.

Site Characteristics & Area Characteristics:

The site as outlined in red on the site location plan takes in a broadly triangular section of land which contains rough grazing and rocky outcrops. A dilapidated and overgrown building is also located to the front of the site, adjacent to the roadside. The site is located along the roadside and features on an elevated section where the land continues to rise to the rear. Ferns and whin bushes are characteristic in the area with agriculture being the most dominant land use activity. A number of residential properties can be found in the immediate area.

Site History:

P/2003/0857/F

To extraction rock to 1m above road level which is to be used only for reclaiming lands and making roadway to sites on opposite side of site by ripping and rockhammer.

Lands Between 57-59 Upper Fathom Road, Newry, Co Down

Permission Refused

17.10.2003

P/1975/0731

FATHOM UPPER TOWNLAND, COUNTY ARMAGH

Approval

08.03.1976

P/2006/0029CA

Lands between 57 - 59 Upper Fathom Road, Newry, BT35 8NY

Operation development

Case Closed

P/2002/0079CA

Land between 57-59 Upper Fathom Road, Newry.
Alleged unauthorised extraction of rock.
Case closed

P/2004/0115CA

Land between 57-59 Upper Fathom Road, Newry
Operational Development
Case closed.

Planning Policies & Material Considerations:

Banbridge Newry and Mourne Area Plan 2015
Strategic Planning Policy Statement for Northern Ireland
Planning Policy Statement 21
Planning Policy Statement 3 / DCAN 15
Planning Policy Statement 2
Building on Tradition

Consultations:

NI Water – Generic Response
Transport NI – No objections subject to standard conditions
DARDNI – DARD number has not been in existence for at least 6 years and has not claimed a subsidy in this period.
Environmental Health – No objections

Objections & Representations

4 Neighbours notified on 30.12.2014 and the application was advertised on 17.12.2014. No objections or representations received.

Consideration and Assessment:

Strategic Planning Policy Statement / Banbridge Newry and Mourne Area Plan 2015
The Strategic Planning Policy Statement is a material consideration for this application however as there is no significant change to the policy requirements for farm dwellings following the publication of the SPPS and it is arguably less prescriptive, the retained policies as discussed below will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS Strategic Planning Policy Statement. The site lies within the Rural Area / AONB as designated in the Banbridge Newry and Mourne Area Plan 2015. There are no specific objections to the proposal with regard to the Area Plan.

PPS3 – Access, Movement & Parking & DCAN15 – Vehicular Access

Transport NI was consulted with regard to these policy criteria. It has responded confirming it has no objection to the proposal subject to the standard conditions.

PPS21 – Sustainable Development in the Countryside

Policy CTY1 restricts new development in the countryside, but makes an exception for farm dwellings which are acceptable if in accordance with policy CTY10. DARD NI has confirmed the Business ID submitted with the application has been effective from 2013 and does not claim single farm payment. The statement of case provided maintains this Business has been a continuation of a previous Business of the applicant's now deceased father, Mr Gerard King. However, DARDNI has confirmed Mr King's Business ID ceased in 2008 and the farm maps showing his holding does not include the application site and in fact the land ownership of the applicant does not appear to extend to land adjacent to the site that is shown on Mr King's farm maps. Mr King's farm maps only have been made available for 2005. In addition to this, information has been made available on the applicant Ross McArdle. This information includes a farm map in 2012 and herd lists from 2013 from the Department of Agriculture Food and the Marine from the Republic of Ireland. There is no link between this Business and the Business of Blinnia McArdle under the DARD Number submitted on the P1C form. Regardless, PPS21 in its opening page confirms the policies in the document only apply to the Northern Ireland countryside. Any farming activity that may be carried out in another jurisdiction cannot be considered as a material consideration for an active farm business in the Northern Ireland countryside under PPS21.

In conclusion the Business ID of the deceased Mr King ended in 2008 and a new Business ID has been created in 2013. This does not show continuous use of a farm business notwithstanding that the application site does not appear as part of Mr King's previous holding. Consequently only the new Business ID can be assessed against this policy. Therefore at the time of writing this Business ID has only been in operation for 4 years with no evidence of the activeness of this particular Business ID on record as there is no Single Farm Payment Claimed. The application fails the policy criteria of CTY10 (a).

The proposal meets the policy requirements of CTY 10 (b)

With regard to (c) of CTY10 there is one building on the application site. However the policy makes reference to an established group of buildings on the farm, ie more than one and in this instance the proposed dwelling has not been sited to cluster with more than one building on the farm holding and therefore does not meet the policy criteria. It is noted that the agent originally confirmed there was 1 building on the holding; this stance has now changed to 2 buildings connected together. The Council accepts the original position of the agent, i.e. 1 building on the site.

The Strategic Planning Policy Statement also re-emphasises the need for dwellings on farms to comply with the other policies regarding integration and rural character. These will be explored in further detail below.

In terms of CTY13, given the existing natural screening, typography and rock outcrops surrounding the site integration and prominence are not an issue. The design is simplistic in form and typical of what you would expect to find the surrounding area. The dwelling consists of a traditional bungalow with upstairs living accommodation at a ridge height of 5.8m finished in smooth light render and natural stonework to the porch. (g) of policy CTY13 also requires the building to visually link or cluster with an established group of buildings on the farm. As discussed under

policy CTY10 above this has not been demonstrated within this application. When the proposed dwelling is viewed with existing development particularly south and west of the site it is considered that a new dwelling would result in a suburban style build-up which is contrary to policy CTY 14. Any approval notice would be negatively conditioned to ensure consent to discharge is obtained prior to commencement. Policy CTY16 is satisfied.

Policy NH6 of Planning Policy Statement 2: Natural Heritage is applicable due to the proposed siting within the Ring of Gullion AONB. Whilst the scale of the proposal is considered acceptable the siting is considered unsympathetic to the character of the AONB due to its contribution to build up in the area. There are no adverse impacts on existing heritage in the area and the design of the dwelling is in keeping with local architectural styles and design.

Recommendation:

Refusal

Reasons:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy NH 6 of Planning Policy Statement 2, Natural Heritage in that the siting of the proposal would, if permitted, be unsympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 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.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not been demonstrated that the farm business is currently active and has been established for at least six years or that the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 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.
5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted result in a

suburban style build-up of development when viewed with existing and approved buildings and would therefore result in a detrimental change to further erode the rural character of the countryside.

Case Officer:

Authorised Officer:

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	7			
APPLIC NO	LA07/2016/0150/O	Outline	DATE VALID	03/02/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Alan & Ronald Davidson 17 Ardaragh Road Newry BT34 1NY		AGENT	Collins & Collins 18 Margaret St Newry BT34 1DF 30266602
LOCATION	Adjacent and immediately south of No.17 Ardaragh Road Newry Co. Down BT34 1NY			
PROPOSAL	Erection of managers dwelling and domestic garage			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			0	0
1	The proposal is contrary to the Strategic Planning Policy Statement (SPPS), Policies CTY1 and CTY7 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 there is a site specific need for the proposed dwelling that makes it essential for an employee to live at the site of their work.			
2	The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Ardaragh Road.			
3	The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not visually integrate into the surrounding landscape.			
4	The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted create or add to a ribbon of development and would therefore result in a detrimental change to further erode the rural character of the countryside.			



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/0150/O

Date Received: 3rd February 2016

Proposal: Site for farm managers dwelling and garage

Location: The site is adjacent and immediately south of No.17 Ardaraugh Road approximately 4Km west of Rathfriland which is located in the crotlieve ward of the district.



The proposed site is adjacent and south of the existing dwelling (No. 17

Site Characteristics & Area Characteristics:

An access lane from the Ardarragh Road serves No. 17 and the farm business building located to the rear. No. 17 is a single storey dwelling finished in red brick, the building to the rear is a grey industrial shed approximately 20m x 20m and 6m in height. There are 2No. silos at the building





View towards the application site, No. 17 is in the foreground with the shed/workshop to the rear.

Site History:

There is no relevant site history. There are planning approvals for the bungalow but there is no planning history for the industrial shed at the rear of No. 17. On the Land and Property Services website the property is listed at house, garden, workshop. These Google images dated April 2011 show the buildings to the rear in place therefore they would be immune from any enforcement action. A Certificate of Lawfulness may be required to confirm this fact.

Planning Policies & Material Considerations:

- Banbridge, Newry and Mourne Area Plan 2015.
- Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS): Planning for Sustainable Development.
- Planning Policy Statement 3 Access (PPS3), Movement and Parking Policy AMP2.
- Planning Policy Statement 21 (PPS21) Sustainable Development in the Countryside.

Consultations:

NI Water has no objections and recommends a number of standard informatives,
Transport NI no objections.

NIEA Water Management Unit had no objections, standard informatives

Environmental Health Department has no objections, standard advice,

Loughs Agency – no objections standard advice.

Objections & Representations

No objections received. Five neighbours notified. Advertised in five local papers on 8/2/2016

Consideration and Assessment:

This application has been submitted for a farm managers dwelling in association with Ardarragh Livestock Feeds. The supporting information states that the business has been in existence prior to 2009 (over 6 years). The information included a blank invoice document from Ardarragh Livestock Feeds.

This site is located within the rural area as designated within the Banbridge, Newry and Mourne Area Plan 2015.

Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS): Planning for Sustainable Development.

Page 53 relates to dwelling on farms: provision should be made for a dwelling house on an active and established farm business to accommodate those engaged in the farm business or other rural dwellers.

Page 53 also relates to dwelling for non-agricultural business enterprises and notes that a site specific need must exist that makes it essential for an employee of the business to live at the site of their work.

Planning Policy Statement 21 (PPS21) Sustainable Development in the Countryside.

PPS 21 policies CTY 1, CTY 7, CTY 8, CTY 13, CTY14 and 16 apply.

CTY 1 Development in the Countryside, assesses the need for this proposal within the rural area and lists a number of exceptions. CTY 1 also notes that '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 including those for drainage access and road safety'.

The initial supporting statement dated February 2016 referred to CTY 10 and stated that the applicants were farm business members and that the business was active and established prior to 6 years.

CTY 10 relates to dwelling on farms (my emphasis) – permission will be granted where a) the farm business has been active for over 6 years and b) no development opportunities have been sold from the farm holding in the last 10 years and c) the

new building is visually linked or sited to cluster with an established group of buildings on the farm.

The existing business operation is not considered to be an 'active and established' farm business (in the definition defined by the SPPS and PPS21) and there is no DARD business ID connected to it.

Ardarragh Livestock Feeds involves the *manufacture* of livestock feed and *sale* of farm equipment such as posts, wire, feeders, mineral buckets etc is not considered to be an agricultural business therefore the application will be assessed under CTY 7.

In order to demonstrate the need for a dwelling under CTY 7 for the business an amended supporting statement was submitted on 7/6/2016.

The statement notes that the farm business (Ardarragh Livestock Feeds) has been a registered business for 15 – 16 years. The parents of the applicant have lived in the adjoining property, No. 17 Ardarragh Road for many years which is where the business has been managed up until now.

CTY 7 - Planning permission will be granted for a dwelling house in connection with an established non-agricultural business enterprise where a site specific need can be clearly demonstrated that makes it essential for one of the firm's employees to live at the site of their work. (underlining my emphasis)

Paragraph 5.30 of the amplification notes applicants must provide sufficient information to show that there is a site specific need which makes it essential for one of the firm's employees to live at the site of their work, as against a general desire for a dwelling in association with the business.

The supporting statement notes at page 7 the reasons why the application is essential and site specific. These include:

- The business runs 24/7 and operates on an 'on call' basis for the local farming community;
- Former manager (lives in No. 17) is approaching 60. Another person living on the site is needed to relieve the pressure of this labour intensive role.
- Limited shed space makes it difficult to prepare sufficient animal feed for opening hours. On a busy day the barley roller is in constant use and must be supervised at all times. This machine is often used out of hours when the manager tends other commitments therefore a second person is required, who is trained and capable to maintain operation of the machine;
- Dangerous machinery is used in the business, two people are required on site in case of an emergency. Diet feeder is used constantly to make feed often outside opening hours;
- Farmers calling to the business 'out of hours'
- Deliveries made 6am-midnight somebody needs to be on site at all times to take/check deliveries and this cannot be achieved by the current manager alone.

- No. 17 has been broken into several times, a second house at the site would add to the security of the site.

Upon considering the reasons set out above, I am not convinced that a second dwelling is necessary on the site. A dwelling is a permanent addition to the landscape and the need for this relatively small rural business to require 2No. dwellings to run efficiently would be unusual.

The supporting information notes that due to limited shed space it is difficult to prepare sufficient feed on time for opening hours. No information has been submitted as to whether an extension of the existing shed may relieve some of the current pressures on the site/business operation.

Ribbon development

Policy CTY 8, states "Planning permission will be refused for a building which creates or adds to a ribbon of development". The supporting text adds at paragraph 5.32 that 'Ribbon development has consistently been opposed and will continue to be unacceptable.

Integration and Rural Character

CTY 13 and CTY 14 relate to new buildings in the countryside and are therefore a material consideration for all planning applications in the rural area.

CTY 13 assesses the impact this proposal will have on the rural area by reason of design, siting, integration and landscaping. The site itself has limited screening and lacks long established boundaries. A dwelling would be clearly visible when travelling either direction along Ardarragh Road.

CTY 14 assesses the impact this proposal will have on the rural character of the immediate area. It notes 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.

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 (see Policy CTY 8);** or
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

The amplification notes: at paragraph 5.78 that in assessing the cumulative impact of a building on the rural character the following matters should be taken into consideration. These include intervisibility of the building with existing development, the vulnerability of the landscape and the siting of the proposal.

With this in mind it is clear that a dwelling at the proposed location will be clearly viewed along with No.17 Ardarragh Road. The proposed site adjacent to No. 17 is

such that it will add to the existing line of development and therefore further erode the rural character of the area.

Policy CTY16 — Development relying on non-mains sewerage

The PI Form states that a Treatment Plant is to be used for sewage disposal. The Environmental Health consultation response dated 20/04/2016 states no objection to the proposal provided a 'Consent to Discharge of Effluent' is obtained prior to the commencement of development. As this requirement is to satisfy other legislation, it will be added as an informative rather than a condition.

Standard informatives from NI Water response dated 25/04/2016

PPS 3 Access Movement and Parking Policy AMP 2, access to public roads notes that planning permission will only be granted for a development 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 AMP3 Access to Protected Routes. Transport NI had been consulted and has no objections.

Recommendation:

From the information submitted, I have not been convinced that a second dwelling is necessary for the efficient running of the existing agricultural business.

In addition, the site appears open and offers little in the way of screening. A dwelling located on this site will read with No. 17 Ardarragh Road and result in the creation of ribbon development.

Proposed reasons for refusal.

1. The proposal is contrary to the Strategic Planning Policy Statement (SPPS), Policies CTY1 and CTY7 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 there is a site specific need for the proposed dwelling that makes it essential for an employee to live at the site of their work.
2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Ardarragh Road.
3. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not visually integrate into the surrounding landscape.
4. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if

permitted create or add to a ribbon of development and would therefore result in a detrimental change to further erode the rural character of the countryside.

Case Officer Signature	
Date	
Appointed Officer Signature	
Date	

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	13			
APPLIC NO	LA07/2016/1212/O	Outline	DATE VALID	12/09/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Thomas Grant 44 Leode Road Hilltown Newry BT34 5TJ	AGENT	Collins & Collins 18 Margaret St Newry BT34 1DF 028 3026 6602	
LOCATION	Adjacent & immediately South of 20 Ryan Road Mayobridge Newry Co. Down			
PROPOSAL	Replacement dwelling on farm (Amended site Address)			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	1	0	0
			Addresses	Signatures
			0	0
			0	0
1	The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 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 Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that all of the external structural walls are not substantially intact; the proposed replacement dwelling is not sited within the established curtilage of the existing dwelling and it has not been shown that the alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.			
3	The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation/ addition of ribbon development along the Ryan Road.			
4	The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries; is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; and the proposed building would rely primarily on the use of new landscaping for integration.			
5	The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings; would not respect the traditional pattern of settlement exhibited in that area; would permitted create a ribbon of development; and would therefore result in a detrimental change to (further erode) the rural character of the countryside.			



Application Reference: LA07/2016/1212/O

Date Received: 8th September 2016

Proposal: Replacement dwelling on farm.

Location: Adjacent & immediately South of 20 Ryan Road, Mayobridge, Newry, Co. Down

Site Characteristics & Area Characteristics:

The application site in part comprises a dilapidated structure without a roof which is enclosed by trees and hedgerows, and is located approximately 0.5km west of number 20 Ryan Road, Mayobridge. The site is accessed via a long and narrow laneway off the Benagh Road. The remaining portion of the application site is a long rectangular shaped agricultural field which is located adjacent to and immediately south of number 20 Ryan Road. It is proposed to build an off-site replacement dwelling in this agricultural field. The field rises gently from the roadside boundary up towards the west before sloping down towards the rear boundary. There is an animal holding pen in the north-east corner of the agricultural field. The boundary of the field is defined by a 1.5m high post and wire fence.

The site is in a rural area that is classified as open countryside. The site is within two Archaeological Site and Monument zones (DOW047: 053 & DOW047:111) and an area of constraint on mineral developments as designated in the Banbridge, Newry and Mourne Area Plan 2015. There are two dwelling houses directly north of the application site and a house and agricultural type buildings to the east.



Image 1 - Application site

Site History:

P/2004/3009/O – Site for dwelling and detached garage adjacent to and south of 20 Ryan Road, Mayobridge. Application recommended for refusal on 22/09/2005 and subsequently withdrawn on 14/10/2005.

P/2005/2422/F – Erection of dwelling and detached garage adjacent to and south of 20 Ryan Road, Mayobridge. – Refused permission on 15/08/2006.

Refusal reasons:

1. The proposal is contrary to Policies SP6, SP19, HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
2. The proposal is contrary to Policies SP6 and DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up.
3. The proposal is contrary to Policies DES7, SP6 and HOU8 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, adversely affect the visual amenity and character of the countryside by the creation of ribbon development along Ryan Road.

2006/A1883 – Appeal to the Planning Appeals Commission under Article 32 of The Planning (Northern Ireland) Order 1991 by Ms Tanya O'Hare against the refusal of full planning permission for a dwelling and garage on land adjacent to and south of 20 Ryan Road, Mayobridge.

Appeal Decision – The appeal was dismissed and full planning permission refused.

*It is noted the proposal description on the P1 form states "*Replacement dwelling on farm*" and the agent has submitted a P1C application form (but no farm maps). After carrying out a history search on ePIC, it appears an application for a dwelling on a farm was granted under Policy CTY10 of PPS 21 to the same applicant using the

same farm Business ID number as supplied with this application. The application reference number was P/2009/0288/F and it was granted approval for the erection of a dwelling on land 37m east of 44 Leode Road, Hilltown, on 23rd September 2009. Policy CTY10 states planning permission granted under this policy will only be forthcoming once every 10 years. This application will therefore be assessed as a replacement dwelling.

Planning Policies & Material Considerations:

- The Banbridge, Newry and Mourne Area Plan 2015;
- The Strategic Planning Policy Statement for Northern Ireland;
- Planning Policy Statement 3 – Access, Movement and Parking;
- Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage; &
- Planning Policy Statement 21 – Sustainable Development in the Countryside.

Consultations:

Transport NI –	No objections in principal.
NI Water –	Generic response.
Historic Environment Division –	Content proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.
DAERA –	The farm business ID has been established for more than 6 years and claimed payments in the last 6 years.

Objections & Representations

The application was initially advertised in the local press the week beginning 26th September 2016. However the address on the P1 application form was incorrect as it stated "*adjacent and immediately south of number 19 Ryan Road*" instead of number 20. The agent provided an amended section of the P1 form on 22nd September 2016. The application was subsequently re-advertised in the local press and two neighbour notification letters issued. To date no objections or representations have been received.

Consideration and Assessment:

Outline planning permission is sought for the proposed erection of a replacement dwelling on a farm. 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 & Mourne Area Plan 2015. The site is located within the rural area that is classified as open countryside in the above plan. There are no specific policies in the Plan relevant to the determination of the application and it directs the decision-maker to the operational policies of the SPPS, PPS 3, PPS 6 and PPS21.

Principle of Development

As there is no significant change to the policy requirements for replacement dwellings following the publication of the SPPS, the retained policy of PPS21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

Planning Policy Statement 21 – Sustainable Development in the Countryside

Policy CTY1 states that a range of types of development are acceptable in principle in the countryside. This includes replacement dwellings if they are in accordance with Policy CTY3, CTY 8, CTY 13 and CTY14.

Policy CTY 3 – Replacement dwellings – states:

*“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** (my emphasis) structural walls are substantially intact. For the purposes of this policy all references to ‘dwellings’ will include buildings previously used as dwellings.”*

The structure subject of replacement is dilapidated, does not have a roof and there are trees and vegetation growing within it. The structure is linear in form and of single storey construction. It has a low profile with narrow gable ends. Although there is no chimney, there is evidence of a chimney stack internally. In my opinion the structure exhibits the essential characteristics of a dwelling.

Policy CTY3 also requires, as a minimum, all external structural walls to be substantially intact. Although there is a small section of one of the gables missing, I consider the two gable ends to be substantially intact. However, as you can see from the images below, substantial sections of the front wall and a large section of the rear wall are missing. As a result I do not consider the front and rear structural walls to be substantially intact.



Image 2 & 3 - Front Elevation



Image 4 - Rear Elevation

Policy CTY3 goes on to state that proposals for a replacement dwelling will only be permitted where 5 criteria are met. I have concerns in regards to the first two criteria. The first criterion states that the proposed replacement dwelling should be sited within the established curtilage of the existing building, 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.

The existing structure is located approximately 0.5km west of number 20 Ryan Road. The structure is well screened from view by existing mature trees and vegetation. The curtilage of the site is quite restricted; however the agent has indicated that a large portion of the surrounding land is owned by the applicant as he has outlined it in blue on the site location map. In my opinion the curtilage could be extended slightly in order to provide a modest scale dwelling on this site. No landscape, heritage or amenity reasons or information has been provided to demonstrate the benefits of an off-site replacement that is so far removed from the existing structure.

The second criterion of Policy CTY 3 requires the overall size of the new dwelling should allow it to visually integrate into the surrounding landscape and not have an impact significantly greater than the existing building. Although this is an outline application and no details have been provided in regards to the proposed design of the replacement dwelling, I am not satisfied that an off-site replacement dwelling on this site would integrate into the surrounding landscape. An off-site replacement would rely primarily on the use of new landscaping due to the fact the existing boundaries of the site are defined by a post and wire fence. As the existing structure is well screened from view and is located 0.5km away from the proposed replacement site, the visual impact of a new dwelling at this location would be significantly greater than the existing building.

In regards to the third criterion, this is an outline application and no details of the proposed design have been included. In regards to criteria four and five, I am satisfied that all necessary services can be provided without significant adverse impact on the environment or character of the locality; and that access to the public road would not prejudice road safety or significantly inconvenience the flow of traffic.

Ribbon Development

Policy CTY8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. A dwelling on this road frontage plot would have common frontage with and visually link with the dwellings at numbers 20 and 22 Ryan Road, Mayobridge. In my opinion this would create a ribbon of development as it would extend the build-up of development along the road frontage, which would be detrimental to the countryside's character, appearance and amenity.

Create/add to
a Ribbon of
Development



Image 5 - Satellite View of Site

Integration and Design

Policy CTY 13 of PPS 21 states planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. The proposed site lacks established natural boundaries and is unable to provide a suitable degree of enclosure for the proposed dwelling to integrate into the landscape. A new dwelling on this site would rely primarily on the use of new landscaping for integration. While planting could be used to define the curtilage of the site it would take time to establish and mature in order to provide a suitable degree of enclosure. The proposal is therefore considered contrary to criteria (b) and (c) of Policy CTY 13.



Image 6 - The replacement site

Rural Character

Policy CTY 14 of PPS 21 states 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 detailed above, the proposal would create ribbon of development and would result in a suburban style build-up of development when viewed with numbers 20 and 22 Ryan Road and the buildings to the north-west of number 22. A dwelling on this site would not respect the traditional pattern of development exhibited in the area. The proposal is considered contrary to criteria (b), (c), and (d) of Policy CTY 14.

Development Relying on Non-Mains Sewage

Policy CTY 16 states 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 applicant has indicated that fowl sewage will be disposed with by treatment plant. No details have been provided at outline stage however I am satisfied the site could accommodate a treatment plant and soak-away.

Access, Movement and parking

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. TransportNI were consulted and have no objections in principal subject to a scale plan and accurate site survey being submitted as part of any reserved matters application showing the access to be constructed and other requirements in accordance with the RS1 form.

Recommendation:

Refusal

Refusal Reasons:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that all of the external structural walls are not substantially intact; the proposed replacement dwelling is not sited within the established curtilage of the existing dwelling and it has not been shown that the alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits.
2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation/addition of ribbon development along the Ryan Road.

3. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries; is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; and the proposed building would rely primarily on the use of new landscaping for integration.

4. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings; would not respect the traditional pattern of settlement exhibited in that area; would permitted create a ribbon of development; and would therefore result in a detrimental change to (further erode) the rural character of the countryside.

Case Officer Signature: _____ **Date:** _____

Authorised Officer Signature: _____ **Date:** _____

PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION

ITEM NO	8			
APPLIC NO	LA07/2016/0431/F	Full	DATE VALID	05/04/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Riverway Precision Engineering 29a Ballinran Road Kilkeel BT34 4JA	AGENT	Glyn Mitchell Architectural Design 139 Ballinran Road Kilkeel BT34 4JB	
			NA	
LOCATION	29a Ballinran Road Kilkeel Co Down			
PROPOSAL	Proposed Replacement Light Engineering shed for existing building and retain existing workshop as a garage.			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
1	The proposal is contrary to Policy CTY 1 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 Policy PED 2 and Policy PED 3 of Planning Policy Statement 4, Industrial Development in that the development would, if permitted, have an adverse impact on the environment by virtue of the significant increase in the site area of the enterprise, the significant building works on a site located in the Countryside and its lack of visual integration into the rural landscape. It has not been demonstrated that the relocation of the enterprise is not possible for particular operational or employment reasons, the proposal would make a significant contribution to the local economy and the development would not undermine rural character.			
3	The proposal is contrary to Policy PED 9 of Planning Policy Statement 4, Industrial Development in that the development would, if permitted, be incompatible with surrounding land uses, harm the amenities of nearby residents, adversely affect features of the natural heritage, the building design and landscaping arrangements are not appropriate and there are not satisfactory measures to assist integration into the landscape.			
4	The proposal is contrary to Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building is a prominent feature in the landscape, the proposed site lacks long established natural boundaries for the building to integrate into the landscape, the proposed building relies primarily on the use of new landscaping for integration and the design of the proposed building is inappropriate for the site and its locality and therefore would not visually integrate into the surrounding landscape.			
5	The proposal is contrary to Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, be unduly prominent in the landscape and would therefore further erode the rural character of the countryside.			

PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION

- 6 The proposal is contrary to Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the site lies in a designated Area of Outstanding Natural Beauty and the development would harm the special character of the area by reason of its size, scale and design which are deemed to be inappropriate.
-



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/0431/F

Date Received: 25/03/2016

Proposal:

Proposed Replacement Light Engineering shed for existing building and retain existing workshop as a garage.

The applicant seeks full planning permission to erect a replacement light engineering shed. The replacement shed measures approximately 12.45m by 24.07m which means the gross floor area is approximately 299.7m². The majority of the floor space is to be used as a workshop but an office measuring 3.5m by 3.5m internally and a W.C. measuring 1.5m by 2.2m are also to be provided. Externally the lower half of the walls are to be finished in either smooth or roughcast grey plaster and the upper half and the roof are to be finished in green cladding. A roller door measuring 3.9m tall will be the main access point to the building although there is a separate external entrance to the office and on the eastern elevation of the building. The roof is pitched and there will be five skylights on each side of the pitch. The ridge height is approximately 5.9m above the ground floor level.

Location:

29a Ballinran Road, Kilkeel, Co Down.

The site is located in a rural area approximately 2.7 miles north-east of Kilkeel.

Site Characteristics & Area Characteristics:

This rural site contains the existing workshop which appears as the domestic garage belonging to no.29 Ballinran Road. This part of the building is finished in plaster and roof tiles and matches the dwelling at no.29 Ballinran Road. This section of the building has a pitched roof and has a Certificate of Lawfulness under LA07/2016/0971/LDE for use as a workshop. A mono-pitch roof workshop has been added to the eastern elevation of the workshop. It is constructed out of concrete blocks and has a corrugated tin roof. The front and rear boundaries are comprised of boulder walls, the western boundary is comprised of evergreen hedging over 3.0m tall and there is no definable boundary to the east with no.27 Ballinran Road. The site itself is relatively flat and laid in stone. A caravan, skip and waste materials are all present on the site. The site is accessed from a stone laneway which runs perpendicular from the Ballinran Road.

The site is located outside of settlement development limits, as defined by the Banbridge / Newry and Mourne Area Plan 2015. The site itself is unzoned however it does lie within the Mourne Area of Outstanding Natural Beauty. There are no historic sites or monuments in close proximity to the site. The site is accessed from a lane along which there are five dwellings. The application site is adjacent to a two storey dwelling to the east and a single storey dwelling to the west.

Site History:

The following planning applications have been submitted on the application site:

1. P/1979/1174 – Erection of bungalow – Granted 26/08/1980.
2. P/2003/1594/O – Site for dwelling and garage – Withdrawn 28/08/2003.
3. P/2003/1794/O – Site for dwelling and garage – Granted 13/10/2003.
4. P/2011/0858/F – Erection of one and a half storey dwelling and garage – Granted 18/04/2012.
5. LA07/2016/0971/LDE – The building is used for light engineering workshop where there is 3 precision CNC machines. It makes parts for a fork-lifter – Permitted development 14/11/2016.

In the determination of LA07/2016/0971/LDE, it was held that the building within the curtilage of no.29 Ballinran Road was immune from enforcement action and that the extended section to the east was not authorised development.

Planning Policies & Material Considerations:

This planning application will be assessed under the following policies:

- Regional Development Strategy 2035.
- Banbridge / Newry & Mourne Area Plan 2015.
- Strategic Planning Policy Statement for Northern Ireland (SPPS).
- PPS 2 – Natural Heritage.
- PPS 3 – Access, Movement and Parking.
- DCAN 15 – Vehicular Access Standards.
- Parking Standards.
- PPS 4 – Planning and Economic Development.
- PPS21 – Sustainable Development in the Countryside.

Consultations:

The following consultation responses have been received regarding this planning application:

1. NI Water – 06/05/2016 – No objections.
2. Transport NI – 13/05/2016 – No objections.
3. Environmental Health – 22/11/2016 – No objects subject to conditions.

Objections & Representations

This planning application was advertised in the local press on 11/04/2016 and five neighbouring properties were notified of the planning application by letter. No letters of objection have been received regarding this planning application. A letter of support from a MP has been received and the agent has submitted a representation to address concerns that has been expressed from the Planning Authority which will be considered in the assessment below.

Consideration and Assessment: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 under 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 of settlement development limits, is unzoned and is located within the Mourne Area of Outstanding Natural Beauty. There are no specific policies in the plans that are relevant to the determination of the application so the application will be considered under the operational policies of the SPPS, PPS 21 and PPS 4. The impact of the development on the AONB will be considered under PPS 2.

PPS 4 – Planning and Economic Development

Policy CTY 1 of PPS 21 discusses that planning permission will be granted for non-residential development in the countryside where the industry and business uses are in accordance with PPS 4. The proposed development will therefore be assessed against PPS 4 to determine if the proposed development is suitable for this rural location and to determine if the proposed development is in compliance with Policy CTY 1.

As the proposed development of this light engineering unit is outside of settlement development limits, as defined in the Banbridge / Newry and Mourne Area Plan 2015, the proposed development is required to be assessed under Policy PED 2, PED3 and PED 9 of PPS 4. Policy PED 2 discusses that proposals for economic development in the countryside involving the expansion of an established economic development use will be permitted where the proposal meets the provisions of Policy PED 3.

Policy PED 3 allows the expansion of an established economic development use in the countryside where the scale and nature of the proposal does not cause harm to the rural character or appearance of the local area and where there is no major increase in the site area of the enterprise. With regards the site area, at present the light engineering building occupies a small section in the curtilage of no.29 Ballinran Road. The proposed plans involve the creation of a new site within the curtilage of no.27 Ballinran Road. The creation of this site will therefore create a significant increase in the area of the enterprise which is contrary to Policy PED 3.

Policy PED 3 identifies that proposals for expansion should normally be accommodated through the reuse or extension of existing buildings on the site. Where it can be demonstrated that this is not possible, new buildings can be approved provided they are in proportion to the existing building(s) and will integrate as part of the overall development. Essentially the creation of a new site, construction of a new building and conversion of the existing light engineering unit to a domestic garage is not the expansion of an established economic use, rather it is the creation of a new use on an adjacent site. With regards to this point, the agent in his letter to the Council received on 21/12/2016 discusses that a new building is required as the existing building and annex (which does not have planning permission) are not of sufficient size to store the machinery and provide a sufficient workspace. The new building being proposed measures approximately 12.45m by 24.15m with a ridge height of approximately 5.95m whereas the existing workshop

measure approximately 6.3m by 12.0m. The total floor area of the existing workshop (excluding the unauthorised section) is approximately 75.6m² and the proposed floor area would be 300.67m² resulting in an increase in gross floor space of approximately 225.07m². This increase in floor space clearly is significant and is not in proportion to the existing building and does not respect the scale of the existing building as required by Policy PED 3. The proposed building also fails to respect the existing building in its choice of materials and design which also makes it contrary to PED 3.

There is provision within Policy PED 3 for the major expansion of an existing industrial enterprise that doesn't meet the other policy requirements of PED 3, where in exceptional circumstances it can be demonstrated that:

- The relocation of the enterprise is not possible for particular operational or employment reasons;
- The proposal would make a significant contribution to the local economy; and
- The development would not undermine rural character.

Despite the agent acknowledging in his letter received by the Council on 21/12/2016 that there is a requirement within Policy PED 3 to demonstrate that the relocation of the enterprise is not possible for operational or employment reasons, the agent has failed to address this point. The agent submitted a letter from one estate agent who said that that company had no light industrial units available in Kilkeel or Annalong and did not know of any. This however does not address the point raised by policy in that no evidence has been received to demonstrate that there are operational or employment reasons that mean this enterprise can only operate from this site.

Similarly the agent has failed to demonstrate with any tangible evidence that the development would make a significant contribution to the local economy. The agent does however mention in his letter received by the Council on 21/12/2016 that the business has grown and now requires additional staff (the number of additional staff and whether they would be full time or part time has not been specified) and argues that this would make a significant contribution to the local economy. I am not satisfied that satisfactory evidence has been submitted to demonstrate that the proposed development would make a significant contribution to the local economy.

To demonstrate that the development would not undermine rural character, the agent argues that the rural character of this particular stretch of the Ballinran Road has been lost due to:

- The approval and dwellings along the existing laneway of the proposal site.
- Other buildings on this stretch of Road.

At present there are five dwellings located along this laneway and the building currently used by the business is within the curtilage of no.29 Ballinran Road and would read as a domestic garage by a member of the public. The proposed building is not appropriate in scale or its use of materials and would further erode the rural character of the area (contrary to Policy CTY 14 of PPS 21) and is not comparable to the other buildings along this laneway and as demonstrated in Appendix B of the letter submitted to the Council on 21/12/2016, it is out of character for this ribbon of development.

Regarding the point made by the agent that other buildings along the Ballinran Road have caused the loss of the rural character along this stretch of Ballinran Road, the following buildings were mentioned:

- The Bracken Centre at 46 Ballinran Road – *This is a community building and not comparable to the proposed building.*
- Agricultural buildings at 106 Aughnhoory Road – *These farm buildings are located approximately 1.3km south-west of the application site and are not visible from the application site. The use is not comparable with the use proposed in this application.*
- Agricultural buildings at 61 Leitrim Road – *The location of these farm buildings could not be ascertained however the use is not comparable with the use proposed in this application.*
- Agricultural buildings at 65 Leitrim Road – *The location of these farm buildings could not be ascertained however the use is not comparable with the use proposed in this application.*
- Agricultural buildings at 140 Ballinran Road – *These farm buildings are located approximately 2.0km north-west of the application site and are not visible from the application site. The use is not comparable with the use proposed in this application.*
- Kitchen-makers buildings at 57 Leitrim Road – *these buildings do not appear to be authorised for this use and are currently being investigated by the enforcement team.*
- Buildings and engineering workshop at S. McConnell and Sons Stone – *These farm buildings are located approximately 2.2km north-east of the application site and are not visible from the application site. These buildings do not impact of the rural character of the stretch of Ballinran Road that the application site is located on.*
- Mechanic workshop at 40c Ballinran Road - *this building does not appear to be authorised for this use and are currently being investigated by the enforcement team.*

Due to the undulating landscape, the proposed building will be visible from stretches along the Ballinran Road and neighbouring road. I am not satisfied that it has been demonstrated the proposed building would not undermine the rural character of the area. While there has been a build-up of development in the local area, this is primarily dwellings and the proposed development would further erode the rural character and cannot be deemed acceptable.

Under Policy PED 3, in all cases under the policy it is a requirement that measures are taken to aid integration into the landscape. The applicant proposed to plant trees along the northern boundary, the lower sections of the eastern and western boundaries and along the southern boundary. Given the scale of the proposed building and the undulating landscape, these measures will not be sufficient to aid integration.

Overall, the proposed development fails to meet the requirements of Policy PED 3 as:

- The scale of the proposal would harm the rural character of the area;
- The proposed development results in a major increase in site area of the enterprise.

- It has not been demonstrated that it is not possible to extend the existing building.
- The new building is not in proportion to the existing building and will integrate as part of the overall development.
- The new building does not respect the scale, design and materials of the original building.
- It has not been demonstrated that:
 - The relocation of the enterprise is not possible for particular operational or employment reasons;
 - The proposal would make a significant contribution to the local economy; and
 - The development would not undermine rural character.
- The proposed landscape measure will not be sufficient to aid integration of the new building into the site.

The proposed development is also required to be assessed under Policy PED 9:

- (a) The proposed development of a light engineering business between two residential dwellings is not considered appropriate; the development would be incompatible with surrounding land uses.
- (b) The proposed development is in close proximity to two residential dwellings and Environmental Health have indicated in their consultation response dated 22/11/2016 that there is the potential that the development would cause an adverse impact through noise.
- (c) The proposed development is within an AONB and is not considered to be compliant with policy and would therefore adversely impact the AONB.
- (d) The site is not within an area at flood risk.
- (e) Environmental Health have indicated on their consultation response dated 22/11/2016 that there is the potential that there could be an adverse impact caused through noise. To restrict any noise nuisance Environmental Health have requested a condition restricting the operating hours, however noise nuisance could be caused through the operating times.
- (f) The proposed development should be capable of dealing with emissions or effluent.
- (g) Transport NI has not raised any access concerns.
- (h) A yard area has been provided which would allow the parking and manoeuvring of vehicles attracted to the site.
- (i) A movement pattern is not applicable given the scale of the development.
- (j) The building design and landscaping, as previously discussed, are not deemed to be satisfactory.
- (k) Boundary treatments have been provided around the yard.
- (l) The layout does not create any concerns regarding crime or personal safety.
- (m) Although measures of integration have been proposed, as discussed above, these will not be satisfactory to help the proposed development integrate into the landscape.

The proposed development is required to meet all the 13 criteria specified in PED 9 but fails to meet five of the criteria: (a), (b), (c), (j) and (m).

PPS21 – Sustainable Development in the Countryside

The proposed development is contrary to PPS4 the proposed development is also contrary to Policy CTY 1 of PPS 21. The proposed development is also contrary to

PPS 21 in that the building would be a prominent feature in the landscape, the site lacks long established natural boundaries, the development relies primarily on new landscaping for integration and the design of the building is inappropriate for the locality. The proposed development is also contrary to Policy CTY 14 as it would be unduly prominent and therefore further erode the rural character of the area.

PPS 3 – Access, Movement and Parking

Transport NI has been consulted on this application and in its response dated 13/05/2016 stated that it has no objections to this application. I am therefore satisfied that the proposed development will not prejudice road safety or significantly inconvenience the flow of traffic.

PPS 2 – Natural Heritage

Policy NH 6 states that planning permission for new development within an AONB will only be granted where it is of an appropriate design, size and scale for the locality. As I am not satisfied that the proposal is of an appropriate design, size or scale, as discussed above, I am not satisfied that the proposed development will not have an adverse impact on the AONB.

Recommendation:

Refusal

It has been determined that the proposed development is contrary to Policies CTY 1, CTY 13 and CTY 14 of PPS 21, Policies PED 2, PED 3 and PED 9 of PPS 4 and Policy NH 6 of PPS 2.

Refusal Reasons:

1. The proposal is contrary to Policy CTY 1 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 Policy PED 2 and Policy PED 3 of Planning Policy Statement 4, Industrial Development in that the development would, if permitted, have an adverse impact on the environment by virtue of the significant increase in the site area of the enterprise, the significant building works on a site located in the Countryside and its lack of visual integration into the rural landscape. It has not been demonstrated that the relocation of the enterprise is not possible for particular operational or employment reasons, the proposal would make a significant contribution to the local economy and the development would not undermine rural character.
3. The proposal is contrary to Policy PED 9 of Planning Policy Statement 4, Industrial Development in that the development would, if permitted, be incompatible with surrounding land uses, harm the amenities of nearby residents, adversely affect features of the natural heritage, the building design and landscaping arrangements are not appropriate and there are not satisfactory measures to assist integration into the landscape.

4. The proposal is contrary to Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed building is a prominent feature in the landscape, the proposed site lacks long established natural boundaries for the building to integrate into the landscape, the proposed building relies primarily on the use of new landscaping for integration and the design of the proposed building is inappropriate for the site and its locality and therefore would not visually integrate into the surrounding landscape.
5. The proposal is contrary to Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, be unduly prominent in the landscape and would therefore further erode the rural character of the countryside.
6. The proposal is contrary to Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the site lies in a designated Area of Outstanding Natural Beauty and the development would harm the special character of the area by reason of its size, scale and design which are deemed to be inappropriate.

Case Officer Signature:

Date:

Appointed Officer Signature:

Date:

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	15			
APPLIC NO	LA07/2016/1449/O	Outline	DATE VALID	31/10/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Mrs Mary Slane 60 Dundalk Street Newtownhamilton BT35 0PB		AGENT	Feargal Carolan 40 Larchmount Newry BT35 6TX 07732119785

LOCATION 30M North of No. 34 Seafin Road Newry

PROPOSAL Proposed Dwelling and Detached Domestic Garage (Infill Site).

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to the SPPS Policy CTY1 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 Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Seafin Road.
- 3 The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
 - the (building) would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings;
 - the (building) would, if permitted create a ribbon of development,
 and would therefore result in a detrimental change to (further erode) the rural character of the countryside.



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1449/O

Date Received: 01.11.2016

Proposal: Proposed Dwelling and Detached Domestic Garage (Infill Site).

Location: 30M North of No. 34 Seafin Road Newry

Site History: n/a

Site characteristics:

The site is positioned between no 34 and 38 Seafin Road. Along the north western boundary of the site there is an existing access to no 36a&b. The ridges of the roofs of such properties are only visible from the Seafin Road. North of 38, there is another laneway access to an agricultural type shed and a site containing a mobile home.

The site itself is a large rectangular plot and which is currently a green field. The roadside boundary and the boundary with 34 are both defined by a grass bank and hedging. The boundary with the laneway is defined by post and wire fencing and young trees.

Planning Policies & Material Considerations:

The site is located approximately 1 mile north of Meigh Village. The site is within the countryside context and An Area of Outstanding Natural Beauty as defined in the Banbridge, Newry and Mourne Area Plan 2015.

SPPS, PPS 2, PPS 3 & PPS 21

Objections & Representations

No. of neighbours notified=8

Advertise expiry=02.12.2016

No. of representations received=0

Consultations

TransportNI- request a plan showing the sightlines achievable- received ok from Roads

NIW- statutory

NIEA WMU- no objections

Consideration and Assessment:

The site is located within the countryside context therefore the provisions of PPS 21 will apply to this case.

The application has been submitted for a dwelling and garage on an infill site. The application will be assessed against Policies CTY 1, 8, 13 & 14.

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. The application site is positioned between 34 and 38. North of 38, there is an access to a mobile home and further down the laneway a shed. The mobile home has been placed on the lands without the benefit of planning approval. An unauthorised mobile home cannot be included as part of the assessment. Even if it was to be included, the mobile does not have a frontage to the Seafin Road as an agricultural field lies between the boundary of its plot and the roadside. (2016/A0066)

The proposal is contrary to CTY 8 as the built up frontage does not include a line of 3 or more buildings along a road frontage.

It is felt that a dwelling appropriately conditioned would meet the criteria set out in CTY 13.

The proposal would result in a suburban style build up when viewed with the existing buildings and create a ribbon of development along the Seafin Road. The proposal is contrary to CTY 14.

Recommendation:

Refusal

The proposal is contrary to the SPPS Policy CTY1 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.

The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Seafin Road.

The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:

-the (building) would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings;

-the (building) would, if permitted create a ribbon of development;

and would therefore result in a detrimental change to (further erode) the rural character of the countryside.

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**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	16			
APPLIC NO	LA07/2016/1460/O	Outline	DATE VALID	01/11/2016
COUNCIL OPINION	REFUSAL			
APPLICANT	Sheila & Brian Fearon 46 Foughillotra Road Jonesborough Newry BT35 8JG		AGENT	M P Toale & Associates 116 Dromintee Road Newry BT35 8SW 02830888574

LOCATION Kilnasaggart Road (Approx 150M South of No. 9 Kilnasaggart Road) Jonesborough
Newry (Foughillotra TD)

PROPOSAL Dwelling

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not constitute a gap within an otherwise substantial and continuously built up frontage and would add to ribbon development along the Kilnasaggart Road.
- 2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY1 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.
- 3 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and add to a ribbon of development which would therefore result in a detrimental change to the rural character of the countryside.
- 4 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy NH6 of Planning Policy Statement 2: Natural Heritage in that the siting of the dwelling is unsympathetic to the special character of the AONB in general and of the particular locality.
- 5 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 would not be possible within the application site to provide an access with visibility splays (of 2 metres x 33 metres), in accordance with the standards contained in the Department's Development Control Advice Note 15.



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2016/1460/O

Date Received: 27.10.2016

Proposal: The proposal seeks Outline Permission for a dwelling in accordance with policy CTY8 of PPS21.

Location: 150m South of No. 9 Kilnasaggart Road, Jonesborough. The site is located approximately 0.6 miles South of Jonesborough in South Armagh / Ring of Gullion AONB.

Site Characteristics & Area Characteristics:

The site includes a rectangular field with road frontage onto the Kilnasaggart Road. The area is rural in character with a small farm complex located immediately north of the site.

Site History:

No site specific history.

Planning Policies & Material Considerations:

Banbridge Newry and Mourne Area Plan 2015.
Strategic Planning Policy Statement for Northern Ireland
Planning Policy Statement 21
Planning Policy Statement 3 / DCAN 15.
Planning Policy Statement 2
Building on Tradition

Consultations:

Transport NI – have asked the applicant to submit a 1/500 plan showing site lines achievable in red.
NI Water – Standing Advice

Objections & Representations

No neighbours qualified for a neighbour notification and the application was re-advertised on 16.11.2016. No objections or representations were received.

Consideration and Assessment:

The site lies within the Rural Area/AONB as designated in the Banbridge Newry and Mourne Area Plan 2015. There are no objections to the proposal with regard to the Area Plan.

PPS21 – Sustainable Development in the Countryside

Policy CTY1 restricts new development in the countryside, but makes an exception for an infill site to accommodate up to 2 dwellings if in accordance with policy CTY8.

This policy requires a gap between an otherwise substantial and continuously built up frontage which has been defined as 3 buildings. Whilst buildings are located north of the site there are none to the South of the site. The agent has cited a previous approval to the south of the site as justification for a gap site, however as there is no building on this site it cannot be considered as an otherwise substantial and continuously built up frontage. PAC decision 2014/A0002 confirms this position. The proposal would instead add to a ribbon of development along this road.

As a result the application fails to meet the policy criteria for CTY1 and CTY8.

The proposal is considered to meet policy CTY13. However as it would add to ribbon development and contribute to build up, this application fails policy CTY 14.

Sewage arrangements are minimal at Outline however a condition will be added to ensure Consent to Discharge is obtained before work commences. The proposal is in general compliance with CTY16.

PPS3 – Access, Movement & Parking & DCAN15 – Vehicular Access Standards

Transport NI was consulted in regard to this policy criteria. Whilst they have sought an additional plan to show how sightlines can be achieved, given land ownership is not shown to either side of the site – it is not considered this is possible. The proposal is therefore contrary to policy AMP2 in terms of adequate site splays.

Planning Policy Statement 2, Natural Heritage

Policy NH6 is applicable as the proposal is located within a designated AONB, namely the Ring of Gullion Area of Outstanding Natural Beauty. The design, size and scale of the proposal can be dealt with by way of conditions. Given the proposal will add to ribbon development and build up the siting of the proposal is considered unsympathetic to the special character of the AONB in general and of the particular locality.

Recommendation: Refusal**Refusal Reasons:**

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not constitute a gap within an otherwise substantial and continuously built up frontage and would add to ribbon development along the Kilnasaggart Road.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY1 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.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and add to a ribbon of development which would therefore result in a detrimental change to the rural character of the countryside.

4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and policy NH6 of Planning Policy Statement 2: Natural Heritage in that the siting of the dwelling is unsympathetic to the special character of the AONB in general and of the particular locality.

5. 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 would not be possible within the application site to provide an access with visibility splays (of 2 metres x 33 metres), in accordance with the standards contained in the Department's Development Control Advice Note 15.

Case Officer:

Authorised Officer:

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	19			
APPLIC NO	P/2014/0966/F	Full	DATE VALID	19/12/2014
COUNCIL OPINION	APPROVAL			
APPLICANT	Thomas Davis GFC Correnshigo Newry		AGENT	Design 3 3 Cedar Grove Newry
				07845811586
LOCATION	Lands approx 180 Metres south-west of No.15 Doran's Hill Newry (within the grounds of Thomas Davis GFC/Community Sports Facility under construction)			
PROPOSAL	Installation of temporary changing facilities (comprising 2no. pre-fabricated buildings) and 2no. storage containers for equipment (involving relocation from existing GFC Ground, off Chancellors Road, Newry)			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0



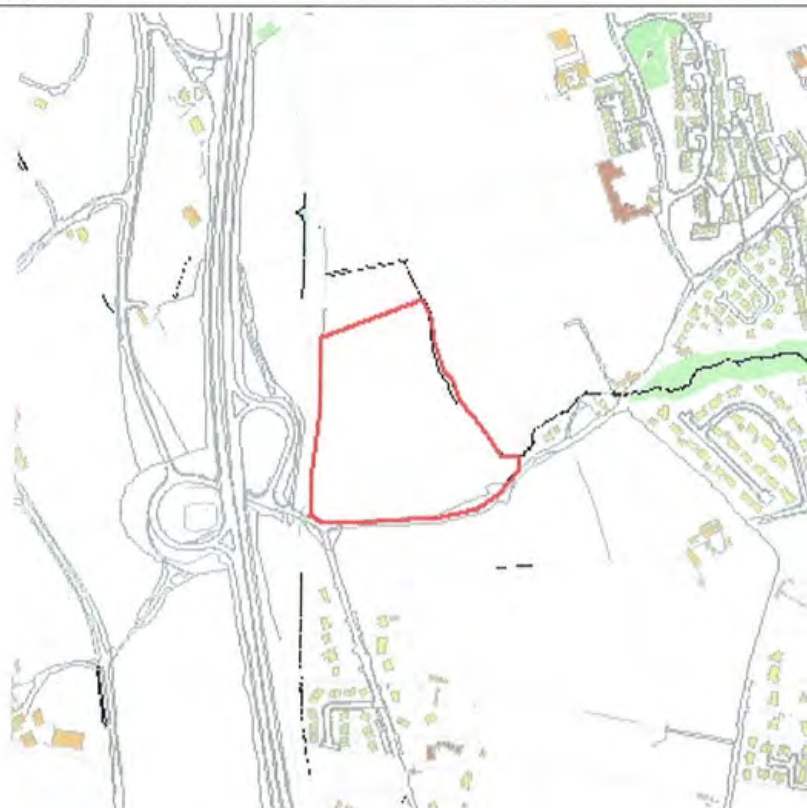
Newry, Mourne and Down District Council
 Planning Office
 O'Hagan House
 Monaghan Row
 Newry
 BT35 8DL

Delegated Application

Development Management Officer Report		
Case Officer: Gareth Murtagh		
Application ID: P/2014/0966/F		Target Date:
Proposal: Installation of temporary changing facilities (comprising 2no. pre-fabricated buildings) and 2no. storage containers for equipment (involving relocation from existing GFC Ground, off Chancellors Road, Newry)		Location: Lands approx 180 Metres south-west of No.15 Doran's Hill Newry (within the grounds of Thomas Davis GFC/Community Sports Facility under construction)
Applicant Name and Address: Thomas Davis GFC Correnshigo Newry		Agent Name and Address: Design 3 3 Cedar Grove Newry
Date of last Neighbour Notification:		22nd January 2015
Date of Press Advertisement:		14th January 2015
ES Requested: Yes/No		
Consultations:		
Consultation Type	Consultee	Response
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues: Application for the temporary relocation of changing facilities at a sports ground that is currently under development		

Site Visit Report

Site Location Plan:



Date of Site Visit: November 26th 2015

Characteristics of the Site and Area

1.0 Characteristics of Site

1.1 The site is an area of ground on Doran's Hill close to the western edge of Newry, the site is largely flat and level and stretches back from the road, however the site does rise up towards its western side where it adjoins the embankment of the Belfast-Dublin motorway.



1.2 The site has been the subject of previous applications for the development of playing fields for the Thomas Davis GAC currently based a short distance away. The most recent approval was P/2013/0190/F.

1.3 The site is accessed from its southern boundary, a river flows along this boundary

2.0 Characteristics of Area

2.1 The site is located within the development limit of Newry; however the surrounding area is largely undeveloped and has quite a rural feel to it. There are residential properties a short distance to the south west on Chancellor's Road.

2.2 Doran's Hill connects on to Chancellors Road adjacent to the south west corner of the site, there is a railway bridge adjacent to this and after this Chancellor's Road connects on to the A1 Belfast-Dublin Road.

3.0 Description of Proposal

3.1 The application seeks the temporary relocation of existing temporary changing facilities and equipment containers from the club's current site to the application site.

3.2 The agent has now indicated that the permission is required until August 2018.

Planning Assessment of Policy and Other Material Considerations

4.0 Strategic Planning Policy Statement

4.1 The SPPS provides a framework for the preparation of new Local Development Plans by Councils; in relation to proposals for sports and recreation it largely reaffirms the existing provisions of PPS 8.

5.0 Banbridge/Newry and Mourne Area Plan 2015 (BNMAP 2015)

5.1 The site is located within the urban area of Newry as designated by the plan, there are no other policies of the plan relevant to this application.

6.0 Consultations

6.1 One neighbouring property has been notified about the development, to date no letters of objection have been received.


6.2 Transport NI has no objections to the amended proposal.

6.3 The site lies within an archaeological zone; NIEA has been consulted and has stated that it has no objections to the proposal.

7.0 PPS8 Open Space, Sport and Outdoor Recreation

7.1 The application is applied for on the basis that the proposed relocation is temporary; the date of August 2018 has been identified.

7.2 The proposal appears quite minor in nature and it is unlikely that there are any other policy issues.

8.0 Conclusions and Recommendation	
8.1 The proposal is for a temporary change of use until August 2018, this is acceptable conditional on the site being restored to use as a car park after this date.	
Neighbour Notification Checked	Yes/No
Summary of Recommendation	
Conditions/Reasons for Refusal:	
Case Officer Signature:	
Date:	
Appointed Officer Signature	
Date:	

**PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION**

ITEM NO	21			
APPLIC NO	P/2015/0056/F	Full	DATE VALID	26/01/2015
COUNCIL OPINION	REFUSAL			
APPLICANT	Colin McManus 48 Shaughan Road Newry BT35 7QA		AGENT	Lakeview Design Ltd 30 Carrickcloghan Road Camlough Newry BT35 7HG

LOCATION 360m north-east of No 37 Shaughan Road
Belleeks
Newry
BT35 7PF

PROPOSAL Change of House Type to include increased ridge height, garage incorporated into main dwelling and associated works. (amended description)

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY1 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.
- 2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and to Policy NH6 of Planning Policy Statement 2, Natural Heritage, in that the siting of the proposed dwelling is unsympathetic to the special character of the Area of Outstanding Natural Beauty of the particular locality.



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: P/2015/0056/F

Date Received: 26.01.2015

Proposal: The applicant seeks Full Permission for a Change of House Type to include increased ridge height, garage incorporated into main dwelling and associated works.

Location: 360m north-east of No 37 Shaughan Road, Belleeks, Newry, BT35 7PF

Site Characteristics & Area Characteristics:

Site takes in an agricultural field which at the time of the visit had a stoned access constructed to the site of the proposed dwelling. The southern section of the site had been cleared, flattened and had stones lain down. A trench was evident to the back of the site but did not appear to correlate with the approved plans. The site is quite elevated from the main road and is found in an area where strong rural character still exists. The area is designated AONB as depicted in the Banbridge Newry and Mourne Area Plan 2015.

Site History:

P/2005/2925/O

Site for farm worker's dwelling and garage
360 metres north-east of 37 Shaughan Road, Belleeks, Newry
Approval
19.07.2007

P/2007/1437/RM

Erection of Farm Workers Dwelling and Garage.
360m North East of 37 Shaughan Road, Belleeks, Newry. BT35 7PF.
Approval
17.04.2008

P/2014/0838/RM

Farm dwelling with garage with alterations from previous approval
Shaughan Road
Newry
Invalid

Planning Policies & Material Considerations:

Planning Act (Northern Ireland) 2011.
Banbridge Newry and Mourne Area Plan 2015
Strategic Planning Policy Statement
Planning Policy Statement 21
Planning Policy Statement 3 / Development Control Advice Note 15
Planning Policy Statement 2
Building on Tradition

Consultations:

Transport NI – Transport NI has no objection to the proposal subject to the attached conditions and informatives.

Objections & Representations

No dwellings neighbour notified.
Application Advertised on 02.09.2015
No objections or representations received.

Consideration and Assessment:

The site lies within the Rural Area/AONB as designated in the Banbridge Newry and Mourne Area Plan 2015. There are no objections with regard to the Area Plan.

Principle of Development

The Outline application was approved on 19.07.2007 with the standard time conditions attached and the Reserved Matters application P/2007/1437/RM was approved on 17.04.2008, also with the standard time condition attached. The greater time frame applies and therefore the proposed scheme should have commenced before 19/07/12 which includes adhering to all conditions as instructed prior to commencement of development, then commencing development in accordance with the approved plans to secure the permission and keep the permission live.

Whilst the pre-commencement condition has been adhered to in full there has been no work of construction (which is the definition of commencement in Section 63 of the Planning Act 2011) evident on the site. It is the Planning Authority's opinion that clearing the site and laying stones do not constitute construction work.

Therefore as the previous permission has expired the proposal is contrary to policy CTY1 of PPS21 as the proposal does not have any over-riding reasons why this particular development is essential and could not be located in a settlement.

Following amended plans the proposal is considered acceptable with regard to policies CTY13 and CTY14.

Any approval would be negatively conditioned to ensure consent to discharge is obtained, prior to commencement of development. This safe guards the policy requirements of policy CTY 16.

Transport NI has no objections in relation to PPS3 subject to the standard conditions and informatives.

As the proposal lies within the AONB PPS 2 Natural Heritage NH6 is applicable. The siting of the proposed dwelling is not considered sympathetic to the character of the AONB given the elevated nature of the site and as such does not meet policy requirement (a) of NH6.

Recommendation:

Refusal

Refusal Reasons:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY1 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.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and to Policy NH6 of Planning Policy Statement 2, Natural Heritage, in that the siting of the proposed dwelling is unsympathetic to the special character of the Area of Outstanding Natural Beauty of the particular locality.

Case Officer:

Authorised Officer:

Report to:	Planning Committee
Date of Meeting:	1 March 2017
Subject:	Planning Appeals Commission: Independent Examination of Local Development Plans (Draft Procedures)
Reporting Officer:	Anthony McKay, Chief Planning Officer
Contact Officer:	Andrew Hay, Principal Planning Officer

Decisions required:

Note the content of this report and the consultation response.

1.0 Purpose and Background:

- 1.1 The Planning Appeals Commission (PAC) has prepared for consultation purposes draft procedures for independent examination of local development plans. The Council has been invited to comment on this guidance document by no later than 27 February 2017.
- 1.2 The guidance document has been considered by the Planning Department. A consultation response was prepared for the approval of the SPR Committee. The guidance document and the consultation response were presented to the SPR Committee on 16/2/17. The Planning Committee was invited to the SPR Committee on 16/2/17 in the consideration of this item.
- 1.3 On consideration of all comments received, the PAC intends that a final version of the guidance will be issued by the end of April 2017.
- 1.4 Members are asked to note the content of this report and the consultation response.

2.0 Key issues:

- 2.1 The 2011 Planning Act introduced new provisions for the preparation and examination of local development plans (LDPs). District Councils are required to prepare a LDP for their area, consisting of two plan documents, a Plan Strategy and a Local Policy Plan. Councils must submit their LDP plan documents to the Department for Infrastructure (DfI), and the DfI will appoint the PAC or other independent examiner to hold an Independent Examination.
- 2.2 The PAC is a statutory tribunal, independent of any government department, government agency or district council. It is committed to ensuring that the examination process is as user friendly as possible and involves best use of resources.
- 2.3 The PAC has prepared a guidance document setting out its draft procedures for the independent examination of a LDP. The publication explains how the PAC proposes to carry out independent examination into LDPs. It is intended to assist those taking part in the examination process. When the procedures are finalised, all participants in examinations will be expected to follow them.
- 2.4 The document provides useful guidance in setting out the procedures to be adopted by the PAC in carrying out independent examinations. The guidance addresses the following issues: soundness, making representations, submitting the plan, initial assessment, pre-hearing stage, the hearing sessions, and the Commissioner's Report. The document will serve as a useful reference point and

	guide to all planning authorities and to others in the planning community participating in an independent examination in to a LDP.
3.0	Recommendations:
3.1	Members are requested to note the content of this report and the consultation response.
4.0	Resource implications
4.1	N/A
5.0	Equality and good relations implications:
5.1	N/A
6.0	Appendices
	<ul style="list-style-type: none"> • PAC: Independent Examination of Local Development Plans (Draft Procedures) • Consultation Response

Liam Hannaway
Chief Executive

XX February 2017
Ref: LDP/PAC



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

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Planning Appeals Commission
Park House
87/91 Great Victoria Street
Belfast
BT2 7AG

FAO: Chief Administrative Officer – Ciaran Purvis

Dear Ciaran,

Independent Examination of Local Development Plans (Draft Procedures)

On behalf of Newry Mourne and Down District Council, I thank you for the opportunity to comment on the above consultation document.

It is considered that the document provides useful guidance in setting out the procedures to be adopted by the PAC in carrying out independent examinations of Local Development Plans. The document will serve as a useful reference point and guide to all planning authorities and to others in the planning community participating in an independent examination.

I note you have invited comments on the document no later than 27 February 2017. I can advise that the consultation document was presented to the Council's Strategy, Policy and Resources (SPR) Committee on the 16 February 2017 for consideration. The SPR Committee has agreed that the Council welcomes the guidance and has no further comments to make. The minutes of the SPR Committee will be subject to ratification at the next Council meeting on 6 March 2017. Should the Council have any further comments it may wish to make in respect of the consultation document, I will advise you accordingly.

I trust this is satisfactory.

Yours sincerely,

Andrew Hay
Principal Planning Officer
Development Plan Team

**Oifig an Iúir
Newry Office**
O'Hagan House
Monaghan Row
Newry BT35 8DJ

**Oifig Dhún Pádraig
Downpatrick Office**
Downshire Civic Centre
Downshire Estate, Ardglass Road
Downpatrick BT30 6GQ

0300 013 2233 (Council)
0300 200 7830 (Planning)
council@nmandd.org
www.newrymouredown.org

**Freastal ar an Dúin
agus Ard Mhacha Theas**
Serving Down
and South Armagh



Park House
87/91 Great Victoria Street
Belfast
BT2 7AG

Phone: 028 9025 7229(direct line)
Phone: 028 9024 4710 (switchboard)

Email: info@pacni.gov.uk

Website: www.pacni.gov.uk

Your Reference:
Our Reference:

Date: **5 January 2017**

All Heads of Planning
Local Planning Office

(copied to Council's Chief Executive)

Dear Sir/Madam

INDEPENDENT EXAMINATION OF LOCAL DEVELOPMENT PLANS

The Commission has prepared for consultation purposes draft procedures for independent examination of local development plans. I attach a copy for your perusal.

You are invited to comment on this document by no later than **Monday, 27th February 2017**. Comments should be emailed to info@pacni.gov.uk or posted or delivered to the Chief Administrative Officer, Planning Appeals Commission, Park House, 87/91 Great Victoria Street, Belfast, BT2 7AG.

All comments received will be carefully considered. It is intended that a final version of the guidance will be issued by the end of April 2017.

Yours sincerely

A rectangular box containing a handwritten signature in black ink that reads "Ciaran Purvis".

CIARAN PURVIS
Chief Administrative Officer



Independent Examination of Local Development Plans DRAFT PROCEDURES



Planning Appeals
Commission

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Introduction

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[1] This publication, which is being issued for consultation purposes, explains how the Planning Appeals Commission proposes to carry out independent examinations into local development plans. Although not an exact statement of the law, it is intended to assist those who will be taking part in the examination process.

[2] The Commission has a default power under Section 204(5) of the Planning Act (Northern Ireland) 2011 to determine its procedures. The draft procedures set out here are based on the principles of openness, fairness and impartiality which the Commission practises. When the procedures are finalised, all participants in examinations will be expected to follow them and to act in a co-operative and reasonable manner.

The Planning Appeals Commission

[3] The Planning Appeals Commission is a statutory tribunal, independent of any government department, government agency or district council. It is committed to ensuring that the examination process is as user friendly as possible and involves the best use of resources. Members of the Commission are public appointees and are called Commissioners. They have varied backgrounds and qualifications including town planning, architecture, environmental science and law. Administrative staff are responsible for the Commission's day-to-day work. While they are available to deal with queries from the public about procedures, they are unable to comment on the merits of local development plans or individual representations.

[4] All information presented to the Commission is processed in accordance with the Data Protection Act 1998 (see Appendix 1).

The Legislation

[5] The 2011 Planning Act introduced entirely new provisions for the preparation and examination of local development plans. District councils are required to prepare a plan strategy and a local policies plan for their areas. In this publication, the word "plan" is used for development plan documents of both types. Councils must submit their plans to the Department for Infrastructure and the Department may request the Commission to carry out an independent examination. More detailed provisions are contained in the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

[6] When a plan is referred to the Commission, a Commissioner (or Commissioners) will be appointed to run the examination. A Programme Officer will also be appointed to administer the process. The examination process will involve the consideration of written evidence as well as the conduct of hearing sessions. Appendix 2 sets out the main events. Any person who has, within the period allowed for doing so, made representations seeking to change the plan has a statutory right to an opportunity to be heard by the Commission. That right does not extend to persons who made counter representations. People are entitled to represent themselves at a hearing but if they need help to present their case, they may wish to appoint a professional adviser.

[7] When the hearing sessions are concluded, the Commissioner will prepare a report to the Department, make recommendations and give reasons for the recommendations. On receipt of the report, it will be for the Department to decide whether to direct the council to adopt the plan as submitted, adopt it with modifications, or withdraw it.

Soundness

[8] The purpose of an examination is to determine whether a plan satisfies statutory requirements and is sound. Legal compliance and soundness are overlapping concepts. In carrying out the examination, the Commissioner will apply a series of tests derived from the Department's Development Plan Practice Note 06. These tests are set out in Appendix 3.

[9] It is very important that all participants appreciate that the focus of the examination and the Commissioner's report will be on the **soundness** of the plan and not on individual representations or sites. This represents a fundamental change from the development plan system that existed before the 2011 Planning Act came into force.

Making Representations

[10] People who make representations seeking to change a plan are strongly advised to state clearly why they consider the plan to be unsound, having regard to the tests in Appendix 3. If the council provides a form for making representations, it should be used. Each suggested change should be the subject of a separate representation. Every representation should say precisely how the plan should be changed in order to achieve soundness. It should be supported, **succinctly**, by all the evidence thought necessary to justify the proposed change. **There will be no further opportunity to submit information unless the Commissioner requests it.**

[11] The substance of the representations is of more significance than the number of people making representations. Where several people share a common view on how a plan should be changed, they are encouraged to co-operate with each other, pool resources and make a single representation.

[12] Persons who make representations seeking to change the plan should indicate whether they are content to have their representations considered in written form only or whether they wish to be heard orally. **The Commission will give every representation the same careful consideration regardless of whether the person who made it is heard orally or not.**

Submitting the Plan

[13] The 2011 Planning Act states that a council must not submit a plan to the Department unless it has complied with the requirements of the Local Development Plan Regulations and unless it thinks that the plan is ready for independent examination. This calls for a critical and rigorous self-assessment of the plan by the

council's planning team. The starting point for any examination will be that the council has submitted what it believes to be a sound plan.

[14] The council is required to send the Department certain prescribed documents in addition to the plan. These include:-

- an appraisal of the sustainability of the plan;
- the council's statement of community involvement and evidence that the council has complied with it;
- statutory notices published at various stages of plan preparation;
- the timetable for plan preparation; and
- a summary of the main issues raised in response to the council's preferred options paper and of how those responses were taken into account.

[15] The council is also required to send a copy of all representations made in response to the plan and all counter representations relating to specific sites. It is vitally important that a complete, legible and clearly indexed set of responses is provided, otherwise the examination process may be delayed. The Department will make the representations and counter representations available to the Commission. **No one need correspond directly with the Commission in order to register an interest.**

[16] Before the plan is submitted, the council's planning team should carefully categorise and analyse all representations and counter representations. The council should set up a database to manage the responses received. It should be structured so that the representations are capable of being listed in various ways, including by person, contact details, soundness test, policy, paragraph, plan map and site address; and so that counter representations can be linked to representations and vice versa. The database should highlight those representations where an oral hearing is required.

[17] The council is also required to send at submission stage a summary of the main issues raised in the representations and any supporting documents that in the council's opinion are relevant to the preparation of the plan. While it is not a statutory requirement, it would be very helpful if the council were to set out its views on the main issues it has identified, perhaps in a series of topic papers, as well as its comments on all the representations. Other documents likely to be necessary for the examination include any technical supplements prepared by the council to inform plan making, any assessment carried out under the Habitats Regulations and the council's self-assessment of legal compliance and soundness.

[18] The Department will make available to the Commission all information provided by the council at submission stage. The Programme Officer will ensure that this information is uploaded to a dedicated area on the Commission's website. The website will be updated regularly as the examination proceeds.

Initial Assessment

[19] The Commissioner's first tasks when starting work on a plan will be to consider whether the council has submitted all the information necessary to enable the examination to proceed, to check that all essential regulatory steps have been taken, and to identify any fundamental concerns about the plan's contents. If the Commissioner forms an early view that the plan may have serious shortcomings

indicative of unsoundness, these will be raised, in writing, with the council and with anyone who made representations related to those concerns.

[20] Depending on the replies received, the Commissioner may call an **exploratory meeting** with the council and the other relevant parties to discuss the concerns. That will normally happen in advance of the opening of the examination hearings. The Commissioner will lead the meeting, communicate his or her concerns, and invite the participants to give their views. If the concerns are resolved to the Commissioner's satisfaction, the examination process will proceed to the hearing sessions.

[21] Where, as a result of the exploratory meeting, the Commissioner concludes that there remain serious concerns which are unlikely to be overcome, he or she may send an interim report to the Department recommending it to direct the council to withdraw the plan. Alternatively, the Commissioner and the parties may agree that the examination process should be suspended to allow the council to undertake further work. A partial suspension affecting only certain elements of the plan is a possibility, provided those elements are distinct and separate and unlikely to undermine the soundness of the remainder of the plan.

Pre Hearing Stage

[22] If no obvious procedural deficiencies are manifest, or if any concerns that have arisen have been overcome, the Commissioner will set a date for the opening of the public hearings and make an estimate of how long they are likely to last. This indicative timetable will be notified to everyone who has the right to take part about eight weeks before the opening date. It will also be posted on the Commission's website.

[23] No one should send in written material unless the Commissioner requests it. **Unsolicited material will be returned or disregarded.** The Commissioner will ask for further written evidence from the council and other relevant parties if he or she identifies gaps in the information which are critical to assessing the plan's soundness. The Commissioner may, for example, identify soundness issues that were not raised in the representations. Parties are encouraged where possible to narrow down the areas in dispute by agreeing facts and methodologies. The extent of any agreement should be identified in the written responses.

[24] The date for submission of responses to any particular information request will normally be the same for all parties concerned. An indicative word limit may be set. Responses may be submitted electronically provided file size is not excessive, but at least one paper copy must be provided. At least four copies will be required of any material submitted in paper format only. All responses received within the period specified will be placed on the website. **Responses received after the specified date will be returned or disregarded.**

[25] In-depth reading of the documentation will enable the Commissioner to identify the topics and issues that will be the focus of the examination, establish the structure and likely duration of the hearings, and pose relevant questions. **Topics** are the broad subjects to be considered – examples include settlement strategy, housing provision, natural and built heritage, and land subject to constraints. **Issues** are the matters on

which the Commissioner's assessment of the plan's soundness will depend. The Commissioner's **questions** will be designed to delve further into the issues.

[26] The Commissioner will draw up a detailed programme for the public hearings. The council will be expected to be represented throughout. Persons who have the right to take part will be allocated to hearing sessions, having regard to the topics they raised and the nature of the issues that the Commissioner will be probing. The programme and the lists of topics, issues and questions will be placed on the Commission's website and sent to all concerned about three weeks before the opening date. Those who indicated that they wished to appear will be asked to confirm that this is still the case.

[27] The Commissioner may invite persons or organisations who have not made representations to attend a hearing session where their evidence could be important in determining the soundness of the plan. For example, neighbouring councils or other public bodies may have specialist information or expertise that the Commissioner wishes to explore.

The Hearing Sessions

[28] On arrival at the hearing venue, people who have been invited to attend will be directed to the seats allocated to them at a rectangular table. Nameplates will be provided for each party. If there is not enough room at the table, additional representatives may sit behind the lead speakers and swop seats when necessary.

[29] The hearing sessions are public events and anyone may come along to observe. The press may attend but there will be no live coverage. Proceedings may be recorded only with the prior permission of the Commissioner and copies of the recording must be provided for the Commission and all who request them. If people who will be taking part or observing require disabled access or have hearing difficulties or other special needs, they should let the Programme Officer know well in advance.

[30] The Commissioner will conduct the hearing sessions and direct when people should speak. Written material will be taken as read and should not be repeated. All participants must respect the Commissioner's rulings. Any problems should be raised with him or her **in public** at an appropriate time during proceedings. The Commissioner will ensure that all topics and issues relating to soundness are properly discussed.

[31] The hearings will follow the pre-prepared programme and consider the topics, issues and questions which the Commissioner has identified. The Commissioner will lead a series of round-table discussions and draw parties into debate in a logical order. Participants may indicate their wish to speak by turning their nameplates on end. When no more is likely to be said to assist the Commissioner's conclusions on soundness, discussion will move on to the next item. Questioning between parties will not normally be permitted. Undue legalism will be discouraged as it can unnerve other participants and undermine the principle that everyone is an equal partner in discussion.

The Commissioner's Report

[32] At the end of the last hearing session, the Commissioner will indicate when he or she expects to deliver a report to the Department. The Commissioner will examine all the evidence relevant to soundness and where necessary visit relevant sites. In writing the report, the Commissioner will aim for brevity and concentrate on:-

- reaching clear, reasoned conclusions on the plan's compliance with the statutory requirements and its soundness; and
- setting out any modifications to the plan which are required to overcome any correctable shortcomings in regard to statutory requirements or soundness.

[33] The report will culminate in an overall recommendation as to whether the plan should be adopted, with or without modifications, or withdrawn. However, modifications will not be recommended unless they are considered necessary to make the plan legally compliant or sound and modifications which would make the plan unsound will not be recommended. Since the examination is not an inquiry into objections, the report will not summarise the cases of individual parties. Direct reference to specific representations or the people who made them will generally be avoided.

[34] The Department will be required to consider the Commission's recommendations but will not be obliged to accept them. Release of the report will be a matter for the Department.

Concerns about the Examination Process

[35] In carrying out its statutory responsibilities for independent examination of local development plans, the Commission will endeavour to provide a high quality public service. However, anyone who was involved in an examination process and is dissatisfied about the way it was conducted can make a formal complaint. Details of the Commission's complaints system are provided on its website www.pacni.gov.uk and a leaflet is available on request. Procedural decisions and rulings made by the Commission or the Commissioner can be challenged on a point of law by applying to the High Court for a judicial review. Anyone considering such a course should seek legal advice.

Commenting on the Draft Procedures

[36] This draft document is being forwarded to all planning authorities and to others in the planning community who come into regular contact with the Commission. Any comments should be made in writing to reach the Commission by no later than **Monday, 27th February 2017**. Comments should be e-mailed to info@pacni.gov.uk or posted or delivered to the Chief Administrative Officer, Planning Appeals Commission, Park House, 87/91 Great Victoria Street, Belfast, BT2 7AG. All comments received will be carefully considered. It is intended that a final version of the procedures will be published by the end of April 2017.

Appendix 1

DATA PROTECTION AND FREEDOM OF INFORMATION

The Data Protection Act regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information. The Commission is fully committed to complying with the Act.

The Commission receives a range of personal information from a number of sources, which falls within the remit of the Data Protection Act. This includes representations about development proposals. The information received by the Commission varies but may include:-

- details of an individual's name, address and occupation;
- information about the health, personal or family circumstances of an individual; and
- an individual's opinions about a development proposal.

This information is held and considered by the Commission in accordance with the principles set out in the Data Protection Act. It is only used by the Commission for the purpose for which it was provided. It is only retained as long as reasonably necessary, usually no longer than three years from the completion of the Commission's work. However, all Commission reports and decisions must have clear reasons for the conclusions reached and it may be necessary to refer to an individual's personal or family circumstances in a report or decision, which may be retained indefinitely.

The Commission is a tribunal and must operate openly, fairly and impartially. All documents or casework files can be viewed by any member of the public, under the Commission's supervision.

An individual should therefore only provide personal or sensitive information that he/she accepts will be available to the public. No-one should present personal information about other people without their consent. Information provided will not be vetted or redacted by the Commission because of its role to carry out its functions as an independent decision maker in an open, fair and transparent manner.

Under the Data Protection Act, an individual can request access to his/her personal information held by the Commission. Such requests should be in writing and sent to the address below. There is a charge of £10 for requests and the person making the request will also need to send proof of identity.

A request made under the Data Protection Act should include:-

- the specific information which is being sought;
- who you are and how you can be contacted;
- how you would like to receive the information.

Please also identify any accessibility requirements you may have and if you need to receive the information in a particular format, for example, large print, Braille etc.

You are entitled to a response to your request within 40 calendar days. It is in the Commission's and your interests to hold accurate data. If the data is inaccurate, you can ask us to erase, amend or add to the information though you should note that personal or family circumstances referred to in a Commission report or decision cannot be changed. There will be no charge for this.

Any complaints about how the Commission dealt with requests about information will be processed in accordance with the Commission's Complaints System which is published under Publications on the Commission's website. These complaints will not be reviewed by the Complaints Audit Panel, see below.

If you remain dissatisfied with the Commission's response to your information request you may contact the Information Commissioner at

51 Adelaide Street
BELFAST BT2 8FE
Telephone number: (028) 9026-9380
Fax number: (028) 9026-9388
email address: ni@ico.gsi.gov.uk; or
website address: www.ico.gov.uk.

Requests for access to personal information should be sent to

The Chief Administrative Officer
Park House
87-91 Great Victoria Street
BELFAST BT2 7AG
Telephone number: (028) 9024-4710
Fax number: (028) 9031-1338
e-mail address: info@pacni.gov.uk
website address: www.pacni.gov.uk

The Commission reviews its procedures regularly to ensure continued compliance with the Data Protection Act.

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Appendix 2

THE EXAMINATION: THE MAIN EVENTS

The council submits the plan for examination to the Department and provides all necessary information including all representations and counter representations.

The Department refers the plan to the Commission and a Commissioner is appointed to conduct the examination. A Programme Officer is also appointed.

The Commissioner makes an initial assessment of the plan and holds an exploratory meeting if there are concerns of a serious nature.

The Commissioner, if content that the examination should proceed, may seek further written evidence from the council and others.

The Commissioner draws up a detailed programme for the hearings with topics, issues and questions, and allocates participants to particular sessions.

The Commissioner conducts the hearings.

The Commissioner prepares a report with recommendations and it is sent to the Department.

The Department considers the recommendations and decides whether to direct that the plan be adopted, modified or withdrawn.

Appendix 3

TESTS FOR SOUNDNESS

Procedural tests

P1. Has the plan been prepared in accordance with the council's timetable and the Statement of Community Involvement?

P2. Has the council prepared its Preferred Options Paper and taken into account any representations made?

P3. Has the plan been subject to sustainability appraisal including Strategic Environmental Assessment?

P4. Did the council comply with the regulations on the form and content of plans and on the procedure for preparing such documents?

Consistency tests

C1. Did the council take account of the Regional Development Strategy?

C2. Did the council take account of its Community Plan?

C3. Did the council take account of policy and guidance issued by the Department?

C4. Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?

Coherence and effectiveness tests

CE1. Does the plan set out a coherent strategy from which its policies and allocations logically flow? Where cross boundary issues are relevant is it in conflict with the plans of neighbouring councils?

CE2. Are the strategy, policies and allocations realistic and appropriate having considered the relevant alternatives and they are founded on a robust evidence base?

CE3. Are there clear mechanisms for implementation and monitoring?

CE4. Is the plan reasonably flexible to enable it to deal with changing circumstances?

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January 2017



Planning Appeals
Commission

Report to:	Planning Committee
Date of Meeting:	1 March 2017
Subject:	Newry, Mourne and Down Local Development Plan Preparatory Studies Paper 8: Coast
Reporting Officer:	Anthony McKay, Chief Planning Officer
Contact Officer:	Andrew Hay, Principal Planning Officer

Decisions required:

Note the content of this report.

1.0 Purpose and Background:

- 1.1 A programme of preparatory work is being undertaken as part of the Local Development Plan (LDP) process. Preparatory studies are essential in providing the evidence base for preparing the Local Development Plan (LDP). A reliable and comprehensive evidence base is vital to informing and justifying the 'soundness' of the LDP documents (Plan Strategy and Local Policies Plan) and to show how planning policies and proposals help to achieve the social, economic and environmental objectives for the plan area.
- 1.2 The SPR Committee is responsible for the Local Development Plan. All LDP papers are reported to the SPR Committee for noting or decision. All LDP papers will also be presented to the Planning Committee for noting. Depending on the subject matter, a LDP paper will also be presented to any other relevant Council Committee for noting.
- 1.3 'Paper 8: Coast' provides members with an overview of matters relating to the coast in the Newry, Mourne and Down District Council area.
- 1.4 The paper builds on the existing evidence base and provides information on:
- the regional policy context for formulating LDP policies for coastal development;
 - the inter-relationship between terrestrial and marine planning;
 - implications for land use from climate change, coastal flooding and erosion;
 - an examination of the coastal zone, together with a definition of the developed and undeveloped coast;
 - an overview of tourism and renewables in respect of the coastal area; and
 - consideration of potential coastal issues that will help inform coastal policy development within the new LDP.
- 1.5 Members are asked to note the content of this report. Any comments received will be considered. The paper will be subject to any changes considered necessary in response to any valid comments received at this or any other Committee to which it is presented.

2.0 Key issues:

- 2.1 'Paper 8: Coast' informs members about matters relating to the coast within the District, from a land use planning perspective, and some of the key issues that the LDP will need to address.
- 2.2 Northern Ireland's coastline is of great importance not only for its striking natural beauty, but also

	<p>in terms of its scientific interest, its wildlife habitats and recreational opportunities. The coast is of great economic value and is the location of ports, harbours and many of our major urban areas and industries. Society continues to place considerable demands on coastal areas. In addition to man's influence the coastline is also subject to continual change resulting from dynamic natural processes.</p>
2.3	<p>The District has more than 100 miles, 25% of Northern Ireland's coastline. The District contains some of Northern Ireland's most attractive coastal landscapes which are subject to special protection and management.</p>
2.4	<p>The LDP will seek to implement the objectives of the Strategic Planning Policy Statement (SPPS) for Northern Ireland in protecting the undeveloped coast and supporting sensitive enhancement and regeneration of the developed coast. It will develop policies which consider the associated social, economic and environmental implications of development in coastal areas as well as the possible need for coastal protection to address climate change.</p>
2.5	<p>The Council's draft Tourism Strategy recommends that strategies to improve access to water, where clear tourism benefits can be anticipated, should be brought forward. Coastal access is also highlighted by the SPPS which states that LDPs should promote and protect public access to and along the coast. Through the LDP process the Council will consider how planning policy, proposals and designations can support and enhance access to and within the coastal zone.</p>
2.6	<p>The Council's LDP will need to take account of risks from all sources of coastal flooding over the plan period and beyond as this will influence decisions on land use planning. The LDP will have a role to play in furthering a more sustainable approach to flood management.</p>
2.7	<p>In developing planning policy to address coastal erosion there will be a challenge for the Council to consider how to balance the need to reduce shoreline change and instability whilst meeting the expectations of coastal residents and landowners.</p>
2.8	<p>Ports and harbours are important economic generators and are essential to the operation of a range of different marine and coastal industries within the District. The LDP will consider what land use policies and designations are required to maintain viable, thriving and stable harbour areas including any additional land requirements to support the needs of fishing and other harbour based industries such as marine renewables and aquaculture.</p>
2.9	<p>The LDP will seek to ensure that the Council's planning policy supports the delivery of renewable energy projects in the District and contributes to NI's targets for renewable energy generation. There is however a need to take a sustainable approach by protecting and conserving our environment, including our landscape and protected species, our local communities and other sectors of our economy from unacceptable significant adverse effects as a result of proposed renewable energy developments. The LDP in line with the SPPS will seek to deliver the growth of this important industry in a sustainable manner.</p>
2.10	<p>The information gathered and the key findings will be used to inform the preparation of the LDP.</p>
2.11	<p>Data gathered as part of this and other preparatory studies will be used to establish the baseline of the social, economic, and environmental characteristics of the plan area and enable the Council to identify the issues which need to be addressed by the LDP. Furthermore, it will provide a sound basis on which to formulate the plan strategy, policies and proposals within the LDP that will be subject to independent public examination.</p>

3.0	Recommendations:
3.1	Members are requested to note the content of this report.
4.0	Resource implications
4.1	N/A
5.0	Equality and good relations implications:
5.1	N/A
6.0	Appendices
	<ul style="list-style-type: none">• Paper 8: Coast



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**

**Newry, Mourne
and Down**
District Council

**Local Development Plan
Preparatory Studies**

Paper 8: The Coast

February 2017

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Purpose: To provide Newry, Mourne and Down District Council with an overview of current planning policy for coastal areas, highlight how terrestrial and marine planning overlap, the implications for coastal land use planning from climate change, flooding and coastal erosion; and how coastal development policy will be informed through the LDP process.

Content: This paper provides:

- i. the regional context for formulating Local Development Plan policies for coastal development along with other Government policy objectives for this sector;
- ii. the inter-relationship between terrestrial and marine planning;
- iii. a focus on coastal flooding and erosion and the implications for coastal land use planning from climate change;
- iv. An examination of the coastal zone, together with a definition of the developed and undeveloped coast;
- v. an overview of tourism and renewables in respect of the coastal area; and
- vi. consideration of potential coastal issues that will help inform coastal policy development within the new LDP.

1.0 Introduction

1.1 Northern Ireland's coastline is of great importance not only for its striking natural beauty, but also in terms of its scientific interest, its wildlife habitats and recreational opportunities. The coast is of great economic value and is the location of ports and many of our major urban areas and industries. Society continues to place considerable demands on coastal areas. In addition to man's influence the coastline is also subject to continual change resulting from dynamic natural processes.

1.2 The District contains some of Northern Ireland's most attractive coastal landscapes which are subject to special protection and management. These landscapes provide a range of habitats recognised internationally and nationally by the various designations such as Strangford Lough Special Area of Conservation (SAC), Special Protection Areas (SPA), Ramsar Sites, Areas of special Scientific Interest (ASSI) and National Nature Reserves (NNR). See Local Development Plan Paper 6 - Environmental Assets for further information on these protected sites.

1.3 The LDP will seek to implement the objectives of the Strategic Planning Policy Statement (SPPS) for Northern Ireland in protecting the undeveloped coast and supporting sensitive enhancement and regeneration of the developed coast. It will develop policies which consider the associated social, economic and environmental implications of development in coastal areas as well as the possible need for coastal protection to address climate change.

1.4 The Council is responsible for terrestrial planning not marine planning. Accordingly the Council's responsibilities in respect of planning control do not extend below the low water mark. However the Council as the Local Planning Authority has an important role in the protection of marine and coastal designations, particularly where a development on land might have an impact on the reasons for designation. In these circumstances the Council will seek to prevent any significant effect on protected sites.

1.5 Newry, Mourne and Down District Council is located in the south east of Northern Ireland, covering parts of Counties Down and Armagh. As the third largest Council within Northern Ireland, it comprises approximately 11% of the total land area of Northern Ireland, 25% of Northern Ireland's coastline (more than 100 miles of coastline), and provides services to over 178,000 residents, (10% of the NI population)¹.

¹ Newry, Mourne and Down District Council Economic Regeneration and Investment Strategy, 2015 – 2020

2.0 Regional and Local Policy Context

The Regional Policy Context is provided by the Regional Development Strategy 2035 (RDS) and regional planning policy statements. A summary of these documents as they pertain to plan making for the coastal area is provided in the following sections.

(a) Regional Development Strategy 2035

2.1 The RDS provides an overarching strategic planning framework to facilitate and guide the public and private sectors. The RDS will influence the future distribution of development throughout the Region including the marine area. It is not limited to land use but recognises that policies for physical development have far reaching implications. The RDS therefore addresses economic, social and environmental issues aimed at achieving sustainable development and social cohesion.

The Regional Guidance (RG) within the RDS which relate to the coast includes:

- **RG9:** Reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality.
Within RG9 minimising development in areas at risk from flooding from rivers, the sea and surface water run-off is outlined, the protection and extension of ecosystems and habitats that can reduce or buffer the effects of climate change is outlined and the identification of key assets and areas that are at risk through climate change is also outlined.
- **RG11:** Conserve, protect and, where possible, enhance our built heritage and our natural environment
Within RG11 the protection, enhancement and management of the coast is outlined. It states that the quality of coastal waters needs to be raised. Coastal areas need to be protected from coastal squeeze, to safeguard against loss of distinctive habitats and to help adaptation to climate change. The landscape setting of features should be conserved. The Marine Policy Statement (March 2011) and subsequent Marine Plan(s) will provide spatial guidance and detailed policy where appropriate for the terrestrial/marine interface and the marine environment. This will be complemented by work to advance integrated coastal zone management.

(b) Strategic Planning Policy Statement (SPPS)

2.2 The aim of the SPPS in relation to the coast is to protect the undeveloped coast from inappropriate development, consistent with the RDS; and to support the sensitive enhancement and regeneration of the developed coast largely within coastal settlements.

The regional strategic objectives for coastal development are to:

- conserve the natural character and landscape of the undeveloped coast and to protect it from excessive, inappropriate or obtrusive development; and
- facilitate appropriate development in coastal settlements and other parts of the developed coastline (subject to all other relevant planning policies) that contributes to a sustainable economy and which is sensitive to its coastal location.

2.3 The SPPS states that the following strategic policy must be taken into account in the preparation of Local Development Plans (LDPs) and in the determination of planning applications.

- There are few types of development which require a coastal location and the undeveloped coast will rarely be an appropriate location for new development. Where new development requires a coastal location, it must normally be directed into coastal settlements and other parts of the developed coast.
- In dealing with proposals that require a coastal location, planning authorities, must carefully assess the need for such development, its benefits for the local or regional economy and potential impacts on the environment. Development should only be permitted on the undeveloped coast where the proposal is of such national or regional importance as to outweigh any potential detrimental impact on the coastal environment and where there is no feasible alternative site within an existing urban area in the locality.
- Within the developed coast, areas of amenity value (such as parks, outdoor sports / play areas and coastal walkways) and areas or features designated for their importance to the archaeological, built or natural heritage, should be protected from inappropriate development. The relevant policies set out elsewhere in the SPPS will apply to all such areas and designations.
- Within the developed coast there will be a presumption in favour of development that promotes the enhancement and regeneration of urban waterfronts.
- In considering development proposals within the developed or undeveloped coast attention must be paid to the retention of existing public accesses and coastal walkways. Development which would result in the closure of existing access points or the severing of routes will normally only be acceptable where a suitable alternative is provided. Proposals to extend access to the coastline or for the provision of associated facilities such as pathways or picnic areas, should not impact adversely on the nature conservation, archaeological / built heritage, geological or landscape value of the area.
- Development will not be permitted in areas of the coast known to be at risk from flooding (see Flood Risk), coastal erosion, or land instability.

(c) A Planning Strategy for Rural Northern Ireland

2.4 Strategic Policy 13: The Coast aims to protect the coast from inappropriate development. The policy provisions of Planning Policy Statement 21 – Sustainable Development in the Countryside however take precedence over Policy SP 13 in so far as it relates to Green Belts and Countryside Policy Areas.

The Regional Policies within A Planning Strategy for Rural Northern Ireland (PSRNI) in relation to the Coast are the following:

- CO 1: The undeveloped coast - To conserve the natural character and landscape of the undeveloped coast.
- CO 2: The developed coast - To encourage and support proposals for the enhancement and regeneration of urban waterfronts.
- CO 3: Areas of amenity or conservation value on the coast - To protect from development those parts of the coast, within urban areas, which are important in terms of their amenity or nature conservation value.
- CO 4: Access to the coastline - To encourage schemes which provide or extend public access to the coastline.
- PSU 10: Development at Risk - Development will not normally be permitted in areas known to be at serious risk from flooding, coastal erosion or land instability.

It should be noted that some elements of the above policies and others within this section have been superseded by Planning Policy Statements 2, 6, 15 and 16.

(d) Planning Policy Statement 15 – Planning and Flood Risk (PPS 15)

2.5 The policies of PPS 15 supersede Policy PSU 10 'Development at Risk' of PSRNI insofar as this policy relates to flood risk.

2.6 PPS 15 outlines that climate change is one of Northern Ireland's foremost environmental, social and economic challenges. It is vitally important to ensure that our new and existing infrastructure is as resilient as possible to all potential impacts. This includes being able to adapt to both gradual climate change as well as the increased risk of extreme weather events such as flooding.

The main objectives of this planning policy statement are to:

- seek to prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere;
- ensure that the most up to date information on flood risk is taken into account when determining planning applications and zoning / designating land for development in development plans;

- adopt a precautionary approach to the identification of land for development through the development plan process and the determination of development proposals, in those areas susceptible to flooding where there is a lack of precise information on present day flood risk or future uncertainties associated with flood estimation, climate change predictions and scientific evidence;
- manage development in ways that are proportionate and appropriate to the 4 main sources of flood risk present in Northern Ireland, i.e. fluvial, coastal, surface water and water impoundment (reservoir) breach or failure;
- seek to protect development that is permitted within flood risk areas by ensuring that adequate and appropriate measures are employed to mitigate and manage the flood risks to the development and elsewhere;
- support the retention and restoration of natural flood plains and natural watercourses as a form of flood alleviation and an important environmental and social resource, and ensure that this is recognised in the decision making process;
- promote sustainable development through encouraging the use of sustainable drainage for new developments and redevelopment / regeneration schemes;
- promote public awareness of flood risk and the flood risk information that is available and of relevance to undertaking development; and
- promote an integrated and sustainable approach, both locally and at catchment scale, to the management of development and flood risk which contributes to:
 - the safety and wellbeing of everyone;
 - the prudent and efficient use of economic resources; and
 - the conservation and enhancement of the natural environment and biodiversity;
 - the conservation of archaeology and the built heritage.

(e) Planning Policy Statement 16 – Tourism (PPS 16)

2.7 The policies of PPS 16 supersede Coastal Policies CO 5, CO 6 and CO 7 of PSRNI and also those elements of the remaining coastal policies insofar as they relate to tourism development or the protection of tourism assets from inappropriate development. Where the above policies are referred to elsewhere in PSRNI, the policies of this statement will take precedence.

(f) Towards an Integrated Coastal Zone Management Strategy for Northern Ireland 2006-2026

2.8 In June 2006 the Department of the Environment (DOE) prepared a document titled 'Towards an Integrated Coastal Zone Management Strategy for NI 2006-2026', it sets out long-term objectives for achieving sustainable coastal management, through improvements to existing management systems, the development of new management systems and identifying and dealing with potential areas of conflict.

2.9 The Strategy highlights that policies aimed at achieving coastal management in Northern Ireland have, as of the time of publication, principally focused on individual sectoral interests such as aquaculture, environment, fisheries, renewable energy, waste management and tourism. This strategy seeks to bring together all those involved in the development, management and use of the coast within a framework that facilitates the integration of their interests and responsibilities. It seeks to identify the key factors affecting the Northern Ireland coast and put in place a series of widely supported aims, objectives and actions which will promote a coordinated and sustainable approach to the future management of our coastal zone.

2.10 Consistent with the principles of sustainable development the proposed strategy is organised around three priority themes of:

- Sustainable communities in the coastal zone
- Safeguarding and improving the environment within the coastal zone and
- Maintaining and enhancing the economy of the coastal zone;

(g) Newry, Mourne and Down District Council Corporate Plan 2015-2019

2.11 The Council's mission as detailed in the Corporate Plan 2015-19 is to lead and serve a District that is prosperous, healthy, as well as sustainable from an economic, environmental and social perspective. This document outlines that one of the Council's strategic objectives is to protect our natural and built environment and defines the key actions of this to include reducing the risk of flooding in high risk areas and the protection of the District's rich natural and built heritage.

(h) Newry, Mourne and Down District Council draft Tourism Strategy 2017-2021

2.12 The vision of the draft Strategy is: By 2021 'NMD is a premier, year-round mountain and maritime destination in Ireland recognised for its EPIC experiences in outdoor adventure, its rich tapestry of cultural heritage, myths and unique stories, and its authentic local life'. The coastal region is an integral part of the draft Tourism Strategy. The Mourne Coast, which stretches from Strangford Lough to Carlingford Lough, is identified as a destination experience.

Area Plans & South East Coast Masterplan

(i) Area Plans

2.13 The Ards and Down Area Plan 2015 (ADAP) and the Banbridge/Newry and Mourne Area Plan 2015 (BNMAP) are the current statutory plans for the District and provide the framework against which to assess development proposals.

2.14 The BNMAP 2015 includes a section specific to the Countryside and Coast within the Plan Strategy. It states that sections of the coast are protected by a number of international and national nature conservation designations. These include Carlingford Lough Ramsar site, Carlingford Lough Special Protected Area (SPA), Murlough Special Area of Conservation (SAC), Carlingford Lough Area of Special Scientific Interest (ASSI), Kilkeel Steps (ASSI), Mourne Coast Area of Scientific Interest (ASI) and South Mourne Coast (ASI).

2.15 The ADAP 2015 does not include a section specific to the coast within the Plan Strategy. Nonetheless, there are sections of the coast which are protected by a number of international and national nature conservation designations; these are outlined in LDP Paper 6: Environmental Assets.

2.16 Almost all of the coastal region is within either the Mourne AONB or Strangford and Lecale AONB (see Appendix 3). The coastal region also contains a number of the District's settlements, these are identified in Table 1 below.

Table 1: Coastal Settlements in Newry, Mourne and Down District

Towns	Villages	Small Settlements
Kilkeel	Annalong	Ardglass
Newcastle	Ballykinler	Ballyhoran
Warrenpoint	Dundrum	Ballymartin
	Killyleagh	Greencastle
	Killough	Glassdrumman/Mullartown
	Rostrevor	Kilclief
	Strangford	Killowen

(j) South East Coast Masterplan

2.17 The South East Coast Masterplan was published in January 2013. It provides guidance on the future strategic development of the South East Coast as well as specific guidance on the location and form of development in the town centres of Newcastle, Kilkeel and Warrenpoint over the next 20 years.

2.18 By 2025 the South East Coast Masterplan vision is “to become an area with a strong national and international reputation for being a high quality coastal landscape of great scenic, natural, historic and leisure value; and an area that provides an enjoyable place to live, to work, to explore, and to play in”.

2.19 It states that this is to be achieved by enabling the key towns of Newcastle, Kilkeel and Warrenpoint to collectively and individually embrace and prosper from their association with both their coastal setting and the wider character of the Mourne Mountains as an Area of Outstanding Natural Beauty. In particular, it will help to direct public and private investment to those areas that will most benefit local people, support local business and commerce and contribute to the long term viability and vitality of the Town Centre.

3.0 Terrestrial and Marine Planning and the Coast

3.1 As yet there is no official definition by the European Commission of the coastal zone, particularly in identifying how far inland ICZM should address. In many countries the inland limit, for ICZM purposes, has been defined between 1 and 3km. In Northern Ireland it has been decided to use a 3km inland limit and include flexibility in instances where this limit needs to be increased to take account of factors outside the zone but have an impact on the coastal zone i.e. Water Framework Directive. The seaward boundary is defined in legislation under the Northern Ireland Adjacent Waters Boundaries (Northern Ireland) Order (2002). In general, Northern Ireland’s territorial waters extend to 12 nautical miles from baseline (see definition in Appendix 1 - Glossary). In the case of planning, it should be noted that, development plans, Planning Policy Statements and the regulation of development proposals currently do not extend beyond low water mark of the ordinary tides.²

3.2 The Crown Estate owns virtually the entire seabed out to the territorial limit, including the rights to explore and utilize the natural resources of the UK Continental Shelf (excluding oil, gas and coal). It also owns approximately 55% of the foreshore and around half of the beds of estuaries and tidal rivers in the UK.³

3.3 The Department for Agriculture, Environment and Rural Affairs (DAERA) Environment, Marine and Fisheries Group have a wide range of responsibilities and work at all levels within the Government process from policy advice to practical hands-on work on the ground. With responsibility for the implementation of European, regional and national legislation relating to the coastal environment, habitats, species and landscapes. Essentially they are responsible for protecting the natural features of the coast and for promoting their appreciation among the public and within all sectors of Government.⁴

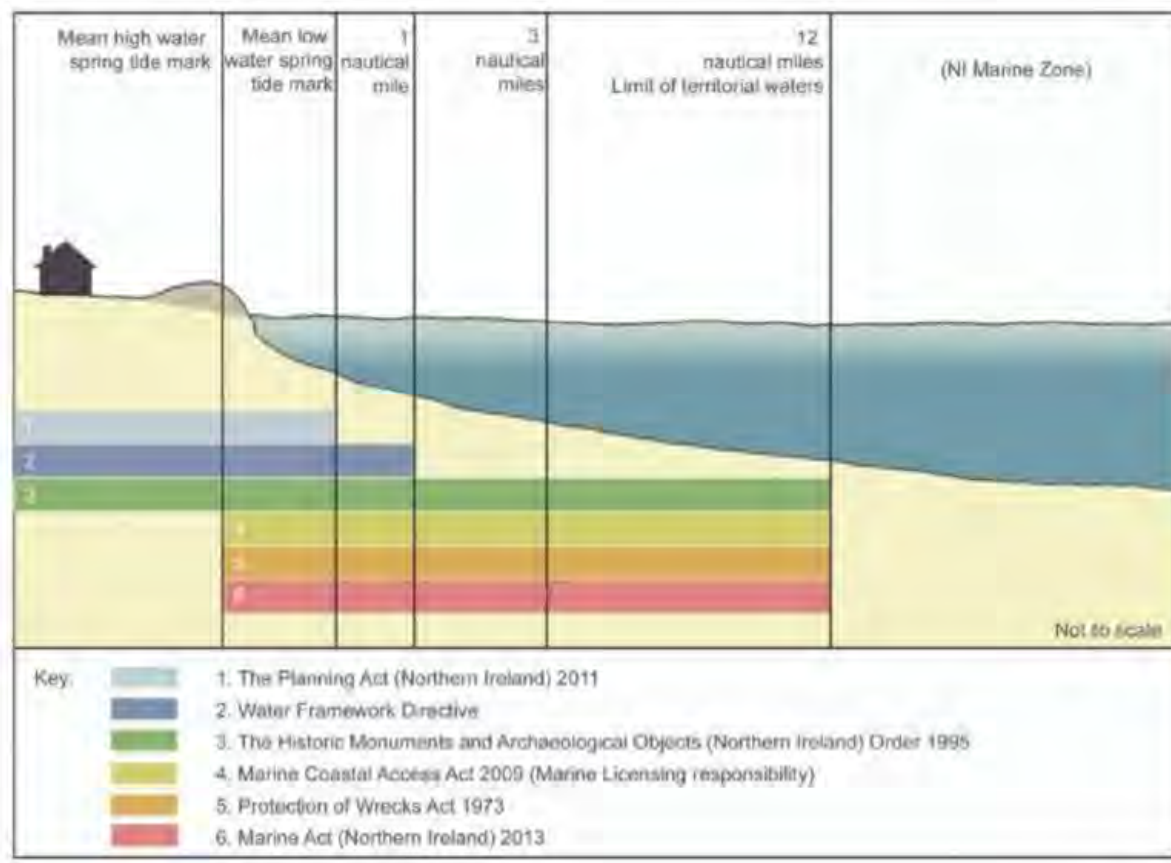
² Towards an Integrated Coastal Zone Management Strategy for Northern Ireland 2006 – 2026.

³ <https://www.daera-ni.gov.uk/articles/coastal-regions-northern-ireland>

⁴ <https://www.daera-ni.gov.uk/articles/coastal-regions-northern-ireland>

3.4 As planning legislation extends to the mean low water mark; there is an area of overlapping responsibilities in the intertidal area, this is illustrated in Figure 1.

Figure 1: Geographical overlap between the marine and terrestrial environment⁵



Source: DOE

Marine Policy and Legislative Framework

3.5 The UK Marine Policy Statement, the UK Marine and Coastal Access Act 2009 and the Marine Act (Northern Ireland) 2013 provide the policy and legislative framework for the management of the marine area in Northern Ireland. EC Directives also govern how we implement management measures in protecting all aspects of the marine area. These include Maritime Spatial Planning, Bathing Water, Water Framework, Marine Strategy Framework, Marine Cultural Heritage, Habitats and Birds Directives.⁶

⁵ Planning in the Coastal Area – A developer’s guide to planning considerations and environmental responsibilities - DOE, April 2015

⁶ Planning in the Coastal Area – A developer’s guide to planning considerations and environmental responsibilities - DOE, April 2015

NI Government Marine Responsibilities

3.6 As outlined in 'Planning in the Coastal Area – A developer's guide to planning considerations and environmental responsibilities, April 2015' the Marine Division, within the Department of Agriculture, Environment and Rural Affairs (DAERA) is responsible for protecting the marine area while maximising the sustainable use of its resources, now and for future generations. Their main areas of work include:

- managing ecological and water quality including bathing and shellfish waters under EC Directives;
- managing and protecting marine species and habitats;
- managing and protecting marine cultural heritage assets;
- managing legislative and consenting requirements in the marine area; and
- developing a Marine Plan for Northern Ireland.

3.7 A Marine Plan for Northern Ireland, which is currently being drafted by Marine Division, will provide a regional reflection of the national policy objectives within the UK Marine Policy Statement. It will take account of the economic, social and environmental needs to provide policies and guidance for all decisions which affect or have the potential to affect Northern Ireland's marine area.⁷

Marine Conservation Zones (MCZs)

3.8 The Marine Act (Northern Ireland) 2013 provides the mechanism for DAERA to establish a new type of Marine Protected Area (MPA), called Marine Conservation Zone (MCZ), in the Northern Ireland Inshore Region. MCZs are designated to protect nationally important habitats, species and geological features.⁸

3.9 In Northern Ireland, MPAs consist of Ramsar sites, marine Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Areas of Special Scientific Interest (ASSI), and Marine Conservation Zones (MCZs).⁹

3.10 Strangford Lough was Northern Ireland's only Marine Nature Reserve but it was redesignated as Northern Ireland's first MCZ on the introduction of the Marine Act (Northern Ireland) 2013¹⁰. On 12th December 2016 four further MCZs were designated in Northern Ireland including Carlingford Lough MCZ which is located within the Newry, Mourne and Down District.

⁷ Planning in the Coastal Area – A developer's guide to planning considerations and environmental responsibilities - DOE, April 2015

⁸ DOE leaflet - Marine Conservation Zones in the Northern Ireland Inshore Region

⁹ DOE leaflet - Marine Conservation Zones in the Northern Ireland Inshore Region

¹⁰ <https://www.daera-ni.gov.uk/articles/marine-conservation-zones>

Marine Licensing

3.11 As stated in 'Planning in the Coastal Area – A developer's guide to planning considerations and environmental responsibilities, April 2015', the Marine and Coastal Access Act 2009 provides for a marine licensing system across England, Wales, Northern Ireland and Scotland's offshore region. In Northern Ireland, it applies to all our marine waters from the mean high water spring tide mark out to 12 nautical miles (the inshore region). This includes the waters of any sea lough, estuary, or river, so far as the tide flows at mean high water spring tide. It should be noted that some of the tidal rivers in Northern Ireland can extend quite far inland, for example, the Newry River extends into the centre of Newry and The Foyle Estuary extends as far as Strabane.

3.12 Marine Division has responsibility for licensing various activities such as construction works, deposits in the sea, removal of objects or aggregates from the seabed, dredging from the seabed, or use of explosives and incineration. This licensing system allows for a consistent approach to decision making around activities, while ensuring sustainable development and conservation of our marine environment. It also ensures that any decision making is balanced with other uses of the marine environment. There is a shared responsibility between Marine Division and Planning Authorities for consenting or licensing projects in the intertidal area. This means that certain activities or development along the coast may require a marine licence as well as planning permission.

3.13 Some marine licensable activities may also form part of a plan or project that requires an Environmental Impact Assessment under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) or a Habitats Regulations Assessment under The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). However, the same proposal may also require an Environmental Impact Assessment for the onshore development under The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 and/or a Habitat Regulations Assessment¹¹.

4.0 Climate change, coastal flooding and coastal erosion

Climate change

4.1 The SPPS states that the planning system should help to mitigate and adapt to climate change by avoiding development in areas with increased vulnerability to the effects of climate change, particularly areas of significant risk from flooding, landslip and coastal erosion and highly exposed sites at significant risk from impacts of storms.¹²

¹¹ Planning in the Coastal Area – A developer's guide to planning considerations and environmental responsibilities - DOE, April 2015

¹² Paragraph 3.13, P13-14 Strategic Planning Policy Statement for NI (SPPS)

4.2 In a NI Assembly research paper published in September 2016 the issue of climate change in the context of NI has been examined¹³. The most recent climate change risk assessment¹⁴ suggests the increasing frequency and severity of flooding from a range of sources represents the most significant climate change risk to UK infrastructure. Assets and networks across all infrastructure sectors are already exposed to multiple sources of flooding, and the number of assets exposed to significant levels of flood risk could double by the 2080s with projected changes in the UK climate. The paper highlights that:

- Coastal infrastructures, particularly ports, are at risk from rising sea levels and a consequential increase in the height of onshore waves and storm surges.
- High onshore waves will also accelerate rates of coastal erosion and put increasing lengths of the UK rail network at risk, as well as sea walls that protect coastal settlements.

4.3 The research paper identifies the need for more action to manage increasing risk to existing networks (including flood and coastal erosion risk management infrastructure), from sea-level rise and increased rate of erosion. Referencing the risk assessment it also highlights the urgent need for research in Northern Ireland suggesting current knowledge of the threat posed by coastal erosion and flooding remains limited.

4.4 The UK Marine Policy Statement (2011) states that understanding the impacts and effects of climate change is key to maintaining a healthy environment. This will influence how we use and value our coasts and seas both now and in the future. Adaptation, including in the marine environment, is necessary to deal with the potential impacts of these changes which are already in train. Sea level rises, increased flooding and coastal erosion will lead to increased vulnerability for development and significant change along parts of the UK coast.

4.5 In Northern Ireland estimates of sea level change by the 2050s range between 13cm and 74cm, dependent upon scenario. Heightened sea levels are expected to exacerbate coastal erosion and compound the effects of storm surges. Storm surges, are temporary increases in tidal height caused by particular weather conditions in future their frequency or severity of may increase as climate change affects weather patterns.¹⁵

4.6 The Northern Ireland Climate Change Adaptation Programme 2014 seeks to explore how we can best adapt to climate change. The Adaptation Programme will provide the Northern Ireland response to the priority climate change risks and opportunities identified in the Climate Change Risk Assessment (CCRA) for Northern

¹³ Legislative and policy response to the risk of coastal erosion and flooding in the UK and Ireland.

¹⁴ CCC) Committee on Climate Change (2016) Climate Change Risk Assessment 2017 [online] available from: <http://nia1.me/39p>

¹⁵ Towards an Integrated Coastal Zone Management Strategy for Northern Ireland 2006 – 2026

Ireland. It will set out the strategic direction and objectives in preparing Northern Ireland for the effects of climate change. It also establishes a range of actions and key adaptation activities for the period 2014–2019.

4.7 Potential threats and opportunities from climate change in the natural environment include:

- Changes in soil moisture deficits and drying, with consequences for species habitats and soil organic carbon;
- Increased risks from pests, diseases and invasive non-native species;
- Changes in species migration patterns with consequences for the conservation network and cultural ecosystem services;
- Reduced water quality, due to pollution from point and diffuse sources;
- Risks to coastal habitats due to flooding;
- Tidal flooding and coastal erosion;
- Shifting of marine species, with consequences for ecosystem services; and
- Changes in fish catch latitude (plaice, sole).¹⁶

4.8 The National Trust paper 'Shifting Shores' states that the impacts of climate change at the coast are becoming more apparent and widespread through increased erosion and flooding. It states that hard coastal defences such as concrete walls have a limited lifespan, and will be increasingly prone to failure. As they fail decisions need to be made about whether or not to replace them. It states that we must also acknowledge that sea defences often cause unwelcome side effects such as beach lowering in front of sea walls and, as a consequence of groynes, the starving of sediment supply to neighbouring areas.

Government Responsibility for Coastal Erosion and Flood Risk Management in Northern Ireland.

4.9 The Department for Infrastructure (DfI) has overall responsibility for flood risk management and policy in Northern Ireland. The NI Assembly Research Paper on Coastal Erosion¹⁷ highlights however that no single Executive Department has the responsibility for coastal erosion risk management. The Executive's policy on coastal protection is determined by what is commonly known as the 'Bateman Formula'. Under this formula central government departments have a responsibility to construct, maintain and repair the coastal defences in their possession. For example,

- The Department for Infrastructure's (DfI) Rivers Agency has powers to maintain 26km of sea defences and two tidal barriers designed to reduce the risk of flooding (but not coastal erosion) to low lying coastal land;
- DfI's Transport NI has responsibility for coastal defences that protect the public road and railway network;

¹⁶ Northern Ireland Climate Change Adaptation Programme – DOE, 2014

¹⁷ Legislative and Policy Response to the risk of coastal erosion and flooding in the UK and Ireland. NI Assembly Research and Information Research Paper 7th September 2016.

- The Department of Agriculture, Environment and Rural Affairs (DAERA) is the marine licensing authority for deposits in the marine area below the mean high water spring tide, and also has responsibility for marine and coastal conservation;
- DAERA is also the marine planning authority for Northern Ireland and is currently drafting the NI Marine Plan;
- The EU Floods Directive which came into force in 2007 requires the production of flood risk assessments for all river basin districts and coastal areas within Member States. DfI's Rivers Agency is the competent authority with regard to the production of these assessments.

Coastal Flooding

Rivers Agency Preliminary Flood Risk Assessment (PFRA) for Northern Ireland

4.10 Article 4 of the Floods Directive (2007/60/EC) requires that each Member State undertakes a Preliminary Flood Risk Assessment (PFRA). As the competent authority for Northern Ireland, Rivers Agency published this in 2011. The PFRA for Northern Ireland assesses the potential adverse consequences of future floods on human health, economic activity, cultural heritage and the environment taking into account long term developments such as climate change. It considers flooding from all of the main flood sources including rivers, the sea, surface water runoff (also known as pluvial flooding) and impounded water bodies (such as dams and reservoirs).

4.11 The Rivers Agency preliminary flood risk assessment for Northern Ireland estimates that:

- 46,000 or 5% of the 830,000 properties in Northern Ireland are at risk of flooding from rivers (fluvial) or the sea (coastal);
- Approximately 15,500 of these properties are protected to some extent by flood defence systems and the culvert network.

The report notes that while the threat is not widespread (the PFRA estimates approximately 1,800 people or 720 households are at risk of coastal flooding) coastal flooding has the potential to have a significant impact on public safety, economic activity and the environment.¹⁸

4.12 Planning Policy Statement 15 - Planning and Flood Risk (PPS 15) highlights that development plans in taking account of flood risk management considerations have assumed greater significance in recent years as a result of the implementation of the European Union (EU) Floods Directive in Northern Ireland. The Directive considers a catchment wide approach to flood risk management and promotes sustainability practices, which includes the retention and restoration of natural

¹⁸ Legislative and Policy Response to the risk of coastal erosion and flooding in the UK and Ireland. NI Assembly Research and Information Service Research Paper – 7th September 2016.

floodplains as valuable flood storage areas. The Directive addresses the main sources of flooding and promotes a joined up approach amongst organisations that can influence and contribute effectively to flood risk management. The LDP, as a key land use planning tool for influencing spatial patterns and types of development, therefore has a key role in the implementation of this joined up approach to flood risk management.

4.13 The Council's LDP will need to take account of the potential risks from all sources of flooding over the plan period and beyond as this will influence decisions on land use zoning. The LDP will avoid zoning land for development in flood risk areas. Outside of such areas it may still be appropriate for the LDP to mitigate against the risk of possible flooding, for example, by requiring susceptible areas within development sites to be retained as open space or indicating where the use of water resistant materials and forms of construction will be considered necessary. PPS15 also states that flood risk may also be an important consideration in the definition of settlement limits and in the designation of new settlements.

4.14 PPS 15 adds that, development plans may also need to consider the potential implications of flood risks beyond the Plan area. This may be necessary where:

- a) development in locations beyond the Plan area has the potential to impact upon flood risk within the Plan area; or
- b) Plan proposals could cause or increase the potential for flood risk in locations beyond the Plan area.

4.15 In considering the role of development plans and flood risk PPS 15 concludes that development plans have a role to play in furthering a more sustainable approach to flood management. This includes a number of measures such as:-

- Flood avoidance through the careful selection of housing and economics zonings;
- identifying flood plains and safeguarding them from development likely to impact upon their flood storage and conveyancing capacity;
- identifying and safeguarding from development areas of storm exceedence; and
- promoting sustainable drainage schemes. (SuDS)

4.16 Flood Maps (NI) contains a suite of detailed flood hazard maps that have been produced in accordance with the requirements of the EU Floods Directive. These maps have been prepared for areas that have been determined by government to be at significant risk of flooding and are an important step that will lead to the development of flood risk management plans for these areas¹⁹.

Coastal Erosion

4.17 Coastal erosion can be defined as the removal of material from the coast by wave action, tidal currents and/or the activities of humans, typically causing a

¹⁹ <https://www.infrastructure-ni.gov.uk/articles/how-flood-maps-ni-was-produced>

landward retreat of the coastline. Whilst coastal erosion is a natural process it does have the potential to cause issues where land retreats to a point where it impacts on day to day activities by causing flooding, rock falls, loss of land and damage to infrastructure.

4.18 Extreme weather events have also highlighted the problem of coastal erosion. Whilst this is also a natural process, human interventions including coastal engineering, land reclaim, river basin regulation works (especially construction of dams), dredging, vegetation clearing, gas mining and water extraction all contribute to erosion. This in turn undermines flood defences, both natural and manmade, creating the potential for coastal flooding and damage to infrastructure and private property.

4.19 According to Rivers Agency, whilst significant coastal flooding is a relatively infrequent occurrence in Northern Ireland, there have been some major events in recent times, notably the tidal surge of January 2014, which caused almost £1.4m worth of damage to roads, including £382,000 to fix the sea wall at the Rostrevor Road, near Warrenpoint.²⁰

Photo 1 – Damage to the sea wall and road at Rostrevor Road, Warrenpoint



Source: <http://www.newry.ie/news/latest-news/2269-storm-damages-rostrevor-road>

²⁰ Legislative and Policy Response to the risk of coastal erosion and flooding in the UK and Ireland. NI Assembly Research and Information Service Research Paper – 7th September 2016.

4.20 As stated in 'Towards an Integrated Coastal Zone Management Strategy for Northern Ireland 2006 – 2026', coastal erosion is a potential impact of rising sea levels with existing beaches and dunes being put under increased pressure. This will have implications for wildlife and habitat protection, as well as for coastal planning policy. Coastal erosion is an issue for parts of Northern Ireland such as the County Down and North coasts.

4.21 Sea defences have traditionally been employed to manage coastal erosion, where there is a perceived threat to infrastructure, with, some arguing, little thought having been given to the wider environmental consequences. In many cases hard engineering approaches exacerbate the problem, causing more erosion further along the coastline.

4.22 The National Trust document entitled 'Shifting Shores' states that for many years, the default response to flooding and erosion along the coast has been to 'hold the line' and build our way out of trouble. It states that in some places defence is of course necessary, but increasingly we must view adaptation as having an equal role in the long-term health of the coastline. It adds that where we can, recreating a naturally functioning shoreline will free us from the sea defence cycle of construct, fail and reconstruct. It states that recent research identifies the disconnect between technical coastal change management and land use planning. As we make the switch from building our way out of trouble at the coast to planning our way out, this break in the system must be addressed.

4.23 A planning application for the construction of 127m of rock armouring coastal defences at Windmill Road Cranfield was submitted to Newry, Mourne and Down District Council in 2015 (see photos 2, 3 & 4 below).

Photo 2 – Existing hard defences in the vicinity of Windmill Road



Photo 3 & 4 - Erosion of the cliff edge and dunes at Windmill Road



Source: NMDDC

4.24 As part of this project involved development below the Mean High Water Spring Tide a Marine Licence was also required from the Department of Agriculture, Environment and Rural affairs (DAERA). The application site is adjacent to two European and a national designated site: Carlingford Lough SPA, Murlough SAC and Carlingford Lough ASSI.

4.25 DAERA considered that the proposed development could exacerbate coastal erosion and may harm a European protected habit and subsequently issued a refusal of the Marine Licence application on 13th June 2016. Planning permission for this development proposal was also refused on 16th August 2016.

4.26 This planning application provides a local example of the complex and often opposing issues to assess when dealing with planning applications along the coastline.

4.27 NIEA Marine Conservation Team (MCT) in responding to the proposed developed advised that a range of hard engineering solutions had already been put in place along this part of the County Down coast, these were not considered to have been successful and had simply transferred the problem along the shore. The NIEA MCT further stated that it was highly probable that the extensive use of shoreline protection in the area (some 3.28km was already protected out of 3.72km of coastline surveyed) had been a major contributing factor to shoreline erosion and instability to date.

This approach is supported by Professor Derek Jackson from the School of Environmental Sciences at the Ulster University:

"These defences are not solutions but are added problems and we should immediately shy away from these as our default position in 'protecting coastlines that naturally erode and build up again.'"²¹

4.28 In an academic paper published in 2016 Andrew Cooper, Professor of Coastal Studies at Ulster University, stated that

"Constructing coastal defences (whether hard or soft) to protect human infrastructure has deleterious effects on the coastal eco- system (including reducing or eliminating sediment supply), preventing energy attenuation, reflecting or redirecting excess energy, reducing or eliminating habitat (coastal squeeze), and altering habitat type."²²

"In large part, concern about coastal erosion and flooding is only loosely focussed and terms such as 'coastal protection' and 'working with natural processes' mean different things to different people. Protecting a beach is not the same as protecting a house behind the beach – to protect the house means damaging or destroying the beach, while protecting the beach may mean letting the house collapse when erosion reaches it, yet both meanings are encompassed in the term "coastal protection". Importantly, the different interpretations of these terms are diametrically opposed – following one interpretation will compromise the other."²³

4.29 There is thus a clear challenge for the Council in developing planning policy to consider how to balance the need to reduce shoreline change and instability whilst meeting the expectations of coastal residents and landowners.

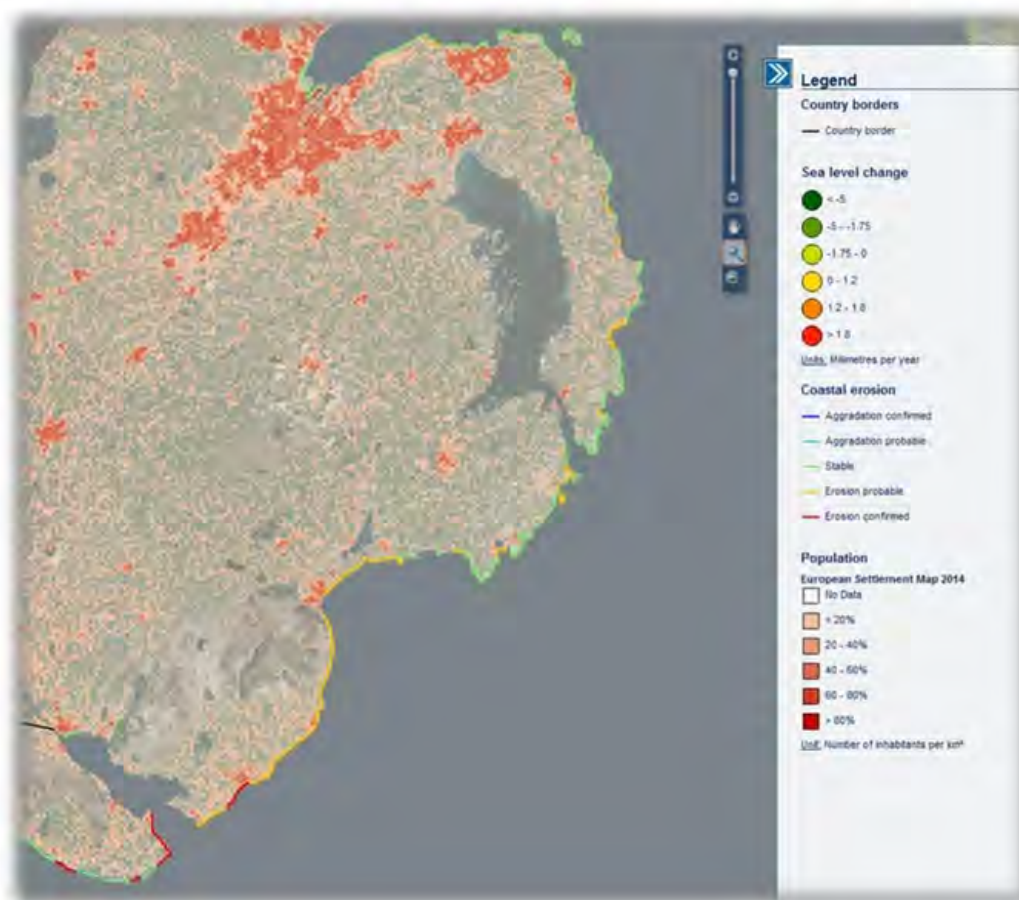
4.30 Figure 2 provides a visual illustration of coastal erosion along the Newry, Mourne and Down coastal stretch.

²¹ NIEA EIA Screening Opinion on application LA07/2015/0800/F Page 13.

²² J.A.G. Cooper, et al., Coastal defences versus coastal ecosystems: A regional appraisal, Mar. Policy (2016), <http://dx.doi.org/10.1016/j.marpol.2016.02.021>

²³ J.A.G. Cooper, et al., Coastal defences versus coastal ecosystems: A regional appraisal, Mar. Policy (2016), <http://dx.doi.org/10.1016/j.marpol.2016.02.021>

Figure 2 – Areas of Coastal Erosion along the South East Coast of NI



Source: European Atlas of the Seas

5.0 Coastal Development

5.1 The District's extensive and varied coastline is of national, and in some parts international significance, containing many areas of special landscape and ecological significance. It is therefore important that the character and environmental qualities of the District's Coast are protected from inappropriate development and that development which requires a coastal location is directed to the least environmentally sensitive areas. As outlined in Section 2.2 of this paper Regional Planning Policy in the form of the SPPS requires LDPs to distinguish between the developed and undeveloped coast and set out general policies for the conservation of the coastal environment.

The Coastal Zone

5.2 The coastal zone comprises three main elements: the land; the intertidal zone; and the sea. Statutory planning control does not extend to the entire coastal zone

(see Figure 1), although some development which occurs offshore may impact onshore, for example fish farming.

5.3 In bringing forward policy proposals relating to coastal development the Council's LDP will also consider the need for the identification of a coastal zone incorporating the developed and undeveloped coast.

5.4 It has been highlighted at paragraph 3.1 that there is no official definition by the European Commission of the coastal zone and it is widely acknowledged that the landward limit of the coastal zone is more difficult to define. A definition of the coastal zone as used by Argyll and Bute District Council within their Local Development Plan is as follows:

*"Strip of land between Mean Low Water Springs (MLWS) and 1 km landwards. In some circumstances the coastal zone may extend further in land where the land exerts an influence on the uses of the sea and its ecology, or the lands uses and ecology are affected by the sea."*²⁴

5.5 The draft BNMAP 2015 contained a coastal zone in the form of a Coastal Policy Area (Policy COU 2). This extended from an area in Newry City south of the Greenbank Industrial Estate to beyond Maggie's Leap, 1km south of Newcastle. It extended to Low Water Mark and included narrow strips of coast between the High Water Mark and the Low Water Mark along with other selected land²⁵. The landward element was however limited in scope. Following the introduction of PPS21 and the loss of the majority of Green Belt/Countryside Policy Area designations this limited coastal policy designation was removed from the plan prior to final adoption. The opportunity now exists as part of the new plan process to review this previous Coastal Policy Area and consider whether it should form part of an enlarged coastal zone with both a landward and seaward element.

The Developed Coast and Undeveloped Coast

5.6 The SPPS states that the undeveloped coast includes a wide variety of landscapes many of which are of high scenic quality as well as being of scientific interest, nature conservation value, and wildlife habitats. The aim of the SPPS is protect the undeveloped coast from inappropriate development and support the sensitive enhancement and regeneration of the developed coast.

²⁴ Argyll and Bute Council Local Development Plan Proposals for adoption Written Statement Feb 2015 Chapter 3, para 3.4.

²⁵ BNMAP Technical Supplement 8 – Countryside Assessment Vol 1

5.7 The coastal section of the SPPS provides a limited definition of the developed coast, this is considered further under paragraph 5.5 below. Some planning authorities have gone further in their classification, for instance The Highland Council have outlined a classification based on primary and secondary indicators (see Appendix 1)²⁵. The primary indicator for deciding whether a stretch of coast should be regarded as developed or undeveloped or isolated (third classification under Scottish Regional Policy) is settlement size while a number of secondary indicators allow the classification to be fine-tuned. These indicators relate to infrastructure, the degree of industrial/commercial/port, tourism/recreation presence, the level of offshore, and the character of the coastline.

The Developed Coast

5.8 The SPPS states that the developed coast includes existing settlements and major developments such as ports, isolated industrial units and power stations. This is not however exhaustive and does not reference all existing settlements. There is thus scope as part of the LDP process to more clearly define the extent of the developed coast. Some planning authorities have included sites of significance for national and international nature conservation, important cultural heritage resources as well as valuable areas of open space and recreation such as golf courses within this definition.²⁶

5.9 The developed coast should be the focus for developments requiring a coastal location or which contribute to the economic regeneration or well-being of settlements whose livelihood is dependent on coastal or marine activities and features or which meet the social needs of these communities. Where development on the coast is justified, opportunities for the development or re-use of vacant land and buildings should be considered in the first instance.

5.10 LDP Policy considerations within the developed coast include:

- Giving priority to promoting re-use of redundant land and buildings where there are opportunities to restore or enhance degraded coastal environments.
- Unless a coastal location is required, promoting locations on the landward side of existing settlements before considering development on the coastal strip or coastal frontage (as referred to in the SPPS).
- Avoiding coalescence of development along the coast.

¹⁶ Highland Council Coastal Development Strategy May 2010.

The Undeveloped Coast

5.11 The undeveloped coast as defined by the Highland Council includes agricultural and forestry land, low intensity recreational uses and smaller settlements which depend on the coast for their livelihood. Extensive sections of the undeveloped coast are protected by national and international natural heritage designations and contain important cultural heritage resources.²⁷

5.12 Development opportunities, for example related to tourism, leisure and recreation, can make an important contribution to the economy of rural areas. Many of these developments which can assist in sustaining the long-term viability of coastal communities are likely to be on a modest scale. Ill-considered development, however, can have a detrimental effect on ecology and scenery as well as on cultural heritage interests; a key objective for the planning system is to provide a framework for investment in development while protecting the undeveloped coast from unjustified and inappropriate development.

5.13 Proposals which, for technical and other reasons, require a coastal location include ports and harbours, some tourism, leisure and recreation projects, some sewage treatment plants, the onshore elements of oil and gas developments and of fish farms, some energy schemes and specific defence establishments. Large development proposals are likely to present the greatest threat to the natural, cultural or scenic environment but the cumulative effect of smaller developments can be just as damaging. As relatively few types of development require a coastal location, the undeveloped coast should generally be considered for development only where:-

- the proposal is of such national or regional importance as to outweigh any potentially detrimental impact on the coastal environment and
- there are no feasible alternative sites within existing settlements or on other previously developed land.

5.14 There will be an opportunity through the LDP process to consider how the undeveloped coast should be defined within the District.

Coastal and Marine Tourism & Recreation

5.15 The District is an area abundant in natural, built and cultural heritage; its coastal environment coupled with its proximity to the Mourne Mountains give the area a distinct character. The first strategic objective outlined in the Corporate Plan

²⁷ Highland Council – Highland Coastal Development Strategy May 2010.

2015-2019 for the Newry, Mourne and Down District is that the District becomes one of the premier tourism destinations on the island of Ireland.

5.16 The Council's draft Tourism Strategy recommends that strategies to improve access to water, where clear tourism benefits can be anticipated, should be brought forward. Coastal access is also highlighted by the SPPS which states that LDPs should promote and protect public access to and along the coast. Through the LDP process the Council will consider how planning policy, proposals and designations can support and enhance access to and within the coastal zone.

5.17 Further information on the District's tourism assets and opportunities is contained within the LDP Paper 7 on Tourism and the coastal elements of the District's tourism are outlined within this paper. The paper highlights that activity tourism is a strong and growing market across the District's coastal region:

- Strangford Lough is a popular tourist destination offering activities such as leisure sailing, kayaking, fishing, bird watching and diving.
- Beaches within the District are popular tourist attractions, these include Murlough, Cranfield, Tyrella, Warrenpoint and Newcastle.
- The Mourne Coastal Trail and South East Coast Canoe Trail are key drivers in attracting activity tourism.

Blue Flag Beaches, Green Coast Awards and EU Bathing Water Status

Blue Flag Beaches

5.18 The Blue Flag Award is the definitive international beach award recognised in 49 countries, owned and run by the independent non-profit organisation Foundation for Environmental Education. The programme is designed to raise environmental awareness and increase good environmental practice amongst tourists, local communities and beach and marina operators²⁸. Within the District there are three blue flag beaches, these are Cranfield, Murlough and Tyrella.

Green Coast Award

5.19 A separate "certification" process exists that covers coastal and bathing water management called the 'Green Coast Award'²⁹. The aim of this award scheme is to acknowledge those beaches which meet EC Guideline bathing water quality standards (the highest standard recognised under current EC legislation) but which

²⁸ <http://www.keepnorthernirelandbeautiful.org/cgi-bin/generic?instanceID=29>

²⁹ EU Bathing Water Designation for Lecale Beaches A report summarising work undertaken for Strangford Lough and Lecale Partnership - September 2015

are also prized for their natural, unspoiled environment³⁰. It is aimed particularly (but not solely) at rural beaches which do not qualify for other awards due to the lack of intensive management and high level of infrastructure around the beach area³¹. This award has previously been awarded to Minerstown beach.

EU Bathing Water Status

5.20 EU Bathing Water is a designation that acknowledges that waters where people are bathing require more monitoring and clear reporting to the public³². A key benefit of having EU Bathing Water status is that it puts a requirement on central government to regularly test water quality and if required, to take measures such as upgrading sewage treatment systems or addressing septic tanks or problems with agricultural run-off. The other benefits are primarily socio-economic as part of a wider programme to promote the area for tourism and as a hub for sustainable outdoor recreation. There are three beaches within the District that are currently applying for EU Bathing Water Status designation; these are Killough, Ballyhornan and Kilclief.

The LDP must acknowledge the existence of and opportunities for each of these coastal designations within the District. It should make provision for the prerequisites of each designation and afford each area with the necessary environmental protection.

Mourne and Strangford Lough Coastal Walking Path

5.21 In August 2015 a technical and feasibility study was completed with regard to a Mourne and Strangford Lough coastal walking path. The aim of the study was to "assess the feasibility of developing a coastal walking path between Greencastle and Portavogie identifying tourism and business development opportunities that will enhance the visitor experience along the way by creating unique attractions and experiences"³³.

5.22 The proposed 131km/81 mile path stretches from Greencastle, near Kilkeel to Portavogie. It follows the coastline from Greencastle to Strangford, crosses Strangford Lough to Portaferry and continues along the coastline to Portavogie passing through the three fishing villages of Kilkeel, Ardglass and Portavogie.

³⁰ <https://keepnorthernirelandbeautiful.etinu.net/keepnorthernirelandbeautiful/documents/006877.pdf>

³¹ <http://www.keepnorthernirelandbeautiful.org/cgi-bin/generic?instanceID=31>

³² EU Bathing Water Designation for Lecale Beaches A report summarising work undertaken for Strangford Lough and Lecale Partnership - September 2015

³³ Mourne and Strangford Lough Coastal Walking Path Technical and Feasibility Study – August 2015

5.23 The study states that a Mourne and Strangford Lough coastal walking path, within a tourism context, has very strong potential. It states that the path can act as a demand generator, bring economic benefit, has great opportunity to develop experiential tourism, is a natural fit for visitor segments, opens up the Irish Sea coast, aligns with existing strategies and aligns with the Mourne Coastal Driving Route (MCDR).

5.24 There is an opportunity as part of the LDP process to consider how planning policies for the coastal region can support tourism access projects.

Ports, Harbours and Marinas

5.25 Ports and harbours are important economic generators and are essential to the operation of a range of different marine and coastal industries. The LDP will consider what land use policies and designations are required to maintain viable, thriving and stable harbour areas. In line with the SPPS, the LDP will seek to support the enhancement and upgrading of piers, landing facilities and other facilities associated with the industries that require a pier and/or harbour location.

5.26 To ensure that working harbours are not constrained by neighbouring development, the LDP will consider additional land requirements adjacent to harbours to support the needs of fishing and other harbour based industries, including marine renewables and aquaculture.

5.27 To support the fishing industry, marine engineering and renewable energy industries there is a need to consider the need for onshore working and storage space for equipment, maintenance and staff operations within a reasonable distance of berthing facilities. Specific to the fishing industry, the available space for handling and processing fish is also a critical issue that will be considered as part of the LDP policy development and designations.

5.28 Whilst economies of scale have reduced commercial fishing at smaller harbours and piers these still have the potential for leisure, recreation and tourism uses.

5.29 Plans for a £36m expansion of Kilkeel Harbour have been drawn up by Sea Source, these entail a new breakwater and onshore development to allow larger boats into the harbour³⁴. Invest Northern Ireland has commenced a feasibility study in conjunction with the Strategic Investment Board in relation to the proposed expansion of the Harbour.

³⁴ Belfast Telegraph 6th December 2016 see <http://www.belfasttelegraph.co.uk/business/news/1000-new-jobs-could-be-created-in-36m-kilkeel-harbour-expansion-plan-35269877.html>

5.30 The importance of Warrenpoint Harbour has previously been highlighted in the LDP Paper 3 on Employment and Economic Development. It is not only an important commercial freight gateway but has the potential to boost local tourism by attracting the cruise market.

6.0 Renewables and the coast

6.1 The LDP will seek to ensure that the Newry, Mourne and Down District continues to make a positive contribution to meeting NI's targets for renewable energy generation. These targets are important given the compelling need to reduce our carbon footprint and reduce our reliance on fossil fuels. NI has made good progress to date, as highlighted in LDP Paper 9 Public Utilities, in renewable energy generation, although the District does face challenges in terms of the adequacy of the electricity network infrastructure.

6.2 The District has a comprehensive and diverse mix of renewable energy consents including on shore, hydro, mini hydro, solar, biomass and tidal. The coastal region has an important role to play in supporting the renewable energy sector.

6.3 The benefits of a coastal location for a large scale biomass plant have been demonstrated by the creation of Northern Ireland's largest biomass plant at Lishally port in Derry. The port location enables the facility to import fuel by ship should issues arise in obtaining fuel in Northern Ireland. The 15.8 MW power station provides electricity to around 30-35,000 homes and it is estimated that over the course of its 20 year lifetime it is expected to divert around two million tonnes of wood earmarked for landfill to create electricity, increasing Northern Ireland's renewable energy generation by around 10%.

6.4 The forthcoming Landscape Character Assessment Paper (LDP Paper 12) will look at landscape sensitivity and in particular wind farm development. This section of the Coast Paper will focus on the potential for renewable energy generation in the marine environment.

6.5 Whilst the Council seeks to support the further development of renewables throughout the District, there is also a need to take a sustainable approach by protecting and conserving our environment, including our landscape and protected species, our local communities and other sectors of our economy from unacceptable significant adverse effects as a result of proposed renewable energy developments. The LDP in line with the SPPS will seek to deliver the growth of this important industry in a sustainable manner.

Offshore Renewable Energy Development

6.6 Offshore wind along with wave and tidal energy are developing technologies which may have significant potential to meet renewable energy targets. Stronger

wind speeds are generally available offshore, giving greater potential for electricity generation.

6.7 'The Regional Locational Guidance (RLG) for Offshore Renewable Energy Developments in NI Waters 2011', provides non-statutory guidance and information on the opportunities for, and key considerations influencing the siting and consenting of offshore renewable energy developments in Northern Ireland (NI) waters. Part of the approach to the SEA included a review of existing resource within Northern Ireland waters for each of the three offshore renewable energy technologies. Supporting documentation identifies the main areas or zones of potential interest for development for each of the three technologies. These are based on potential available natural resource and the technical/operational parameters of the different technologies for example optimal wind speeds/tidal velocities and maximum water depth for development.

6.8 In total eight resource zones were identified within the Northern Ireland study area. These are listed below and illustrated in Figure 3.

- Wind Resource Zone 1: North Coast
- Wave Resource Zone 1: North Coast
- Tidal Resource Zone 1: North Coast
- Tidal Resource Zone 2: Rathlin Island and Torr Head
- Tidal Resource Zone 3: Maiden Islands
- Tidal Resource Zone 4: Copeland Islands
- Tidal Resource Zone 5: Strangford Narrows
- Wind Resource Zone 2: East Coast³⁵

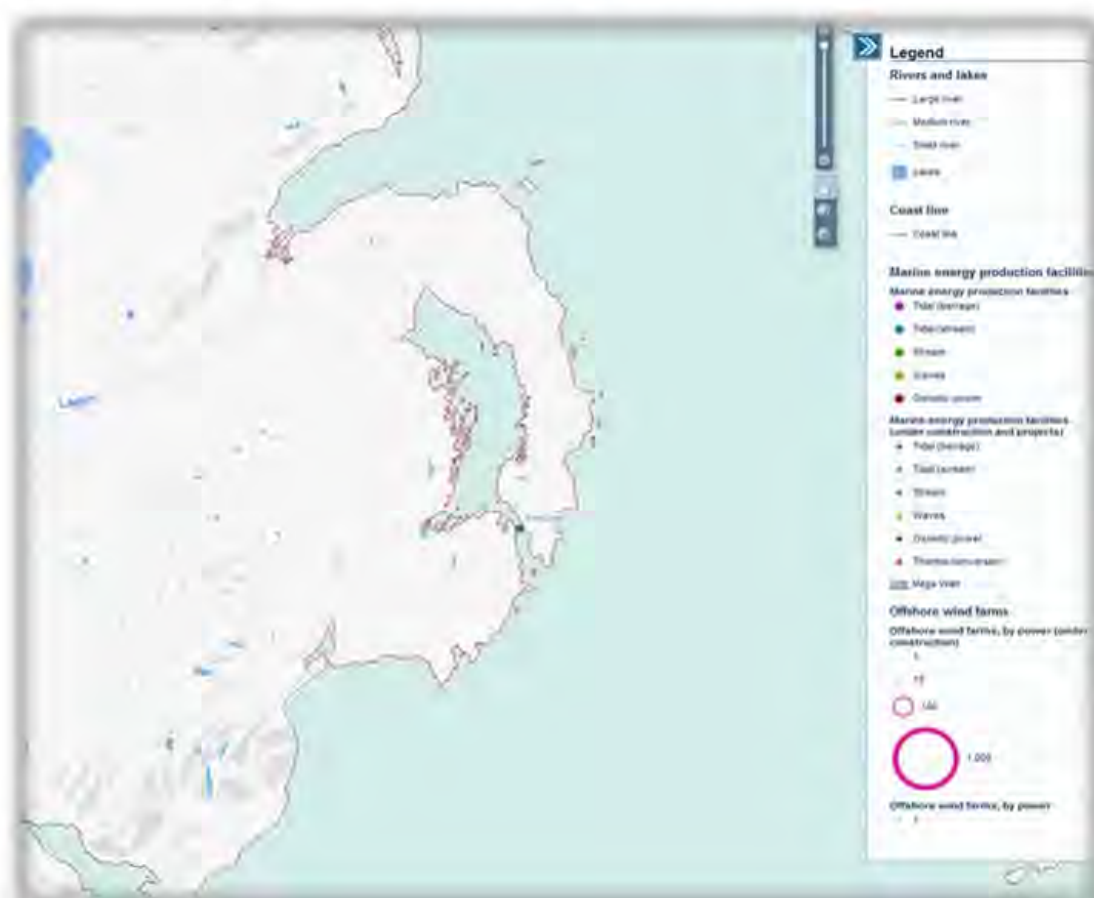
Tidal Resource Zone 5: Strangford Narrows and Wind Resource Zone 2: East Coast are located within the Newry, Mourne and Down District coastal region.

³⁵ Regional Locational Guidance (RLG) for Offshore Renewable Energy Developments in NI Waters, September 2011

commenced in 2016 and the current owners Atlantis Resources hope to have the device fully removed from the site in 2017 to comply with The Crown Estate leasing requirements.

6.11 Atlantis Resources continue to hold an Agreement for Lease (AFL) from The Crown Estate as part of the divestment package from Siemens for the potential development of a 20MW tidal array within Strangford Narrows provided all permits and licences can be secured for the site. Atlantis Resources have not yet engaged with DAERA in relation to further pursuing this lease at this time.

Figure 4 – Strangford Lough Marine Energy Production Facility



Source: European Atlas of the Seas

Wind Resource Zone 2: East Coast

6.12 Wind Resource Zone 2: East Coast is located offshore of County Down where a sizeable wind resource extends from mid Ards Peninsula to Carlingford Lough and from 3km offshore out to the 12nm limit. This area has a large raw resource for offshore wind development. It is considered that nearshore shallower areas from 20m to 40m depth would initially be more economically attractive for development of offshore wind before 2020, although with newer deeper water jacket foundations

opportunities for development may currently exist out to the 60m contour which follows the eastern boundary of the zone. Opportunities for offshore wind development exist across the entire zone. However, there are a number of potential constraints/interaction that could occur in this area that could influence the overall extent of the area of the zone that could be available for development. These include:

- Protected sites
- Seabirds and Marine Mammals/Reptiles and Fish
- Benthic Habitats
- Seascape and Landscape
- Shipping and Navigation and Ports and Harbours
- Commercial Fisheries³⁹

6.13 The potential of this wind resource zone has been recognised through the submission of a planning application for 120 wind turbines off the east coast, whilst the application was withdrawn in December 2014, Northern Ireland continues to be seen as a location with “superb offshore wind potential”.⁴⁰

6.14 In addition to the potential effects on the marine environment, the LDP will need to highlight that careful consideration will also be required to be given to any associated terrestrial infrastructure and associated environmental and other constraints that may apply in sensitive coastal locations. LDP renewable energy planning policy will consider the need for marine proposals and their associated terrestrial infrastructure to be considered as a single project/proposal.

6.15 The Sustainable Kilkeel 2020 study in particular highlighted the potential of the renewable energy sector and tourism in contributing to local economic growth. The study suggested that a leisure marina and off-shore supply and service yard could support the fishing, off-shore energy and marine tourism sectors.

7.0 Conclusions and Recommendations

7.1 This paper has provided an overview of the policies relevant to the coast in the Newry, Mourne and Down Council area and has demonstrated the overlapping relationship between terrestrial and marine planning. When preparing the LDP it is important to appreciate the anticipated impact climate change will have on the coast and to ensure that provision is made for these changes i.e. ensuring that inappropriate types of development are not permitted in those areas most vulnerable to coastal change, or to flooding from coastal waters, while also improving resilience of existing developments to long term climate change.

³⁹ Regional Locational Guidance (RLG) for Offshore Renewable Energy Developments in NI Waters, September 2011

⁴⁰ Nick Medic Director of offshore renewables at RenewablesUK
(<http://www.businessgreen.com/bg/news/2384460/northern-irelands-only-offshore-wind-project-scraped>)

7.2 In order to make provision for a changing coastline the Local Development Plan Strategy could therefore include measures to:

- define the developed and undeveloped coast;
- define and designate a coastal policy zone (CPZ) covering both the developed and undeveloped coast. Within this adopt a high level criteria based policy on coastal erosion which would seek to ensure that:
 - development proposals avoid areas vulnerable to coastal change;
 - development proposals demonstrate the need for a coastal location;
 - in areas identified as vulnerable to coastal change, development proposals are accompanied by a coastal change vulnerability assessment;
 - an assessment on the impact of development on existing coastal defence infrastructure is provided, including whether new infrastructure is required; and
 - proposals for new or replacement coastal defences are permitted where it can be demonstrated that they work with natural processes and there will be no significant adverse impact on coastal processes or habitats, and the development will not result in increased coastal erosion or flooding elsewhere on the coastline.
- define a coastal flooding zone and consider identifying coastal flooding zones and ascertain if the coastal flooding policy provision within PPS 15 is adequate; and
- direct new development within coastal settlements to the landward boundary of the settlement.

7.3 This paper recognises the potential that the coast holds within this District in relation to the tourist industry, it is important therefore that the potential of this industry is capitalised upon and that the LDP facilitates the delivery and enhancement of endorsed tourist related projects. With regard to renewable energy, it has been demonstrated in this paper that there is potential for both tidal and wind energy projects within this District. It is therefore important that in the preparation of the LDP the provision for credible developments of this type are provided for.

7.4 In preparation of the LDP for Newry, Mourne and Down it is important to take into consideration:

- how coastal policies within the LDP could assist in the delivery of the Council's Tourism Strategy and proposals within the South East Coast Masterplan;
- proposals which could further enhance the Mourne/Strangford Lough Coastal Walking Path project;
- marine plans and ensure that LDPs and marine plans are complementary, particularly with regard to the inter-tidal area. Proposals in the marine area

should be supported by the appropriate infrastructure on land and reflected in local development plans e.g. protecting existing terrestrial sites which support marine industries, such as fisheries and harbours;

- how the LDP could support possible offshore renewable energy projects; for instance where offshore energy is identified as a realistic opportunity, provision should be made in appropriate locations for supportive terrestrial infrastructure;
- how the LDP could support future Marine and Harbour development to support Tourism and Economic development in coastal areas; and
- the formulation of shoreline management plans and how they could best provide for the management of the coastal area in the future.

Appendix 1 - Glossary

Baseline: A baseline is the line from which the seaward limits of a state's territorial sea and certain other maritime zones of jurisdiction are measured. Normally, a sea baseline follows the low-water line of a coastal state.

Coastal squeeze: habitat loss which arises due to the high water mark being fixed by defence or development and the low water mark migrating landwards in response to sea level rise.

Conveyancing capacity: is a measure of the discharge carrying capacity of a channel.

DAERA: Department of Agriculture, Environment and Rural Affairs

ICZM: Integrated Coastal Zone Management

Inshore region: from the mean high water spring tide out to 12 nautical miles.

Intertidal area: is the area between the mean high water and the mean low water spring tides.

Mean high water spring tides and mean low water spring tides: The height of mean high water springs is the average throughout the year (when the average maximum declination of the moon is 23.5°) of two successive high waters during those periods of 24 hours when the range of the tide is at its greatest. The height of the mean low water springs is the average height obtained by the two successive low waters during the same period.

Shoreline Management Plan (SMP): A policy document for coastal flood and erosion risk management planning.

Appendix 2 - Marine Policy and Legislative Framework in Northern Ireland⁴¹

The UK Marine Policy Statement, the UK Marine and Coastal Access Act 2009 and the Marine Act (Northern Ireland) 2013 provide the policy and legislative framework for the management of the marine area in Northern Ireland. EC Directives also govern how we implement management measures in protecting all aspects of the marine area. These include Maritime Spatial Planning, Bathing Water, Water Framework, Marine Strategy Framework, Marine Cultural Heritage, Habitats and Birds Directives.

- The UK Marine Policy Statement

The UK vision for the marine environment is the attainment of 'clean, healthy, safe, productive and biologically diverse oceans and seas'. This shared vision is set out in the UK Marine Policy Statement (MPS), which was jointly adopted by all UK administrations in 2011.

- The UK Marine and Coastal Access Act 2009

The Marine and Coastal Access Act 2009 is a UK-wide Act which includes a number of provisions for the management of the UK's marine area. For Northern Ireland, key provisions within this Act include a licensing system for management of development within the marine area from the mean high water spring tide out to 12 nautical miles (the inshore region).

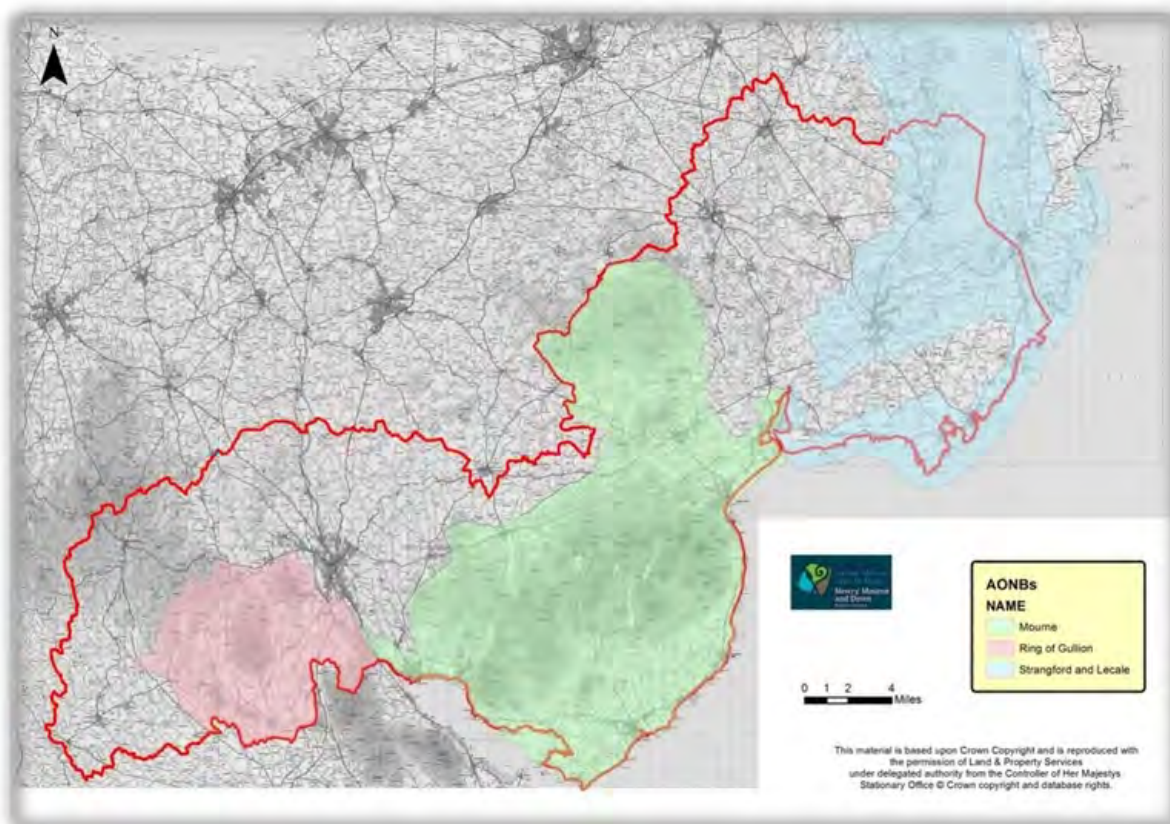
- The Marine Act (Northern Ireland) 2013

The Marine Act (Northern Ireland) 2013 includes duties to protect and enhance the marine area. The main provisions of this Act include:

- **Marine Planning** - provisions to prepare and adopt a Marine Plan for the Northern Ireland inshore region; and
- **Marine Conservation** – an improved method of managing our rich natural heritage within the marine environment, while also protecting and maintaining areas of specific importance for our marine wildlife and habitats.

⁴¹ Marine Policy and Legislative Framework in Northern Ireland taken from Planning in the Coastal Area – A developer's guide to planning considerations and environmental responsibilities - DOE, April 2015

Appendix 3 - Areas of Outstanding Natural Beauty in Newry, Mourne and Down District



Source: DOE

Appendix 4 - Indicators Used for classifying the Highland Coast

Primary Indicators	Developed	Undeveloped	Isolated
Settlement Size	<i>High density settlements greater than 500-1000</i>	<i>Low density settlements less than 500-1000</i>	<i>No settlements, in some cases discrete isolated individual property may be present⁽¹⁾</i>
Secondary Indicators	Developed	Undeveloped	Isolated
Infrastructure	Major roads, rail & power installations	Minor roads, rail & power installations	No roads, rail & power installations
Industrial Commercial Power Port Military	Major centre of activities e.g. Invergordon	Minor centre of activities e.g. jetty	No presence
Tourism, Leisure and Recreation	Major centre of activities e.g. marina	Minor low intensity development e.g. coastal path, jetty, swinging moorings	No presence
Offshore Activity	Significant presence e.g. oil rig	Noticeable presence e.g. fish farms	<i>No significant presence, although existing discrete minor aquaculture installations may be present⁽²⁾</i>
Character	Predominantly urban	Predominantly rural	<i>Extended view lacking obvious signs of human activity and generally wild and natural⁽³⁾</i>

Source: Highland Council – Highland Coastal Development Strategy 2010

Report to:	Planning Committee
Date of Meeting:	1 March 2017
Subject:	Newry, Mourne and Down Local Development Plan Preparatory Studies Paper 11: Mineral Developments
Reporting Officer:	Anthony McKay, Chief Planning Officer
Contact Officer:	Andrew Hay, Principal Planning Officer

Decisions required:

Note the content of this report.

1.0 Purpose and Background:

1.1 A programme of preparatory work is being undertaken as part of the Local Development Plan (LDP) process. Preparatory studies are essential in providing the evidence base for preparing the Local Development Plan (LDP). A reliable and comprehensive evidence base is vital to informing and justifying the 'soundness' of the LDP documents (Plan Strategy and Local Policies Plan) and to show how planning policies and proposals help to achieve the social, economic and environmental objectives for the plan area.

1.2 The SPR Committee is responsible for the Local Development Plan. All LDP papers are reported to the SPR Committee for noting or decision. All LDP papers will also be presented to the Planning Committee for noting. Depending on the subject matter, a LDP paper will also be presented to any other relevant Council Committee for noting.

1.3 'Paper 11: Mineral Developments' provides members with an overview of matters relating to the mineral developments and implications for land use in the Newry, Mourne and Down District Council area.

1.4 The paper builds on the existing evidence base and provides information on:

- The legislative and policy context for mineral development within the District;
- An overview of mineral resources within the District and their importance to the local economy;
- An outline of the main issues for consideration in formulation of planning policy for minerals development.

1.5 Members are asked to note the content of this report. Any comments received will be considered. The paper will be subject to any changes considered necessary in response to any valid comments received at this or any other Committee to which it is presented.

2.0 Key issues:

2.1 'Paper 11: Mineral Developments' informs members about mineral developments and resources within the District and the implications for land use planning.

2.2 The minerals industry largely encompasses existing quarries, as well as a range of other products such as oil and gas, lignite, sand and gravel, salt, base metals, precious metals, road aggregate,

	and building stone.
2.3	The paper provides information on the legislative and policy context for mineral development, the role of minerals in the economy, and an overview of existing and potential mineral resources and existing mineral activity within the District. This will assist the Council in the development of the LDP.
2.4	The extraction of minerals is essential to maintain the ability of the Northern Ireland economy to sustain and grow and to maintain the quality of life of its residents. Minerals may only be worked where they are found, and the Council's economy benefits from the existence of quarries within its area, which provide a resource to the District and beyond.
2.5	However, there is also a potential environmental cost to mineral workings that can affect the amenity of the immediate area and, also, the wider contribution that the landscape and its biodiversity make to the Districts economic base. The regional planning framework contained in the SPPS acknowledges there is a need to balance mineral development needs with the protection of the environment. The identification of Areas of Constraint on Mineral Development, together with the possibility of adopting a proactive approach in other suitable areas based on future needs of the minerals industry and on the mineral resources found in the District area is one way of addressing this. Further information on the quality of mineral deposits in the District, rates of consumption and alternative potential sources in and outside of the District, and the proposed approach of neighbouring authorities where reserves cross administrative boundaries, would assist in determining the best approach for the LDP to adopt in relation to minerals within the District.
2.6	The information gathered and the key findings will be used to inform the preparation of the LDP.
2.7	Data gathered as part of this and other preparatory studies will be used to establish the baseline of the social, economic, and environmental characteristics of the plan area and enable the Council to identify the issues which need to be addressed by the LDP. Furthermore, it will provide a sound basis on which to formulate the plan strategy, policies and proposals within the LDP that will be subject to independent public examination.
3.0	Recommendations:
3.1	Members are requested to note the content of this report.
4.0	Resource implications
4.1	N/A
5.0	Equality and good relations implications:
5.1	N/A
6.0	Appendices
	<ul style="list-style-type: none"> Paper 11: Mineral Developments



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**

**Newry, Mourne
and Down**
District Council

**Local Development Plan
Preparatory Studies**

Paper 11: Mineral Developments

February 2017

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APPENDICES

- Appendix 1:** Mineral Prospecting & Mining Licences within Newry, Mourne & Down
- Appendix 2:** Mineral Extraction within Newry, Mourne & Down
- Appendix 3:** Mineral Extraction within Kilkeel Area
- Appendix 4:** Review of Old Mineral Permissions Within Newry, Mourne & Down
- Appendix 5:** Mineral Resource Maps, South Armagh & South Down Areas
- Appendix 6:** Mineral Resource Maps Kilkeel Area
- Appendix 7:** Mineral Resource Maps for Northern Ireland Summary
- Appendix 8:** Mine Shafts & Adits
- Appendix 9:** 2015 Super Council Quarry Data based on 10 year average
- Appendix 10:** DETI Annual Minerals Statement 2010

Minerals

Purpose: To provide the Council with an overview of matters relating to Mineral Developments and implications for land use in the Newry, Mourne & Down District Council Area.

Content: The paper provides:

- (i) The legislative and policy context for Mineral Developments within the District;
- (ii) An overview of Mineral Resources within the District and their importance to the local economy; and
- (iii) An outline of the main issues for consideration in formulation of Planning Policy for Minerals Developments.

1.0 Introduction

1.1 The purpose of this paper to provide Members with background information relating to the preparation of the Local Development Plan (LDP).

1.2 The paper relates to minerals and the implications for land use. It provides information on:

- The legislative background and regional planning context for mineral developments;
- The role of minerals in the economy of Northern Ireland and the Council area; and
- An overview of known existing mineral activity within the Council area.

1.3 The minerals industry largely encompasses existing quarries, as well as a range of other products such as oil and gas, lignite, sand and gravel, salt, base metals, precious metals, road aggregate and building stone.

2.0 Legislative Background

Mineral Licencing

2.1 *The Mineral Development Act (Northern Ireland) 1969* meant that most minerals in the ground in Northern Ireland were vested to the Ministry of Commerce (functions now carried out by the Department for the Economy (DfE)). This enables the Department to grant licenses for exploration and development of minerals. There are a few exceptions to this legislation which mean that minerals in the following categories were not vested to the Department and do not require the granting of a license to be extracted:

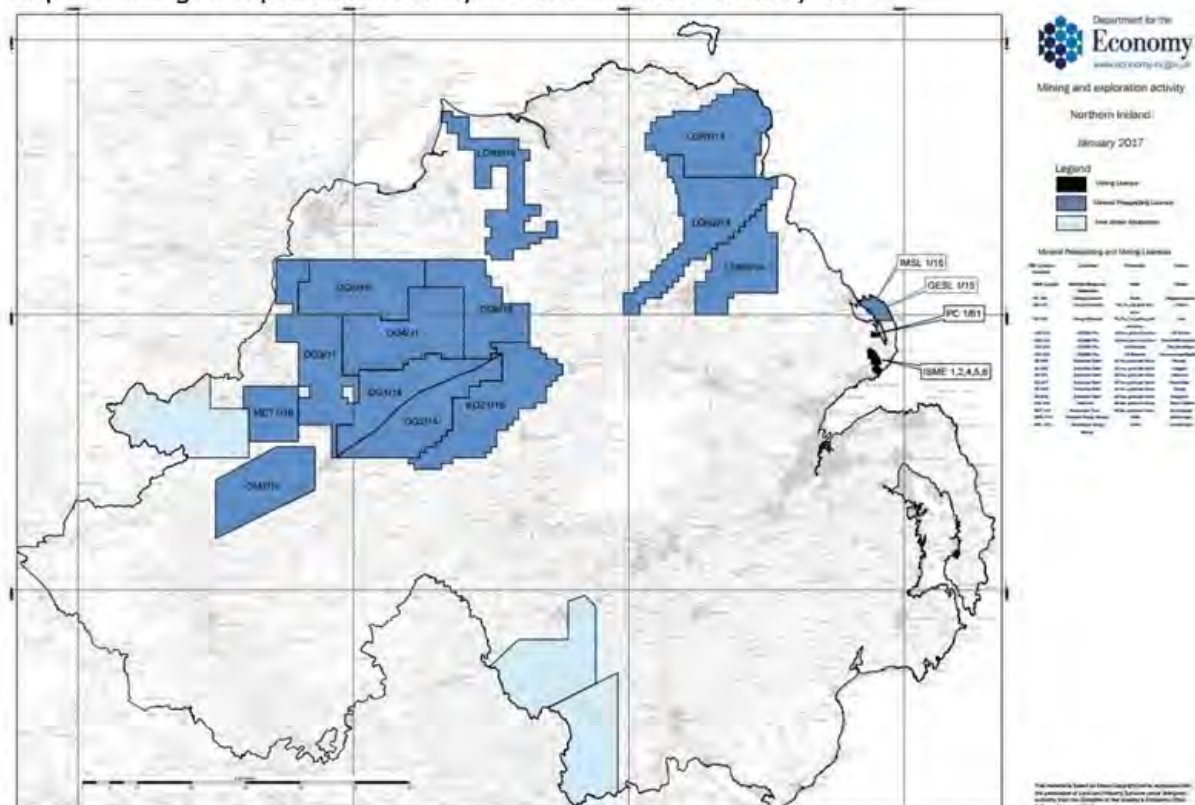
- Gold and silver resources which belong to the crown estate¹.
- Mineral deposits which were being worked at the time of the commencement of the Act. These were mainly salt deposits.
- Common substances e.g. Sand, gravel, crushed rock, brick clays, agricultural soil.
- Mines belonging to any religious or educational institution.

2.2 At present, there are eighteen Mineral Prospecting and Mining licences in Northern Ireland with sixteen of these being Prospecting Licences. Map 1 overleaf shows the distribution across Northern Ireland. Appendix 1 provides an enlargement

¹ This means that a prospecting licence must be obtained from the Crown Estate Commissioners (CEC) which grants the right of lease to prospect for precious metals. The physical process of mining is not controlled by the CEC, therefore companies wishing to explore and develop these metals must apply for a separate mining licence from DfE. Guidance on applying for mineral licences suggests that companies can apply simultaneously to CEC and DfE for concurrent licences. Asides licencing, there is still a requirement to obtain Planning Permission.

of Map 1 with details relating to the Council area. There is just one part of the District currently under application for potential Silver & Gold in the South Armagh Area, a typical licence lasts for two years with the possibility of being extended for a further two.

Map 1: Mining & Exploration Activity Northern Ireland January 2017



Source: <https://www.economy-ni.gov.uk/sites/default/files/publications/economy/1701-Minerals-License-map.pdf>

Planning Legislation

2.3 The Planning Act (Northern Ireland) 2011 describes minerals as:

"All minerals and substances in or under land of a kind ordinarily worked for removal by underground or surface working, except that it does not include turf cut for purposes other than sale."

Mineral Working Deposit is described as:

"Any deposit of material remaining after minerals have been extracted from land or otherwise deriving from the carrying out of operations for the winning and working of minerals in, on or under land."

Mineral Operations are:

- (a) *"the winning and working of minerals in, on, or under land whether by surface or underground working;"* and
- (b) *"the management of waste resulting from the winning, working, treatment and*

storage of minerals."

for the purposes of paragraph (b), treatment does not include smelting, thermal manufacturing processes (other than the burning of limestone) and metallurgical processes.

Permitted Development Rights for Minerals Exploration

2.4 Members will be aware of the recent Department for Infrastructure (DFI) 'Call for Evidence' on Permitted Development Rights for Minerals Exploration. This consultation document was considered by the Councils Planning Committee on 2nd February 2017. In its response dated 3rd February the Council agreed to support changes to Permitted Development Rights as outlined in the consultation document. Public consultation on this review closed on 3rd February 2017.

2.5 Article 3 of The Planning (General Permitted Development) Order (NI) 2015 currently grants planning permission for a range of minerals development described in its Schedule (Parts 16 & 17)² subject to provisions of this Order and Regulations 55 & 56 of the Conservation (Natural Habitats, etc) Regs (NI) 1995(a). This review seeks to amend Part 16 following concerns in relation to the scale of explorative petroleum borehole operations as opposed to other forms of non-energy mineral exploration.

Review of Old Mineral Permissions (ROMPs)

2.6 European legislation, in the form of the Environmental Impact Assessment (EIA) Directive, implemented via the Planning (Assessment of Environmental Effects) Regulations (NI) in 1989 and the subsequent Planning (Environmental Impact Assessment) Regulations (NI) 1999 (re-enacted in 2015) introduced more stringent assessment criteria for the environmental impacts of mineral development than had occurred historically.

2.7 The 2011 Planning Act allows councils to review existing mineral permissions granted in Northern Ireland to ensure the activity meets modern standards, for example in terms of noise and amenity impacts and environmental matters. The review would bring Northern Ireland in line with the rest of the UK and the Republic of Ireland.

2.8 However, the Act requires further legislation, in the form of an Order, to implement ROMPs. As yet, this legislation has not been implemented.

Long Standing Quarries

² Part 16 – The drilling of boreholes, the carrying out of seismic surveys or the making of other excavations for a period not exceeding 4 months

Part 17 – Development ancillary to mining operations e.g. plant / machinery / rail line / services etc..

2.9 Historically, quarries did not have planning permission and operated under the permitted development rights granted under the Planning (Interim General Development) Order (NI) 1944. Therefore, planning conditions normally found on more recent planning permissions, such as the restoration of land after mineral workings cease, could not be applied as no planning permission was required.

2.10 The Planning (General Development) Order (NI) of 1973 sought to rectify this situation by providing that permitted development rights for mining undertakers only applied for one year from 1st October 1973. In effect, this meant that existing quarries operating under permitted development rights had one year to apply for and obtain planning permission.

2.11 Prior to the function of Planning moving to Local Government in April 2015, The Department of the Environment (DOE) established a specialised minerals unit in Planning Service that dealt with all mineral planning matters across Northern Ireland. The Department generally accepted that planning permissions for mineral developments granted since 1990 had appropriate and effective environmental conditions attached in line with the EIA regulations.

2.12 The review of old mineral permissions (ROMPs), allowed under the 2011 Act, would tend, therefore, to focus on planning permissions granted since 1973 following the introduction of the Order that required existing quarries to apply for permission within one year. The DOE undertook a review in 2005 of existing permissions dating from the 1970s and 1980s which highlighted some were deficient for a number of reasons, with fewer conditions and insufficient environmental protection in place, for example in relation to noise. The DOE held files of 371 mineral permissions granted between the 1960s and the early 1990s. Of these, 56 related to this Council area. The table below sets out the location and type of the permissions relating to this Council area over this time period:

Table 1 Mineral Planning Permissions in Newry & Mourne and Down Council Area at 2005

Legacy Council Area	Total Permissions	% of NI Total	By Type of Permission					
			Hard Rock	Sand / Gravel	Peat	Clay	Salt	Gold
Newry & Mourne	46	12	8	38				
Down	9	2	8	1				
Ballyward Area	1		1					

Source: <http://www.planningni.gov.uk/downloads/news-legislation-planreform-romp.pdf>

2.13 More recent information, prepared by the DOE at May 2014, indicates a decrease in the ROMPs sites to 48 in the Council Area, out of a total of 470 sites in NI overall (10.2%). The breakdown in the types of operations in Table 2 overleaf.

Table 2 Mineral Planning Permissions in NM&D Council Area 2014

	Total	% of NI	By Type of Permission
--	-------	---------	-----------------------

	Permissions	Total			
NM&D			Hard Rock	Sand / Gravel	Clay
	48	10.2	22	25	1

Source: http://www.planningni.gov.uk/index/advice/advice_apply/advice_special_studies/romps-2.pdf

2.14 Appendix 2 & 3 show the locations of the ROMPs produced by the DOE at May 2014 and their activities. This map illustrates a generally even spread of hard rock quarries across the District with a concentration of sand and gravel extraction in the Kilkeel area. A complete list of the ROMP quarries is attached in Appendix 4.

Waste from Extractive Industries

2.15 EC Directive 2006/21/EC, the Mining Waste Directive, introduces measures to prevent or minimise adverse effects on the environment and risks to health from the management of waste from extractive industries. It applies to waste resulting from extraction, treatment and storage of mineral resources and the working of quarries. The Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) transpose the Directive to NI legislation.

2.16 The Regulations came into effect on 1st April 2010, subsequently updated on the 1st April 2015, and apply to both new and existing sites where the management of extractive waste takes place. The Regulations set out specific requirements on operators for the management of waste material and are intended to ensure that all extractive waste is managed in a way which is compliant with the Directive.

2.17 The Planning (Management of Waste from Extractive Industries) Regulations NI 2015 states that planning permission will not be granted unless a Waste Management Plan has been submitted to and approved by the Council.

2.18 Regulation 4 confirms that no operator can commence or continue extractive waste operations without planning permission after 1st April 2010. All planning applications for mineral extraction decided after that date should include, as part of the accompanying documentation a Waste Management Plan (WMP) demonstrating how the operator intends to ensure compliance with regulations.

2.19 Under Regulation 5(4) a WMP is not required under Regulation 6, if the extractive waste is inert and is not deposited in a Category A³ Waste facility. Guidance issued by the DOE Minerals Unit states that it is likely that the majority of quarries in Northern Ireland will produce extractive waste that is inert and will not be deemed to be a category A facility.

³ Category A - Under The Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015 means a facility that could give rise to a major incident in the event of a failure identified through a risk assessment e.g. flooding or else a facility containing waste identified as hazardous or dangerous as identified through EU Directives & Regulations within specified parameters.

3.0 Regional and Local Planning Policy Context

3.1 The regional planning context is provided by the Regional Development Strategy (RDS) 2035, the Planning Strategy for Rural Northern Ireland and Planning Policy Statements (PPSs). The Adopted Banbridge, Newry & Mourne Area Plan 2015 and Ards & Down Area Plan 2015 also contain mineral policy and designations.

Regional Development Strategy 2035 (RDS)

3.2 The RDS does not contain any specific aims or policies relating to minerals. Rather, SFG 13 recognises the need to sustain rural communities living in smaller settlements and the open countryside. It also recognises that there are wide variations across Northern Ireland in terms of economic, social and environmental characteristics of rural areas, and there is a need for local development to reflect these regional differences. Approaches should be sensitive to local needs and environmental issues, including the ability of landscapes to absorb development.

Strategic Planning Policy Statement (SPPS)

3.3 The SPPS recognises that minerals, including valuable minerals, are an important natural resource and their responsible exploitation is supported by Government. It also recognises that the minerals industry make an essential contribution to the economy and to our quality of life, providing primary minerals for construction, such as sand, gravel and crushed rock, and is a valued provider of jobs and employment, particularly in rural areas.

3.4 The SPPS acknowledges that there are a number of challenges arising from minerals development that fall to be addressed through the planning system. There can be significant adverse impacts on the environment and on the amenity and well-being of people living in proximity to operational mineral sites. The restoration of sites upon completion of work associated with the extraction and processing of materials is another challenge.

Regional Strategic Objectives

3.5 The SPPS's objectives for mineral development are to:

- Facilitate sustainable minerals development through balancing the need for specific mineral development proposals against the need to safeguard the environment;
- Minimise the impacts of mineral development on local communities, landscape quality, built and natural heritage, and the water environment; and
- Secure the sustainable and safe restoration, including the appropriate re-use of mineral sites, at the earliest opportunity.

Regional Strategic Policy

3.6 The policy approach for minerals development must be to balance the need for mineral resources against the need to protect and conserve the environment. The SPPS states that, in preparing LDPs, the Council should bring forward appropriate policies and proposals that must reflect the policy approach of the SPPS, tailored to the specific circumstances of the plan area. In particular, LDPs should:

- Ensure that sufficient local supplies of construction aggregates can be made available for use within the local, and where appropriate, the regional market area and beyond, to meet likely future needs over the plan period;
- Safeguard mineral resources which are of economic or conservation value, and seek to ensure that workable mineral resources are not sterilized by other surface development which would prejudice future exploitation;
- Identify areas (normally referred to as Areas of Constraint on Minerals Development) which should be protected from minerals development because of their intrinsic landscape, amenity, scientific or heritage value (including natural, built and archaeological heritage). There should be a general presumption against minerals development in such areas. However, where a designated area such as an AONB covers expansive tracts of land, the LDP should carefully consider the scope for some mineral development that avoids key sites and that would not unduly compromise the integrity of the area as a whole or threaten to undermine the rationale for the designation.

3.7 Given the importance of peatland in nature conservation as well as minerals, the SPPS's position in relation to peat and natural heritage, is also relevant. Active peatland is recognised as being of particular importance to NI for its biodiversity, water and carbon storage qualities. Paragraph 6.192 of the SPPS states that planning permission should only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to, known active peatland.

Areas of Constraint on Minerals Development

3.8 As mentioned above, these are areas that should be protected from minerals development due to their intrinsic landscape, amenity, scientific or heritage value. Based on these criteria, the following areas may be considered as suitable for consideration as Areas of Constraint on Mineral Development (ACMD):

Table 4 Areas Potentially Suitable for Identification as Areas of Constraint on Mineral Development.

Value of Area	Designation
Landscape	Areas of Outstanding Natural Beauty (AONBs); Local Landscape Policy Areas
Amenity	Public safety and residential amenity particularly for those living in proximity to workings
Scientific	RAMSARs, Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Areas of Special Scientific Interest (ASSIs), Areas of Scientific Interest (ASIs), Sites of Community Importance (SCIs), World Heritage Site(WHS)

Heritage

Ancient Monuments; Archaeological Sites; Listed Buildings

3.9 The type and extent of environmental designations within the District are discussed in detail in LDP Preparation Paper 6 (Environmental Assets) and the forthcoming LDP Preparation Paper 12 (Landscape Character Assessment.)

3.10 Caution should be taken in the application of a wholesale exclusion of mineral development in the areas of environmental designation. This approach was advocated in relation to the Banbridge, Newry & Mourne Area Plan 2015, and the PAC report was critical of this, as it did not seek to balance the needs of the environment with the local economy. A detailed assessment of mineral resources and extraction and the needs of the mineral industry in the plan area should be part of the plan preparation process and ideally within a regional context and overview.

Areas Where Mineral Development Would be Suitable

3.11 The converse of the ACMD approach is that the SPPS states that LDPs may also specify areas that may be suitable for minerals developments in their LDPs. These areas will normally include areas of mineral reserves where exploitation is likely to have the least environmental and amenity impacts, as well as offering good accessibility to the strategic transport network. The SPPS refers to the fact that minerals which are particularly valuable to the economy may be discovered from time to time, and states there will not be a presumption against their exploitation in any area, however, in considering a proposal where the site is in a stationary policy area, due weight will be given to the reason for the statutory zoning. In relation to unconventional hydrocarbon⁴ extraction, there should be a presumption against their exploitation until there is sufficient and robust evidence on all environmental impacts.

Planning Strategy for Rural Northern Ireland (PSRNI)

3.12 In the absence of a planning policy statement for mineral development, the PSRNI constitutes prevailing planning policy. The concept of sustainability is a notable element of the strategy; however it does recognise the difficulties this can pose in the context of mineral development. It recommends that the rate of consumption of finite minerals should be reduced by encouraging the use of renewable and recycled alternatives wherever this is economically viable and practical. The PSRNI recognizes the need to facilitate mineral development while also affording sufficient protection to the environment; this is carried forward into the SPPS. The main difference between the two documents is the stipulation within SPPS that there is a presumption against development for the extraction of hydrocarbons (including 'fracking').

⁴ Hydrocarbon is a substance, such as coal, crude oil or natural gas that contains only carbon and hydrogen. Unconventional hydrocarbon extraction relates to oil and gas which comes from sources such as shale or coal seams which act as the reservoirs. Conventional hydrocarbons are oil and gas where the reservoir is sandstone or limestone.

3.13 The PSRNI contains eight policies to guide the development of mineral workings. The areas covered relate to Environmental Protection, Visual Implications, Areas of Constraint, Valuable Minerals, Mineral Reserves, Safety and Amenity, Traffic, and Restoration. These have been largely carried over into the SPPS generally within the sections: Regional Strategic Policy and Implementation.

Banbridge, Newry & Mourne Area Plan 2015

3.14 The Banbridge, Newry & Mourne Area Plan 2015 (BNMAP) sets the context for Minerals within the Plan area stating they comprise of greywacke/gritstones which are quarried at a number of locations from Cullyhanna in the south west to Edentrillick outside Dromore in the north east. Newry granite is extracted from two quarries in the area. One such quarry operates north east of Newry while the other is located off the Newry to Warrenpoint dual carriageway. All supplies of sand and gravel in the area originate from the superficial deposits located along the coastal lowlands south of the Mourne Mountains.

3.15 The BNMAP further elaborates on the origins of these materials and destination ranging from direct use in the construction and roads industry or use as for a range of secondary purposes such as ready-use concrete production, tarmacadam or concrete blocks.

3.16 In formulating its mineral policies for Banbridge and Newry and Mourne Districts, it is stated the Department sought to balance the need for extraction in the Districts against the need to protect and conserve the environment. As a result, the extraction of sand and gravel minerals in environmentally sensitive areas is stated to be controlled in the public interest.

3.17 It should be noted that unlike the Ards & Down Area Plan 2015, the BNMAP does not contain any Areas of Constraint on Mineral Development. In preparing the new Area Plan, members may wish to explore a more unified policy approach across the entire District.

Ards & Down Area Plan 2015

3.18 The Ards & Down Area Plan 2015 (ADAP) sets the context for mineral development within the Plan Area by providing a summary of the nature of minerals and quarrying activity within the Plan Area.

3.19 Notable Mineral resources within ADAP area comprise sandstone/gritstones which are quarried at a number of locations between Newtownards and Ballynahinch, granite which is extracted from one small quarry in the Mournes, and clay, used in the manufacture of bricks, which has been extracted outside Killough.

3.20 The ADAP also provides detail on the origin of Minerals within the district and the level of extraction at the time of the Plans writing and destination of such materials. This plan also details how small scale sand extraction has been a problem in coastal areas such as Tyrella and highlights the need to control the extraction of

sand/gravel from within the coastal zone in order to ensure no irreparable damage to ecology, shoreline stability and the environmental amenity of such areas.

The ADAP contains one minerals policy and one designation.

Policy MIN 1 - Hydrocarbon exploration

3.21 Whilst no Hydrocarbons were identified at the time of the Plans adoption, the plan does not rule out potential future exploration. This policy does not operate a presumption against their exploitation in any part of the Plan area, including Areas of Constraint on Mineral Developments. Rather, applications will be treated on their individual merits having regard to impact of the specific development on nearby residents, and sites or features designated for their scientific, landscape or heritage interests.

Designation COU 8 - Areas of Constraint on Mineral Developments

3.22 Areas of Constraint upon Mineral Developments have been identified in order to safeguard the most valuable and vulnerable areas of the environment within the Plan area from the detrimental effects of mineral extraction. Their identification has taken account of nature conservation interests, the archaeological and built heritage, landscape quality and character as identified in the Northern Ireland Landscape Character Assessment 2000, visual prominence, amenity value, geological interest and beaches in the coastal zone.

3.23 Designated Areas of Constraint on Mineral Developments also include, in view of their nature conservation importance and/or scientific value:

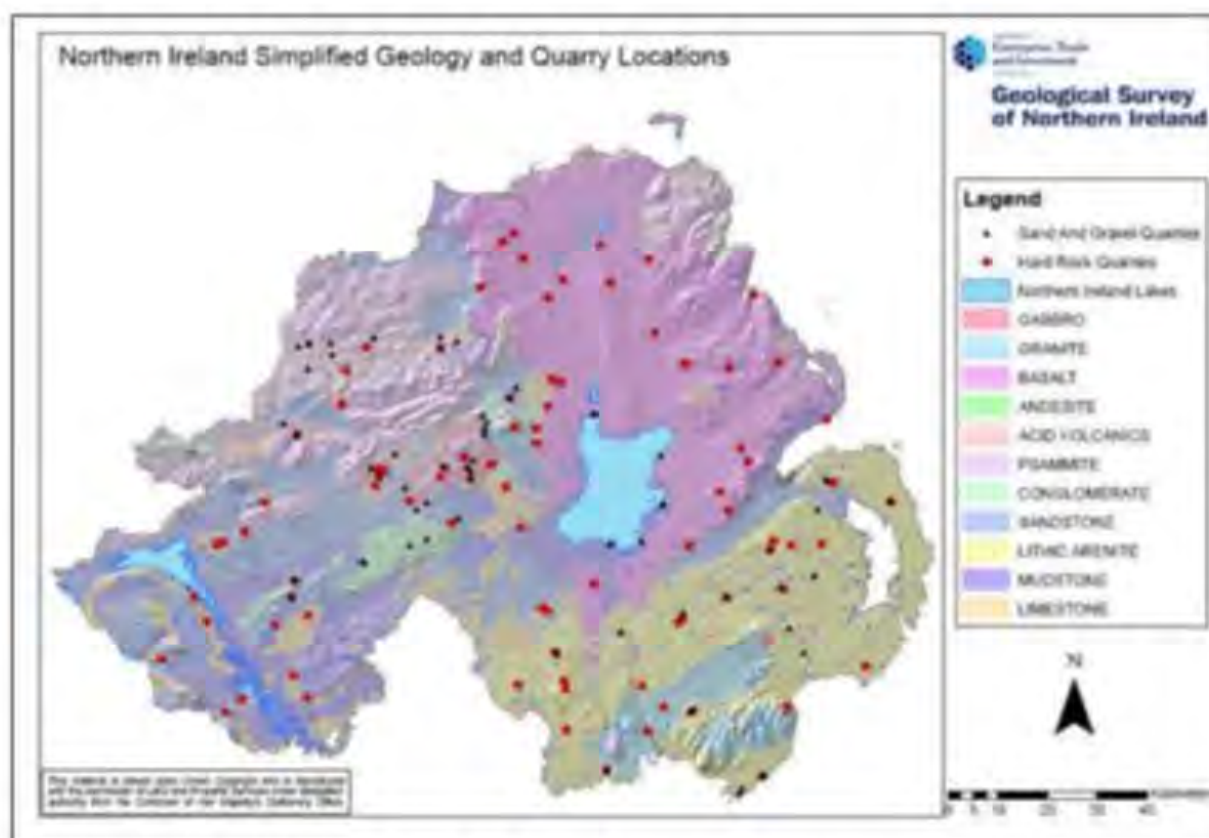
- ASSI's, ASIs, Ramsar sites, SPA's, SAC's, Nature Reserves and Strangford Lough Marine Nature Reserve.

3.24 Proposals for the development of mineral resources within sites of important nature and conservation importance as identified in the ADAP are determined in accordance with prevailing regional policy, which is set out in Policy MIN 3 of 'A Planning Strategy for Rural Northern Ireland'.

4.0 Geological Survey of Northern Ireland

4.1 The Geological Survey of Northern Ireland (GSNI) is the regional source of information on natural resources and hazards within the Department for the Economy. Map 2 overleaf shows a simplified Geology of Northern Ireland and its Quarry Locations.

Map 2: NI Geology Map and Quarry Locations



Source: Geological Survey Northern Ireland

Mineral Resource Maps of Northern Ireland

4.2 Following a commission from the Department of the Environment, the British Geological Survey and the GSNI have produced Mineral Resources Maps of Northern Ireland. Detailed maps of this Council area are visible in Appendix 5 & 6. The maps are intended to assist strategic decision-making in respect of mineral extraction and the protection of important mineral resources against sterilisation from surface development.

4.3 The maps have been produced by the collation and interpretation of mineral resource data principally held by the GSNI. The major elements of information presented on the map are:

- The geological distribution of all onshore (above low water mark) mineral resources;

- The extent of mineral planning permission and their current planning status (extant or expired);
- The recorded occurrences of metallic minerals;
- The recorded location of building stone quarries;
- The extent of selected landscape and nature-conservation designations (SACs, SPAs, RAMSAR sites, AONBs, ASSIs, NNR and scheduled monuments) and planning designations (Area of Constraint on Mineral Developments).

4.4 It should also be noted that the data depicted on the map relates only to inferred extent and location of a particular mineral resource. Inferred resources are those defined from geological information and assumed, but not verified geological continuity. Thus the inferred boundaries are approximate and only indicate the areas within which potentially working workable minerals may occur.

4.5 Key mineral assets of interest to the Quarrying and extractive industries identified within the maps include building stone and crushed rock aggregates from the Newry Igneous Complex, Mourne Granite which is particularly extracted from the Eastern Mourne used for purposes ranging from cobble streets to commemorative monuments, brick clay along the coastal strip surrounding Dundrum Bay and a concentration of sand and gravel in the Kilkeel area.

4.6 In terms of precious metals, although not currently being commercially extracted within the district, the resource maps highlight the potential for silver and gold in the South Armagh area. As discussed under Mineral Licencing, licence applications have been submitted in this area. Also, there has been historic extraction of Lead to the west of Strangford at Castleward Mine and Tullyratty and in Co Armagh where there are records of some 57 shafts and adits which were worked on a relatively large scale by the standards of the 1800's.

4.7 No significant reserves of Hydrocarbons such as Oil, Coal, Gas, Peat, Lignite etc have been identified within the District. In terms of Geothermal Energy however, the Mourne is one of two areas identified within Northern Ireland where potential exists within the deep, granitic, igneous rocks. As mentioned, a comprehensive summary of the Mineral Resource Maps has been provided in Appendix 7.

Adits, Collapses, Shafts and Working Mines

4.8 Appendix 8, shows the location of known occurrences of adits⁵, collapses, shafts and working mines which are concentrated along the eastern coastal strip and south-western area of the District. These may have a bearing on the location of future development, particularly where these are located in proximity to settlements, for example in terms of land stability in relation to the depth and length of the former mine.

5.0 Mineral Activity, the Northern Ireland and Local Economies

⁵ An adit is an entrance to an underground mine which is horizontal or nearly horizontal.

5.1 As stated in the SPSS, minerals play a vital economic role in Northern Ireland. Minerals provide raw materials for the construction, manufacturing, energy creation and agricultural sectors. Each of these sectors generates employment and stimulate other parts of our economy. In Northern Ireland the extraction of minerals and their exploration makes a very significant contribution to property and quality of life given the large proportion of income derived from this industry and particularly in rural areas. The NI Census 2011 provides the following information on those directly involved in mining and quarrying.

Table 5 Local Employment in Mining and Quarrying from 2011 Census

	All Usual Residents in Employment 16-74 Years	All Residents Employed in Mining and Quarrying 16-74 Years	Percentage of Total
NI	795,263	1989	0.25
NM&D	73,458	184	0.25

Source: NI Census 2011 - Key Statistics Summary Report Table KS605NI

5.2 The above table relates only to those employed at mines and quarries, it does not take into account employment in related activities, such as concrete products.

5.3 The Quarry Products Association Northern Ireland (QPANI) is a trade association for the quarry industry. QPANI members are stated to produce more than 90% of aggregates extracted – sand and gravel and crushed rock as well as non-aggregate minerals such as agricultural and industrial lime including limestone, clay and shale for cement. QPANI has published information, set out in Table 6 below that estimate that the quarrying industry employs 252 people in the District, and extracts just under £6m of raw aggregates every year. After processing into concrete and asphalt products, these products are worth £25m to the District's economy. It must be noted however that these figures do not include quarries that are not part of the QPANI group.

Table 6 Information on Employment in Quarries and Associated Industries

Council	Quarry Value	Tonnage extracted pro rata to 10 year average of 24MT per annum	Employee Numbers	Value of manufactured concrete and Assphalt Products
Newry, Mourne & Down	£5,938,726	1,594,502	252	£25,000,000
NI Total	£83,678,147	23992263	4276	£547,690,000

Source: QPANI spreadsheet: Quarry Data Based on 10 Year Average Sept 2015

5.4 QPANI state that every year nearly 14 tonnes of aggregates are needed per head of the population in Northern Ireland. A typical family indirectly demands three lorry loads of aggregates each year and a typical new house construction requires some 50 tonnes of aggregates. The quarry products industry employs around 5,600

people in Northern Ireland. In a typical year Northern Ireland's Quarry network supports:

- The building of 12,000 new homes;
- £160 million on school and university improvements;
- A £120 million hospital building programme;
- Maintenance of the road and rail network;
- Improvements to water services;
- The upgrading of airports;
- Supplies of special sands and aggregates for gardens;
- The turnover of the Northern Ireland quarry industry is approximately £400 million, 1.75 % of NI GDP. *Source: http://www.qpani.org/pro_figures01.htm*

5.5 As Members will appreciate, the distribution of minerals is not consistent across Northern Ireland, and minerals may only be mined where they are found. As an example, there is only one quarry within the administrative boundary of Belfast City Council yet that Council area would consume significantly more quarry materials or subsequently derived products than what would originate within that administrative area.

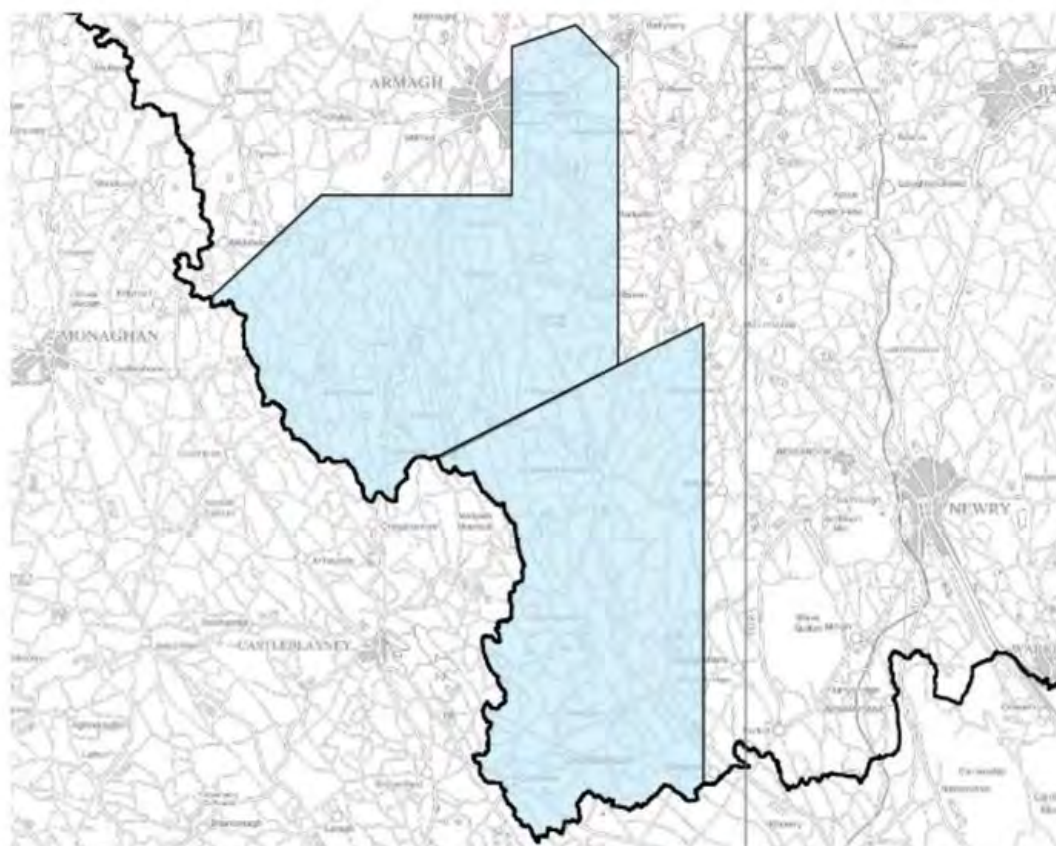
6.0 Conclusion

6.1 The extraction of minerals is essential to maintain the ability of the Northern Ireland economy to sustain and grow and to maintain the quality of life of its residents. Minerals may only be worked where they are found, and the Council's economy benefits from the existence of quarries within its area, which provide a resource to the District and beyond. The mineral prospecting licences presently issued within the Council area indicate potential for silver and gold operations.

6.2 However, there is also a potential environmental cost to mineral workings that can affect the amenity of the immediate area and, also, the wider contribution that the landscape and its biodiversity make to the District's economic base. The regional planning framework contained in the SPPS acknowledges there is a need to balance mineral development needs with the protection of the environment. The identification of Areas of Constraint on Mineral Development, together with the possibility of adopting a proactive approach in other suitable areas based on future needs of the minerals industry and on the mineral resources found in the District is one way of addressing this. Further information on the quality of mineral deposits in the District, rates of consumption and alternative potential sources in and outside of the District, and the proposed approach of neighbouring authorities where reserves cross administrative boundaries, would assist in determining the best approach for the LDP to adopt in relation to minerals within the District.

Appendices

Appendix 1: Mineral Prospecting & Mining Licences within Newry, Mourne & Down



Legend

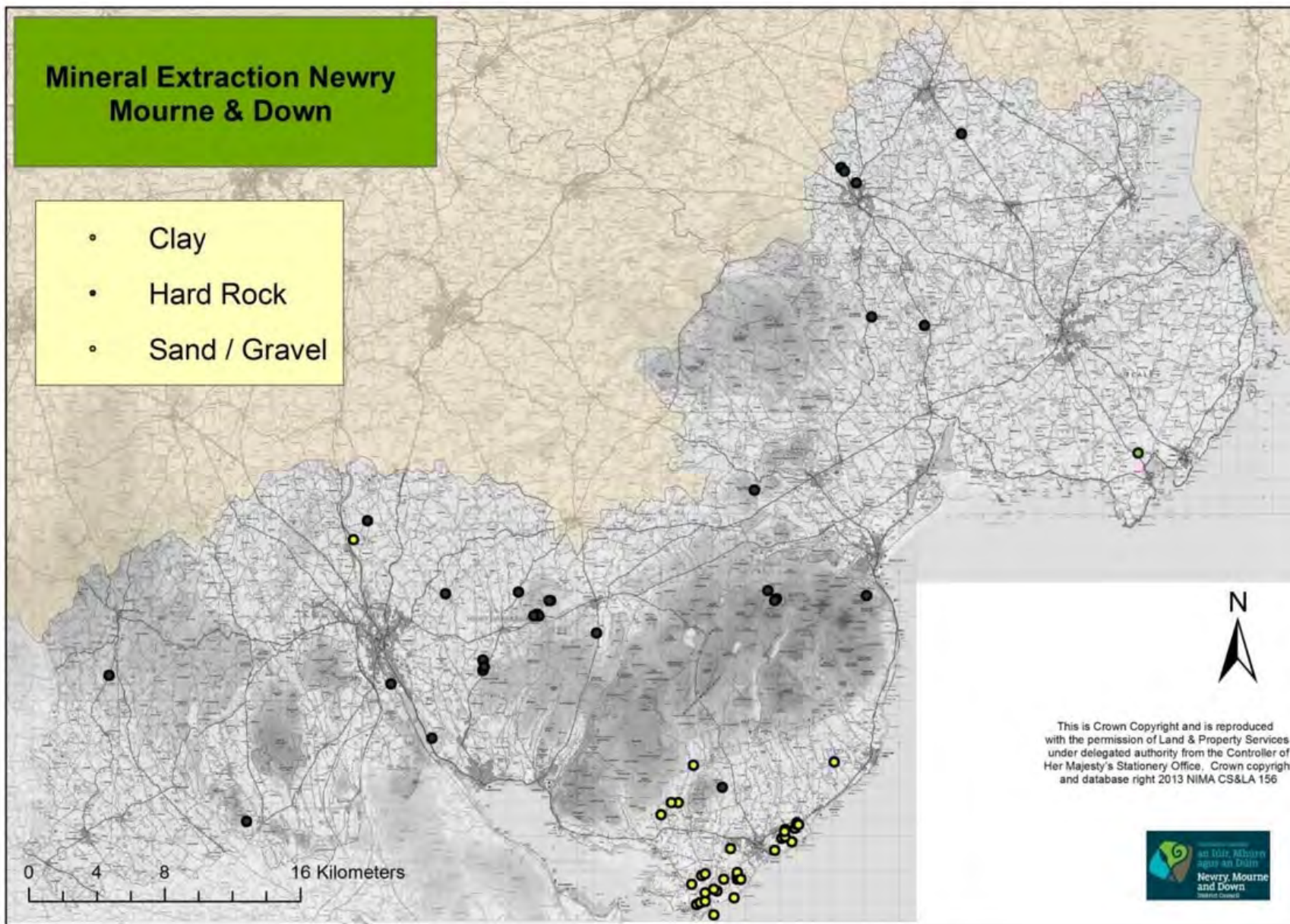
- Mining Licence
- Mineral Prospecting Licence
- Area Under Application

Mineral Prospecting and Mining Licences

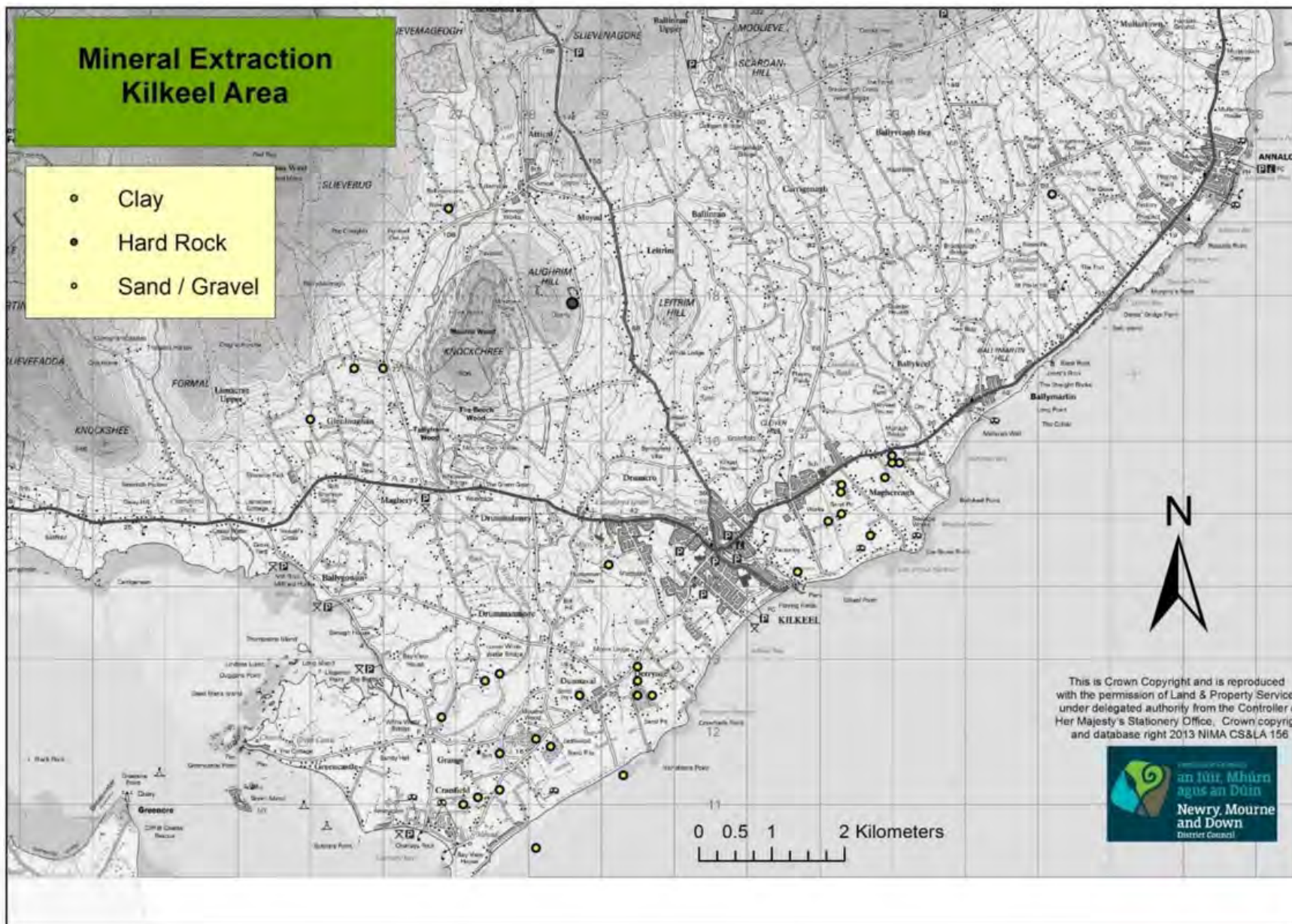
DETI Licence Number	Licencee	Minerals	Name
ISME 1.2.4.5	Irish Salt Mining and Exploration	Halite	Kilroot
PC 1/91	LaFarge Cement	Chalk	Magheramourne
OM 4/11	Omagh Minerals	Pb, Cu, Zn, gold and silver	Kleester
C 1/11	Conroy Gold and Natural Resources	All inc. gold and silver	Keady
C 3/11	Conroy Gold and Natural Resources	All inc. gold and silver	Newtownhamilton
LON 1/14	LONMIN Plc.	All inc. gold and silver	NE Antrim
LON 2/14	LONMIN Plc.	All inc. gold and silver	Glener/Cullybackey
LON 3/14	LONMIN Plc.	All Minerals	The Sheddings
LON 4/14	LONMIN Plc.	All Minerals	Portlone/Ballymoney
LON 5/14	LONMIN Plc.	All Minerals	Gortomeyagh/Magilligan

Source: https://www.economy-ni.gov.uk/sites/default/files/publications/deti/1601-Minerals-License-Map_4.pdf

Appendix 2: Mineral Extraction within Newry, Mourne & Down



Appendix 3: Mineral Extraction within Kilkeel Area



Appendix 4: Review of Old Mineral Permissions Newry, Mourne & Down

Application Number	PM No	Applicant	Proposal	Location	Current Operator	Grid Reference	Type
P/1977/0749	77/016	Morgan And Son Ltd	Extension To Quarry	Leode Road Ballydulaney		3177/3281	
P/1988/0600	77/016	Morgan And Sons Ltd	Extension To Quarry	Mayobridge Newry Leode Road Ballydulaney Hilltown		3178/3280	Hard Rock
P/1992/1010	77/016	Morgan And Sons (Mayobridge)	Extension To Quarry	Leode Road Ballydulaney Hilltown	Morgan & Son.	3175/3280	
P/1996/1224	77/016	Morgan And Sons (Mayobridge)	Extension To Quarry	Leode Road Ballydulaney Hilltown	J. Morgan & Sons.	3175/3280	
P/1974/0170	77/047	Wilson	Sand And Gravel Extraction	Ballynahatten, Kilkeel		3283/3118	
P/1974/0502	77/048	O Hagan	Extraction Of Sand	Ballynahatten, Kilkeel		3293/3114	Sand / Gravel
P/1988/0189	77/048	O Hagan	Extraction Of Sand	Ballynahatten, Kilkeel		3293/3114	
P/1974/0864	77/052	Carr	Extraction Of Rock	Aughnagun , Mayobridge , Newry		3145/3248	Hard Rock
P/1981/0033	77/052		Extension To Quarry Plant	Aughnagun , Mayobridge		3145/3254	
P/1985/0843	77/052	Carr	Bitmac Plant	Aughnagun Quarry , Chapel Hill , Mayobridge		3146/3250	
P/1974/0705	77/053	Aughrim Quarries Ltd	Extraction Of Rock	Aughrim Hill Kilkeel		3286/3179	Hard Rock
P/1979/0629	77/053	Campbell	Extension To Hard Rock Quarry	Aughrim Hill Kilkeel		3286/3179	
P/1991/0247	77/053	Aughrim Quarries Ltd.	Quarry	14 Aughrim Road , Kilkeel		3286/3179	
P/1974/0704	77/058	Duffy	Extraction Of Rock	Crowreagh Newry		3220/3920	Hard Rock
P/1987/1126	77/058	Farrell	Extraction Of Rock	Croreagh Quarry Glenvale Rd Newry		3220/3920	
P/1975/0548	77/061	Fitzpatrick	Extraction Of Rock	Drumgath Mayobridge		3166/3294	Hard Rock
P/1980/1122	78/029	Mc Quillan Quarries	Stone Quarry	Aughnamoira, Warrenpoint		3115/3208	Hard Rock
P/1988/1497	78/029	Farrell Exports Ltd	Extension To Existing Quarry	Bigwood Quarry, Warrenpoint Road, Newry		3115/3208	

P/1989/0359	78/029	Farrell Exports Ltd	Relocation Of Existing Plant, Provision Of Additional Plant And New Access Road.	Bigwood Quarry, Warrenpoint Road, Newry		3115/3208	
P/1978/1072	78/082	Tullyraine Quarries (Contracts) Ltd	Quarrying Ready Mix Concrete & Asphalt Offices	Carcullion Hilltown		3212/3270	Hard Rock
P/1982/0729	78/082	Tullyraine Quarries (Contracts) Ltd	Extraction & Processing Of Rock	Carcullion Hilltown		3212/3270	
P/1978/1099	78/088	Patterson	Exploratory Work For Sand And Gravel Extraction	Derryogue , Kilkeel		3295/3125	Sand / Gravel
P/1978/1100	78/088	Patterson	Sand And Gravel Extraction	Derrogue Kilkeel		3295/3125	
P/1976/0861	79/041	Patterson	Sand & Gravel Extraction	Lurganconary Rd / Cranfield Rd, Ballynahatten, Kilkeel	T & C Patterson	3281/3119	Sand / Gravel
P/1980/1002	79/041	Patterson	Sand & Gravel Extraction	Ballynahatten, Kilkeel	T & C Patterson	3281/3104	
P/1996/1203	79/041	Patterson	Extension To Existing Sand & Gravel Workings	Cranfield Road Kilkeel	T & C Patterson Ltd	32810/31190	
P/1980/0054	79/051	Mc Parland	Sand & Gravel Extraction	Drumiller Jerrettspass		3069/3325	Sand / Gravel
P/1979/1398	80/003	Fitzpatrick	Hard Rock Quarrying	Leode Hilltown		3185/3289	Hard Rock
P/1981/0711	80/003	Fitzpatrick	Hardrock Quarry And Plant	Leode Road Hilltown		3185/3289	
P/1989/1407	80/003	Fitzpatrick	Hard Rock Quarry	Leode Road Hilltown		3185/3289	
P/1993/0185	80/003	Fitzpatrick	Asphalt Processing Plant And Vehicle Storage Shed	Leode Quarries, Leode Road, Hilltown	Fitzpatrick B	3185/3289	
P/1997/1474	80/003	Fitzpatrick	Extension To Stone Quarry	70 M Sw Of No 15 Leode Road, Hilltown, Newry	Mr Fitzpatrick	31840/32890	
P/1997/1476	80/003	Fitzpatrick	Extension To Stone Quarry	200m Se Of No 21 Leode Road, Hilltown, Newry	Mr Fitzpatrick	31840/32890	

P/1975/0598	80/036	Rooney & Mc Parland Ltd	Retention Of Existing Quarry And Extension Of Workings	Drumalane Quarries, Shore Road, Newry	Rooney & Mc Parland	3091/3240	Hard Rock
P/1980/0526	80/040	Whitewater Sand & Gravel Co	Sand & Gravel	Tullyframe Road, Kilkeel	Whitewater Sand & Gravel Co	3260/3170	Sand / Gravel
P/1981/0234	80/041	Moore	Quarrying, Tarmac Manufacture And Associated Industry	Tullyvallen, Newtownhamilton	T H Moore	2925/3245	Hard Rock
P/1980/0276	80/046	Newell	Sand Extraction	East Of Belmont Road, Dunnaman, Kilkeel		3291/3143	Sand / Gravel
P/1980/1142	80/078	O' Hagan	Extraction Of Stone	Bog Road Shean Forkhill	O Hagan	3006/3159	Hard Rock
P/1993/1131	80/078	O Hagan	Extension To Quarry And Retention Of Existing Access	Bog Road, Shean, Forkhill	Mr J O Hagan	3006/3159	
P/1980/0999	80/102	Mc Cartney	Extraction Of Sand	Cranfield Rd Kilkeel	Mc Cartney G	3276/3117	Sand / Gravel
P/1992/0790	92/015	Treanor	Sand Extraction Pit	180 Metres N/W Of 116 Greencastle Road, Dunnaval, Kilkeel	Frank Baird	3287/3125	Sand / Gravel
P/1982/0693	82/065	Patterson	Sand & Gravel Extraction	Lurganreagh, Kilkeel		3274/3127	Sand / Gravel
P/1986/0063	86/004	Stevenson & Sons	Sand And Gravel Extraction	Lurganreagh Kilkeel		3276/3128	Sand / Gravel
P/1984/0658	84/020	Newell Bros	Sand And Gravel Extraction	Glenloughan Road, Tullyframe, Kilkeel	Newell Bros	3256/3170	Sand / Gravel
P/1988/1153	84/041	Fitzpatrick	Extraction Of Sand And Gravel	Glenloughan Rd Kilkeel	Fitzpatrick H S	3250/3163	Sand / Gravel
P/1985/0663	85/022	Srevenson	Sand And Gravel Extraction	Moneydarraghbeg, Ballymartin, Kilkeel		3352/3194	Sand / Gravel
P/1986/0090	86/005	Baird And Sons	Sand And Gravel Extraction	Leestone Road, Maghereagh, Kilkeel		3327/3147	Sand / Gravel
P/1987/1192	86/005	Baird And Son	Extension To Sand And Gravel Pit	Leestone Road Kilkeel		3260/1460	

P/1978/1094			Proposed Extraction of Sand Sand & Gravel	Magheragh, Kilkeel		3329/3155	
P/1990/0406	86/027	Martin		Opposite 181& 185 Newcastle Road Kilkeel	C E Stevenson Sons	3330/3157	
P/1992/1222	86/027	Stevenson & Sons	Extension To Sand & Gravel Works	Opp 181 - 185 Newcastle Road, Kilkeel	C E Stevenson	33300/31580	Sand / Gravel
P/1995/0381		Stevenson	Extension To Sand And Gravel Workings	Newcastle Road, Magheragh, Kilkeel	C E Stevenson	3331/3157	
P/1986/1063	86/036	Baird	Sand & Gravel Extraction	Adjacent To 44 Lurganreagh Road Kilkeel		3268/3122	Sand / Gravel
P/1988/0128	87/009	Mc Parland	Stone Quarry	Barr Hill Road Jerrettspass		3077/3336	Hard Rock
P/1988/1001	88/030	Farrell	Extraction & Stockpiling Of Granite	Croreagh Quarry Glenvale Road Newry		3123/3293	Hard Rock
P/1988/1190	88/031	Annett	Extension To Existing Sand & Gravel Working	Nicholson's Road Kilkeel	Annett	3295/3127	Sand / Gravel
P/1980/1092	80/047	Baird & Haugh	Sand & Gravel Extraction	Nicholsons Road Derryogue Kilkeel		3295/3129	
P/1990/1267	80/047	Baird & Sons	Sand And Gravel Extraction	Nicholsons Road, Kilkeel		3295/3129	
P/1996/0185		Annett & Sons	Extension To Sand And Gravel Workings	Off Nicholson's Road, Kilkeel	Wm Annett & Sons	3297/3125	Sand / Gravel
P/1997/0451		Annett & Sons	Extension To Sand Extraction	Nicholson's Road, Kilkeel (250 M South East Of No5)	Wm Annett & Sons	32970/31244	
P/1988/1584	89/004	Mc Kee	Sand And Gravel Extraction	Adjacent To 7 Grange Road, Kilkeel		3271/3110	
P/1992/0373	89/004	Coffey	Extension To Sand And Gravel Works	100m West Of 33 Cranfield Road, Kilkeel	E Coffey	3273/3111	Sand / Gravel
P/1993/0311	90/003	Doyle	Extraction Of Sand And Gravel	Adjacent To Kilkeel Harbour, Moor Road, Kilkeel	Thomas Green	3317/3142	Sand / Gravel
P/1990/0550	90/015	Patterson	Extraction Of Sand & Gravel	29 Cranfield Road Kilkeel	T & C Patterson	3276/3112	Sand / Gravel

P/1992/1008	91/017	Campbell	Sand & Gravel Extraction	200m Southwest Of 6 Leestone Road Kilkeel	C Campbell	3323/3154	
P/1997/0449		Campbell	Sand Extraction	Moor Road, Kilkeel. (250m East Of No 47)	Mr Gordon Campbell	33212/31490	
P/1998/1046		Campbell	Extension To Existing Sand And Gravel Extraction	Leestone Road, Kilkeel. (Opposite No 6)	Charles Campbell	33230/31540	
P/1998/1445		Campbell	New Sand And Gravel Extraction Pit	280m West Of No. 17 Leestone Road, Kilkeel	Mr D. Campbell	33230/31500	Sand / Gravel
P/2001/1169		Campbell	Extension To Existing Sand And Gravel Extraction	Leestone Road, Maghereagh T D, Kilkeel.	Mr Charles Campbell	332292/3153	
P/1991/1030	91/019	Annett And Sons	Sand And Gravel Extraction	Sandy Brae Road, Ballymageough	Kilkeel	3269/3192	Sand / Gravel
R/1977/0431	77/019	Tyrone Poroton Ltd	Clay Extraction	Downpatrick Road Killough	Tyrone Brick	3531/3376	Clay
R/1974/0652	77/073	Mc Cormick & Sons	Hardrock	Ballynahinch Co Down		3365/3535	
R/1978/0359	77/073	Mc Cormick And Sons Ltd	Hardrock & Plant Quarry	Ballynahinch Co Down		3365/3535	Hard Rock
R/1974/599	77/074	Martin	Hardrock	Glassdrummond Quarries Ballynahinch		3356/3544	
R/1979/0260	77/074	Martin	Hardrock	Glassdrumman Ballynahinch		3356/3544	Hard Rock
R/1985/0674	77/074	Martin	Replacement Plant	37 Magheraknock Road Glassdrummond Ballynahinch		3358/3542	
R/1993/0021	77/075	Stevenson & Sons	Extension To Existing Quarry	Lisowen, Saintfield	Stevensons	3427/3564	
R/1993/0021	77/075	Stevenson & Sons	Hard Rock	Lisower T D Saintfield Co Down		3427/3564	Hard Rock
R/1974/0691	77/078	Clanawhillan	Hardrock	Clanwhillan Bryansford Newcastle		3313/3295	Hard Rock
R/1974/0626	77/084	Mc Connell And Sons	Quarrying	Ballagh Beg Newcastle		3710/2920	
R/1976/0685	77/084	Mc Connell And Sons	Quarrying	Ballaghbeg Newcastle		3710/2920	Hard Rock
R/1988/0620	77/084	Mc Connell And Sons	Quarry	Ballaghbeg Newcastle		3371/3292	
R/1979/0038	79/002	Robinson & Son	Granite Quarry	Clanawhillan ' Hares Gap ' Bryansford		3318/3290	Hard Rock

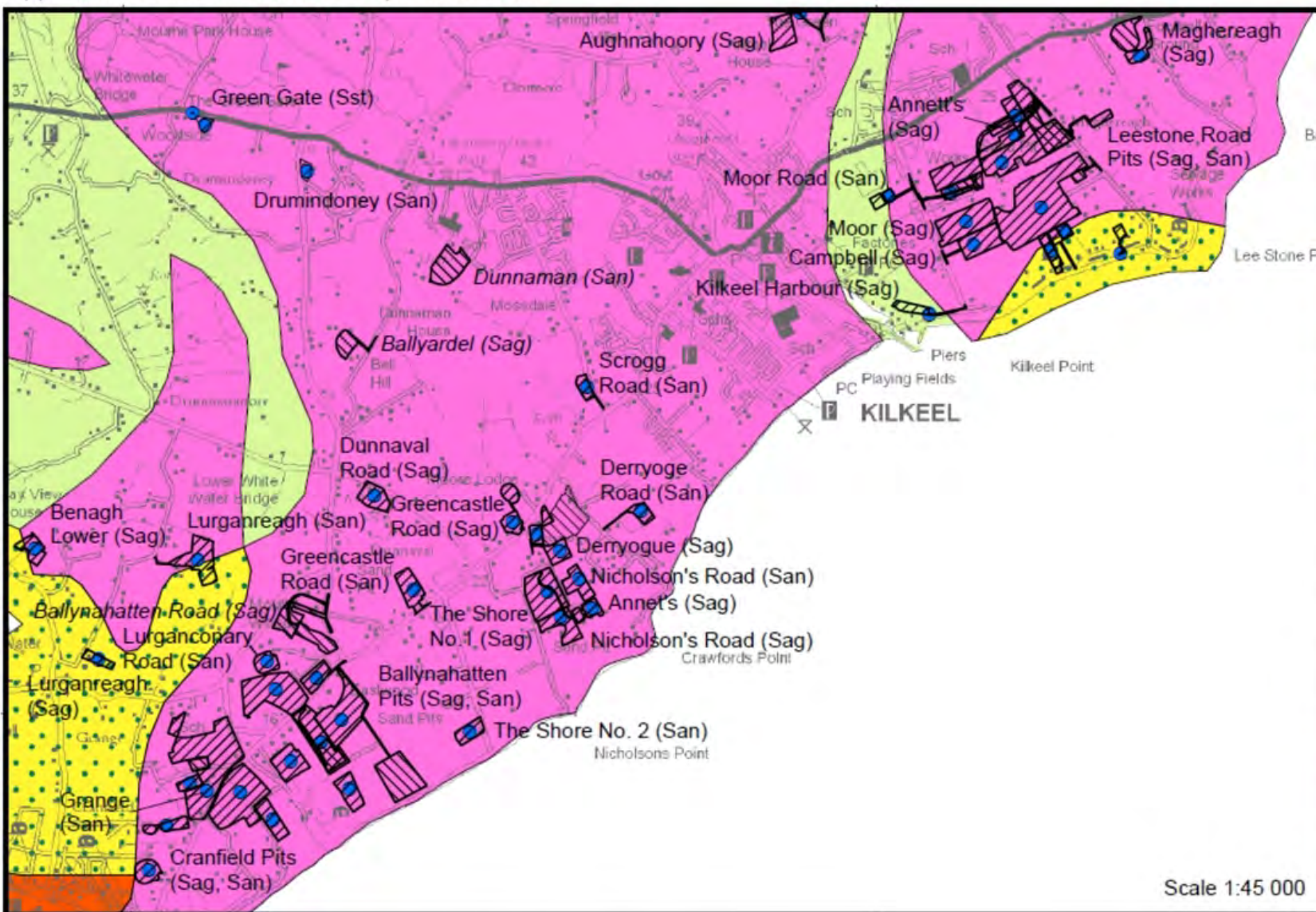
R/1995/0310	79/002	Robinson & Son	To Continue Working Existing Quarry And Small Extension	Clanawhillan Quarry, Hare's Gap, Bryansford , Newcastle , Co Down	A Robinson & Son	3317/3289	
R/1992/0005	80/032	D O E (N I) Roads Service	Quarry, Processing Plant, Laboratory, Maintenance Depot Etc	Castlenavan Quarry, 131 Newcastle Road, Seaforde, Downpatrick		3405/3451	
R/1995/0150	80/032	D O E Roads Service	Extension To Existing Quarry	Castlenavan Quarry 131 Newcastle Rd, Stoneyford	D O E Roads Service	3405/3451	Hard Rock
R/1999/0895	80/032	District Valuer	Extraction Of Rock Within Existing Boundary And Deepening And Retention Of Plant	Castlenavan Quarry,131 Newcastle Road, Seaforde	Roads Service	4306/3453	
		Stevenson & Sons	Extension To Existing Quarry	Castlenavan Quarry, 131 Newcastle Road, Seaforde		3405 3451	
R/1980/0876	81/001	Maralin Quarries	Quarry,Stone Crusher And Conveyor	Edendarriff Ballynahinch	C. E. Stevenson & Sons	3374/3456	Hard Rock
Q/1983/0051	83/005	Jones	Continuation Of Quarrying	Largy Road Castlewellan		3305/3354	Hard Rock

Source: http://www.planningni.gov.uk/index/advice/advice_apply/advice_special_studies/romps-2.pdf

This is for information only, has not been verified as official Planning Service statistics.

Owners/operators should be pro-active in identifying their permission and ensuring that the status is appropriate. The onus is on the owner/ operator to submit conditions where appropriate.

Appendix 6: Mineral Resource Map Kilkeel Area



Key

SAND AND GRAVEL
 Superficial deposits
 Raised beach deposits
 Blown sand
 Glaciofluvial and glacial deposits

SANDSTONE
 Sandstone with potential for high specification aggregate
 Other sandstone

CONGLOMERATE
 Conglomerate

IGNEOUS AND META-IGNEOUS ROCKS
 Ophiolites, lamprophyres, and their metamorphic equivalents (meta-ophiolites and meta-gabbros) suitable for high specification aggregate
 Other igneous and meta-igneous rocks (basalts, andesites, rhyolites, granites, rhyolitic and meta-volcanic rocks)

META-SEDIMENTARY ROCKS
 Slate

LIMESTONE
 High purity limestone (>97% CaCO₃) - Usher White Limestone

DOLOMITE
 Dolomite

LIGNITE
 Lignite (correspond with Lough Neagh Clay)

CLAY
 Lough Neagh Clay (correspond with lignite)
 Brick clay

MINERAL WORKINGS (as at 23.03.12)
 Leede (St) - Extent of valid (extant) planning permission (name, mineral commodity)
 Corbet (St) - Extent of expired planning permission (name, mineral commodity)
 Building stone quarries (including historical)

Mineral commodity

Cl	Clay and shale	Ign	Igneous/meta-igneous rocks
Lst	Limestone	San	Sand
Sag	Sand and gravel	Sls	Slate
Sst	Sandstone		

METALLIC MINERAL OCCURRENCES
 Symbol indicates elemental occurrence

Symbol	Element	Symbol	Element
Ag	Silver	Ba	Barites
Cu	Copper	Fe	Iron
Mn	Manganese	Mo	Molybdenum
Pb	Lead	Sn	Tin
Zn	Zinc		

ENVIRONMENTAL DESIGNATIONS (as at 23.03.12)
 International nature conservation designations (SACs, SPAs and RAMSAR sites)
 National nature conservation designations (ASIs and NINIs)
 Area of Outstanding Natural Beauty: Moone, Strangford and Lecale and Lagan Valley (part)
 Scheduled Monument

MINERAL CONSTRAINT (as at 23.03.12)
 Area of Constraint on Mineral Developments

ADMINISTRATIVE AREAS
 Local Government District

Scale 1:45 000

WARNING: Please be aware that the printed version may differ due to the settings of the printer used.

Source: <http://www.bgs.ac.uk/mineralsuk/planning/resource.h>

Appendix 7: Mineral Resource Maps for Northern Ireland Summary

Building Stones

A wide range of rock types are used as a source of building stone for masonry, field walling, roofing and flooring purposes, all of which give a specific character to an area. The stones can be used as coarsely dressed 'rubble walling', but there is also a need for finer, more easily worked stones for details such as sills on buildings. The suitability of particular rock types depends not only on aesthetic qualities such as colour and textural consistency but also factors such as strength and durability, as well as other commercial considerations.

A wide variety of hard rocks are suitable for use as building stone including igneous, sedimentary and their metamorphic equivalents (igneous or sedimentary rocks that have been altered by heat or pressure). Many rock types suitable for building stone are also suitable for crushed rock aggregate. Some units, notably the thicker sandstone formations, lend themselves to being used as freestone or dimension stone as they can be worked in any direction without splitting or falling. A continuing supply of building stone is important for new build and conservation work.

Igneous and meta-igneous rocks:

The Newry Igneous Complex is actively exploited for building stone and crushed rock aggregate. The granodiorite is a bluish-grey granite rock that makes an extremely hard and resistant building material. It has been used as facing stones on buildings and for kerbstones in Newry and Belfast. Stone from Goraghowood Quarry was used in the construction of the Craigmore railway viaduct. Drumalane Quarry is currently worked for crushed rock aggregates.

Granite was quarried in the Mourne Mountains for many years and exported for use as paving stones in London and New York. The principal quarry sites are located in the granite of the Eastern Mourne. Traditional uses were for cobble stones (setts) for paving streets, roadside kerbs and stones, millstones and in the construction of buildings (steps, lintels etc.) However, Mourne Granite has also been used to create decorative or commemorative stone pieces and provide a range of products from hand crafted granite worktops, floor tiles, hard landscaping, memorials and other building products. It was used for the Millennium stone erected at Delamont Park and to make the base of the 9/11 memorial in New York. The granitic rocks of Slieve Gullion Complex in the south of the county have been exploited for building stone at the Mullaghbawn Central, Slieve Gullion Forest and Camlough quarries. In the case of Camlough Quarry, thermally metamorphosed greywackes and shales are also present.

Sedimentary and meta-sedimentary rocks

Well-bedded sandstones/gritstones, which underlie much of Co Armagh, have been subject to very low grade metamorphism, making them good structural building stone as well as high specification aggregate. Gala Group greywackes have been exploited for building stone at Drumalane.

Limestone

Limestones are sedimentary rocks composed mainly of calcium carbonate (CaCO₃). Dolomites are limestones which also contain between 10-15 percent magnesium carbonate (MgCO₃). As well as being relatively hard and durable, most limestones and dolomites form bedded deposits which are generally easy to work. These properties mean that they are commonly worked for construction aggregate and building stone. Limestones are also valued for their chemical properties in applications such as cement manufacture, glass making, iron ore smelting, flue gas desulphurisation, as a soil conditioner, food supplement and white filler. The strict chemical limits applied to material used in these applications restricts extraction to high purity stone (>97% CaCO₃). County Down has relatively small limestone resources and currently there is no extraction of limestone. Whilst Armagh has much more significant deposits, the majority of these fall outside the Council Area, primarily in the area around Armagh City.

Clay

'Brick Clay' is a term used to describe clay and shale used predominantly in the manufacture of bricks and, to a lesser extent, roof tiles and clay pipes. These clays may sometimes be used in cement manufacture, as a source of construction fill and for lining and sealing landfill sites. The suitability of the raw material depends principally upon its behaviour during its shaping, drying and firing. This dictates the properties of the red fired brick such as strength and frost resistance and importantly architectural appearance.

Most facing bricks, engineering bricks and related clay-based building products are manufactured in large automated factories. These represent a high capital investment and are increasingly dependent, therefore, on raw materials with predictable and consistent firing characteristics in order to achieve high yields of saleable products. Blending different clays to achieve improved durability and to provide a range of fired colours and textures is an increasingly common feature of the brick industry. Continuity of supply of consistent raw materials is of paramount importance.

Quaternary-age marine beach deposits, which comprise clay interbedded with sand and gravel, locally constitute suitable raw material for brick manufacture. These deposits occur along the coastal strip around Dundrum Bay and are perched upon glacial sands and gravels further inland.

Crushed Rock Aggregates

Crushed rock aggregates are a key component of construction materials such as concrete and asphalt where aggregate adds low-cost reinforcement to these composite materials. Loose aggregates are also used as a stable foundation or road/rail base with predictable, uniform properties.

A wide variety of hard rocks suitable for use as aggregates including igneous, sedimentary and their metamorphic equivalents (igneous or sedimentary rocks which have subsequently been altered by heat and/or pressure). Their technical suitability for different applications depends upon physical characteristics, such as crushing strength and resistance to impact

and abrasion.

High specification aggregates (HSA) are needed to produce skid-resistant road surfacing. They must have high resistance to polishing. This is expressed as a 'Polished Stone Value' (PSV) of 58 or higher. HSA materials must also meet strict specifications for resistance to abrasion, fragmentation and weathering, as well as compositional restrictions. For less demanding applications such as constructional fill and drainage media, a wider variety rocks with lower specifications are acceptable.

Igneous and meta-igneous rocks

A felsite dyke and/or a crosscutting basalt sill, is worked at the Swan Rock quarries located to the east of Crossmaglen in the south-west part of the District. Also, the Newry Igneous Complex and the adjacent contact metamorphosed meta-sedimentary rocks are worked for crushed rock aggregate.

Sedimentary and meta-sedimentary rocks

In South Down sandstone and siltstones, commonly with thick mudstone interbeds, generally produce inferior aggregate material, except in the vicinity of the Newry & Mourne granitic intrusive complexes where they have been thermally metamorphosed. In particular, a three kilometre-wide corridor of sandstone between the Newry & Mourne granite complexes has been thermally metamorphosed twice, which has imparted enhanced qualities for aggregate use to the rocks. HAS aggregates are exploited at various sites in the vicinity of these granite complexes.

Sandstones and siltstones, commonly with thick mudstone interbeds, in the southernmost parts of Co Armagh, generally produce inferior aggregate material except in the vicinity of the Newry and Slieve Gullion igneous complexes where they have been thermally metamorphosed. HAS's are exploited at various sites in the vicinity of these granitic complexes.

Superficial Sand and Gravel

Sand and gravel are defined on the basis of particle size rather than composition. In current commercial practice, following the introduction of the European standards in 2004 (BS EN 1260), the term 'gravel' (or more correctly 'coarse aggregate') is used for general and concrete applications to define particles between 4 and 80 mm. The term 'sand' (or more correctly 'fine aggregate') is used for material that is finer than 4 mm, but coarser than 0.063 mm. For use in asphalt, 2 mm is the break point between coarse and fine aggregate. Most sand and gravel is composed of particles that are durable and rich in silica (quartz, quartzite and flint).

The principal uses of sand are as fine aggregate in concrete, mortar and asphalt, and the main use of gravel is a coarse aggregate in concrete. Substantial quantities of sand and gravel may also be used for construction fill.

The variability of sand and gravel deposits, together with their possible concealment within or beneath till (boulder clay), means that it is difficult to infer their location and the likely extent

of potentially workable resources.

Most workable deposits of sand and gravel formed at the end of the last ice age. They lie on top of the bedrock geology and generally concentrated in the river valleys where they were deposited directly by ice at the margins of glaciers (glacial) or by melt water flowing from the ice margin (glaciofluvial). Glacial ice-contact deposits tend to be poorly-sorted and of inconsistent quality and thickness. Glaciofluvial deposits are generally well-sorted and more predictable in terms of quality and quantity.

County Down is a relatively small producer of sand and gravel in Northern Ireland, currently accounting for eight percent of total output, with the major part of the sand and gravel reserves being located in deposits in the southernmost part of the county.

Glaciofluvial sand and gravel deposits

Glaciofluvial sand and gravel extraction is currently taking place on the coastal plain in the area of Kilkeel. Here the interstratified sands, gravel and cobble conglomerates overlie glacial till. Deposits are laterally continuous and texturally uniform. Similar deposits on the west side of the White Water River and on the coastal plain on the south-east side of the Mourne Mountains, to the north and west of Annalong, have also been worked for sand and gravel.

Raised beach deposits

Raised beach deposits of sand and gravel occur around the northern side of Carlingford Lough west of Cranfield Point, to the east of Kilkeel around Dundrum Bay and on the north-west side of Killough Bay. Those raised beach deposits west of Cranfield extend well inland and are fronted on their seaward margin by blown sand. Gravel workings exploited raised beach deposits at the mouth of the Cassy Water and to the east of Kilkeel.

Blown Sand

Blown sand, which comprises fine to medium grained, subrounded to well-rounded quartz grains, results from aeolian reworking of beach, fluvial and glaciofluvial deposits. This type of sand is typically worked for mortar production, but might also be suitable for plastering and as moulding sand. Blown sand deposits occur on the north side of Carlingford Lough, west of Cranfield Point and around Dundrum Bay east of Dundrum where exploration has taken place at the Rathmullen sand pits.

Geothermal Energy

Geothermal energy is derived from naturally occurring heat from rocks at depth. Naturally heated groundwater can contribute to heating buildings and, if hot enough, to drive turbines, thus providing a renewable source of heat and electricity. In Northern Ireland there are two provinces prospective for intermediate and deep geothermal energy. The first comprises the Permian to Triassic (Permo-Triassic) age sedimentary rocks deposited in the Rathlin, Lough Allen, Larne and Lough Neagh basins. These basins are also potential hosts for oil and gas (see Hydrocarbons), the second is the Mourne Mountains, where geothermal potential exists in the deep, granitic, igneous rocks.

The dry and impermeable granitic rocks underlying the Mourne Mountains have the potential to be utilised as an 'Enhanced Geothermal System' (EGS). In an EGS, boreholes are drilled deep into the rock which is then fractured at depth. Cold water from the surface is pumped down a feeder borehole and is then naturally heated by the rock as it passes through the fractures before returning to the surface via collection boreholes. The returning water is hot enough to drive turbines and then be used for heating buildings. Once cooled, water is injected back into the ground to heat up again in a closed loop. A 3-5 megawatt ESG demonstration project is currently being developed at the Eden Project in Cornwall. Exploratory drilling for the UK's first commercial geothermal plant (10 megawatt) has begun in Redruth in Cornwall.

Hydrocarbons

Exploration for Oil and gas in Northern Ireland began in 1965 and whilst gas has been detected, it has yet to be discovered in commercial quantities. The hydrocarbon potential of most sedimentary rock 'basins' in Northern Ireland has yet to be fully tested and so these remain 'prospective' for oil and gas.

The Lower Carboniferous-age rocks of southern County Tyrone and most of Co. Fermanagh form one of the two major provinces in Northern Ireland most prospective for oil and gas. The second prospective province comprises the younger Permian and Triassic (Permo-Triassic) age rocks beneath Lough Neagh and the Antrim Plateau.

Underlying a small part of north-west Co Down are sedimentary rocks deposited in the Lough Neagh Basin. This is the deepest, and possibly the most prospective, of the Permo-Triassic basins in Northern Ireland. An exploration borehole (Annaghmore No 1 in Co Antrim) identified a black bituminous oil in the Permian-age sandstones. Underlying Carboniferous-age coals and shales are the likely 'source' rocks for this oil and gas, although data from boreholes indicate that these rocks are missing (have been eroded) from some areas in the basin. The younger Triassic-age Sherwood Sandstone (which forms important reservoirs in the East Irish Sea gas field), along with Permian-age sandstones form potential 'reservoir' rocks into which any oil and gas generated from the source rocks might migrate and become trapped. The overlying Triassic-age Mercia Mudstone Group is likely to provide a good 'seal' for any hydrocarbons trapped in the underlying sandstones.

Shale Gas

Shale gas is extracted directly from mudrocks and shales which have previously been considered too impermeable (tight) to allow economic recovery of gas. Unlike conventional gas, which collects in porous reservoir rocks (such as sandstone) and can be released simply by drilling boreholes into those rock formations, shale gas is locked in the matrix of much less permeable mudrocks and shales. It can be accessed only by using a specialised drilling and production technique, called hydraulic fracturing or 'fracking', which enhances the limited natural micro-porosity to free the gas from the rock for extraction via a borehole.

In Co Down and Armagh, the Carboniferous-age organic rich shales underlying the Lough Neagh Basin may have potential for unconventional shale gas production. The distribution of shales at depths suitable for shale gas production is unknown, because few exploration wells

have been drilled in these basins, no known reserves have been identified within this Council Area.

Peat

Peat is an unconsolidated deposit formed by decaying organic matter which accumulates in a water-saturated environment such as bog or moss. Bogs occur in areas where they are dependent on rainfall for supply of water or in sedimentary basins such as former lakes. Vegetation is characterised by acid tolerant plant communities of which the genus Sphagnum is dominant. The two main types of bog are (i) raised bogs, characterised of flat underlying topography and found on plains and broad valley floors and (ii) blanket bogs, which occur mainly in upland areas where conditions are suitable cool and wet.

Although most widespread in the west and north of Northern Ireland, blanket bog also occurs in eastern upland areas. Peat depth is variable, with an average 0.5-3 metres being fairly typical, but depths in excess of five metres are not usual. Raised bogs occur across Northern Ireland which may be infilling former lagoons or glacial lakes behind other coastal deposits or older glacial deposits respectively. Peat bogs in Northern Ireland, being generally smaller, were never developed on an industrial scale for power generation as they were in the Irish Midlands. Whilst peat is cut locally for fuel, its main usage is as a horticultural growing medium, although its potential as a carbon sink has been recognised.

Whilst peat is widespread in Co Down and Armagh, it commonly occurs as small areas of limited extent. There are currently no extant planning permissions for extraction of peat within the District.

Lignite

Lignite (brown coal) is a fossil fuel derived from dead plant material which has been transformed by burial and compression at elevated temperatures over a long period of time into combustible sedimentary rocks. Lignite is present within the Ballycastle and Lough Neagh area. There are not known to be substantial deposits within the Newry, Mourne & Down Area.

Metalliferous Minerals

The principal metal occurrences in Down & Armagh are historically important lead veins, frequently associated with zinc, copper and barytes, hosted with sedimentary rocks, which have significant potential for hosting gold mineralisation.

Precious metals (gold and silver)

Gold always occurs alloyed with silver and other elements and, as deposits of silver alone are not known in Northern Ireland, the two metals are discussed together.

Sedimentary rocks, which represent an extension of the Southern Uplands Terrane of Scotland into Ireland (the Southern Uplands-Down-Longford Terrane) dominate the southern two thirds of Co Armagh. A number of significant gold occurrences occur in these rocks in Scotland and along the Armagh/Monaghan border. Gold in association with quartz veins has

long been known at Clontibret in Co Monaghan. The Clontibret mineralisation contains antimony and is part of the same vein swarm that includes the lead veins of South Armagh. Some six kilometres to the east, in Co Armagh, bedrock gold has been identified at a number of localities. Drilling north of Derrynoose at Cargalisgorran, close to this District, has identified a mineralised zone extending for at least 150 metres and consisting of three steeply dipping, gold bearing quartz-carbonate veins. At Tivnacree, one kilometre south-west of Cargalisgorran, trenching and drilling has identified low-grade gold mineralisation. Drilling to the north-east of these occurrences, in an area known as 'Clay Lake', has intersected further bedrock gold mineralisation. By analogy the extension of the Southern Uplands-Down-Longford Terrane through Co Down is highly prospective. Alluvial gold occurrences (gold eroded from weathered bedrock occurrences and dispersed in streams) are scattered throughout Co Down and Co Armagh. Particular concentrations occur over the central part of the Newry Igneous Complex and surrounding the Mourne Mountains Granite Complex. Although alluvial gold is unlikely to ever become an economic source of gold in Northern Ireland, it does provide physical evidence of gold in bedrock. Insofar as alluvial gold is common in areas where vein-hosted gold is not presently known, the occurrence of gold in bedrock may be much more widespread.

Lead, Zinc, Copper, Uranium, Tin and Barytes

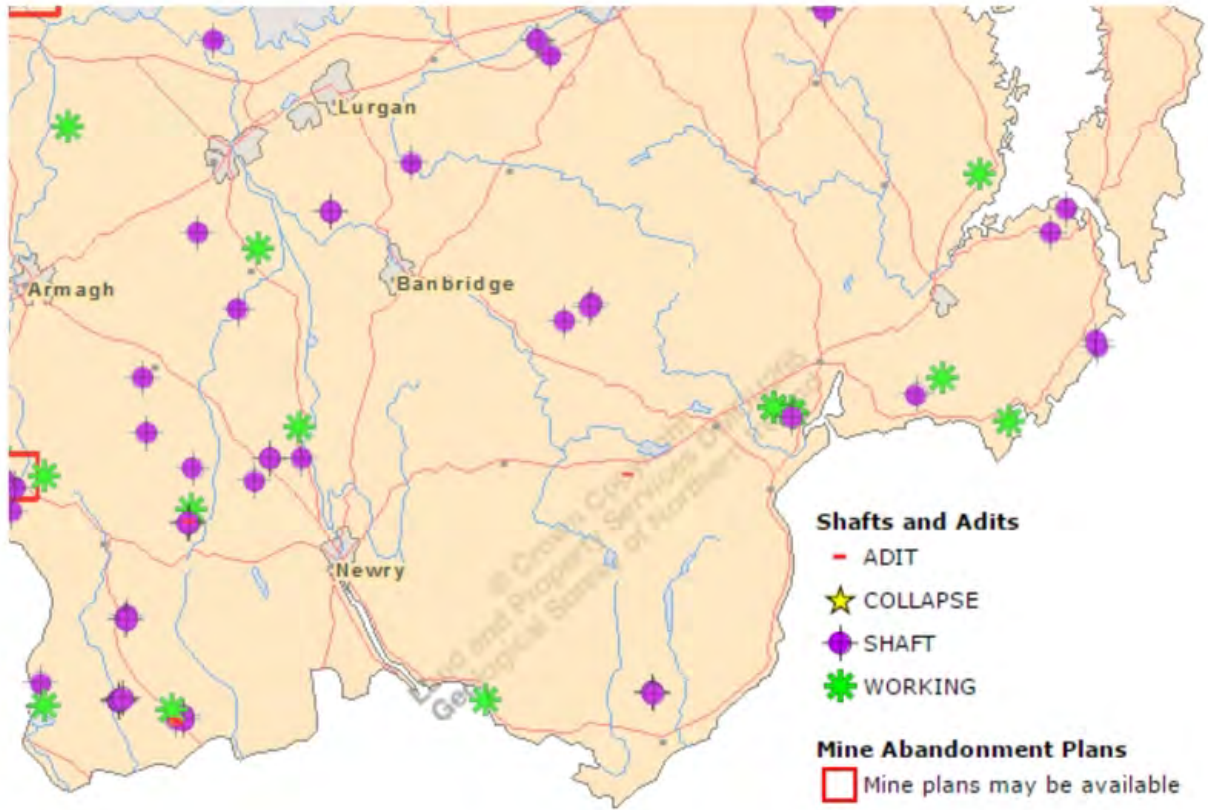
Lead and zinc occurrences are scattered throughout the sedimentary rocks of the Southern Uplands-Down-Longford Terrane. Lead has been historically worked at two locations to the west of Strangford, at Castleward Mine and Tullyratty. Minor vein-hosted copper, lead, zinc and iron occurrences are reported from the Eastern Mournes. Barytes occurs in the sedimentary rocks of Co Down, commonly as a gangue mineral in metal-bearing veins. Barytes as a gangue in metaliferous veins is rarely ever of economic importance.

The Newry, Mourne & Down Area has been the focus of a number of mineral exploration campaigns, originally focussed on base metals and uranium and subsequently on gold. Much of the exploration work has focussed on the Newry Igneous Complex and its immediate surroundings. Uneconomic copper-bearing mineralisation was identified in the Guinness Mountain area, south-east of Dromara. Geochemical exploration, whilst identifying encouraging areas of coincident gold and base metal enrichment, has identified little in the way of bedrock mineralisation. Stream-sediment geochemistry and radiometric surveying indicates anomalous uranium concentrations over both the Mourne Mountains and Newry Igneous complexes, although primary uranium-bearing mineralisation has not been identified. Tin occurs in quartz veins at Pollaphuca, south-west of Bryansford in the Mourne Mountains.

The South Armagh- Monaghan Mining District is centred on the town of Keady, close to the District boundary. In Co Armagh there are records of 57 shafts and adits. A few of the veins were worked on a relatively large scale by the standards of the 1800s.

Source: Mineral Resource Maps for Northern Ireland (GSNI)

Appendix 8: Mine Shafts & Adits



Source: Geological Survey Northern Ireland

Appendix 9: 2015 Council Quarry Data based on 10 year average

2015 Council Quarry Data based on 10 year average

Council	Quarry Value	Tonnage extracted pro rata to 10 year average of 24MT per annum	Employee Numbers	Value of manufactured concrete and Assphalt Products
Antrim and Newtownabbey	£458,751.00	182,044	340	£8,000,000
Armagh Banbridge and Craigavon	£14,528,241.00	3,166,972	250	£30,000,000
Belfast	No return		86	£11,000,000
Causewaycoast and Glens	£6,446,303.00	1,797,449	300	£37,000,000
Derry and Strabane	£1,581,663.00	564,970	212	£25,000,000
North Down & Ards	£10,484,988.00	4,190,897	106	£13,250,000
Fermanagh and Omagh	£11,860,195.00	3,107,820	737	£88,440,000
Lisburn and Castlereagh	£8,465,129.00	2,932,138	340	£40,000,000
Mid and East Antrim	£13,697,997.00	3,246,192	396	£60,000,000
Mid Ulster	£10,216,154.00	3,209,279	1257	£210,000,000
Newry, Mourne & Down	£5,938,726.00	1,594,502	252	£25,000,000
Total	£83,678,147.00	23,992,263	4276	£547,690,000

NOTES

The detail in this document is based on the last recorded mineral statement collected by DETI - 2011. It has then been pro rata up based on a ten year average of the DETINI Mineral Statement figures in order to present a more accurate assessment of production over a given period.

The information does not represent the full value of aggregates to any of the council areas as not all operators completed a return for the year.

The operator information is believed to be correct for the time of the return - changes in ownership may have occurred in the intervening time

Source: QPANI

Appendix 10: DETI Annual Minerals Statement 2010

TABLE 1

Mineral production in Northern Ireland 2009 and 2010
(Mined under the Mines Act 1969 and Quarries (NI) Order 1983).

MINERAL	QUANTITY PRODUCED (TONNES)		SELLING VALUE (£)	
	2009	2010	2009	2010
Basalt and Igneous Rock (excluding Granite)	5,757,907	5,437,815	24,247,283	21,420,038.00
Sandstone	3,793,283	2,767,667	16,582,071	11,564,166.00
Limestone	3,972,114	3,688,570	14,791,097	12,904,934.00
Sand and Gravel	4,856,075	2,178,220	23,305,454	7,361,336.00
Other	1,998,040	2,087,208	11,136,006	13,598,880.00
TOTAL	20,377,419	16,159,480	90,061,911	66,849,354.00

TABLE 2 (See Note 1)

Number of persons employed at mines and quarries in Northern Ireland 2010

MINERAL	INSIDE PIT OR EXCAVATION	OUTSIDE PIT OR EXCAVATION	MANAGEMENT AND ADMINISTRATION	TOTALS	
				2009	2010
Basalt and Igneous Rock (excluding Granite)	87	118	79	393	284
Sandstone	77	59	48	223	184
Limestone	66	30	82	150	178
Sand and Gravel	65	47	67	338	179
Other	77	54	41	176	172
TOTAL	372	308	317	1280	997

TABLE 3

Health and Safety Certification Information (Number of quarries)

CERTIFICATION	ISO 9000	ISO 14001	OHSAS 18000	
		25	35	12
	SAFETCERT	BS8555	OTHER	NO CERTIFICATION
	10	3	15	75

TABLE 4

Mineral production in Northern Ireland 2010

BASALT AND IGNEOUS ROCK (OTHER THAN GRANITE)	QUANTITY PRODUCED (TONNES)	VALUE (£)
Co. Antrim	2,570,833	9,602,480.00
Co. Armagh	167,524	510,404.00
Co. Down	801,181	3,651,787.00
Co. Fermanagh	40,000	200,000.00
Co. Londonderry	1,036,514	4,097,539.00
Co. Tyrone	821,763	3,357,828.00

SANDSTONE	QUANTITY PRODUCED (TONNES)	VALUE (£)
Co. Armagh	428,177	1,450,654.00
Co. Down	2303,787	9,948,005.00
Co. Fermanagh	35,603	165,007.00
Co. Londonderry	100	500.00

LIMESTONE	QUANTITY PRODUCED (TONNES)	VALUE (£)
Co. Antrim	226,857	2,022,311.00
Co. Armagh	331,171	1,177,853.00
Co. Fermanagh	2,517,592	7,047,433.00
Co. Londonderry	30,698	107,443.00
Co. Tyrone	582,252	2,549,894.00

SAND AND GRAVEL	QUANTITY PRODUCED (TONNES)	VALUE (£)
Co. Antrim	219,399	482,800.00
Co. Armagh	77,081	54,728.00
Co. Down	165,156	610,783.00
Co. Fermanagh	12,046	116,108.00
Co. Londonderry	509,540	1,567,747.00
Co. Tyrone	1,194,998	4,529,170.00

OTHER	QUANTITY PRODUCED (TONNES)	VALUE (£)
Co. Antrim	972,816	9,714,606.00
Co. Armagh	421,717	1,593,912.00
Co. Down	358,305	818,738.00
Co. Fermanagh	12,888	36,740.00
Co. Londonderry	254,186	1,202,001.00
Co. Tyrone	69,296	232,883.00

NOTES FOR GUIDANCE

1. The people employed inside and outside the pit are directly involved in extraction. Lorry drivers and road teams etc are excluded. The number of management and administration staff cannot be broken down further. A total of 13 quarry operators failed to provide information on the number of staff involved in the operation.
2. Production figures for rock salt, chalk, dolomite, fireclay and granite have been combined into 'Other' to avoid disclosure of confidential information.
3. 175 quarries were contacted and 138 responses were received. The responses showed that 3 quarries closed and 3 became inactive during the period.

Source: DETI

Report to:	Planning Committee
Date of Meeting:	1 March 2017
Subject:	Newry, Mourne and Down Local Development Plan Preparatory Studies Paper 14: Education, Health and Community Services
Reporting Officer:	Anthony McKay, Chief Planning Officer
Contact Officer:	Andrew Hay, Principal Planning Officer

Decisions required:

Note the content of this report.

1.0 Purpose and Background:

- 1.1 A programme of preparatory work is being undertaken as part of the Local Development Plan (LDP) process. Preparatory studies are essential in providing the evidence base for preparing the Local Development Plan (LDP). A reliable and comprehensive evidence base is vital to informing and justifying the 'soundness' of the LDP documents (Plan Strategy and Local Policies Plan) and to show how planning policies and proposals help to achieve the social, economic and environmental objectives for the plan area.
- 1.2 The SPR Committee is responsible for the Local Development Plan. All LDP papers are reported to the SPR Committee for noting or decision. All LDP papers will also be presented to the Planning Committee for noting. Depending on the subject matter, a LDP paper will also be presented to any other relevant Council Committee for noting.
- 1.3 'Paper 14: Education, Health and Community Services' provides members with an overview of matters relating to the education, health and community services in the Newry, Mourne and Down District Council area,
- 1.4 The paper builds on the existing evidence base and provides information on:
- an overview of the policy context and the organisations responsible for education, health and community facilities;
 - a summary of existing provision of education, health and community services; including current enrolment figures across the various education sectors in the District; and
 - an outline of existing and future proposals for education, health and community facilities and potential implications for the LDP.
- 1.5 Members are asked to note the content of this report. Any comments received will be considered. The paper will be subject to any changes considered necessary in response to any valid comments received at this or any other Committee to which it is presented.

2.0 Key issues:

- 2.1 'Paper 14: Education, Health and Community Services' informs members about the provision of education, health and community services within the District, and how this will assist the Council in the development of the LDP.
- 2.2 The paper provides an overview of the policy context and organisations responsible for delivering

	education, health and community services. It outlines the existing situation, highlights issues, and indicates future proposals for the District.
2.3	In terms of population and growth, demographic trends indicate an increasing older population and a declining number of children over the plan period. These factors will have implications for the provision of services. The projected rise in the number of people aged 65 or over in the District by 2030, will potentially have a significant impact in the delivery of health and community services. Meanwhile, a decline in pupil numbers will have implications for the education sector, particularly the sustainability of the existing network of schools in the District.
2.4	Whilst decisions on the provision of education, health and community services are matters for the relevant service providers, the LDP can aid a joined-up approach to ensure there is flexibility to meet need as and when required. Future proposals identified by service providers can be reflected in the LDP with necessary sites being protected for that use. Similarly, sites identified as being surplus to requirements can also be considered for alternative uses.
2.5	The information gathered and the key findings will be used to inform the preparation of the LDP.
2.6	Data gathered as part of this and other preparatory studies will be used to establish the baseline of the social, economic, and environmental characteristics of the plan area and enable the Council to identify the issues which need to be addressed by the LDP. Furthermore, it will provide a sound basis on which to formulate the plan strategy, policies and proposals within the LDP that will be subject to independent public examination.
3.0	Recommendations:
3.1	Members are requested to note the content of this report.
4.0	Resource implications
4.1	N/A
5.0	Equality and good relations implications:
5.1	N/A
6.0	Appendices
	<ul style="list-style-type: none"> Paper 14: Education, Community, Health and Cultural Facilities



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

**Local Development Plan
Preparatory Studies**

**Paper 14: Education, Health and Community
Services**

February 2017

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Purpose: To provide the Council with an overview of the current education, health and community services in the Newry, Mourne & Down District Council Area and to consider any future land use needs up to 2030.

Content: The paper provides information on:-

- (i) An overview of the policy context and the organisations responsible for education, health and community services/facilities.
- (ii) A summary of existing provision of education, health and community facilities. This will include current enrolment figures across the various education sectors in the District
- (iii) An outline of existing and future proposals for education, health and community facilities and potential implications for the Plan.

1.0 Introduction

- 1.1 This paper is one in a series of position papers that will inform the Newry, Mourne & Down Council in the preparation of the new Local Development Plan (LDP). The purpose of this paper is to inform the Council of how, education, health and community service needs will be addressed over the plan period to 2030. It provides an overview of the policy context and organisations responsible for delivering education, health and community services. It will also outline the current situation regarding education, health and community services in the Newry, Mourne and Down Area, while also indicating future proposals in the District. These proposals will assist in identifying sites that have become or are likely to become surplus up until 2030.
- 1.2 As highlighted in the Population and Growth paper, demographic trends indicate an increasing older population and a declining number of children. According to the NISRA 2012-2037 population projections, the population of Newry, Mourne & Down is expected to grow from an estimated 175,403 in 2015 to 197,836 by 2030, which is an increase of approximately 11.3%.
- 1.3 During this period, the most notable changes in population will be those to the age structure of the District by 2030. In particular, there will be a significant increased proportion of residents aged 65+, with a projected increase from 14.69% of the population in 2015 to 20.32% in 2030. The proportion of those aged 0-15 will decline from 22.37% in 2015 to 20.94% in 2030 and likewise those aged 16-64 will decline from 62.94% to 58.70% in the same period.
- 1.4 Newly released information has also highlighted population growth between 2001-2011 at the village level of the district from 17.60% to 20.16% as a proportion of the District population and also a decline of the District's two main settlements (Newry & Downpatrick) as a proportion of the Districts population from 25.02% to 22.02%.

- 1.5 The projected rise in the number of people aged 65 or over in the Newry, Mourne & Down District Council area by the year 2030, will potentially have a significant impact on the region and in the delivery of health and community services. Meanwhile, a decline in the pupil population will have implications for the education sector, particularly the sustainability of the existing network of schools in the District.

2.0 Regional Policy Context

Programme for Government 2011-2015 (PfG)

- 2.1 The key priorities set out in the Programme for Government 2011-2015 all have some relation to Education, Health and Community.

- Growing a Sustainable Economy and investing in the Future
- Creating Opportunities Tackling Disadvantage and Improving Health and Well Being
- Protecting Our People, the Environment and Creating Safer Communities
- Building a Strong and Shared Community
- Delivering High Quality and Efficient Public Services

2.2 Draft Programme for Government 2016-2021 (PfG)

The Draft Programme for Government 2016-2021 seeks to improve well-being for all – by tackling disadvantage, and driving economic growth. As part of this, it sets out a number of objectives of direct relevance in the delivery of public services, including:

- A more equal society
- Long, healthy, active lives;
- Giving our children and young people the best start in life; and
- Provision of high quality public services.

Regional Development Strategy 2035 (RDS)

- 2.3 The RDS in line with the PfG aims to 'promote development which improves the health and wellbeing of communities'. It provides an overarching strategic planning framework to facilitate and guide the public and private sectors and ultimately shall influence Council decisions and investments for years to come.
- 2.4 The spatial framework of the RDS identifies Newry as a main hub with a significant employment centre, a strong retail offering and an acute hospital. The main road and rail links ensure Newry is well connected to Belfast and Dublin. The RDS also identifies Downpatrick as a hub to be developed as a major location providing employment service and a range of cultural and leisure amenities and notes that decisions on the future location of new public sector development will take account of the strategic role of the main towns.
- 2.5 The RDS recognises the importance of the rural area and notes 'we must also strive to keep our rural areas sustainable and ensure that people who live there, either through choice or birth, have access to services and are offered opportunities in terms of accessing education, jobs, healthcare and leisure'.

Strategic Planning Policy Statement (SPPS)

- 2.6 The Strategic Planning Policy Statement (SPPS) was adopted in September 2015 to replace DOE PPS's as an aid to shorten and simplify the guidance. The SPPS sets objectives to:-
- Promote sustainable development in an environmental sensitive manner;
 - Tackle disadvantage and facilitate job creation by ensuring the provision of a generous supply of land suitable for economic development and a choice and range in terms of quality, size and location to promote flexibility and meets specialised needs of specific economic activities;

- Support the re-use of previously developed economic development sites and buildings where they meet the needs of particular economic sectors;
- Promote mixed use development and improve integration between transport, economic development and other land uses, including housing whilst ensuring compatibility and availability by all members of the community; and
- Ensure a high standard of quality and design for new economic development.

2.7 The SPPS advises that planning authorities may engage with relevant bodies and agencies to understand and take account of health issues and the needs of local communities where appropriate. And where appropriate, councils may bring forward local policies that contribute to improving health and well-being as well as those which promote social cohesion and the development of social capital, the provision of health, security, community and cultural infrastructure and other local facilities.

Planning Strategy for Rural Northern Ireland (PSRNI)

2.8 Regional planning policies for community needs are currently set out in the Planning Strategy for Rural Northern Ireland (PSRNI). This covers all of the towns, villages and countryside of Northern Ireland outside Belfast (and adjoining built up areas) and Londonderry. The aim of Policy PSU1 is to allocate sufficient land to meet the anticipated needs of the community, in terms of health, education and other public facilities. It notes that changing circumstances determine the requirement of land to meet the needs of the community in terms of health, education and other public facilities and with the possibility of rationalisation and further privatisation of services, emphasis will be placed upon making the best possible use of existing sites. It clarifies that should circumstances require that new sites are needed, land will be identified by individual site assessment or through the process of preparing a development plan.

Planning Policy Statements

- 2.9 The current operational planning policy for education, health and community facility development in rural areas is set out in PPS 21 Sustainable Development in the Countryside. Supplementary guidance is contained in Development Control Advice Notes (DCANs)- DCAN 9: Residential and Nursing Homes and DCAN 13: Crèches, Day Nurseries and Pre-School Playgroups.

3.0 Local Policy Context

Newry, Mourne and Down District Council Corporate Plan 2015 - 2019

- 3.1 The Council's mission is to "lead and serve a District that is prosperous, healthy and sustainable". Its vision is to create opportunities for local people and local communities to thrive by supporting sustainable economic growth over time and helping them to lead fulfilling lifestyles.

Newry, Mourne and Down District Council Community Plan

- 3.2 From April 2015, the Council has a statutory duty to prepare a community plan in consultation with other service providers (including the Education Authority, Health and Social Care Trust, PSNI, NI Fire and Rescue). A Community Plan identifies long-term objectives and actions for:
- Improving social, economic and environmental well-being and tackling poverty, exclusion and disadvantage;
 - Contributing to achieving sustainable development across the region;
 - Planning and improving public services
- 3.3 Community planning involves integrating all the various streams of public life (such as services and function that are delivered in an area) and producing a plan that will set out the future direction of a council area. Working with statutory bodies, agencies and the wider community, including the community

and voluntary sector, the council will develop and implement a shared vision of promoting well-being and improving the quality of life of its citizens.

- 3.4 The Draft Community Plan states that the Councils vision is for "Newry, Mourne and Down [is to be] a place with strong, safe and vibrant communities where everyone has a good quality of life and access to opportunities, choices and high quality services which are sustainable, accessible and meet people's needs.

4.0 Existing Area Plans

- 4.1 The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) provides policy for Education, Health, Community and Cultural Uses. Policy ECU1 states that planning permission will be granted for education, health, community and cultural uses within settlement development limits provided a number of criteria are met:

- There is no significant detrimental effect on amenity or biodiversity;
- The proposal does not prejudice the comprehensive development of surrounding lands, particularly on zoned sites;
- The proposals are in keeping with the size and character of the settlement and its surroundings;
- Where necessary, additional infrastructure is provided by the developer;
- There are satisfactory access, parking and sewage disposal arrangements.

- 4.2 The BNMAP identified a number of sites within the District which were zoned for Education:

- Ashgrove Rd, Newry
- Abbey Way, Newry
- Ballydesland Road, Burren
- Seaview Heights, Ballymartin
- North of Shean Rd, Forkhill
- Church Street, Rostrevor
- Ballynamadda Road, Drumintee

- 4.3 Since their designation, it is noted that the zonings have been utilised and permissions have been implemented at Ashgrove Road, Newry, Ballydesland Road, Burren, Shean Rd Forkhill, Church Street, Rostrevor and Ballynamadda Road Drumintee. However, while land at Abbey Way, Newry has been approved for development of a community treatment and care centre this has not been implemented to date. Also the zoned site at Seaview Heights has not been utilised to date.
- 4.4 The Ards and Down Area Plan 2015 (ADAP) does not provide specific policies on Education but provides policy for Community Uses. Policy COY1 states that planning permission will be granted for community uses provided all the following criteria are met:
- There is no significant detrimental effect on amenity;
 - The proposal does not prejudice the comprehensive development of surrounding lands, particularly on zoned sites;
 - The proposals are in keeping with the size and character of the settlement and its surroundings;
 - Where necessary, additional infrastructure is provided by the developer; and,
 - There are satisfactory access, parking and sewage disposal arrangements.

5.0 Education

Organisations Responsible for Education

- 5.1 The Department of Education (DE) has overall responsibility for education policy except for the higher and further education sector for which the Department for the Economy (DfE) retains responsibility.
- 5.2 The Department of Education's main areas of responsibility cover pre-school, primary, post-primary and special education; the youth service; the promotion of community relations within and between schools; and teacher education and salaries. Its primary statutory duty is to promote the education of the

people of Northern Ireland and to ensure the effective implementation of education policy.

- 5.3 A single Education Authority (EA) was established on the 1st April 2015 to replace the five Education and Library Board and the Staff Commission for Education and Library Boards and will now oversee the delivery of education, youth and library services throughout Northern Ireland.
- 5.4 Within the context of Newry, Mourne and Down District Council area, the key players are the EA (formerly Southern Education and Library Board and South Eastern Education and Library Board), the Council for Catholic Maintained Schools (CCMS), and the Northern Ireland Council for Integrated Education (NICIE).

Education Policy Context

- 5.5 The Department of Education's vision is to see "every young person achieving his or her full potential at each stage of their development". Therefore, Education is one of the most significant investments in developing the individual, society and the economy.
- 5.6 In recent years a number of influential publications have set a challenge to the education sector to consider new approaches. This includes a sustainable approach, promoting the sharing of facilities in an effort to create a more cohesive and tolerant society, ensuring a better use of available resources.
- 5.7 An Independent Strategic Review of Education, known as the Bain Review (2006) is the most significant document to be published. The Bain Review observed that the multi-sector school system, combined with the rural nature of parts of Northern Ireland, single-sex schools and selective system of education had resulted in a large number of schools and a high proportion of small schools. While the report made 61 recommendations, the governing principle in judging the future of any school must be the quality of education provided – but said there must be a review of the future of small schools and

recommended minimum enrolment figures for primary schools in urban and rural areas and post-primary schools.

- 5.8 Building on the issues highlighted in the Bain Report, the Department introduced the Sustainable Schools Policy (SSP) in 2009, followed by the Area Planning process (2011) which is designed to address the long-term primary school needs from 2012-2025. The overall output of these is the assessment of schools against a set of criteria for sustainable enrolments levels, delivery of quality education and financial sustainability.

6.0 School Provision in Newry, Mourne and Down District

General Context

- 6.1 The Education Authority which is responsible for the delivery of services according to the policies and procedures of the former Southern (SELB) and South Eastern (SEELB) Education and Library Boards.
- 6.2 Each former Board developed an Area Plan for primary and post-primary schools in conjunction with the Council for Catholic Maintained Schools (CCMS). The plans aim to provide the right number of places in the right variety of schools of the right size in any given area. As such they are a good indicator of current and future level of provision necessary within the District.

(i) Nursery School Provision

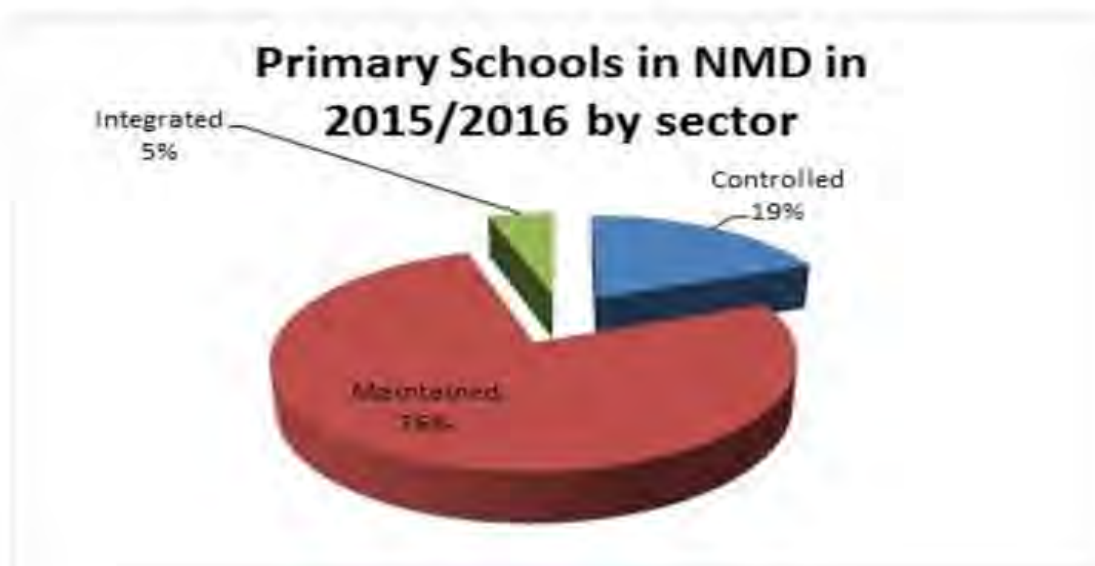
- 6.3 Pre-school education is not statutory. It is designed for children in the year immediately before they enter P1, although a limited number of places may be available for younger children in some centres. The Education Authority provides nursery places through nursery schools and nursery units in primary schools. Voluntary and private playgroups and day nurseries also provide placements.
- 6.4 There are a total of 10 nursery schools in the District. In 2015/2016 they offered a total of 390 places across the District with 6 of these places being unfilled. There are also 21 nursery units that are attached to primary schools.

In 2015/2016 they offered a total of 832 places across the District and were fully occupied with no unfilled places. In addition, there are 51 voluntary / private pre-school education centres, which in 2015/16 had a total of 1088 enrolled pupils. (Source: Department of Education).

(ii) Primary School Sector

6.5 There are a total of 102 primary schools in the District, consisting of 19 Controlled, 78 Maintained (including 3 Irish Medium Schools) and 5 Integrated Primary Schools. Figure 1 shows the breakdown of primary school provision by sector for the District. (Definitions of the school types are provided in the Appendix A).

Figure 1: Primary Schools by Sector for Newry, Mourne and Down 2015/2016



Source: Data from Department of Education 2015/2016

6.6 Figure 2 overleaf shows that in 2015/2016, the capacity (i.e. the approved number of spaces) across all sectors in the District was 20539, with 4144 of these places being unfilled. The controlled sector accounts for 27% of all unfilled places, the maintained sector for 71% and the integrated sector 2%.

Figure 2: Summary of Capacities and Unfilled Places by Sector in the District 2015/2016

Management Type	Capacity (approved Enrolment)	Unfilled Places	% of all unfilled places
Controlled	3882	1118	27
Maintained	15585	2891	70
Irish Medium	274	57	1
Integrated	798	78	2
Total	20539	4144	100

Source: Data from Department of Education

- 6.7 An analysis of capacities and unfilled places based on the settlement hierarchy (Figure 3) suggests that the issue of unfilled places is more prevalent in the towns and villages.

Figure 3: Estimated Capacities, Enrolments and Unfilled places in Newry, Mourne & Down by Settlement Type 2015/16

Settlement type	Capacity	Enrolment	Unfilled Places
Newry	4058	3477	581
Towns	5753	4342	1411
Villages	6086	4774	1312
Rural	4642	3802	840
Total	12402	16395	4144

Source: Dept of Education 2016

- 6.8 An analysis of capacities, enrolments and unfilled places based on the settlement hierarchy Figure 4 suggests that within the towns, the issue of unfilled places is more prevalent in Ballynahinch and Kilkeel with 39% each of their overall capacity unfilled.

Figure 4: Estimated Capacities, Enrolments and Unfilled Places in Newry, Mourne and Down Towns 2015/16

Settlement	No. of Primary Schools	Total Capacity	Unfilled Places	% of capacity unfilled
Ballynahinch	3	944	372	39
Newcastle	3	720	73	10
Saintfield	2	482	52	10
Downpatrick	4	1264	212	16
Warrenpoint	2	773	212	27
Kilkeel	3	1123	448	39
Newtownhamilton	1	101	39	38
Crossmaglen	1	346	3	0.8

Source: Dept of Education 2016

- 6.9 As previously mentioned each of the former education and library boards developed area plans reviewing the sustainability of education provision. Part of that review included consideration of pupil projections for the period 2013-2025. The movement of pupils across Council boundaries was factored in to ensure the data reflected developing need. Figure 5 overleaf shows the 2013 pupil population and the expected pupil population for 2025 in relation to the capacity and resulting surplus spaces for each of the legacy Council areas and an indicative total for the NMD District.

Figure 5: Pupil population projection change for 2013-2025

	2013			2025		
	Newry & Mourne	Down	NMD Total	Newry & Mourne	Down	NMD Total
Total No. of Pupils	9904	6345	16249	11889	6619	18508
Approved Enrolment	12402	8128	20530	12402	8128	20530
Surplus Places*	2730	1783	4513	513	1509	2022

**Surplus places is calculated by totalling the number of surplus places at individual schools i.e.; does not take account of the number of places by which some schools are oversubscribed*

Source: SELB and SEELB Area Plans (June 2014)

- 6.10 The table shows that the pupil population in the District is expected to increase from 16249 to 18508. Based on the assumption of no change in the total number of approved enrolments (ELBs assumed no change for their projections) the total number of surplus places in the District will be reduced from 4513 to 2022 by 2025. This indicates that there is sufficient capacity in the existing primary school provision in the District.
- 6.11 The vast majority of the reduction in places (i.e. increased uptake of places) will be in the maintained sector with the number expected to reduce from 3397 in 2013 to 1298 in 2025. The number of surplus places in the controlled sector is expected to reduce from 1046 in 2013 to 670 in 2025 while the integrated sector will reduce from 70 to 54 for the same period.
- 6.12 The SELB and SEELB Area Plans for Primary Provision set out a number of proposals for future provision in the District. As shown in Figure 6 these included school closures, amalgamations and increased approved enrolments and admissions. The Education Authority will continue to review provision and further recommendations may be made in the future.

Figure 6: Shows the SELB and SEELB proposals for existing primary schools in the District in June 2014.

School Name	Recommendation (subsequent updates)
Anamar PS, Newry	The managing authority will consult on the potential closure of the school. On 18 January 2017 the Department of Education published confirmation of the intention to close the school with effect from 31st August 2017 or as soon as possible thereafter.
Clontifleece PS, Warrenpoint	The Minister has approved the proposal that the school should close by 31st August 2014. The school is now closed and the property has been sold.
St Brigid's PS, Glasdrummond	Development proposal published to increase the approved enrolment number from 140 to 210 pupils with effect from 1 September 2015 or as soon as possible thereafter. In June 2015 the Education Minister approved an increase in approved enrolment to 198 to take effect from 1st September 2016 or as soon as possible thereafter.
St Clare's Convent PS, Newry and St Colman's Abbey, Newry	The managing authority is amalgamating St Clare's Convent PS and St Colman's Abbey PS for September 2014. This took effect on 1st September 2014. In 2016 the Education Minister officially opened a new purpose built building.
St Colman's PS, Saval	The managing authority has approved action in relation to this school and has consulted on a proposal to increase the admissions and enrolment number. Request to increase from 174-203 was rejected by Minister for Education in March 2015.
St Mary's PS, Barr	Development proposal published to increase the approved enrolment number from 105 to 161 pupils with effect from 1 September 2015 or as soon as possible thereafter. In September 2014 the Minister for Education approved the increase to 145 to take effect from 1st September 2015 or as soon as possible thereafter.
St Mary's PS, Glasdrumman, Monneygarragh PS and St Joseph's Ballymartin	Development Proposal published to amalgamate schools with effect from 1st September 2015 or as soon as possible thereafter. Approved by Minister for Education September 2014. In March 2016 the Minister announced funding would be available for a new school building.
St Mary's PS,	Development Proposal approved to increase the

Mullaghbawn	school enrolment from 230 to 315 with effect from 1st September 2013 or as soon as possible thereafter. Approved by the Minister in February 2013.
St Patrick's PS, Ballymaghery	Development proposal published to increase the approved enrolment number from 280 to 350 pupils with effect from 1 September 2015 or as soon as possible thereafter.
St Patrick's PS, Crossmaglen	Development proposal published to increase the approved enrolment number from 305 to 385 pupils with effect from 1 September 2015 or as soon as possible thereafter. Approved by Education Minister 15th May 2015.
St Patrick's PS, Mayobridge	Development Proposal approved to increase school enrolment from 284 to 350 with effect from 1st September 2013 or as soon as possible thereafter.
Down High Preparatory Dept	The SEELB published a development proposal in February 2014 which proposes that the preparatory department should close from 31 August 2015. This took effect on 31st August 2015.
St Mary's Saintfield and St Caolan's, Saintfield	Explore the potential for amalgamation. No change as of February 2017.

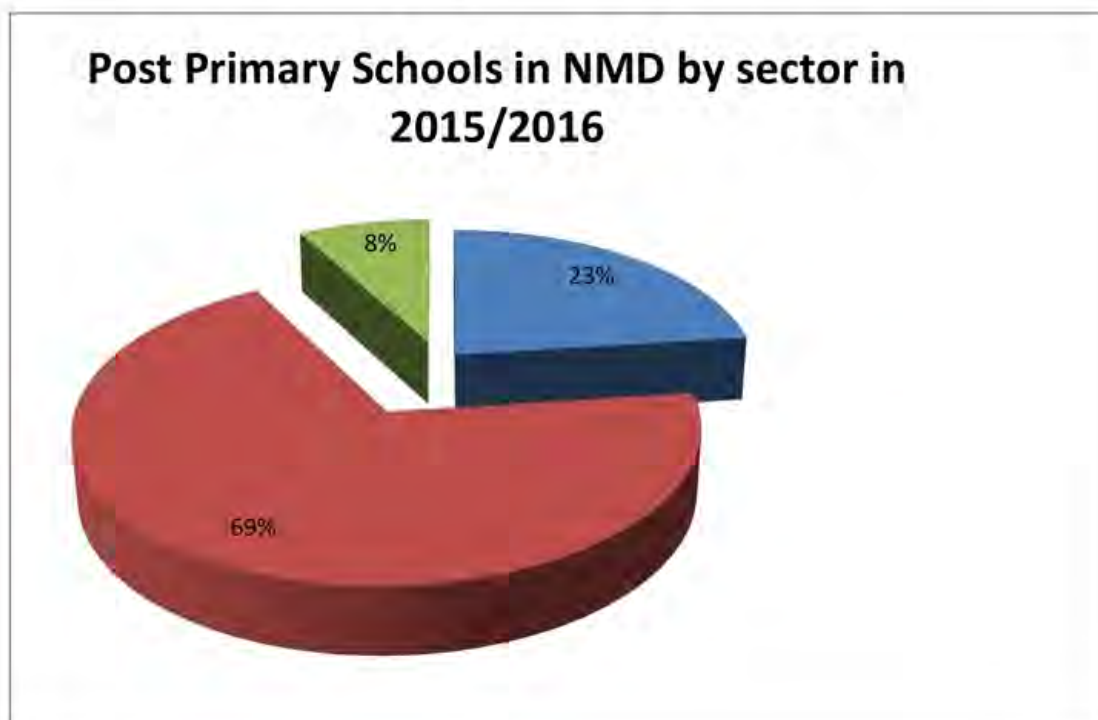
Source: SELB and SEELB Area Plans 2014

(iii) Post Primary Sector

- 6.13 There are 26 post primary schools in the District. This consists of 6 Controlled schools, 18 Maintained schools and 2 Grant Maintained Integrated schools (definitions of school types are in Appendix A).

Figure 7 overleaf shows the breakdown of post primary school provision for the District. It shows that the majority of schools in the District are maintained (69%), 23% are controlled and 8% are integrated.

Figure 7: Post Primary Schools by Sector for Newry, Mourne and Down 2015/2016



Source: Data from Department of Education

6.14 Figure 8 below shows that in 2015/2016, the capacity (i.e. the approved number of places) across all sectors was 17134, with 2402 of these places being unfilled. The controlled sector accounts for 26% of all unfilled places, the maintained sector for 63% and the integrated sector 11%.

Figure 8: Summary of Post Primary School Capacities and Unfilled Places by Sector in the District 2015/2016

Management Type	Capacity (Approved Enrolment)	Unfilled Places	% of all Unfilled Places (figures rounded)
Controlled	3239	635	26%
Maintained	12935	1512	63%
Integrated	960	255	11%
Total	17134	2402	100%

- 6.15 Figure 9 below provides a summary of the post primary schools in the district and their 2015/16 approved capacity and unfilled places. There are 3 schools which have more unfilled places than enrolment, they are The High School, Ballynahinch, St. Columban's Kilkeel and Blackwater Integrated College Downpatrick. There are 7 of the listed 26 schools below which have full capacity enrolment; they are Saintfield High School, Down High, Downpatrick, St. Patrick's Grammar, Downpatrick, St. Paul's High School, Bessbrook, St. Louis Grammar, Newry, Abbey Christian Brothers Grammar, Newry and St. Colman's College Newry.

Figure 9: Post Primary Capacity Analysis Newry, Mourne and Down 2015/16

Post Primary School	Sector	Capacity	Enrolment	Unfilled Places
The High School Ballynahinch	C	380	143	237
Saintfield High School	C	340	340	0
Down High Downpatrick	C	934	934	0
Kilkeel High School	C	830	641	189
Newtownhamilton High School	C	175	165	10
Newry High School	C	580	381	199
St Mary's High School Downpatrick	M	600	386	214
St Colmille High School Downpatrick	M	450	267	183
St Colman's High School Ballynahinch	M	550	389	161
St Malachys High School Castlewelfan	M	950	883	67
De La Salle Downpatrick	M	430	319	111
Assumption Grammar School Ballynahinch	M	840	833	7
St Patrick's Grammar School Downpatrick	M	665	665	0
St Joseph's Boys High School Newry	M	500	299	201
St Columban's College Kilkeel	M	550	90	460
St Mary's High School Newry	M	580	541	39
St Mark's High School Warrenpoint	M	850	791	59
St Paul's High School Bessbrook	M	1355	1355	0
St Joseph's High School Crossmaglen	M	600	575	25
St Louis Grammar School, Kilkeel	M	570	570	0
Abbey Christian Brothers Grammar School Newry	M	850	850	0
Our Lady's Grammar School Newry	M	860	850	10
St Colman's College Newry	M	860	860	0
Sacred Heart Grammar School Newry	M	875	850	25
Blackwater Integrated College Downpatrick	I	400	149	251
Shinn Integrated College Newcastle	I	500	540	4
Total		17134	14732	2402

C - controlled Schools; M - Maintained Schools; I - Integrated Schools

Source: Dept. of Education 2016

- 6.16 As with the primary school provision the former Education and Library boards completed Area Plans reviewing post primary provision. These reports included pupil population projections to 2025.
- 6.17 The SELB report noted that while the population in the Newry and Mourne Area has remained steady for the past number of years, this masks the fact that there has been a considerable decrease in the school age population in the Kilkeel area and a rise in the school-age population in the greater Newry area. It also noted the existence of single-sex grammar schools in Newry has

also distorted the correlation between the actual school age population and the number attending schools in the area. For planning for the future the SELB found that while there were 783 unfilled places in 2013 the projected population growth in the area by 2025 would result in an additional 1817 places being required.

- 6.18 In the legacy Down District the population is expected to increase by a more modest amount with the increase being largely accommodated by the existing unfilled places. The SEELB estimated that by 2025 there would be 191 unfilled places by 2025 however this masks the fact that it is estimated that an additional 49 places will be required in the controlled sector. Figure 10 below shows that combining these figures means that an additional 1626 places will be required in the District by 2025. This includes the movement of pupils across Council boundaries which was factored in to ensure the data reflected developing need. This is a particular issue in Downpatrick and Ballynahinch where a significant number of pupils travel from other Council areas to attend the Grammar schools.

Figure 10: Pupil population projection change for 2013-2025

	2013			2025		
	Newry & Mourne	Down	NMD Total	Newry & Mourne	Down	NMD Total
Total No. of Pupils	9599	6647	16246	11852	6828	18680
Approved Enrolment.	10035	7019	17054	10035	7019	17054
Surplus Places*	783	372	1110	-1817	191	-1626

** figures adjusted to remove oversubscribed places in post primary schools*

Source: SELB (Jan 2015) and SEELB (Revised October 2013) Area Plans

- 6.19 The SELB and SEELB Area Plans for post primary provision set out a number of proposals for future provision in the Newry and Mourne and Down Council Areas. As shown overleaf in Figure 11 these include potential school closures, amalgamations, increased partnership and a new build. The Education

Authority will continue to review provision and may bring forward further amendments in the future. The Council will continue to monitor any changes.

Figure 11: Shows the SELB and SEELB proposals for Post Primary Future Provision in the District

School Name	Recommendation
Controlled	
The High School, Ballynahinch	Consult with the BOG in order to explore all potential options to secure retention of a controlled non-selective post-primary in the Ballynahinch area
Saintfield High School	Establish closer links with Down HS – specifically for Sixth Form & grow Saintfield High School.
Down High School	Create better links to other post-primary providers in the area/New school build
Kilkeel High School	SELB raised concerns about the management of finances and the financial viability of the school. It is proposed that the board work with the school to ensure that the necessary adjustments are made to the operating costs to ensure the school can meet its obligation to pupils despite the downturn in enrolment.
Newry High School	This school plays a pivotal role in providing education for the minority community and the SELB is committed to exploring ways in which the school can work with other sectors to ensure that high quality education is provided for all in Newry.
Maintained	
St Mary's High School, St Patrick's Grammar School and De La Salle High School, Downpatrick	Create a partnership between the three schools with an end view of establishing a co-educational provider for the area.
St Colmcille's High School, Crossgar	Monitor provision – Any future changes to provision in St Colmcille's High School will be managed in the context of any proposed changes in Downpatrick and Ballynahinch.
Assumption Grammar School and St Colman's High School, Ballynahinch	Establish enhanced links between the schools in order to develop 11-19 education provision in the area. St. Colman's will be closely monitored throughout this process. Explore potential for inclusion of High School Ballynahinch in extension to Commission for Catholic Education proposal
St Columban's	Potential closure of the school and possible

College, Killeel	amalgamation with St Louis Grammar School.
St Louis Grammar School, Killeel	Given the above the CCMS consider the creation of 11-19 co-educational school should be delivered through an expansion of St Louis Grammar School.
St Joseph's High School Crossmaglen	Trustees recommend retention of an 11-19 co-educational, all ability school in Crossmaglen. Approval for a new school build was announced by the Minister in June 2014.
St Paul's High School Bessbrook	CCMS remains of the view that the model for 11-19 co-educational school in Bessbrook is the most appropriate way forward.
St Mark's High School, Warrenpoint	The SELB supports the continuity and strengthening of 11-19 provision at St Marks. Arrangements for ensuring enhanced and appropriate links with Newry City should be explored.
Integrated	
Shimna Integrated College, Newcastle	A development Proposal has been published on behalf of the BOG which proposes an increase in the schools approved enrolment – the year 8 admission figure would increase as would the 6th form provision
Blackwater Integrated College, Downpatrick	Explore with the BOG of the school how best to secure integrated provision in the greater Downpatrick area.

Source: SELB Area Plan January 2015 and SEELB Area Plan revised 2013

(iv) Special School Provision

- 6.20 Within the district there are 3 Special Schools which in 2015/16 had a total of 275 enrolled pupils. (Source: Department of Education). Ardmore House Special School is a controlled school which provides education for Key Stage 3 (KS3) pupils who are presenting social, emotional and behavioural difficulties. Knockevin is a special educational school which has provision in two sites in Downpatrick and Dundrum. It caters for pupils with severe and profound learning difficulties from the age of 3 to 19.

(v) Further Education

- 6.21 The two core principles of the further education system are:
- to take a pivotal role in developing a strong and vibrant economy through the development of professional and technical skills, at increasingly higher levels, and by helping employers to innovate, and;

-support social inclusion by providing those who have low or no qualifications, or who have barriers to learning, with the skills and qualifications needed to find employment and to become economically active.

6.22 Further Education in the District is provided by the Southern Regional College (SRC) and the South Eastern Regional College (SERC).

6.23 SRC is the second largest College in NI and offers further and higher education to approximately 34,000 students each year in six campuses across two Council Areas- Armagh, Banbridge and Craigavon and Newry, Mourne and Down. There are current plans to deliver new build projects at the campuses in Armagh, Banbridge and Craigavon. In Newry, Mourne and Down the College has two campuses located in Newry and Kilkeel. The College has submitted a strategic outline case to explore estate opportunities in the Newry City area for the future development and consolidation of the College estate in the City including the development of a 'Higher Education Centre'. (Source: College Development Plan 2015-2018 pg 34).

6.24 The South Eastern Regional College offers further and higher education across three Council areas- Ards and North Down, Lisburn and Castlereagh and Newry, Mourne and Down. There are three campuses in the District- Downpatrick and satellite campuses in Ballynahinch and Newcastle. The College's development plan 2015-2018 notes it has over 35,400 enrolments and is expanding its partnerships with schools to enhance their curriculum and ensure that all school children have access to vocational education. Each of the three campuses have been recently developed with new buildings being completed in 2011.

7.0 Health

Organisations Responsible for Health Care

7.1 The Department of Health (DoH) has overall responsibility for health policy and funding of major capital works. It is the responsibility of the Health and

Social Care Board (HSCB) to assess the health and social care needs of the population and to secure the care to meet those needs in keeping with available resources. Provision of community health and social care in the District is the responsibility of the Southern Southern Health and Social Care Trust (SHSCT) which covers the Newry and Mourne area and the South Eastern Health and Social Care Trust (SEHSCT) which covers the Down area.

Health Policy Context

7.2 The context for health is set out in the mission statement identified by the DoH. It aims to improve the health and social well-being of the people of Northern Ireland. It endeavours to do so by:

- leading a major programme of cross-government action to improve the health and well-being of the population and reduce health inequalities.
- this includes interventions involving health promotion and education to encourage people to adopt activities, behaviours and attitudes which lead to better health and well-being.
- the aim is a population which is much more engaged in ensuring its own health and well-being
- ensuring the provision of appropriate health and social care services, both in clinical settings such as hospitals and GPs' surgeries, and in the community through nursing, social work and other professional services

7.3 With population projections for Northern Ireland indicating a marked increase in the size of the population at older ages, the growth in the number of very elderly (over 85 population) will present a considerable challenge. It is DoH policy to maximise independent living and reduce reliance on hospital and residential care. In the future, advances in medicine, care and technology will continue to drive change in the range of services that can be provided safely in the community. This will enable more people to be diagnosed, treated and cared for at home or close to where they live.

- 7.4 The Health System in Northern Ireland is currently being transformed under an initiative known as Transforming Your Care (TYC). The aim of this initiative was to improve the health and care system in NI. In 2013, the post-consultation report on the TYC review set out key recommendations for change across a number of important service areas, including primary care, older people's services and acute services for those with long-term conditions. There was also a focus on prevention, early intervention, integrated care and promotion of personalised care to enable more services to be provided in the community. This will result in a significant shift from provision of services in hospitals to the provision of services in the community, where it is safe and effective to do this.
- 7.5 Sir Liam Donaldson was subsequently commissioned to carry out a review into Northern Ireland's health service (The Donaldson Review) noting that the TYC programme had established that elsewhere in the UK a population of 1.8 million people would likely to be served by 4 acute hospitals compared to the 10 that currently exist in Northern Ireland. The report made 10 recommendations; the crux of which was that TYC was not being properly implemented and a new costed, timetabled implementation plan was needed quickly to address a series of deficiencies across a wide range of health care services.
- 7.6 To date, progress has been made to implement the Integrated Care Partnership (ICP) initiatives which were funded towards the end of 2013/14 year which will make care more joined-up with £150 million being invested in the development of 5 'hub and spoke' models to provide care in the community. Other initiatives include early intervention work, increasing the amount of community-based mental health services and developing alternatives to A&E attendance or hospital admission. However, given the scope of change required on an economically challenged environment together with increased demands on A&E departments, there are significant challenges ahead in how best to deliver health and social services.

Making Life Better Document

- 7.7 "Making Life Better" is the strategic framework for public health. It is designed to provide direction for policies and actions to improve the health and wellbeing of people in Northern Ireland and to reduce inequalities in health.

It builds on the former public health strategy "Investing for Health" and takes account of consultation feedback on the draft framework "Fit and Well – Changing Lives" and a number of other key reports and evidence.

The following information has been noted on the health and wellbeing of residents in the Newry, Mourne And Down Local Government District.

Existing Healthcare Provision in Newry, Mourne and Down District

- 7.8 Healthcare provision within the District falls into the remit of the Department of Health (DoH), the Southern Health and Social Care Trust (SHSCT) and the South Eastern Health and Social Care Trust (SEHSCT).

7.9 **Primary Healthcare Services in the District include:**

- 1 Acute Hospital – Daisy Hill, which provides a 24 hour Emergency Department, a Maternity Department, Special Care Baby Unit, Inpatient beds in Medicine, Stroke, Rehabilitation, Surgery, Gynaecology, ENT and Paediatrics. There is a Coronary Care Unit, Surgical High Dependency Unit and a Day Procedure Unit and Radiography Department. There is also an adult Sub-regional Haemodialysis Unit with an area wide service containing 28 Renal Stations. The Hospital also provides a wide range of diagnostic and therapy services with radiology, cardiology investigations and 24hr laboratory service, Physiotherapy, Occupational Therapy, Podiatry, Speech and Language Therapy, Dietetics and Orthoptics all being provided. A range of Mental Health Services and a GP out of hours service are also provided on site.



- 1 local hospital - Downe Hospital, which provides a type 2 Emergency Department operating from 8am – 8pm (Mon-Fri, Closed Weekends), with a Minor Injuries Unit operating from 9am-5pm Saturday and Sunday and the GP Out of Hours Service operates on site. There is also a midwifery led Maternity Unit. The hospital has 49 inpatient beds for a range of medical conditions. The Downe provides the Trust wide Bowel Screening Service and Sexual Health Service, as well as a range of out-patient, diagnostics and day care services, such as cataract surgery. There are also 2 GP surgeries along with community and dental services.



7.10 **Doctor Surgeries**

In 2014/15 there were 181,808 people registered with a GP Practice in Newry, Mourne and Down, 57,295 of those people were aged 50+ years. There are 49 GP Surgeries in the District. Details of these surgeries are included in Appendix B.

7.11 **Dental Surgeries**

There are 27 Dental Surgeries registered with the two Health Trusts in the District. Details of these surgeries are included in Appendix B. There are also a number of private dental practices located within the District that are registered with the Royal and Quality Improvement Authority (RQIA). The RQIA is the independent body responsible for monitoring and inspecting the availability and quality of health and social care services in Northern Ireland, and encouraging improvements in the quality of those services.

7.12 **Care of the Elderly / Vulnerable**

There are a number of facilities available for care for the elderly and other vulnerable groups such as those with learning difficulties. The majority of these facilities are privately run. While they are independent of the health trusts they are registered with, and inspected by, the RQIA.

There are 21 Day Care Facilities, 26 Nursing Homes, 19 Residential Care Homes and 33 Domiciliary Care Providers in the District. Details of these are included in Appendix B.

On Census Day 2011, there were 22,048 people aged 65+ years living in Newry, Mourne and Down, 46.7% stated they had very good or good health, 39.8% had fair health and the remaining 13.5% had bad or very bad health.

7.13 Existing and Future Proposals

The SHSCT currently has plans for two developments. One of these is the Daisy Hill Hospital which has been subject to an on-going programme of modernisation and development. Under its 'Changing for Children' Strategy the SHSCT proposed a new area-wide Paediatric Centre of Excellence at the Daisy Hill Hospital. This was to include a children's only theatre for all planned paediatric surgery with associated ward and dedicated outpatients department. In October 2015 in its Outcome of the public consultation on its three year strategic plan 'Improving through Change 2015-2018' the Trust confirmed that this £7.3m capital development was progressing and was at design stage. Work began in early 2016 and is due to be completed in 2017.

- 7.14 As part of the 'Transforming your Care' initiative the SHSCT announced plans to develop a Community Treatment and Care Centre in Newry. In its response to the public consultation to its 'Improving through Change 2015-2018' plan the Trust confirmed that a business case for this development in Newry was being progressed. A bid was submitted for a new 12,000sqm Community Treatment and Care Centre (CCTC) in Newry City. The proposals create a new Health and Leisure hub by co-locating the new CTCC and Newry Leisure Centre on one site. The building would incorporate GP Practices, Podiatry, Physiotherapy, Hydrotherapy, Imaging, Speech and Language, Dentistry, Orthoptics, Audiology, Mental Health, Children's Services and will act as an administrative centre for Trust Healthcare. Given the proximity of the proposal to Daisy Hill Hospital facilitates the shared use and supports existing health services whilst establishing a core of health services in a recognised location in the city. Outline planning permission was granted 14th May 2015. A subsequent detailed reserved matters application, received 12th August 2016, is currently under consideration.

8.0 Community Services and Facilities

8.1 Police Stations

Within the Plan Area there are four operational police stations with Local Policing Teams (LPTs) providing 24 hour cover based in Newry, Newtownhamilton, Downpatrick and Crossmaglen. These LPTs are supported by three Neighbourhood Policing Teams (NPTs) based in Ardmore, Kilkeel and Newcastle Police Stations which will be mobile and deployed to areas to deal with critical issues.



Source: PSNI Website

- 8.2 It is noted that the PSNI Estate Strategy 2016, has decided to dispose of the existing stations in Ballynahinch and Warrenpoint which are no longer in use. There is opportunity therefore to use these sites for an alternative use.

8.3 Fire Stations

The District falls into the Southern Area which encompasses all of Co. Armagh and Co. Down. The area is managed by an Area Command Team which is based in the Southern Area Headquarters at Portadown. The Area Command team is assisted by 4 district command teams which include Newry and Downpatrick. There are 23 Fire Stations in the Southern Area, eight of which are located within the NMD District i.e. Ballynahinch, Crossmaglen, Downpatrick, Kilkeel, Newcastle, Newtownhamilton, Newry and Warrenpoint.

8.4 Library Provision

Libraries NI have responsibility for the provision of library services. There currently are eleven libraries located in the District at Ballynahinch, Bessbrook, Crossmaglen, Castlewellan, Downpatrick, Kilkeel, Killyleagh, Newcastle, Newry City, Saintfield and Warrenpoint. A mobile library service is also operated across the District. The Libraries NI Corporate Plan 2011-2015 identified plans to open a new library building in Kilkeel and a major refurbishment of Crossmaglen library which have since taken place. It is unlikely there will be any major plans in the foreseeable future with an increased need for cost savings. The Libraries NI Corporate Plan 2016-2020 and the Annual Business Plan 2016/17 note that required cost savings will inevitably have an impact on the provision of services with a further reduction in opening hours in the largest libraries and a reduced stock budget. These measures will be introduced to prevent any further library closures.

8.5 Community Centres

Newry, Mourne and Down District Council is the main public body responsible for providing or facilitating community facilities within the District.

There are 12 leisure /community centres within the district.

- Newry Sports Centre
- Newry Leisure Centre
- Kilkeel Leisure Centre
- St. Colman's Sports Complex, Newry
- Ballynahinch Centre
- Ballymore Sports & Wellbeing Centre Downpatrick
- Bridge Centre, Killyleagh
- Castlewellan Centre
- Dan Rice Memorial Hall, Drumaness
- Down Leisure Centre, Downpatrick
- Market House, Ballynahinch

- Newcastle Centre

8.6 Other community centres are community owned and are located in the local towns, villages and throughout the rural area, many of which are also subsidised by the Council. Significant community activity also takes places in Orange Halls, GAA Clubs and church halls.

8.7 The Council has produced a Sports Facility Strategy 2016, which reflects the wider – NI 10 Year Plan for the provision of Strategic Sports Facility Strategy for Northern Ireland (2016), which focuses on the need for future provision that are of cultural significance, as well as those that provide for high performance training and competition. These facilities contribute to the vision and targets set out within strategic documents such as the Programme for Governments (2011 – 2021), Building a Better Future (2011 – 2015) and Sport Matters, the Northern Ireland Strategy for Sport and Physical Recreation (2009 – 19).

8.8 The Strategy states that the majority of Newry, Mourne and Down communities are within the catchment area of a community accessible sports facility. It is proposed to provide a Sports Hub in each of the District Electoral Areas (DEAs) over time, however, in the meantime, the Strategy has identified a number of priorities which include the following;

- Development of new and improved playing pitches to a 'Good' Standard.
- Consideration of additional water space provision in Newcastle
- Consideration of the provision of a Tennis Bubble to provide all year round tennis facilities at Newry and Newcastle Tennis Clubs.
- Consider a shared partnership with a school to provide a 400m 6 lane athletics facility in the Downpatrick /Newcastle area.

8.9 The strategy also suggests that that there is a need to put in place formal community use agreements to allow the community use of school facilities. The implementation of such agreements would ensure the required supply of

sports hall facilities across Newry, Mourne and Down meets demand now and in the future.

8.10 Post Offices

There are 44 post offices presently in the Council area, in the following settlements

Annacloy, Annsborough, Ardglass, Ballynahinch, Belleeks, Bessbrook, Camlough, Castlewellan, Clough, Crossmaglen, Crossgar, Cullyhanna, Downpatrick (2), Drumaness, Drumaroad, Dundrum, Forkhill, Hilltown, Jonesborough, Kilcoo, Kilkeel, Killeavy, Killough, Kilmore, Killyleagh, Mayobridge, Mullaghbawn, Newcastle, Newtownhamilton, Newry (4), Rathfriland, Rostrevor, Saintfield, Seaforde, Silverbridge, Strangford, Warrenpoint, Whitecross.

There are two mobile post office services which run in Jerrettspass and Ballykinler areas.

9.0 Conclusion

- 9.1 This paper has demonstrated provision of health and education facilities within the District is the responsibility of a number of Government Departments and Statutory Bodies while the Council plays a role in the provision of community services. Whilst decisions on the provision of health, education or community services are a matter for the relevant service providers, the Local Development Plan can aid a joined-up approach in the matter of public interest to ensure there is the necessary flexibility to meet need as and when it arises.
- 9.2 The Plan can also inform the community and potential investors as to health, education and community proposals which are likely to occur.
- 9.3 Future proposal identified by the major service providers for education, health and community services can be reflected in the LDP with necessary land being protected for that use by designating land use zonings. If service

providers identify any land surplus to requirements the LDP can zone alternative uses.

- 9.4 The Plan will allow for the development of education, health, community services subject to specific criteria. These criteria will regard the impact on residential amenity, the scale and character of the settlement, infrastructure and access requirements and any prejudicing of development on surrounding lands.
- 9.5 The Plan cannot identify policies for all sites which may become surplus, as it cannot anticipate demand for alternative or new sites. Such development proposals will be determined through the Development Management process.
- 9.6 Over the Plan period, it is likely that these services will be kept under review and changes will occur. In light of this and the above proposals, the key elements of any strategy should be to:
- Inform the community and potential investors as to the health and education proposals which are likely to occur;
 - Allow for provision of community uses on zoned housing land so long as it does not prejudice comprehensive development of the sites;
 - Provide the necessary flexibility to allow for new health, education and community services within settlements as and when need arises;
 - Where there are definite proposals for new buildings in the education and health sectors, these should be identified and protected in the Plan; and
 - Identify suitable alternative uses for vacated sites or surplus land.

Appendix A

School Definitions

- **Controlled**

Controlled schools are managed and funded by the EA through school Boards of Governors (BoGs). Primary and post-primary school BoGs consist of representatives of transferors - mainly the Protestant churches - along with representatives of parents, teachers and the EA.

- **Maintained**

Maintained schools are managed by BoGs nominated by trustees - mainly Roman Catholic - along with parents, teachers and EA representatives. The employing authority of teachers in these schools is the Council for Catholic Maintained Schools (CCMS).

- **Integrated**

Integrated schools seek to add value to the education process by inviting Protestants and Catholics to come together with other traditions in order to improve their understanding of one another, their own cultures, religions and values. Each grant maintained integrated school is managed by a BoGs consisting of trustees or foundation governors along with parents, teacher and DE representatives. The BoGs of an integrated school is the employing authority and is responsible for the employment of staff.

- **Irish Medium**

Irish-medium education is education provided in an Irish speaking school. DE has a duty to encourage and assist in the development of Irish-medium education. Comhairle na Gaelscolaíochta (CnaG) was established by DE and its remit is to promote, assist and encourage Irish-medium education.

- **Special School**

A special school is a controlled or voluntary school which is specially organised to provide education for pupils with special needs and is recognised by the Department of Education as a special school.

Source: NI Direct website

Appendix B

Medical Practice (GP) Surgeries in the District

Dr Allen & Partners – Kilkeel Rd, Annalong
 Donard Family Practice – Dublin Rd, Castlewellan
 Donard Family Practice – Main St, Newcastle
 Dr Greer & Partners – Church View, Dundrum
 Causeway Surgery – Causeway Place, Newcastle
 Ballyward Surgery – Station Rd, Ballyward
 Clough Surgery – Castlewellan Rd, Clough
 Montalto Medical Centre – Dromore Rd, Ballynahinch
 The Surgery – Irish St, Downpatrick
 Stream Street Surgery – Stream St, Downpatrick
 GP & Primary Care Centre – Downe Hospital Downpatrick
 Dr Murphy – Main St, Killough
 Crossgar Surgery – James St, Crossgar
 Health Centre – Downpatrick Rd, Crossgar
 Mourne Family Surgery – Newry St, Kilkeel
 Kilkeel Primary Care Centre – Greencastle St, Kilkeel
 Shanslieve Surgery – Greencastle St, Kilkeel
 Health Centre – Fairview, Saintfield
 Dr Gaw & Partners – Mary St, Rostrevor
 Killyleagh Surgery – Downparick Rd, Killyleagh
 Health Centre – Warrenpoint
 Summerhill – Great George Street, Warrenpoint
 Marina Surgery – Havelock Place, Warrenpoint
 Dr Reynolds & Partner Cornmarket Surgery – Newry Health Village
 Dr Henry & Partner Cornmarket Surgery – Newry Health Village
 Dr Mulvaney & Partner Cornmarket Surgery – Newry Health Village
 Dr McKnight Clanrye Surgery – Newry Health Village
 Dr Fearon & Partner Clanrye Surgery – Newry Health Village
 Dr McDowell Clanrye Surgery – Newry Health Village
 McVerry / McEvoy Medical Centre – Newry Health Village
 Meadowlands Surgery – Monaghan St, Newry
 Dr Small – Stella Maris St, Strangford
 Dr McKnight – Wakefield Terrace, Bessbrook
 Dr Fearon & Partners – The Clinic Convent Hill Bessbrook
 Dr. Reynolds - The Clinic Convent Hill Bessbrook
 Dr. Mulholland - The Clinic Convent Hill Bessbrook
 Medical Centre – Chapel Rd, Camlough
 Health Centre – Drumintee Rd, Meigh
 Health Centre – Regina Park, Jonesborough
 Dr Maguire & Partners – Main St, Forkhill
 Dr O’Leary & Partners – Community Centre, Mullaghbawn
 Maphoner Surgery – Forkhill Rd, Mullaghbawn
 Dr. O’Leary & Partners – Dundalk St, Newtownhamilton
 Health Centre – Killeen, Killeavy

Dr Fee & Partners Health Centre – McCormick Place Crossmaglen
 Dr Sweeney & Partners Health Centre – McCormick Place Crossmaglen
 Dr Gribben Health Centre – McCormick Place Crossmaglen
 Dr Maguire & Partners Health Centre – McCormick Place Crossmaglen
 Dr Fee & Partners – Rathkeeland House, Blaney Road, Crossmaglen

Source: HSCNI

Dental Surgeries

Appletree Dental Care, 1 The Old Gaswork, Newry
 Newry Denture Centre, 100 Hill Street, Newry
 Unit 3 Cloughogue Business Park, 14 Forkill Road, Newry
 Unit 6 Monaghan Business Park, Newry
 Yew Tree Dental Practice, 45-47 Patrick Street, Newry
 Zen Orthodontics, 2 Downshire Close, Newry
 42B Church Street, Warrenpoint
 3 Duke Street, Warrenpoint
 39 Church Street, Warrenpoint
 1 Castle Avenue, Castlewellan
 11 Main Street, Ballynahinch
 12 Downs Road, Newcastle
 15 Irish Street, Downpatrick
 16-18 Main Street, Saintfield
 17 Stream Street, Downpatrick
 2 The Square, Strangford, Downpatrick
 22 Main Street, Ballynahinch
 35 St Patricks Avenue, Downpatrick
 47 Main Street, Newcastle
 48 Killyleagh Street, Crossgar, Co. Down
 9-11 St Patricks Avenue, Downpatrick
 Downe Dental Care Ltd, 10 English Street, Downpatrick
 Flat 2 Iveagh Flats, Railway Street, Newcastle
 The Villages Dental Practice, 33 Downpatrick Street, Crossgar
 51C Forkhill Road, Newry
 4 Windsor Hill, Newry
 5 Windsor Hill, Newry

Source: RQIA

Day Care Facilities

Age NI, Dublin Road, Castlewellan
 Age NI Kilkeel Day Centre incorporating 'Age NI Orchard Day Centre', 18 Mill Road, Kilkeel
 Ardarragh Resource Centre, Downshire Estate, Ardglass Road, Downpatrick
 Bardan Cottage, 12 Bryansford Avenue, Newcastle
 Binnian Lodge Resource Centre, Manse Road, Kilkeel
 Bryansford Road incorporating Pumpkin Pastures, 61 Bryansford Road, Newcastle

Cairnmount Day Centre, Forthill Road, Newry
 Crossmaglen Social Education Centre, Rathkeeland House, Blaney Road, Crossmaglen
 Donard Day Centre, Slieve Roe House, Kilkeel
 Grove Day Centre Age NI, 8 Antrim Road, Ballynahinch
 Mainstay DRP, 1 Cumulus Heights, Ballyvange, Downpatrick
 Millview Resource Centre, College Square West, Bessbrook
 Mindwise, Ballydugan Industrial Estate, 2 Ballydugan Road, Downpatrick
 Mindwise, Ballybot House, 28 Cornmarket, Newry
 Mountview Assessment and Resource Centre incorporating Mountainview Workskills and Mountainview Social Group, Flying Horse, Downpatrick
 Mourne Stimulus Day Centre, 1 Council Road, Kilkeel
 Orchard Centre, Dromalane Road, Newry
 Orchard Grove Day Centre, 7 The Square, Clough
 Prospects, Ballybot House Cornmarket
 The Laurels' Day Centre, Dromalane Road, Newry
 Windsor Day Centre, 2A Rathfriland Road, Newry

Source: RQIA

Residential Care Homes

Arbour House, 16 Great George's Street South, Warrenpoint
 Ardview House, 18 The Ward, Ardglass
 Barnvale Cottage, 82b Mill Hill, Castlewellan
 Cloughreagh House, Millvale Road, Bessbrook, Newry
 Corriewood Private Clinic, 3 Station Road, Castlewellan
 Cumulus Heights Residential Services, 3-5 Cumulus Heights, Ballyvange, Downpatrick
 Glasswater Lodge, 1 Glasswater Road, Crossgar
 Iniscora, 29 St Patrick's Drive, Downpatrick
 Lawnfield House, 5 King Street, Newcastle
 Oakridge Residential Unit, 14 Magheraknock Road, Ballynahinch
 Orchard Grove, 7 The Square. Clough
 River House, 131 Central Promenade, Newcastle
 Seafort House, 6 Queen Street, Warrenpoint
 Seeconnell Private Village, 119 Clonvaraghan Road, Catlewellan
 Slieve Roe House, Manse Road, Kilkeel, Newry
 Struell Lodge, 2 Ardglass Road, Downpatrick
 The Beeches Professional and Therapeutic Services, 41 Lisburn Road, Ballynahinch
 Tullywest Manor, 12 Tullywest Road, Saintfield
 Willowview, 45 Killyleagh Road, Saintfield

Source: RQIA

Nursing Homes

Ardmaine Care Home, 8 Fullerton Road, Newry
 Ashgrove, 55 Belfast Road, Newry
 Avila, 32 Convent Hill, Bessbrook, Newry
 Brooklands, 10 Newry Road, Kilkeel
 Cairngrove, Balmoral Avenue, Rathfriland Road, Newry
 Cairnhill, 39 Rathfriland Road, Newry
 Carlingford Lodge Care Home, 76 Upper Dromore Road, Warrenpoint
 Corriewood Private Clinic, 3 Station Road, Castlewellan
 Fishbourne House, 71 Spa Road, Ballynahinch
 Glencarron, 6 Creamery Road, Crossmaglen
 Greenvale House, 82-84 Mill Hill Castlewellan
 Kilbroney House, 83 Kilbroney Road, Rostrevor
 Kings Castle, Kildare Street, Ardglass
 Lecale Lodge, 26 Strangford Road, Downpatrick
 Oakridge Care Home, 14 Magheraknock Road, Ballynahinch
 Our Mother of Mercy, 1 Home Avenue, Newry
 Redburn Clinic, 89 Belfast Road, Ballynahinch
 Ringdufferin Nursing Home, 36 Ringdufferin Road, Killyleagh
 Rockfield Care Centre, Windmill Road, Newry
 Silver Birch Lodge, 54 Crossgar Road, Saintfield
 Slieve Dhu, 43 Bryansford Road, Newcastle
 Spa Nursing Home, 77-79 Grove Road, Ballynahinch
 St Josephs, 16 Prince Street, Warrenpoint
 Strangford Court, Millar Suite, 26 Strangford Road, Downpatrick
 Strangford Court, Oakland Suite, 26 Strangford Road, Downpatrick
 Wood Lodge, Mill Hill, Castlewellan

Source: RQIA

Domiciliary Care Providers

53 Ardglass Road, Downpatrick
 Age NI The Lodge, 4 Dublin Road, Castlewellan
 Alan Close, 12 Alan Close, Newcastle
 Aldergrove House, 7 Ashgrove Road, Newry
 All Ireland Homecare Limited, 21 Windmill Business Park, Saintfield
 Ardaveen Manor, 35 Ardaveen Park, Bessbrook, Newry
 Bryansford Road, 61 Bryansford Road, Kilkeel
 Camphill Community- Mourne Grange, 169 Newry Road, Kilkeel
 Cedar Court Supported Housing Facility, 100a Bridge Street, Downpatrick
 Central Promenade, 15 Central Promenade Newcastle
 Domiciliary Care Service, First Floor, Main Building, Downshire Estate, Ardglass Road, Downpatrick
 Donard Murray, 4-8 Bryansford Road, Newcastle
 Down Community Care, 46/48 Kildare Street, Ardglass
 Elm Healthcare Limited, 9 Whitegates, Kileavey Road, Newry

Glanree House Supported Living Scheme, Glanree House, 37 Patrick Street, Newry
 Hollygate Homecare, 7 The Square, Clough
 Home Instead Senior Care (NI) Limited, 24 Main Street, Saintfield
 Jark (Downpatrick) Limited, Unit 25/26 Down Business Park 46 Belfast Road,
 Downpatrick
 Lydian Care Ltd, 33 Main Street, Newcastle
 Mainstay DRP, Ardcora Supported Housing Service, 5 Killough Road, Downpatrick
 Mainstay DRP, Rathdree Supported Housing Service, 31 St Patrick's Drive,
 Downpatrick
 Mears Care, 16 Win Business Park, Canal Quay, Newry
 Moneydarragh Flexicare, 11a Ballymartin Village, Ballymartin, Kilkeel
 PCG Connaught House, 1 Arthur Street, Newry
 PCG Kilmorey House, 3 Arthur Street, Newry
 Phoenix Nursing Agency (Homecare Division) Ltd, Ardmor Gatelodge, 1 Belfast Road,
 Newry
 Shanlieve Supported Living, 1-3 Randal Heights, Kilkeel
 Slievegrane, 2a Ardglass Road, Downpatrick
 Struell Lodge Supported Housing Scheme, 2 Ardglass Road, Downpatrick
 Teach Sona, 5 Mullanstown, Mullaghbawn
 The Beeches Small Group Home, 44 Lisburn Road, Ballynahinch
 Trackars Ltd, 31b St Patrick's Avenue, Downpatrick
 Trust Homecare, Drumalane House, Drumalane Road, Newry

Source: HSCNI