



February 9th, 2016

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 17th February 2016** at **10:00 am** in the **Boardroom, District Council Offices, Monaghan Row, Newry.**

The Members of the Planning Committee are:-

Chair: Councillor J Tinnelly

Vice Chair: Councillor W Clarke

Members:	Councillor M Larkin	Councillor M Ruane
	Councillor V Harte	Councillor D McAteer
	Councillor K Loughran	Councillor L Devlin
	Councillor M Murnin	Councillor G Craig
	Councillor H McKee	Councillor P Brown

Agenda

1. **10.00 am - Site visit - P/2014/0120/F - Glasgiven Contracts Ltd - vacant site fronting onto Glassdrumman Road, Annalong adjacent/between No. 2 Kelly's Brae and No. 3 Mullartown Heights, Annalong - commercial village retail store with first floor apartments and associated car park (amended plans).**
2. **12 noon approximately - Planning Committee Meeting to commence in the Boardroom, Monaghan Row, Newry.**
3. **Apologies.**
4. **Declarations of Interest.**

Minutes for Consideration and Adoption

5. **Minutes of Planning Committee Meeting held on Thursday 4 February 2016. (Attached).**

Planning Minutes - 04-02-2016.pdf

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For Noting

6. **Planning Department Performance Indicators. (Attached).**

Planning Committee Performance report - January 2016.pdf

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7. **Report - Contact from Public Representatives - January 2016. (Attached).**

Elected Representatives Report.pdf

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8. **LA07/2015/0077/F - Sharon McKee - new 2 storey dwelling at site adjacent to 14 Main Street, Dundrum - proposed amendment to previously approved dwellings (ref: R/2001/0549/F) from 2 semi detached dwellings, to one detached dwelling (amended description). (Case Officer report attached).**

Rec: APPROVAL

[LA07-2015-0077-F - Sharon McKee.pdf](#)

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9. **LA07/2015/0319 - Newry, Mourne and Down District Council - lands adjacent to Dublin Road Bridge to Victoria Lock through Albert Basin and the Middlebank, Newry - upgrading and improvements to existing pathway and improved access along greenway, new pedestrian crossings at the existing weir and Victoria Lock gates. (Case Officer report attached).**

Rec: APPROVAL

[LA07-2015-0319-F - Victoria Lock.pdf](#)

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10. **LA07/2015/0616/F - Newry, Mourne and Down District Council - 35m north of 12 Old Road, Newry - renewal of full planning permission for the erection of new play area. (Case Officer report attached).**

Rec: APPROVAL

[LA07-2015-0616-F - NMDDC.pdf](#)

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11. **LA07/2015/0735/LBC - Newry, Mourne and Down District Council - Warrenpoint Municipal Park - regeneration of historic Edwardian Park associated buildings and structures. To include Gardeners Bothy extension, refurbishment of Pavilion to provide interpretive space and restoration of Grade B+ Listed Bandstand. (Case Officer report attached).**

Rec: CONSENT

12. **LA07/2015/0777/F - Newry, Mourne and Down District Council - Warrenpoint Municipal Park - regeneration of historic Edwardian Park associated buildings and structures. To include Gardeners Bothy extension, refurbishment of Pavilion to provide interpretive space and restoration of Grade B+ Listed Bandstand. (Case Officer report attached).**

Rec: APPROVAL

LA07-2015-0777-F - Warrenpoint Park (2).pdf

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13. **P/2015/0121/O - Mr O Slane - land 30m north west of 1 Tullyet Road, Newtownhamilton - proposed site for infill dwelling and detached garage. (Case Officer report attached).**

Rec: REFUSAL

P-2015-0121-O - Mr O Slane.pdf

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14. **P/2015/0187/O - Mr John Morgan - site 150m east of the junction of Bryansford Road and Kinnahalla Road, Co. Down (with access from Kinnahalla Road). (Case Officer report attached).**

Rec: REFUSAL

P-2015-0187-O - John Morgan.pdf

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15. **P/2014/0120/F - Glasgiven Contracts Ltd. - vacant site fronting onto Glassdrumman Road, Annalong adjacent/between No. 2 Keilly's Brae and No. 3 Mullartown Heights, Annalong - commercial village retail store with first floor apartments and associated car park (amended plans). (Case Officer report attached).**

Rec: REFUSAL

P-2014-0120-F - Glasgiven Contracts.pdf

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Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
Cllr. Naomi Bailie	naomi.bailie@nmandd.org
Cllr. Patrick Brown	patrick.brown@nmandd.org
Cllr. Robert Burgess	robert.burgess@downdc.gov.uk
Cllr. Stephen Burns	stephen.burns@downdc.gov.uk
Cllr. Pete Byrne	pete.byrne@nmandd.org
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Cllr. charlie casey	charlie.casey@newryandmourne.gov.uk
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Ms. Louise Dillon	louise.dillon@newryandmourne.gov.uk
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Cllr. Kate Loughran	kate.loughran@newryandmourne.gov.uk
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Cllr. Roisin Mulgrew	roisin.mulgrew@nmandd.org
Cllr. Mark Murnin	mark.murnin@nmandd.org

Mrs. Aisling Murray	aisling.murray@newryandmourne.gov.uk
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Cllr. Pol O'Gribin	pol.ogribin@nmandd.org
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Caroline Taylor	Caroline.Taylor@downdc.gov.uk
Cllr. Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Cllr. William Walker	william.walker@nmandd.org
Mrs. Marie Ward	marie.ward@downdc.gov.uk
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NEWRY, MOURNE & DOWN DISTRICT COUNCIL

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Ref: PL / DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Thursday 4 February 2016 at 10.00 am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor J Tinnelly

Deputy Chairperson: Councillor W Clarke

In attendance: (Committee Members)

Cllr M Larkin	Cllr G Craig
Cllr V Harte	Cllr K Loughran
Cllr H McKee	Cllr M Ruane
Cllr M Murnin	Cllr D McAteer

(Officials)

Mr C O'Rourke	Director of RTS
Mr A McKay	Area Planning Manager
Mr P Green	Legal Officer
Ms J McParland	Senior Planning Officer
Ms E McParland	Democratic Services Manager
Ms C McAteer	Democratic Services Officer

P/07/2016: APOLOGIES / CHAIRMAN'S REMARKS

Noted: Apologies were received from Councillor L Devlin and Councillor P Brown.

P/08/2016: DECLARATIONS OF INTEREST

Councillor Ruane declared an interest in planning application LA07/2015/1032/F – Frazer Ferries and advised he would be leaving the meeting for the discussion on the application.

Councillor McKee declared an interest in planning application LA07/2015/1032/F – Frazer Ferries and advised he would be leaving the meeting for the discussion on the application.

Councillor Harte declared an interest in planning application LA07/2015/1032/F – Frazer Ferries and advised she would be leaving the meeting for the discussion on this application.

Councillor D McAteer declared an interest in planning application LA07/2015/1032/F – Frazer Ferries and advised he would be leaving the meeting for the discussion on this application.

Councillor Tinnelly declared an interest in planning application LA07/2015/0430/F – Trustees of St. Bronagh's Primary School as his partner was a Trustee of the School and advised he would be leaving the meeting for the discussion on this application.

**P/09/2016: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 20 JANUARY 2016**

Read: Minutes of Planning Committee Meeting held on Wednesday 20 January 2016. (Copy circulated).

AGREED: On the proposal of Councillor McKee, seconded by Councillor Ruane, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 20 January 2016 as a true and accurate record.

**P/10/2016: ACTION SHEET
RE: MEMBERS' BRIEFING PANEL MEETING
FRIDAY 29 JANUARY 2016**

Read: Action Sheet of Members' Briefing Panel Meeting held on Friday 29 January 2016. (Copy circulated)

AGREED: It was agreed to mark the above Action Sheet noted.

P/11/2016: APPLICATIONS FOR DETERMINATION

Noted: Councillor Tinnelly left the meeting at this point (10.10 am) and Councillor W Clarke assumed the Chair.

The following Applications were considered by the Committee:

(1) LA07/2015/0430/F – Trustees of St. Bronagh's Primary School

Location:

53 Church Street, Rostrevor

Proposal:

Demolition of the existing school buildings and rear return of existing convent building. Construction of a new single storey 7 classroom school building including school meals accommodation. Construction of new stair and lift extension to the rear of the convent building. Provision of new site car parking facilities and playgrounds.

Conclusion and recommendation from Planning Official:

Approval

AGREED: On the proposal of Councillor Ruane, seconded by Councillor McAteer, it was agreed to issue an approval in respect of planning application LA07/2015/0430/F, subject to conditions 1-5 and informatives 1-13, as per the Development Management Report.

Noted: No abstentions.

Noted: Councillor Tinnelly returned to the meeting and assumed the Chair (10.20 am).

Noted: Councillors Ruane, McKee, Harte and D McAteer left the meeting at this point (10.20 am).

(2) LA07/2015/1032/F – Frazer Ferries***Location:***

Lands adjacent to 80 Greencastle Pier Road, Greencastle.

Proposal:

Planning application to modify planning condition 15 (correction of typing error) and condition 24 (clarification of permitted vehicular usage) and to remove planning condition 22 (control of vessel propeller design) in respect of planning permission granted under planning reference P/2013/0434/F).

Conclusion and recommendation from Planning Official

Approval

Noted: Councillor Larkin asked if it would be prudent to defer consideration of this application until other applications relating to this project could be presented to the Planning Committee, so that all the applications could be considered in their entirety.

Mr McKay, Head of Planning, advised that generally if an application was in a position to be advanced to a decision then normally it would be expected to follow this route. He said it would not be appropriate to hold consideration of one application, depending on the processing of another, unless they were inextricably linked. In his view, and that of his Officers, the applications for this proposal could be safely separated and this application could be dealt with on its own merits.

Mr Green, Legal Advisor, said it would be appropriate to have the report on the application presented in the first instance so that Members could gauge how inter-related the applications were.

Noted: In response to a query from Councillor Craig, Ms J McParland confirmed that page 5 of the Development Management Report contained a typographical error which referred to condition 19 when it should have been condition 24. The typographical error would be amended from 19 to read condition 24.

AGREED: On the proposal of Councillor Murnin, seconded by Councillor Craig, it was agreed to issue an approval in respect of planning application LA07/2015/1032/F subject to the conditions as outlined in the Development Management Report.

Noted: No abstentions.

Noted: It was noted that Councillors Ruane, McKee, Harte and D McAteer returned to the meeting at this point (10.40 am).

(3) LA07/2015/1126/F – Cadogen Enright***Location:***

43 St. Patrick's Avenue, Downpatrick

Proposal:

Extension to dwelling (retrospective)

Conclusion and recommendation from Planning Official
Approval

AGREED: On the proposal of Councillor McAteer, seconded by Councillor Craig, it was agreed to issue an approval in respect of planning application LA2015/1126/F as per the Development Management Report.

Noted: No abstentions.

(4) LA07/2015/1286/F – Newry, Mourne and Down District Council

Location:
Warrenpoint Square Toilet Block

Proposal:
Proposed installation of a “4 Faced Clock and Cupola” on top of the Warrenpoint Square Toilet Block. This is a bespoke 3 dimensional metal weathervane representing a Rabbit, while the Clock is done in an Oxford Style.

Conclusion and recommendation from Planning Official
Approval

AGREED: On the proposal of Councillor McKee, seconded by Councillor McAteer, it was agreed to issue an approval in respect of planning application LA2015/1286/F as per the Development Management Report.

Noted: No abstentions.

There being no further business the meeting concluded at 10.45 am.

For adoption at the Planning Committee Meeting to be held on Wednesday 17 February 2016.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**

Newry, Mourne & Down District Council – January 2016

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1. Live Applications

NEW APPLICATIONS	LIVE APPLICATIONS YTD	LIVE APPLICATIONS OVER 12 MONTHS
112	1,596	387

2. Live Applications by length of time in system

Under 6 months	Between 6 and 12 months	Between 12 and 18 months	Between 18 and 24 months	Over 24 months	Total
656	553	182	64	141	1,596

3. Live applications per Case Officer

Average number of Applications per Case Officer in January 2016
84

4. Decisions issued per month

Decisions Issued

Number of Decisions Issued	Number of Decisions Issued under delegated authority	Average processing Time
89	86	20.73 weeks

5. Decisions Issued YTD

Number of Decisions Issued	Average processing Time	Breakdown of Decisions	
		Approvals	Refusals
827	41.37 weeks	91%	9%
		91%	9%

Newry, Mourne & Down District Council – January 2016

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6. Enforcement

Live cases

Month	<=1yr	1-2 yrs	2-3 yrs	3-4 yrs	4-5 yrs	5+ yrs	Total
January 2016	187	117	93	40	24	74	535

7. Planning Committee

Month	Number of Applications presented to Committee	Number of Applications Determined by Committee	Number of Applications Deferred for future meeting
15 April 2015	5	5	0
13 May 2015	5	4	1
10 June 2015	6	4	2
8 July 2015	5	5	0
5 August 2015	4	3	1
2 September 2015	2	2	0
30 September 2015	4	4	0
28 October 2015	2	2	0
25 November 2015	6	4	2
16 December 2015	2	2	0
Totals	41	35	6

8. Performance against PSA targets

	Major applications (target of 30 weeks)		Local applications (target of 15 weeks)		Cases concluded (target of 39 weeks)	
	Number decided/ withdrawn ¹	Average processing time ²	Number decided/ withdrawn ¹	Average processing time ²	Number brought to conclusion ³	"70%" conclusion time ³
April	0	-	20	24.8	36	64.1
May	3	53.4	67	30.6	5	115.8
June	5	61.2	59	25.6	21	30.6
July	1	102.0	79	32.8	13	79.3
August	0	-	74	33.6	17	65.9
September	4	35.9	116	35.4	12	177.2
October	4	56.1	124	32.1	18	29.6
November	2	40.7	90	36.2	26	73.9
December	0	-	0	-	0	-
January	0	-	0	-	0	-
February	0	-	0	-	0	-
March	0	-	0	-	0	-
Year to date	19	53.2	629	32.6	148	61.5

Newry, Mourne & Down District Council – January 2016

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Notes:

- 1. CLUDS, TPOS, NMCS and PADS/PANs have been excluded from all applications figures*
- 2. The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".*
- 3. The time taken to conclude an enforcement case is calculated from the date on which the complaint is received to the earliest date of the following: a notice is issued; proceedings commence; a planning application is received; or a case is closed. The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70th percentile of the sequence.*

Record of meetings between Planning Officers and Public Representatives

DATE OF MEETING	PLANNING OFFICER'S NAME/S	PUBLIC REPRESENTATIVE'S NAME
8/01/2016	A McKay, P Rooney, D Watson	Seán Rogers MLA, Cllr Willie Clarke, Cllr Mark Murnin
12/01/2016	P Rooney, M Keane	Cllr Stephen Burns
14/01/16	A McKay	Margaret Ritchie MLA
20/01/2016	P Rooney	Cllr Cadogan Enright
25/01/2016	D Watson	Margaret Ritchie MLA
27/01/16	M Keane	Seán Rogers MLA

Council Newry, Mourne and Down

Date 2/17/16

ITEM NO	1			
APPLIC NO	LA07/2015/0077/F	Full	DATE VALID	4/8/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Sharon McKee 120 Ballymacormick Road Dromore BT25 1QS		AGENT	Paul McAlister Architects Ltd The Barn 64a Drumnacanny Road Portadown BT63 5LY
LOCATION	New 2 storey dwelling at Site adjacent to 14 Main Street Dundrum BT33 0LX			
PROPOSAL	Proposed amendment to previously approved dwellings (ref: R/2001/0549/F) from 2 semi detached dwellings, to one detached dwelling. (Amended description).			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	8	0	0	0
			Addresses Signatures	Addresses Signatures
			0 0	0 0



Newry, Mourne and Down District
Council
Planning Office
Downshire Civic Centre
Ardglass Road
Downpatrick
BT30 6GQ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17th February 2016	Item Number:
Application ID: LA07/2015/0077/F	Target Date:
Proposal: Proposed amendment to previously approved dwellings (ref: R/2001/0549/F) from 2 semi detached dwellings, to one detached dwelling.(amended description).	Location: New 2 storey dwelling at Site adjacent to 14 Main Street Dundrum BT33 0LX
Referral Route: Application attracting objections from statutory consultees where the officer's recommendation is for approval.	
Recommendation: Approval	
Applicant Name and Address: Sharon McKee 120 Ballymacormick Road Dromore BT25 1QS	Agent Name and Address: Paul McAlister Architects Ltd The Barn 64a Drumnacanny Road Portadown BT63 5LY
Executive Summary:	
Signature(s):	

Case Officer Report		
Consultations:		
Consultation Type	Consultee	Response
Statutory	NIEA	Advice
Statutory	NI Transport - Downpatrick Office	Content
Statutory	NI Transport - Downpatrick Office	
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Representations:		
Letters of Support	None Received	
Letters of Objection	8	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
<p>Recommendation based having considered all material planning considerations, consultation responses and representations received.</p>		
Characteristics of the Site and Area		
<p>The site is located on lands between number 14 and 20 Main Street, Dundrum. The site is a small parcel of land facing onto Main St with the rear boundary looking out towards Dundrum Bay. The site lies below the adjacent road level. All boundaries of the site are defined on site. The boundary with number 20 is defined by a block wall with some jagged stones to the top. The front boundary is defined by a low rise wall approximately 1 metre in height which is quite overgrown with vegetation. Number 14, is a small single storey detached dwelling and number 20 is that of a two storey end terrace.</p> <p>The site is located within the settlement limits of Dundrum, with an Area of Townscape Character, and An Area of Outstanding Natural Beauty and access onto a protected route as defined in the Ards and Down Area Plan 2015. The site is also adjacent to the Listed GateLodge number 14.</p>		
Planning Assessment of Policy and Other Material Considerations		
History		
<p>R/2001/0549/F- Erection of a pair of semi-detached dwellings to Main Street frontage (with retention of existing stone wall) and detached dwelling to rear of site. (Amended Scheme)- Approval- 26/2/03 expiry 24/2/08</p>		

R/2004/1045/F- Change of house type for site no3 (detached dwelling)- Approval- 8/12/04 expiry 8/12/09

There are a number of objections to the proposal.

Having viewed the correspondence on the file, R/2001/0549/F, it was confirmed that development commenced in 2006 with the construction of the detached dwelling to the rear of the site. Confirmation sought from Building Control that the development now namely 103, The Quay commenced in Nov 2005.

There have been a number of objections raised in relation to this file and queries regarding the commencement of development. Although development did not commence on this parcel of land, the red line of the applications R/2001/0549/F and R/2004/1045/F surrounded all lands and the R/2004/1045/F application was solely a change of house in relation to the R/2001/0549/F approval. It is considered although the details of the 2001 approval for the building now namely, 103 The Quay did not commence, the change of house type is linked to that 2001 approval. Therefore, the commencement of 103 The Quay in turn commenced development of the R/2001/0549/F.

The permission for the two semi detached dwellings is therefore still a live and valid permission.

The site is located within the settlement limits of Dundrum, an Area of Townscape Character, adjacent to the Listed Gate Lodge and an Area Of Outstanding Natural Beauty as defined in the Ards and Down Area Plan 2015.

The proposal will therefore be assessed against the following relevant planning policies.

SPPS, PPS 2, PPS 3, PPS 6, addendum to PPS 7, PPS 7 and PPS 12.

The proposal is for full permission for one two storey dwelling to supersede the previously approved 2 dwellings.

The previous approval was for a set of two storey semi detached units. The dwellings had a ridge height of 9 metres, 11.25 metres frontage and 9 metres depth. The proposal had a rear garden depth of 6.9 metres with a private amenity space of 35 sq metres. To the rear of the units the properties incorporated first floor balconies. The dwelling walls are to be plaster render

with a slate finish to the roof.

As stated this proposal is for a reduction from two previously approved units to one. The proposed dwelling has a maximum ridge height of 9 metres with a step down in the ridge by 1 metres to the side, a frontage of 11.4 metres and gable depth of 11.2 metres. The proposed rear garden depth has therefore been slightly reduced to 6.6 metres with a proposed private amenity space of approximately 50 sq metres. The proposal also incorporates a balcony area. The dwelling walls are to be plaster render with a blue/black slate finish to the roof.

The proposed siting of the new unit will overlap that previously approved to a certain degree. The proposed layout of the development is to retain the existing boundaries. The access arrangements are to remain as that previously approved. The main views of the proposed development will be those travelling along the front of the site. The proposal having considered the surrounding context maintains and respects the overall character of the existing built form of the area. The proposal in terms of the overall size, scale, proportions, massing and appearance has not significantly changed from that previously approved. The proposed window treatment having spoke with the agent is to have a powder coated white finish to the front facing the Main Street with a more contemporary grey finish facing the bay. The proposed materials are similar to those seen throughout the existing Area of Townscape in Dundrum.

Since the previous permissions were granted, the adjacent building number 14 the Gate Lodge has been listed in 2009. NIEA HBU has considered the proposal against PPS 6 Policy BH 11- Development affecting the setting of a listed building. HBU has considered the proposed dwelling to be oversized for this plot, which is only capable of supporting minor development which will not 'close out' the view and backdrop of Dundrum Bay, an important component of the gate lodge setting.

NIEA HBU was consulted on the original application R/2001/0549/F and offered no objections. NIEA HBU concerns have been considered, however given that the previous approval has commenced and considering the impact of two units on the existing setting, it is considered that the proposal will have a lesser impact. The design respects the surrounding buildings in terms of scale, height, massing and alignment. It is noted that the listed Gate Lodge is single storey but all the units surrounding this listing are two storey in nature. The proposal makes use of traditional building materials which respect those found on the listed building and in the surrounding area. The proposed residential use also respects the character of the setting of the listed building.

Having inspected the site and completed a history search of the surrounding lands, the main properties potentially impacted upon by this development are numbers 14 and 20 Main Street, Dundrum and 103 The Quay. Number 103 was approved as part of the original application R/2001/0549/F and subsequently a change of house type under R/2004/1045/F. This application was approved having considered the two dwellings for which this application seeks to amend to one unit. Given the siting and orientation of the windows and proposed balcony, no unreasonable overlooking or overshadowing would occur as a result of this application.

Having viewed the plans, and considered the separation distance at a minimum 18 metres between the first floor gable bedroom room and the closest window of number 14 and the location of the private amenity associated with this dwelling, it is considered no unreasonable overlooking of this property will occur.

The proposal is to be 1.3 metres from the boundary with number 20 Main Street, Dundrum. The proposal is to sit 3.2 metres back from the front boundary of the site. Having assessed the proposed impact on number 20 Main Street and applied the light test, it is considered given the siting of the previous approval and the orientation of the sun path, east- west, that there would be no unreasonable overshadowing or loss of light caused by the proposed changes. Having discuss the proposal with the agent, it was agreed that the ground floor living window facing number 20 be conditioned to be obscure glazing. The other windows on the elevation facing number 20 are to serve bathrooms and therefore will be obscure and cause no loss of privacy to number 20. The proposal includes the construction of a first floor balcony area facing out towards the Bay. The proposal balcony is tucked in from the rear elevation and sited 6.6 metres from the boundary with number 20. The previous approval allowed for the construction of two, 1st floor balconies within 1.7 metres of the boundary with number 20. Having considered the new siting of the balcony, it is considered that any potential overlooking caused by this development to be lesser than that previously approved.

The proposal dwelling is to have a finish floor level of 4.75 and finish ground level of 4.60. The proposal will involve a maximum of 0.7 metres of infilling to raise and level the site to the rear. The previous approval also allowed for a underbuild of 0.6 metres to the rear of the units approved. Given the minimal earthworks there are no proposed retaining structures required for the development.

The proposed layout has space for three in curtilage car parking and turning area. The proposal

is to create a new access onto a protected route. Given the history, the proposal will result in fewer vehicles movement using the access as the proposal is going from two units to one unit. TransportNI have been consulted as part of this application and returned with no objections to the proposal.

The was a number of objections received 9 letters in total from 5 different addresses.

The issues raised by the objectors

- Views of Dundrum Bay hindered- The proposal will hinder views of bay from the Main Street. However, having considered the proposal in respect to that previously approved, there will be no significant changes.

- Loss of income- As stated in my report it is accepted that the previous approval had commenced and therefore the applicant could build the 2 dwellings as approved on the site.

- Environmental Impact to the Bay considered- As part of the process consultation was sought from Shared Environmental Services and NIEA NED, regarding the impact of the proposed development on the Murlough SAC, ASSI and any European Site. They both stated that the proposal will have no likely significant effects from an ornithology or hydrological point of view on these designations.

The proposal is being connected to mains sewage, accordingly there will be no potential effects from that source. There is a good land buffer of 40 metres between the site and the SAC, this will provide an adequate buffer for any potential polluting construction discharges from such as small development, therefore no issues. The site is in an existing built up village so any potential disturbance to ornithology features of any European Site are minimal to non-existent and in any course if present would be short term so no likely long term significance either from the potential source.

- Character/scale/design- the proposal dwelling as discussed is similar to that approved and in keeping with the character of the surrounding area.

- Traffic problems- The proposal will result less traffic as the number of units has been reduced

from 2 to 1. TransportNI have been consulted as part of this application and returned with no objections.

- Scheme will detract from the existing amenity- the extent of the application site highlighted in red does not include the bench facing the Main St. The block plan makes reference to it approximately 3 metres from the proposed access.

- Pressure on the villages infrastructure- Water Management Unit was consulted as part of the application. The sewage system and WWTW in Dundrum is overloaded. They stated that any further development in the area requiring a connection to the foul sewer, unless as a 'like for like' has the potential to further exacerbate the risk of adverse impacts on the water environment until such times as the sewage system and WWTW are upgraded. Having considered this response and the previous commitment for 2 units this proposal will have a lesser impact, therefore it is considered acceptable in this case.

- Sea wall- The previous approval allowed for an access to through the existing wall. Having checked the NIEA HBU database, this wall is not listed.

- Public right of way- Having spoke with the Public Rights of Way office within the Council, she was unaware of public right of way at this location and advised that the informative be attached to any decision.

- Issues regarding ownership- The ownership of the small wedge of grass between the site and the main street was queried by an objection. A P2 challenge was issued to the agent. The agent responded to this by amending the Cert on Q23 and serving notice on the no. 14 Main St. Following the re- neighbour notification of this amendment to the cert a further letter of representation was received from the owner of no. 20 Main St. This letter raised the ownership of the boundary between the site and number 20. The Council queried the ownership of the wall with the agent to which they provided details showing total ownership of this boundary wall. The P1 form has been signed and dated, in line with data protection the signatures are redacted and not open to public viewing on line.

Consultations

NIEA HBU- Considers that the proposal has an adverse impact on the Gate Lodge under Policy BH11.

NIEA WMU- proposal will have an adverse impact on the water environment

NIEA Marine Division- content will the proposal with conditions
NIEA WM- To consult with Environmental health
NIEA NED- NED CDP has considered the impacts of the proposal on Murlough SAC/ASSI and on the basis of the information provided, is content with the proposal.
SES- as stated above the proposal will have no likely significant effects from an ornithology or hydrological point of view on these designations. "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 conservation objectives/features of Strangford Lough SAC/SPA/Ramsar or any other European site either alone or in combination.
DDC EH- no objection subject to connection to main sewer with NIW approval
TransportNI- no objection

All statutory neighbours have been notified as part of the application process and all representations received have been considered as part of the assessment.

Neighbour Notification Checked	Yes
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Summary of Recommendation:

Having considered all of the above I am of the opinion to recommend approval.

Conditions/Reasons for Refusal:

Conditions

- As required by Section 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.
- All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practise.
REASON: To ensure the provision, establishment and maintenance of a high standard of landscape.
- If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the

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

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

4. The ground floor living window, which faces number 20 Main Street, Dundrum should be in obscure glass and to be permanently retained as same.

Reason: In order to preserve the amenity of the adjoining property.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.

2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

3. This permission authorises only private domestic use of the proposed dwelling and does not confer approval on the carrying out of trade or business there from.

4. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date:

ANNEX	
Date Valid	8th April 2015
Date First Advertised	29th April 2015
Date Last Advertised	18th November 2015
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1, 115A Main Street, Dundrum, Down, BT33 0LX, The Owner/Occupier, 1, 151A Main Street, Dundrum, Down, BT33 0LX, The Owner/Occupier, 103 The Quay, Dundrum, Down, BT33 0UJ The Owner/Occupier, 103-105, Main Street, Dundrum, Down, BT33 0LX, The Owner/Occupier, 105 Main Street, Dundrum, Down, BT33 0LX, The Owner/Occupier, 107 Main Street Dundrum Down The Owner/Occupier, 109 Main Street Dundrum Down The Owner/Occupier, 111 Main Street Dundrum Down The Owner/Occupier, 113 Main Street Dundrum Down The Owner/Occupier, 115 Main Street Dundrum Down Owner/Occupier . 115 Main Street, Dundrum, Down, Northern Ireland, BT33 0LX RP Smith 115, Main Street, Dundrum, Down, Northern Ireland, BT33 0LX S McKibbin 115, Main Street, Dundrum, Down, Northern Ireland, BT33 0LX The Owner/Occupier, 117 Main Street Dundrum Down S Denny 117, Main Street, Dundrum, Down, Northern Ireland, BT33 0LX S Denny 117, Main Street, Dundrum, Down, Northern Ireland, BT33 0LX The Owner/Occupier, 119 Main Street Dundrum Down The Owner/Occupier, 12 Main Street Dundrum Down The Owner/Occupier, 121 Main Street Dundrum Down The Owner/Occupier,</p>	

123 Main Street Dundrum Down
 The Owner/Occupier,
 125 Main Street Dundrum Down
 The Owner/Occupier,
 127 Main Street Dundrum Down
 The Owner/Occupier,
 129 Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 131 Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 14 Main Street Dundrum Down
 The Owner/Occupier,
 14B Main Street Ballaghbeg Dundrum
 The Owner/Occupier,
 15 Main Street Dundrum Down
 The Owner/Occupier,
 155A Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 155C Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 16 Main Street Dundrum Down
 The Owner/Occupier,
 17 Main Street Dundrum Down
 The Owner/Occupier,
 19 Main Street Dundrum Down
 The Owner/Occupier,
 2,151B Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 20 Main Street,Dundrum,Down,BT33 0LX,
 H Wells
 20, Main Street, Dundrum, Down, Northern Ireland, BT33 0LX
 The Owner/Occupier,
 21 Main Street Dundrum Down
 The Owner/Occupier,
 22 Main Street, Dundrum
 The Owner/Occupier,
 24 Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 28 Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 28-32,Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 3,151C Main Street,Dundrum,Down,BT33 0LX,
 P Clarke LL.B
 7 Mill Hill Court, Castlewellan, Down, Northern Ireland, BT31 9RQ
 The Owner/Occupier,
 99 Main Street,Dundrum,Down,BT33 0LX,
 The Owner/Occupier,
 99-101 Quays Bar,Main Street,Dundrum,Down,BT33 0LX,
 H Wells

Main Street, Dundrum, Down, Northern Ireland, BT33 0LX	
Date of Last Neighbour Notification	7/1/2016
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: R/2001/1527/F Proposal: Environmental improvement scheme. Address: Main Street, Dundrum both sides, from 1 Main Street & the GAA property - to 207 Main Street & Keel Point Decision: Decision Date: 22.03.2002</p>	
<p>Ref ID: R/2011/0034/LDP Proposal: Provision of finger post signage at various locations around Dundrum Village to accommodate walking routes. Address: Various locations around Dundrum Village., Decision: Decision Date:</p>	
<p>Ref ID: R/1996/6192 Proposal: Self catering holiday accommodation 14 & 20 Main Street Dundrum Address: 14 & 20 Main Street Decision: Decision Date:</p>	
<p>Ref ID: R/2001/0549/F Proposal: Erection of a pair of semi-detached dwellings to Main Street frontage (with retention of existing stone wall) and detached dwelling to rear of site. (Amended Scheme). Address: Site at 14 Main Street, Dundrum Decision: Decision Date: 27.02.2003</p>	
<p>Ref ID: R/2004/1045/F Proposal: Change of house type for site no3 (detached dwelling) Address: Site of 14 Main Street, Dundrum Decision:</p>	

Decision Date: 13.12.2004

Ref ID: R/1992/0446

Proposal: Dwelling

Address: ADJ TO 22 MAIN STREET DUNDRUM

Decision:

Decision Date:

Ref ID: R/1998/0210

Proposal: 3 No terrace dwellings, 1 no. detached dwelling

Address: ASSOCIATED GARDENS AND CAR PARKING ADJACENT TO 20 MAIN STREET DUNDRUM

Decision:

Decision Date:

Ref ID: R/2005/1360/Q

Proposal: Details of Planning History

Address: Lands at Dundrum, Co Down

Decision:

Decision Date:

Ref ID: R/1978/0390

Proposal: CHILDREN'S PLAYGROUND

Address: DUNDRUM, COUNTY DOWN

Decision:

Decision Date:

Ref ID: R/2010/0519/LDP

Proposal: General environmental improvements to include site furniture, provision of grass and wildflower meadow, entrance features and interpretation boards. Proposed footpath link from the Shore Path at the Quays through to Main Street.

Address: Greenbanks, Land to the rear of No 18 to 30 Main Street, Dundrum.

Decision:

Decision Date:

Ref ID: LA07/2015/0077/F

Proposal: Proposed amendment to previously approved dwelling (ref: R/2001/0549/F) for 2 semi detached dwellings to one detached dwelling.(amended description).

Address: New 2 storey dwelling at Site adjacent to 14 Main Street, Dundrum BT33 0LX,

Decision:

Decision Date:

Summary of Consultee Responses
Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

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Status: Submitted

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Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

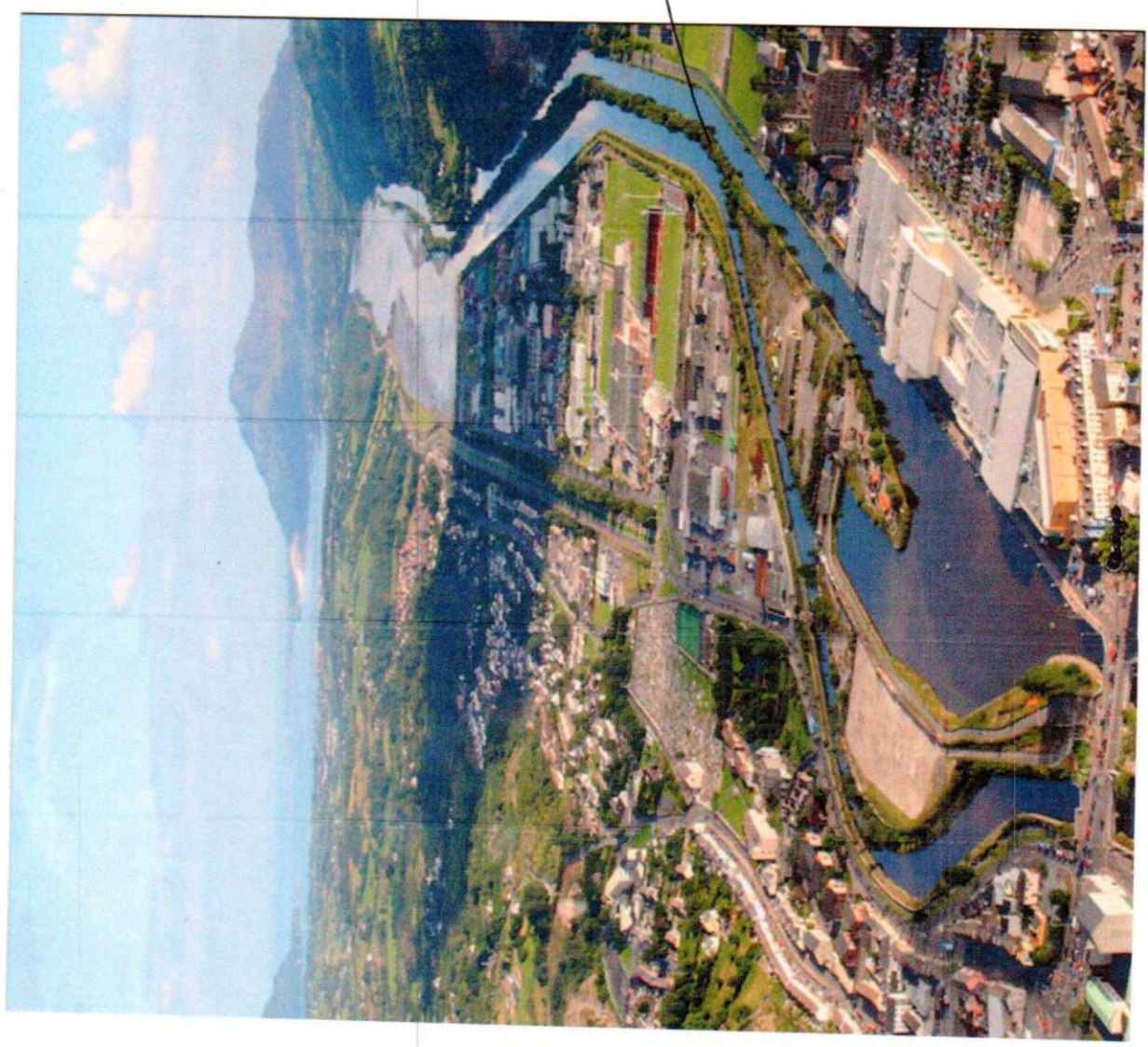
ITEM NO	2			
APPLIC NO	LA07/2015/0319/F	Full	DATE VALID	5/19/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Newry Mourne and Down District Council C/O Agent		AGENT	R Robinson & Sons Ltd Albany Villas 59 High Street Ballymoney BT53 6BG 02827662127
LOCATION	Lands from Dublin Road Bridge to Victoria Lock through Albert Basin and the Middlebank Newry			
PROPOSAL	Upgrading and improvements to existing pathway and improved access along greenway, new pedestrian crossings at the existing weir and Victoria Lock gates			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses Signatures	Addresses Signatures
			0 0	0 0



Development Management Officer Report Committee Application

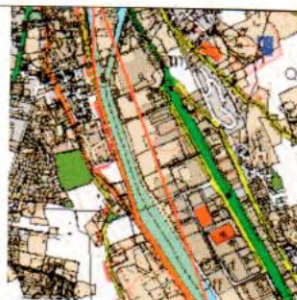
Summary	
Committee Meeting Date:	Item Number:
Application ID: LA07/2015/0319/F	Target Date:
Proposal: Upgrading and improvements to existing pathway and improved access along greenway, new pedestrian crossings at the existing weir and Victoria Lock gates	Location: Lands from Dublin Road Bridge to Victoria Lock through Albert Basin and the Middlebank Newry
Referral Route: Application has been made by Newry, Mourne and Down District Council	
Recommendation:	Approval
Applicant Name and Address: Newry Mourne and Down District Council C/O Agent	Agent Name and Address: R Robinson & Sons Ltd Albany Villas 59 High Street Ballymoney BT53 6BG
Executive Summary:	
Signature(s):	

MIDDLE BANK



Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	Advice
Statutory	NI Transport - Downpatrick Office	Content
Statutory	Rivers Agency	Advice
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Non Statutory	DCAL- Inland Fisheries Group	Considered - No Comment Necessary
Non Statutory	Northern Ireland Tourist Board	Substantive Response Received
Non Statutory	Foyle Carlingford & Irish Lights Commission	
Statutory	NIEA	
Statutory	NI Transport - Downpatrick Office	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

Characteristics of the Site and Area

The application site includes lands from Dublin Road Bridge to Victoria Lock passing through Albert Basin and the Middlebank. An existing pathway is situated on the Middlebank which comprises of a thin strip of land that separates Newry Canal from the Clanyre River

Planning Assessment of Policy and Other Material Considerations

Development Proposals:

Proposals include 5.8km of pathway; the first portion of the path is 4m wide utilising the existing surface with 1.8m high steel welded mesh fencing and 100mm wide thermoplastic line to delineate edge of the pathway (Areas 1 and 2). Area 3 - 4 the path will require new surfacing with stone finish. The remaining pathway (Areas 5 - 10) is 1.5m wide with new surfacing, stone finish, timber post and rail fence located on both sides of the path at section 7, 9 and 10. Fencing will only be required at the canal side of the path within Area 8.

A spillway crossing (pedestrian crossing/ bridge) will be formed within area 5 comprising of post and rail fencing with eco grip decking. Whilst a new level gantry and path will be formed at Victoria Locks with extended existing Lock Gate pedestrian guarding

Area Plan:

Banbridge/ Newry and Mourne Area Plan 2015 – Site straddles a several zonings and designations this includes lands within a Development Opportunity Site (NY89), inside/outside the Development and City Limits of Newry City, Local Landscape Policy Area (LLPA), Disused Transport Link, Area of Outstanding Natural Beauty (AONB) and is sited within the open countryside.

Representation:

Letters dated 19.11.15, 06.07.15 from Stephen Ward on behalf of ABP wish to be kept informed of progress and any further information submitted during the course of consideration or as a result of conditions attached to a decision to grant planning permission. (The Planning Authority have actively notified Mr Ward on any revised changes)

Planning History:

No planning history relating to the site within the last 5 years apart from the demolition of 5 derelict buildings within the site under a certificate of proposed lawful development which was approved 8th April 2013 planning reference P/2013/0166/LDP

Planning Policy

Impact to Amenity (SPPS - Safeguarding Residential and Work Environs 4.11 - 4.12)

Whilst proposals are likely to generate additional activity within the Albert Basin area the proposed pathway is far removed from both residential and commercial properties to cause any adverse impact to amenity.

Access for those whose mobility is impaired (DCAN 11: Access for All)

The proposed pathway will have a level surface ensuring access for all users

Archaeology and Built Heritage (SPPS and PPS6)

Proposals fall within a scheduled area associated with Newry Canal (ARM 29:500) which is a monument of regional importance. Works proposed in the upgrade and improvement of an existing pathway is unlikely to adversely affect the site or the integrity of its settings, with its

overall use having a benefit to the local as well as the wider community.

Notwithstanding this it remains important to afford protection of archaeological remains and its settings, therefore it is imperative that Scheduled Monument Consent is acquired from the Northern Ireland Environment Agency (NIEA) prior to the commencement of any works or development. In this instance it is reasonable to attach a planning condition that no site works or development shall take place until consent has been made and agreed by NIEA and that appropriate measures are undertaken for the identification, mitigation of the archaeological artefacts on site.

Local Landscape Policy Area (SPPS, PPS6 and Banbridge/ Newry and Mourne Area Plan 2015 NY 114)

The designated LLPA (NY114 Newry Canal/ River) comprises of an area of nature conservation interest including the river and canal corridors, associated vegetation and trees. The area within this designation comprises of an existing pathway known as the Middlebank between Newry Canal and Clanrye River which is currently closed and generally overgrown with the surface of the path uneven in parts. The proposed works are albeit minor in nature using existing surfacing with the remaining pathway requiring new stone surfacing, overall development proposals will not affect its intrinsic environmental value or character

Lands within Disused Transport Link (PPS3: Access, Movement and Parking, PPS 13: Transportation and Land Use, Banbridge/ Newry and Mourne Area Plan 2015)

Lands for development are located on a former disused transport route where there is currently no prospect of land being used for future transport purposes. Protection of this disused transport link is nevertheless maintained whilst being utilised for recreational and tourist uses.

Land contamination due to former uses on site

NIEA Land, Soil and Air in comments dated 9.07.15 and 27.08.15 are satisfied with the findings of the Environmental Appraisal and have raised no concerns with this regard, suggested planning conditions and informatives are to be attached to the decision notice.

Lands within a Development Opportunity Site (Banbridge/ Newry and Mourne Area Plan 2015: NY 89 – Development Opportunity Site Middlebank, Albert Basin)

Part of the greenway (Areas 1 and 2) is within the designation of the development opportunity site as prescribed under the area plan land zoning NY89. One of the key site requirements for future development at this location includes the requirement for a landscaped walkway/cycleway to be provided along the canal and river frontage with pedestrian and cycle access from the Dublin Bridge. Proposals presented fully adhere to these requirements without adverse impact on any future plans for development/ redevelopment of the Albert Basin site.

Land inside the development limits and city centre limits (Banbridge/ Newry and Mourne Area Plan 2015 and DES 2)

Part of the pathway proposed is located within the urban/development and city limits of Newry. Proposals will utilise an extant pathway making maximum use of land within the urban footprint for public usage without detriment to other future development opportunities which may arise within the vicinity or elsewhere within the limits of the city. Proposals for the greenway will make a positive contribution to the townscape by revitalising and regenerating an area of the city which has largely been derelict; overall proposals are sensitive to the character of the area and will have a limited visual impact at this location.

Lands within open countryside and AONB (SPPS, PPS2: Natural Heritage and PPS21)

Part of the greenway extends from an urban setting into the open countryside where the policies of the SPPS and PPS21 apply. Development proposals are appropriately designed; sensitive to the distinctive special character of the area will adequately integrate, respecting the rural character and setting without adverse visual impact meeting the requirements of planning policy.

Flood Risk (SPPS and PPS15: Planning and Flood Risk)

Lands for the proposed development lie within a 1 in 200 year coastal floodplain of Carlingford Lough as well as an area of inundation emanating from Camlough Lake Impoundment.

A precautionary approach is adopted within policy to avoid development in such locations. However as the proposals are for recreational purposes as part of wider and important regional and transfrontier project (current greenway proposals are currently being undertaken with Lough County Council with potential linkage with the Omeath and Carlingford pathways) the development proposed falls within the exemption of this policy. As proposals involve the upgrading of an existing path with no permanently occupied buildings planned there is unlikely to be any material increase in flood risk to the site or surrounding areas and thus proposals fully meet policy requirements.

Notwithstanding this the Council have provided details within the Flood Risk Assessment with regard to emergency access, evacuation and flood management of the site in the event of a potential flood risk at this location. These measures will be adopted and remain the responsibility of the council post consent (A condition shall be attached regarding this)

Overall the Flood Risk Assessment has adequately demonstrated that all sources of flood risk to and from the proposed development as well as potential impact from inundation from Camlough Lake has been identified and that there are adequate measures to manage and mitigate any increase in flood risk arising from the development thus satisfying the requirements of planning policy.

Land use for recreational purposes (SPPS and PPS8: Open Space, Sports and Outdoor Recreation)

The pathway is far removed from residential properties that no adverse impact to amenity should be experienced. The location of the pathway is conveniently accessed from the city centre along with the levelled surface of the path allows ease of accessibility by the public. Minimal works are required to provide such a facility which will have a limited impact on the visual setting of this locality as well as biodiversity and heritage interests. Overall proposals fully meet policy criteria.

Wildlife and Habitat (SPPS and PPS2: Natural Heritage)

Advice has been sought from the biodiversity officer in relation to natural heritage interests in comments dated 01.09.15. Whilst there may be potential impact may be experienced during construction overall no major concerns were raised. The impact to the Special Protection Area/ Ramsar Site and Special Area of Conservation is not significant (this has also been confirmed by Shared Environmental Services email response dated 28.08.15).

The submitted Environmental Appraisal Report elaborates on the ecology of the site in relation to habitat, animal and vegetative species with the magnitude of negative ecological impact considered to be negligible. Invasive species such as Japanese Knotweed and Giant Hogweed has also been identified on part of the site. Although mitigation measures have been outlined in

the report it is nevertheless recommended to include an informative highlighting obligations in relation to the 1985 Wildlife Order.

Development proposals are not intrusive at this sensitive location and will have limited impact to habitat and species; overall the scheme meets the requirements of planning policy

Neighbour Notification Checked

Yes

Summary of Recommendation:

Letters of representation have been received however these have generally been non-committal.

The scheme presented fully complies with planning policy as well as adhering to land zonings as identified within the area plan. Proposals will make a positive contribution to Newry and is sensitive to the character and setting of Albert Basin having limited impact therefore it is recommended to approve the application

Conditions:

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

Reason: Time Limit.

2. No site works of any nature or development shall take place until Scheduled Monument Consent (SMC) has been granted by Northern Ireland Environment Agency and agreed in writing with the Planning Authority.

Reason: To prevent damage or disturbance to Newry Canal (ARM29:500) a monument of regional importance

3. In the event of archaeological artefacts being uncovered at the site all works must cease and the Planning Authority notified immediately. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by Northern Ireland Environment Agency to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To ensure identification, evaluation and appropriate recording of any archaeological remains.

4. All construction activity shall be confined within site boundaries. The boundary of the designated areas shall not be disturbed in any way without written consent from the Planning Authority.

Reason: To protect the integrity of Carlingford Lough ASSI, and to avoid it being damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line of the planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended).

5. A detailed Construction Method Statement for all works in or near water including pollution prevention measures to protect groundwater and other waterways for the construction and operational phases of the proposal must be prepared and forwarded to the Northern Ireland Environment Agency - Water Management Unit and agreed in writing with the Planning Authority prior to the commencement of works.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

6. If during the development works, new contamination and risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

7. After completing any remediation works under Condition 5; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. Existing natural vegetation of the site shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given in writing to the Planning Authority

Reason: To ensure the maintenance of screening at the site

9. Newry, Mourne and Down District Council shall implement the Flood Management Plan as stated in 5.3 of the Flood Risk Assessment (Emergency Access/ Evacuation and Flood Management)

Reason: To ensure the safety of the general public

10. See attached condition (Page 10a)

Informatives

1. This notice relates to drawing Nos. 01, 02, 05, 06, 07, 08, 09, 10, 11, 12, 13 and 14 dated 19th May 2015 drawing No. 03 and 04 which were received on 19th June 2015.
2. Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc. requires written consent of Rivers Agency. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn, BT 27 5QB
3. For further guidance on Scheduled Monument Consent, contact:

Historic Environment Division – Historic Monuments Unit
 Causeway Exchange
 1–7 Bedford St
 Belfast,
 BT2 7EG
 Quote reference: SM 11/1 ARM 029:500

4. **Schedule 5 Species – Wildlife Order:**

Article 11 of the Wildlife (Northern Ireland) Order 1985 (as amended) provides that a person shall not be guilty of an offence under Article 10 (killing or injuring a species listed in schedule 5 (as amended) of the act was incidental to a lawful operation (i.e. activity permitted by a Marine Licence or Planning Permission) and could not reasonably be avoided. A separate marine Wildlife Licence is therefore not required for national marine protected species if a Marine Licence/Planning Permission has been granted, since adherence to the conditions of the Marine Licence should reduce the likelihood of harm to national marine protected species.

Coastal Development

- Under Article 10 it is an offence to intentionally or recklessly disturb; common seals, grey seals or basking sharks.
- It is also an offence under Article 10 to intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which these animals (Schedule 5) use for shelter or protection; damage or destroy anything which conceals or protects any such structure; or disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.
- Under Article 13 of the Wildlife (Northern Ireland) Order 1985 (as amended) it is an offence to sell or transport any Schedule 7 animal dead or alive at any time.
- Any person who knowingly causes or permits an act which is made unlawful under Article 10 or Article 13 shall also be guilty of an offence.
- If there is evidence of Schedule 5 animals listed above at the site, all works must cease immediately and further advice must be sought from DoE Marine Environment Division, Klondyke Building, Cromac Avenue, Belfast BT7 2JA.
- Under the Wildlife (Northern Ireland) Order 1985 (as amended) a licence may be required for any operations which might impact on protected species.

Marine Licensing

The applicant should be made aware that all construction or deposition works below the Mean High Water Spring Tide (MHWST) mark are subject to licensing under the Marine and Coastal Access Act 2009. If any elements of the construction in this proposal, may cross the intertidal area below the MHWST mark, contact must be made with the Marine Licensing Team, DoE Marine Environment Division, 2nd Floor, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA, Tel: 028 90569247 to apply for a Marine Construction Licence.

The applicant should be aware that it is an offence under the Marine and Coastal Access Act 2009 to carry out a licensable marine activity except in accordance with a marine licence granted by the DoE Marine Environment Division. Conviction of such an offence may incur a

fine of up to £50,000 and/or two years imprisonment.

5. Due to the close proximity to a watercourse care will need to be taken to ensure that polluting discharges do not occur during the works phase. The applicant must refer to and adhere to the precepts contained in DOE Standing Advice Note No. 4 – Pollution Prevention Guidelines (April 2015).

Water Management Unit recommends the applicant refers to and adheres to the precepts contained in DOE Standing Advice Note No.5 – Sustainable Drainage Systems (April 2015).

Discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The applicant should refer to in DOE Standing Advice Note No. 11 – Discharges to the Water Environment (April 2015).

In accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (as amended) it is a mandatory requirement that upon the abstraction and/or diversion and/or impoundment of water from the natural river channel/lake, coastal or groundwater sources, an abstraction/impoundment license should be obtained unless the operations specified are Permitted Controlled Activities. The applicant should refer to DOE Standing Advice Note No. 18 – Abstraction and Impoundment (May 2015).

The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.

The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

6. The purpose of the Conditions 6 and 7 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and enduse of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks

7. The applicant should ensure that the management of all materials onto and off this site are suitably authorised through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999. The management of all waste materials generated on site should be demonstrated through a Site Waste Management Plan (see <http://www.netregs.gov.uk>).

8. The Loughs Agency requests that work methods and materials must not impinge upon any nearby watercourses. The use of cement/concrete on site will require careful management. While they are versatile building materials, they are also highly toxic to aquatic life and therefore must be kept out of all drains and watercourses.

Throughout the project, the applicant should demonstrate best environmental practice when working close to watercourses. The potential for deleterious matter to enter a watercourse is of primary concern. Impacts on the aquatic environment such as a decrease in water quality can cause a significant impact upon various life history stages of fish species.

The applicant should also be aware that it is an offence under section 41 of the Foyle Fisheries Act (1952) to cause pollution which is detrimental to fisheries interests.

9. This permission does not alter or extinguish or otherwise effect any existing or valid right of way crossing, impinging or otherwise pertaining to lands

10. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s)

Date: 28.01.15

10. No development including site clearance works, lopping, topping or felling of trees shall take place until a detailed landscape management and maintenance plan is submitted to the Planning Authority prior to commencement of works at the site.

Reason: To ensure protection of existing vegetation and maintain the visual quality of the area.

ANNEX	
Date Valid	19th May 2015
Date First Advertised	10th June 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 10 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 10 Loughway Business Park, Fathom Lower (Detached Portion, Newry, Armagh The Owner/Occupier, 10 River Street, Newry The Owner/Occupier, 10A River Street Ballynacraig Newry The Owner/Occupier, 10B River Street Ballynacraig Newry The Owner/Occupier, 11 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 11 River Street Ballynacraig Newry The Owner/Occupier, 12 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 12 River Street Ballynacraig Newry The Owner/Occupier, 13 Cois Locha, Drumalane Newry, Down, BT35 8WE, The Owner/Occupier, 13 River Street Ballynacraig Newry The Owner/Occupier, 14 Cois Locha, Drumalane Newry, Down, BT35 8WE, The Owner/Occupier, 14 River Street Ballynacraig Newry The Owner/Occupier, 15 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 15 River Street Ballynacraig Newry The Owner/Occupier, 16 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 16 River Street Ballynacraig Newry The Owner/Occupier, 17 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 17 River Street Ballynacraig Newry The Owner/Occupier, 18 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 18 River Street Ballynacraig Newry The Owner/Occupier, 19 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 2 Bridge Street Lisdrumliska Newry The Owner/Occupier, 20 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 21 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 22 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 22 Rampart Road, Greenbank Industrial Estate , Newry The Owner/Occupier, 23 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 24 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 24a Rampart Road, Greenbank Industrial Estate , Newry The Owner/Occupier, 25 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 26 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 26 Quayside Close, Drumalane, Newry The Owner/Occupier, 27 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 27 Quayside Close, Drumalane, Newry The Owner/Occupier, 28 Cois Locha Drumalane (Detached Portion) Newry The Owner/Occupier, 28 Quayside Close, Drumalane, Newry The Owner/Occupier, 28 Rampart Road, Greenbank Industrial Estate , Newry</p>	

The Owner/Occupier, 29 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 29 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 29 Rampart Road, Greenbank Industrial Estate , Newry
 The Owner/Occupier, 30 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 30 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 30 Rampart Road, Greenbank Industrial Estate , Newry
 The Owner/Occupier, 31 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 31 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 32 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 32 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 33 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 33 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 34 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 34 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 35 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 36 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 36 Rampart Road, Greenbank Industrial Estate , Newry
 The Owner/Occupier, 37 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 37 Fathom Line Fathom Lower (Main Portion) Newry
 The Owner/Occupier, 37 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 38 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 39 Fathom Line, Newry
 The Owner/Occupier, 41 Fathom Line Fathom Lower (Main Portion) Newry
 The Owner/Occupier, 43 Fathom Line Fathom Lower (Main Portion) Newry
 The Owner/Occupier, 43 Kilmorey Street Ballynacraig Newry
 The Owner/Occupier, 43 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 45 Fathom Line Fathom Lower (Main Portion) Newry
 The Owner/Occupier, 46 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 47 Fathom Line, Newry
 The Owner/Occupier, 47 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 48 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 49 Fathom Line Fathom Lower (Main Portion) Newry
 The Owner/Occupier, 49 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 50 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 51 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 52 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 53 Fathom Line Fathom Lower (Main Portion) Newry
 The Owner/Occupier, 53 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 54 Quayside Close, Drumalane, Newry
 The Owner/Occupier, 71 Fathom Line Fathom Upper Newry
 The Owner/Occupier, 79 Fathom Line Fathom Upper Newry
 The Owner/Occupier, 79 Fathom Line, Newry
 The Owner/Occupier, 7D Loughway Business Park Fathom Lower (Detached Portion) Newry
 The Owner/Occupier, 8 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 8 River Street, Newry
 The Owner/Occupier, 8D Loughway Business Park Fathom Lower (Detached Portion) Newry
 The Owner/Occupier, 9 Cois Locha Drumalane (Detached Portion) Newry
 The Owner/Occupier, 9 River Street Ballynacraig Newry

<p>The Owner/Occupier, 91 Fathom Line Fathom Upper Newry The Owner/Occupier, 93 Fathom Line, Newry The Owner/Occupier, 95 Fathom Line Fathom Upper Newry The Owner/Occupier, Down Gaelic Athletic Association, Pairc Esler, Ballincraig Way, Greenbank Industrial Estate, Newry Stephen Ward, Jocelyn House, Jocelyn Street, Dundalk, Co Louth, Ireland. The Owner/Occupier, Newry City Football Grounds, Newry Showgrounds, Greenbank Industrial Estate The Owner/Occupier, Stephen Ward, Town And Planning Consultants (on Behalf Of ABP), Joycelyn House, Jocelyn Street, Dundalk, Co Louth Ireland The Owner/Occupier, The Quay's Shopping Centre Albert Basin Lisdrumliska The Owner/Occupier, Unit 1, Greenbank Industrial Estate</p>	
Date of Last Neighbour Notification	23rd June 2015
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: P/1976/0741 Proposal: PROPOSED 11KV AND MV O/H LINES Address: CLOGHOGUE Decision: Decision Date:</p>	
<p>Ref ID: P/1979/1011 Proposal: SITE FOR BUNGALOW Address: CLOGHOGE, NEWRY Decision: Decision Date:</p>	
<p>Ref ID: P/1989/0239 Proposal: Site for bungalow Address: OMEATH ROAD CLOHOGUE NEWRY Decision: Decision Date:</p>	
<p>Ref ID: P/1991/0300 Proposal: Erection of Bungalow Address: OMEATH ROAD CLOGHOGE NEWRY Decision: Decision Date:</p>	
<p>Ref ID: P/2009/0529/F Proposal: Removal of Condition 03 from Planning Permission P/1989/0239 (Agricultural Occupancy Clause) Address: No 29 Fathom Line Newry Decision:</p>	

Decision Date: 20.04.2010

Ref ID: LA07/2015/0319/F

Proposal: Upgrading and improvements to existing pathway and improved access along greenway, new pedestrian crossings at the existing weir and Victoria Lock gates

Address: Lands from Dublin Road Bridge to Victoria Lock, through Albert Basin and the Middlebank, Newry,

Decision:

Decision Date:

Ref ID: P/1985/0418

Proposal: EXTENSION TO EXISTING COAL STORAGE YARD

Address: ALBERT BASIN, NEWRY

Decision:

Decision Date:

Ref ID: P/2013/0166/LDP

Proposal: Proposed demolition of 5 derelict buildings within the site

Address: St Christophers Park/Albert Basin, Newry, BT34 2BJ,

Decision: PG

Decision Date:

Ref ID: P/1990/6034

Proposal: Sewage treatment works Greenbank Industrial Estate and Rough Island Newry

Address: Greenbank Industrial Estate and Rough Island Newry

Decision:

Decision Date:

Ref ID: P/1998/6111

Proposal: Use of existing building for heavy plant sales & servicing Unit 2 Greenbank Industrial Estate

Address: Unit 2 Greenbank Industrial Estate

Decision:

Decision Date:

Ref ID: P/1997/0944

Proposal: Sewage pretreatment facility and pumping station with associated pipelines and access road

Address: GREENBANK (OPPOSITE ORANA CHILDRENS HOME, WARRENPOINT RD NEWRY)

Decision:

Decision Date: 26.08.1998

Ref ID: P/1992/0768

Proposal: Installation of overhead electricity line

Address: OVER NEWRY RIVER AND CANAL OPPOSITE DRUMALANE PARK NEWRY

Decision:

Decision Date:

Ref ID: P/1974/0707

Proposal: PROPOSED EXTENSION TO EXISTING QUARRY

Address: DROMALANE QUARRIES, SHORE ROAD, NEWRY

Decision:

Decision Date:

Ref ID: P/1975/0598

Proposal: RETONTION OF EXISTING QUARRY AND EXTENSION OF WORKINGS

Address: DROMALANE QUARRIES, SHORE ROAD, NEWRY

Decision:

Decision Date:

Ref ID: P/1987/1201

Proposal: Provision of floating slipway,carpark and landscaping

Address: ALBERT BASIN NEWRY

Decision:

Decision Date:

Ref ID: P/2004/2205/Q

Proposal: Proposed extension to existing Vodafone roof top antennane

Address: Newry Football Club, Ballinacraig Way, Newry

Decision:

Decision Date:

Ref ID: P/1999/1548/PA

Proposal: Proposed monopole

Address: Newry F.C, The Showgrounds, Greenbank, Newry, Co Down

Decision:

Decision Date: 03.12.1999

Ref ID: P/1990/0670

Proposal: Extension to factory to provide store

Address: UNIT 22 GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1987/0859

Proposal: Change of use to workshops,offices and associated accommodation

Address: UNIT 22 GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/2008/1526/F

Proposal: Replacement of existing training centre and erection of 4 no. industrial storage units

Address: 22 Rampart Road, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 17.04.2009

Ref ID: P/2011/1058/F

Proposal: Alterations to existing educational building

Address: 22A Greenbank Industrial Estate, Newry, BT34 2QU,

Decision: PG

Decision Date: 15.10.2012

Ref ID: P/2009/0504/Q

Proposal: WwTW sludge thickening plant

Address: Greenbank Industrial Estate, Newry

Decision:

Decision Date:

Ref ID: P/1991/0582

Proposal: Improvements to Newry Sewage Treatment Works

Address: GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date: 06.11.1991

Ref ID: P/2010/0314/F

Proposal: 4 no. floodlights to serve main training pitch

Address: Newry City FC, The Showgrounds, Greenbank Industrial Estate, Newry, Co
Down

Decision:

Decision Date: 30.04.2010

Ref ID: P/1997/0834

Proposal: Vehicular access

Address: GREENBANK PLASTICS LTD GREENBANK BUSINESS CENTRE
GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1985/0919

Proposal: CHANGE OF USE FROM TEXTILE FACTORY TO INDUSTRIAL SELF
CONTAINED WORK UNI

Address: GREENBANK INDUSTRIAL ESTATE, NEWRY

Decision:

Decision Date:

Ref ID: P/1982/0569

Proposal: PROPOSED CHANGE OF USE FROM FACTORY TO SHOPPING CENTRE
AND OFFICES

Address: GREENBANK INDUSTRIAL ESTATE, NEWRY

Decision:

Decision Date:

Ref ID: P/1984/0318

Proposal: SITE FOR CUSTOMS & EXITIAL IMPORT/EXPORT

Address: ULSTER TEXTILES FACTORY, GREENBANK INDUSTRIAL ESTATE,
WARRENPOINT ROAD, NEWR

Decision:
Decision Date:

Ref ID: P/1999/2240/F

Proposal: Continuation of Quarrying Operations & Retention of Crushing And Screening Plant

Address: Dromalane Quarry, 25 Fathom Line, Newry

Decision:

Decision Date: 10.02.2004

Ref ID: P/2007/1310/F

Proposal: Vehicle and machinery repair, service and secure facility with ground floor office and associated site works

Address: No. 25 Fathom Line, Newry

Decision:

Decision Date: 22.12.2009

Ref ID: P/2006/0711/F

Proposal: Variation of planning condition 1 attached to planning permission P/1999/2240/F to allow extraction and quarrying operations to be continued for a further 5 years

Address: Dromalane Quarry, 25 Fathom Line, Newry

Decision:

Decision Date: 14.04.2008

Ref ID: P/1993/0603

Proposal: Extension to manufacturing premises to provide warehousing and office space

Address: UNIT 24-26 GREENBANK INDUSTRIAL ESTATE WARRENPOINT ROAD NEWRY

Decision:

Decision Date:

Ref ID: P/1988/0872

Proposal: Meat Processing Plant

Address: RAMPART ROAD GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1989/4094

Proposal: Substation

Address: GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1979/1377

Proposal: PROPOSED LEDU FACTORY AND TWIN WORKSHOP UNITS

Address: GREENBANK INDUSTRIAL ESTATE

Decision:

Decision Date:

Ref ID: P/1996/0842

Proposal: Extension to meat processing plant

Address: RAMPART ROAD GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1998/0055

Proposal: Extension to meat processing factory

Address: MOURNE COUNTRY MEATS RAMPART ROAD GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/2002/1875/A41

Proposal: Refurbishment and extension to Food Factory

Address: Greenbank Industrial Estate, Newry, Co Down

Decision:

Decision Date:

Ref ID: P/1996/0599

Proposal: Extension to Industrial Unit

Address: UNIT NO24A RAMPART ROAD GREENBANK IND ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/2008/1491/F

Proposal: Erection of warehouse for storage and distribution

Address: 27 Rampart Road, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 17.02.2009

Ref ID: P/1995/0720

Proposal: Extension to rear and office extension to warehouse

Address: UNIT 27 RAMPART ROAD, GREENBANK INDUSTRIAL ESTATE, NEWRY

Decision:

Decision Date:

Ref ID: P/1999/0963

Proposal: Extension to warehouse

Address: UNIT 27, RAMPART ROAD, GREENBANK IND EST. NEWRY

Decision:

Decision Date:

Ref ID: P/1995/0393

Proposal: Extension to factory

Address: GLEN ELECTRIC LTD SITE NO6 GREENBANK INDUSTRIAL ESTATE RAMPART ROAD NEWRY

Decision:

Decision Date:

Ref ID: P/1996/0897

Proposal: Erection of toilet block

Address: GLEN ELECTRIC LTD RAMPART ROAD GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1997/0110

Proposal: Extension to factory

Address: GLEN ELECTRIC GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1987/0718

Proposal: Extension to factory

Address: GLEN ELECTRIC LTD GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date: 22.10.1987

Ref ID: P/2002/0444/F

Proposal: Erection of warehouse.

Address: Lands adjacent to No 23 Rampart Road, Greenbank Industrial Estate.

Decision:

Decision Date: 20.06.2002

Ref ID: P/1996/1188

Proposal: Extension to factory to enclose dust hoppers

Address: CRANWOOD INDUSTRIES LTD. 23 GREENBANK IND.EST. NEWRY

Decision:

Decision Date:

Ref ID: P/2007/0577/F

Proposal: Demolition of existing offices and erection of office development to include 4 no. office blocks with required parking and associated site works

Address: No.23 Rampart Road, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 03.10.2008

Ref ID: P/2008/1371/F

Proposal: Proposed demolition of existing spray booth and store building and proposed erection of 9 General Industrial Units & 2 Stores with associated siteworks, drainage and carparking.

Address: 22 Rampart Road, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 03.11.2009

Ref ID: P/1997/1323

Proposal: Extension to meat processing plant

Address: MOURNE COUNTRY MEATS RAMPART ROAD GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/1978/0109

Proposal: PROPOSED SITE FOR EXTENSION TO EXISTING FACTORY

Address: GREENBANK INDUSTRIAL ESTATE, NEWRY

Decision:

Decision Date:

Ref ID: P/1997/1428

Proposal: Upgrading of existing Sewage Treatment Works with new facilities to increase level of treatment and works capacity (Scheme A)

Address: Greenbank Industrial Estate Ballinacraig Way Newry

Decision:

Decision Date: 05.11.2002

Ref ID: P/1997/1429

Proposal: Upgrading of existing sewage treatment works with new facilities to increase level of treatment and works capacity (scheme B)

Address: GREENBANK INDUSTRIAL ESTATE BALLINACRAIG WAY NEWRY

Decision:

Decision Date: 03.11.1998

Ref ID: P/1990/6036

Proposal: Industrial Development Showgrounds Greenbank Industrial Estate Newry

Address: Showgrounds Greenbank Industrial Estate Newry

Decision:

Decision Date:

Ref ID: P/2009/1153/F

Proposal: Extension to West Stand including toilet block with match control above and press suite.

Address: Newry FC, The Showgrounds, Greenbank Industrial Estate, Newry.

Decision:

Decision Date: 03.03.2010

Ref ID: P/2005/0535/F

Proposal: Removal of existing (8 no. stanchions) floodlighting system and installation of new (4 no. stanchion) floodlighting system.

Address: Newry City Football Club, The Showgrounds, Greenbank Industrial Estate, Newry.

Decision:

Decision Date: 13.05.2005

Ref ID: P/1991/1198

Proposal: New vehicular access for meat factory

Address: WARRENPOINT ROAD (OPPOSITE ORANA CHILDRENS HOME) NEWRY

Decision:

Decision Date:

Ref ID: P/2009/0750/Q
Proposal: Mixed Use Development
Address: Warrenpoint Road, Newry
Decision:
Decision Date:

Ref ID: P/1996/6025
Proposal: Warehousing/Residential development Abattoir Site Drumalane Newry
Address: Abattoir Site Drumalane Newry
Decision:
Decision Date:

Ref ID: P/2009/1024/O
Proposal: Site for food superstore with associated car parking, landscaping and access (Receipt of Retail Impact Assessment)
Address: Unit 1 Greenbank Industrial Estate, Warrenpoint Road, Newry
Decision:
Decision Date: 11.01.2010

Ref ID: P/2009/1490/F
Proposal: Demolition and clearance of existing buildings from site and construction of retail led, mixed use regeneration scheme to incorporate a food superstore comprising of 8826 square metres gross floorspace, non-food retail units comprising of 17917 square metres gross floor space and an additional convenience unit of 1526 metres gross floorspace, arranged in a covered mall, cafes/restaurants comprising of 1719 square metres gross floorspace, Enterprise/Innovation Centre comprising of 3030 square metres gross floorspace within class B1 of the Schedule to the Use Classes Order 2004, 50 No apartments for social/affordable housing with private rooftop open space, 1146 No undercroft and surface level car parking spaces, riverside walk and public open space incorporating hard and soft landscaping, service yards and access from Warrenpoint Road.
Address: Unit 1, Greenbank Industrial Estate, Warrenpoint Road, Newry, Co Down, BT34 2BF
Decision:
Decision Date: 26.06.2012

Ref ID: P/2006/0492/F
Proposal: Extension to East Terrace to provide Control Room
Address: Pairc Esler, Greenbank Industrial Estate, Newry
Decision:
Decision Date: 17.08.2006

Ref ID: P/2003/2209/F
Proposal: Erection of 2 no. covered stands to south and east, associated sanitary accommodation, access and site works.
Address: Pairc Esler, Ballinacraig Way, Greenbank Industrial Estate, Newry.
Decision:
Decision Date: 01.03.2004

Ref ID: P/2006/1119/F

Proposal: Erection of 4 No. 40 metre high galvanised steel masts and associated floodlights

Address: Pairc Esler, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 15.01.2007

Ref ID: P/1997/0593

Proposal: Upgrading and refurbishment to existing football ground

Address: PAIRC IVIR NEWRY BALLINACRAIG WAY GREENBANK INDUSTRIAL ESTATE NEWRY

Decision:

Decision Date:

Ref ID: P/2008/0764/F

Proposal: New turnstiles and exit gates

Address: Pairc Esler, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 10.11.2008

Ref ID: P/2006/2342/F

Proposal: Erection of new changing facilities, control room and meeting room

Address: Pairc Esler, Greenbank Industrial Estate, Newry

Decision:

Decision Date: 05.12.2007

Ref ID: P/2014/0485/F

Proposal: Proposed alteration to existing industrial premises to include upgrade of factory production space and refurbishment of existing office accommodation.

Address: 24a Rampart Road, Greenbank Industrial Estate, Newry, BT34 2QU,

Decision: PG

Decision Date: 05.08.2014

Ref ID: P/1984/0494

Proposal: 33KV OVERHEAD LINE - DRAWING NO.CRA 7730

Address: DRUMALANE, NEWRY

Decision:

Decision Date:

Ref ID: P/1986/0711

Proposal: ELECTRICITY SUB-STATION - MC/1 7614

Address: O'ROURKE'S COAL YARD, ALBERT BASIN, NEWRY

Decision:

Decision Date:

Ref ID: P/1978/0991

Proposal: EXTENSION TO EXISTING WAREHOUSE

Address: ALBERT BASIN, NEWRY

Decision:

Decision Date:

Ref ID: P/1977/1183
 Proposal: PROPOSED EXTENSION AND RENOVATION TO EXISTING DWELLING
 Address: 27 PATRICK STREET, NEWRY
 Decision:
 Decision Date:

Ref ID: P/1989/0055
 Proposal: Site for bungalow
 Address: RYANS ROAD MOYOBIDGE
 Decision:
 Decision Date:

Ref ID: P/1984/0465
 Proposal: NEW OFFICE BUILDING
 Address: O'ROURKES COAL YARD, ALBERT BASIN, NEWRY
 Decision:
 Decision Date:

Summary of Consultee Responses

Transport NI 23.06.15 – No objection

Rivers 30.11.15 – Whilst the FRA hasn't satisfied all the requirements of FLD5 with exclusion of depth and velocity charts although simplified analysis provides average predicted depths.

Rivers Agency agree that the technical information submitted on potential flooding contained within the flood emergency plan is accurate. Rivers cannot comment on the acceptability of the flood plan whether arrangements are 'safe' and Planning should make the final decision on whether the flood plan and proposed development is acceptable.

With the upgrade of an existing path with no permanent occupied buildings proposed Rivers are of the opinion there is no material increase in flood risk and development will not adversely impact on surrounding areas.

The responsibility for justification of the flood risk assessment and flood risk tests rest with the developer.

Environmental Health 29.06.15 – No objection

Fisheries 21.07.15 – Lough Agency is lead body for advice regarding impact to fisheries within watershed of Carlingford Lough

Tourism NI 15.07.15 – Support the creation of a Greenway Network will be a positive development for the visitor experience

NIEA 09.07.15 and 27.08.15:

Archaeology and the Built Heritage – Site is within a scheduled area associated with Newry Canal (ARM 29:500) which is a monument of regional importance. Works that would intrude on the scheduled area will require Scheduled Monument Consent

Marine Division, Water Management Unit and Waste Management (Land and Groundwater Team) – Generally satisfied with the findings of the Environmental Appraisal report subject to conditions and informative added to a decision notice.

Bio Diversity 01.09.15 (Advice and guidance from Newry, Mourne and Down District Council Biodiversity Officer)

Potential Impact on Carlingford Lough (Special Protection Area (SPA)/ Ramsar Site) and Shore (Special Area of Conservation (SAC), bird species (Common tern, sandwich tern and Light bellied Brent goose population), habitat including the annual vegetation of drift lines and perennial vegetation of stone banks. Potential effect includes disturbance/ contamination of SPA and SAC features and objectives during construction through noise and polluted discharge. Impact to SPAA and SAC is not significant.

Lough Agency 25.01.16: No objection in principle

Drawing Numbers and Title

Drawing No. 01,
Type: Overall Site Location Plan,
Status: Submitted

Drawing No. 02
Type: Master Plan
Status: Submitted

Drawing No. 03
Type: Area 1 – Path Details
Status: Submitted

Drawing No. 04
Type: Area 2 – Path Details
Status: Submitted

Drawing No. 05
Type: Area 3 – Path Details
Status: Submitted

Drawing No. 06
Type: Area 4 – Path Details
Status: Submitted

Drawing No. 07
Type: Area 5 – Path Details
Status: Submitted

Drawing No. 08
Type: Area 6 – Path Details
Status: Submitted

Drawing No. 09
Type: Area 7 – Path Details
Status: Submitted

Drawing No. 10
Type: Area 8 – Path Details
Status: Submitted

Drawing No. 11
Type: Area 9 – Path Details
Status: Submitted

Drawing No. 12
Type: Area 10 – Path Details
Status: Submitted

Drawing No. 13
Type: Spillway Crossing
Status: Submitted

Drawing No. 14
Type: Details of New Access to Lock Gates
Status: Submitted

Drawing No.
Type: Environmental Appraisal
Status: Submitted

Drawing No.
Type: Flood Risk Assessment
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

ITEM NO	3			
APPLIC NO	LA07/2015/0616/F	Full	DATE VALID	7/8/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Newry Mourne and Down District Council		AGENT	
				NA
LOCATION	35m north of 12 Old Road Newry			
PROPOSAL	Renewal of full planning permission for the erection of new play area			
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

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17th February 2016	Item Number:
Application ID: LA07/2015/0616/F	Target Date:
Proposal: Renewal of full planning permission for the erection of new play area	Location: 35m north of 12 Old Road Newry
Referral Route: Application made by NM&D District Council	
Recommendation: Approval	
Applicant Name and Address: Newry Mourne and Down District Council	Agent Name and Address:
Executive Summary:	
Signature(s):	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Transport - Downpatrick Office	Content
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

Renewal of previously approved scheme.

Characteristics of the Site and Area

This site is a small portion of an existing area of open space located to the front of the playing field and to the west of the existing youth club. The area of land is relatively flat in topography and measures 15m in width by 25m in depth. It is situated slightly back from the public roadside.

Planning Assessment of Policy and Other Material Considerations

This application will be assessed within the confines of the Area Plan, the SPPS, PSU 1 of the rural Planning Strategy for Northern Ireland and PPS 8. This area is adjacent to the existing youth club and community centre, it utilises an area within the grounds of these existing community uses for outdoor active open space, which is of a community benefit. The council have identified the need for this proposal within the local area, therefore the proposal is in keeping with the existing use and policy PSU 1 of the Rural Planning Strategy for Rural Northern Ireland.

The proposal promotes outdoor open space activity within a suitable area, which will not have an adverse impact on the location and setting that it is in. While there is no specific policy within PPS 8 which applies to this type of development the principle of PPS 8 is to promote and protect open space in suitable locations. This development is of a suitable location for this type of community activity scheme proposed. This proposal is a renewal of the scheme approved under P/2010/0408/F.

Neighbour Notification Checked **Yes**

Summary of Recommendation:
Approval is recommended.

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.

Signature(s)

Date:

ANNEX

Date Valid	8th July 2015
Date First Advertised	5th August 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Owen Roe Bavan Mayobridge The Owner/Occupier, 12 Owen Roe Bavan Mayobridge The Owner/Occupier, 8 Owen Roe Bavan Mayobridge	
Date of Last Neighbour Notification	27th August 2015
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: P/1987/0455 Proposal: Extension to St Patricks G A A Club Address: OLD ROAD MAYOBRIDGE Decision: Decision Date:</p> <p>Ref ID: P/2007/0286/F Proposal: Improvements to access. Address: Mayobridge G.F.C. - 4 and 4a Old Road, Mayobridge. Decision: Decision Date: 09.10.2007</p> <p>Ref ID: P/2003/2022/F Proposal: Retention of existing wall and fencing. Address: Mayobridge Athletic GFC, Nos 4 and 4a Old Road, Mayobridge, Newry. Decision: Decision Date: 20.09.2006</p> <p>Ref ID: P/1982/0763 Proposal: PROPOSED CHANGE OF USE FROM CLUBROOMS TO SOCIAL CLUB Address: OLD ROAD, MAYOBRIDGE</p>	

Decision:
Decision Date:

Ref ID: P/1982/0186
Proposal: EXTENSION TO CLUBROOMS
Address: OLD ROAD, MAYOBRIDGE
Decision:
Decision Date:

Ref ID: P/1998/0625
Proposal: Extension and improvements to Youth and Community Centre
Address: 4 OLD ROAD MAYOBRIDGE
Decision:
Decision Date:

Ref ID: P/1974/0583
Proposal: PROPOSED NEW YOUTH CLUB
Address: MAYOBRIDGE, NEWRY
Decision:
Decision Date:

Ref ID: LA07/2015/0616/F
Proposal: Renewal of full planning permission for the erection of new play area
Address: 35m north of 12 Old Road, Newry,
Decision:
Decision Date:

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No.
 Type:
 Status: Submitted

Drawing No.
 Type:
 Status: Submitted

Drawing No.
 Type:
 Status: Submitted

Drawing No.
 Type:
 Status: Submitted

Drawing No.
 Type:
 Status: Submitted

Drawing No.
 Type:
 Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
 Response of Department:

ITEM NO 4

APPLIC NO LA07/2015/0735/LBC Listed Building DATE **VALID** 8/4/15

COUNCIL OPINION **CONSENT**

APPLICANT Jonathan McGilly Newry,
Mourne and Down District
Council
Greenbank Industrial Estate
Newry
BT34 2QU

AGENT Consarc
Conservation The
Gas Office
4 Cromac Quay
Ormeau Road
Belfast
BT7 2JD
028 90 828400

LOCATION Warrenpoint Municipal Park
Warrenpoint.

PROPOSAL Regeneration of historic Edwardian Park associated buildings and structures. To include Gardeners Bothy extension, refurbishment of Pavilion to provide interpretive space and restoration of Grade B+ Listed Bandstand.

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



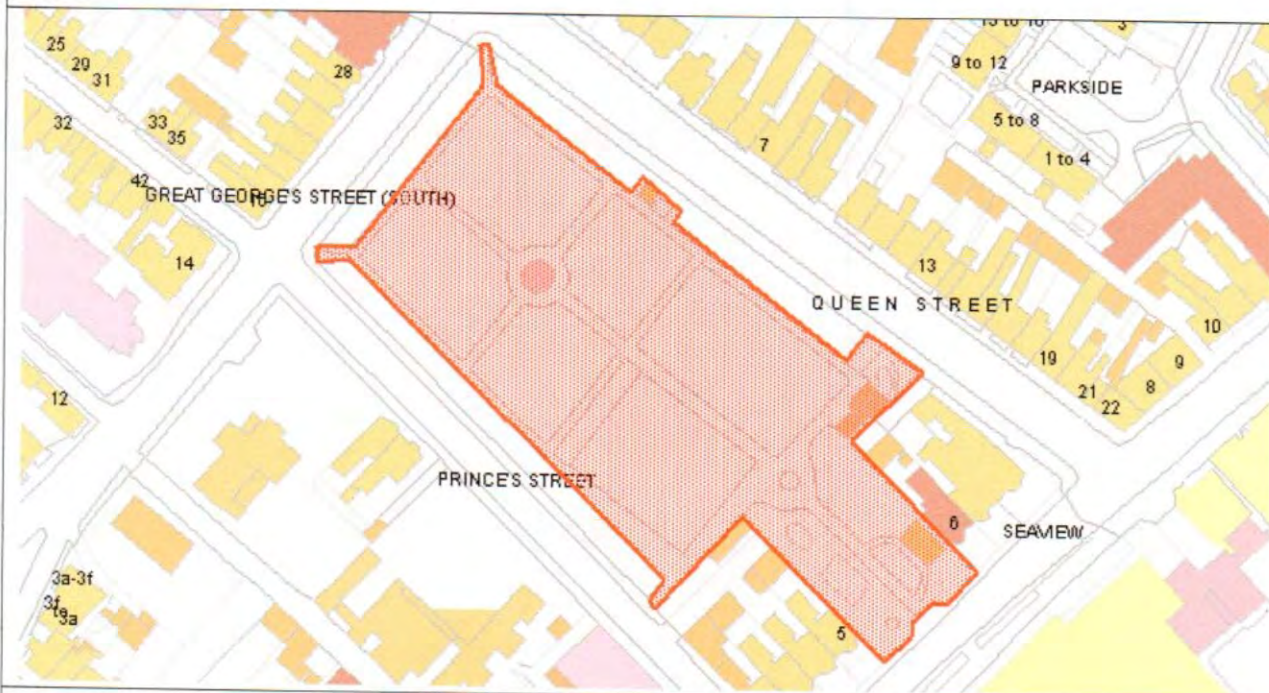
Newry, Mourne and Down District Council
Planning Office
O'Hagan House
Monaghan Row
Newry
BT35 8DJ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 th February 2016	Item Number:
Application ID: LA07/2015/0735/LBC	Target Date:
Proposal: Regeneration of historic Edwardian Park associated buildings and structures. To include Gardeners Bothy extension, refurbishment of Pavilion to provide interpretive space and restoration of Grade B+ Listed Bandstand.	Location: Warrenpoint Municipal Park, Warrenpoint.
Referral Route: The application was submitted by the Council and relates to land in the ownership of the Council	
Recommendation:	Consent
Applicant Name and Address: Jonathan McGilly Newry, Mourne And Down District Council Greenbank Industrial Estate Newry BT34 2QU	Agent Name and Address: Consarc Conservation The Gas Office 4 Cromac Quay Ormeau Road Belfast BT7 2JD
Executive Summary: The renovation scheme for the bandstand seeks to retain the essential character of the building and restore it to its former glory. The wider setting will be improved by re-establishing historic views from the Seaview entrance. Therefore the scheme is compliant with policy for listed buildings.	
Signatures:	

Case Officer Report

Site Location Plan:



Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	Advice
Statutory	NIEA	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

The main issues for consideration under this application are the impact on the listed building and its setting which includes the park as a whole. The scheme includes alterations to the existing buildings in the park, a re-configuration of the games area as a single tennis court and a new play area and activity zone adjacent to Seaview. The listed bandstand will be restored to its former glory including the provision of a rotating glass screen to replace the original one which is missing. The pavillion building will be remodelled as an exhibition and interpretive space through internal alterations. There will be minor alterations to the toilet and store block. The Gardener's Bothy will have a small extension to provide better staff facilities. There will be new seating with part covered by a contemporary steel canopy rain shelter. The Queen Street Entrance gate will be widened. The new play facilities will include a structure based on a fishing boat with a 7m high mast to reflect the maritime setting of the town. Paths will be resurfaced with gravel and resin bound finishes and some sections of lawn will be replaced with hard-wearing turf or artificial grass. Existing mature trees will be retained and pruned and new planting will be undertaken.

Characteristics of the Site and Area

The site is an Edwardian-era public park first opened in 1907. It contains a range of recreational facilities and attractive mature landscaping. It forms most of a town block between 4 streets and has access points from each of them: Queen Street to the north, Seaview to the east, Princes Street to the south and Great George's Street to the west. The central feature of the park is an ornate painted wrought iron raised bandstand. It is a listed building. The hard surfaced paths converge on this central structure. Other buildings include a gardener's bothy, public toilets and a pavilion. There is a children's play area at the eastern end and two tennis courts at the southern corner. The park is bounded by dwarf walls with wrought iron railings. There are a range of mature trees, both native and exotic, up to 15m in height.

The site is located in the heart of Warrenpoint and has a range of surrounding land uses including a hotel, residential properties, other commercial uses and a school. It provides a valuable recreational facility for both residents and visitors to the town. It is affected by a wide range of planning and environmental designations and constraints as follows:

- Within the Warrenpoint development limit as defined on the Banbridge, Newry and Mourne Area Plan 2015
- Within the Warrenpoint Town Centre Boundary
- Within an Area of Townscape Character
- On the Register of Historic Parks, Gardens and Demesnes
- Within the Mournes Area of Outstanding Natural Beauty
- Adjacent to the A2 Protected Route (on Queen Street to the NE)
- The Bandstand is a Listed Building (HB16/12/002)
- There is a Scheduled Monument (Windmill) DOW 054:500 to the NW
- A Pluvial (surface water) flood zone affects part of the site

Planning Assessment of Policy and Other Material Considerations

The application has been assessed under the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Banbridge / Newry & Mourne Area Plan 2015, and PPS6 – Planning, Archaeology and the Built Heritage.

Planning History

There have been several previous planning applications on the site including:

- P/2004/2915/F - Refurbishment of Existing Toilets & Stores with Alterations to External Facade - Approved 04.03.2005
- P/2009/1090/F - Proposed environmental improvement works - Approved 12.11.2009

There is a parallel full application for the current scheme (LA07/2015/0777/F). Neighbours were notified and wider consultations were undertaken under this application.

The Banbridge / Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge / Newry & Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan. The site is located within the development limit and town centre boundary of Warrenpoint. It is also an Area of Townscape Character and a Historic Park. It is within the Mournes and Slieve Croob Area of Outstanding Natural Beauty and it fronts onto the A2 Protected Route. Under the plan, impacts on listed buildings will continue to be assessed under regional policy, now contained within the SPPS and PPS6.

Principle of Development

The bandstand is listed under Section 80 of the Planning Act (Northern Ireland) 2011. As there is no significant change to the policy requirements for listed buildings following the publication of the SPPS and it is arguably less prescriptive, the retained policy of PPS6 will be given substantial weight in determining the application in accordance with paragraph 1.12 of the SPPS. Therefore policy BH8 of PPS6 is applicable. Policy BH11 will also be considered as the whole park forms the setting of the listed bandstand. The renovation scheme for the bandstand seeks to retain the essential character of the building and indeed restore it to its former glory by replacing features of special interest such as the rotating glass screen. The process of restoration for each architectural element has been clearly set out and is acceptable to NIEA Historic Buildings Unit. A key feature of the original setting of the park was the vista towards the bandstand from the Seaview entrance. This has been eroded over the years by the introduction of fencing around the tennis courts. This overall scheme will restore that original view of the building and the overall Edwardian setting of the park while introducing sensitively designed modern elements such as the rain shelter. The extensions or alterations to the other buildings and the boundary wall are considered minor and in keeping with their architectural style. Therefore the scheme is acceptable under the above policies.

Representations

No objections or representations were received with regard to the LBC application.

Case Officer Recommendation – Consent**Neighbour Notification Checked**

N/A - LBC

Summary of Recommendation:

The renovation scheme for the bandstand seeks to retain the essential character of the building and restore it to its former glory. The wider setting will be improved by re-establishing historic views from the Seaview entrance. Therefore the scheme is compliant with policy for listed buildings.

Conditions:

1. The proposed works must be begun not later than the expiration of 5 years beginning with the date on which this consent is granted as required by Section 94 of the Planning Act (Northern Ireland) 2011.

Reason: Time Limit.

Informatives:

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

Signatures:

Date:

ANNEX	
Date Valid	4th August 2015
Date First Advertised	26th August 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses) N/A – neighbours notified under full application	
Date of Last Neighbour Notification	N/A
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: P/2008/1368/F Proposal: Environmental Improvement Scheme to include high quality stone paving, refurbishment of existing kerbs, undergrounding of overhead cables, semi-mature tree planting, street furniture and lighting. Address: Road and footpaths at Church Street and Queen Street, Warrenpoint. Decision: Decision Date: 15.12.2008</p> <p>Ref ID: P/2007/1331/F Proposal: Public safety CCTV cameras to be erected at various locations around Warrenpoint town centre, cameras to be mounted on 8 metre poles . Address: Various locations around Warrenpoint town centre Decision: Decision Date: 13.11.2007</p> <p>Ref ID: P/2009/1090/F Proposal: Proposed environmental improvement works Address: The Municipal Park between Queen Street and Princess Street, Warrenpoint Decision: Decision Date: 12.11.2009</p> <p>Ref ID: P/2004/2915/F Proposal: Refurbishment of Existing Toilets & Stores with Alterations to External Facade Address: Warrenpoint Town Park, Queen Street, Warrenpoint. (Immediately north west of Nos. 6, 7 and 8 Seaview, Warrenpoint.) Decision:</p>	

Decision Date: 04.03.2005

Ref ID: P/1992/1428

Proposal: Conversion of pavillion to provide changing facilities
& Meeting Room

Address: WARRENPOINT MUNICIPAL PARK, SEAVIEW, WARRENPOINT

Decision:

Decision Date:

Ref ID: LA07/2015/0777/F

Proposal: Regeneration of Historic Edwardian Park and associated buildings and structures. To include Gardeners Bothy extension. Refurbishment of existing Pavilion to provide interpretive space and the restoration of the Grade B+ Listed Bandstand.

Address: Warrenpoint Municipal Park Warrenpoint,

Decision:

Decision Date:

Summary of Consultee Responses

NIEA has no objection to the scheme following receipt of the rationale for the changes to views

Drawing Numbers and Title

Drawing No. 03 REV 2
Type: Site Layout or Block Plan

Drawing No. 13
Type: Technical Specification

Drawing No. 12
Type: Site Appraisal or Analysis

Drawing No. 02 REV 1
Type: Existing Site Survey

Drawing No. 01 REV 1
Type: Site Location Plan

Drawing No. 10
Type: Road Access Plan

Drawing No. 09
Type: Proposed Plans

Drawing No. 08
Type: Proposed Plans

Drawing No. 07
Type: Existing Plans

Drawing No. 06
Type: Elevations and Floor Plans

Drawing No. 05
Type: Proposed Plans

Drawing No. 11
Type: Existing Plans

Drawing No. 04
Type: Existing Plans

Notification to Department

The Department will be notified following the decision of the Planning Committee

ITEM NO 5

APPLIC NO LA07/2015/0777/F Full **DATE VALID** 8/4/15

COUNCIL OPINION **APPROVAL**

APPLICANT Newry Mourne and Down District Council Greenbank Industrial Estate Newry BT34 2QU

AGENT Consarc Conservation The Gas Office 4 Cromac Quay Ormeau Road Belfast BT7 2JD 90 828 400

LOCATION Warrenpoint Municipal Park Warrenpoint

PROPOSAL Regeneration of Historic Edwardian Park and associated buildings and structures. To include Gardeners Bothy extension. Refurbishment of existing Pavilion to provide interpretive space and the restoration of the Grade B+ Listed Bandstand.

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	2	0	0	0
			Addresses Signatures	Addresses Signatures
			0 0	0 0



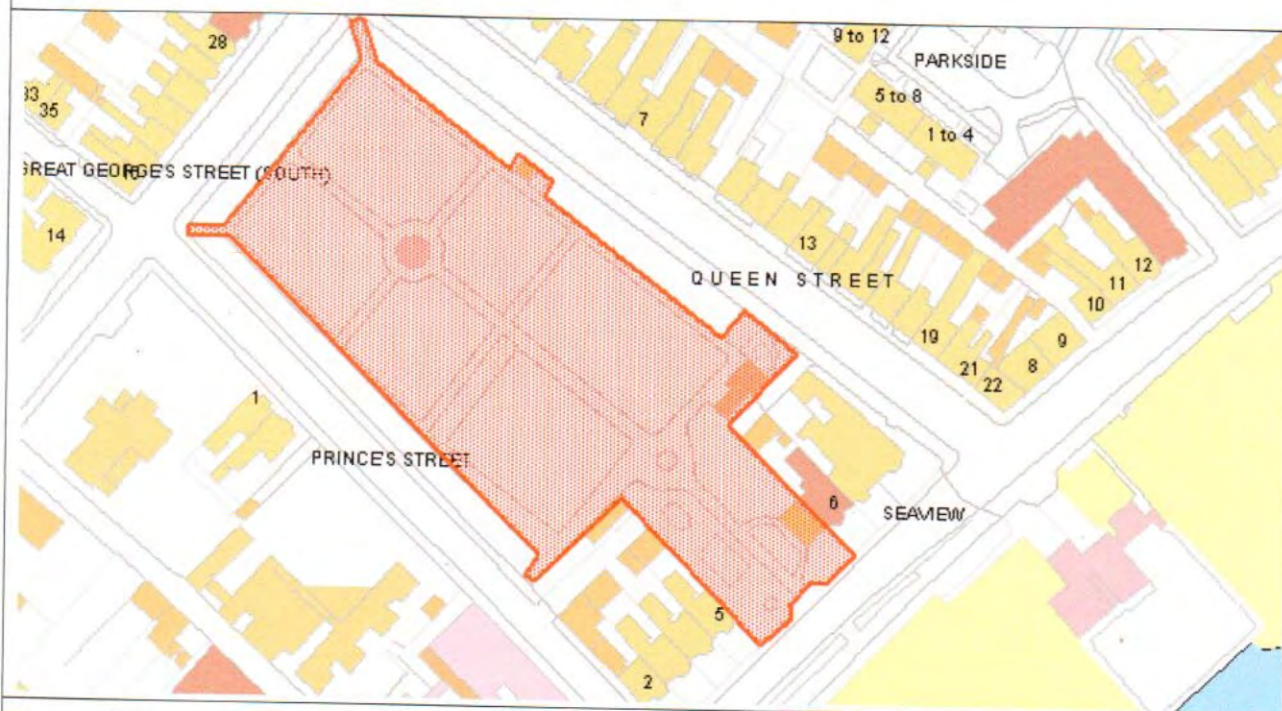
Newry, Mourne and Down District Council
Planning Office
O'Hagan House
Monaghan Row
Newry
BT35 8DJ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 th February 2016	Item Number:
Application ID: LA07/2015/0777/F	Target Date:
Proposal: Regeneration of Historic Edwardian Park and associated buildings and structures. To include Gardeners Bothy extension. Refurbishment of existing Pavilion to provide interpretive space and the restoration of the Grade B+ Listed Bandstand.	Location: Warrenpoint Municipal Park, Warrenpoint
Referral Route: The application was submitted by the Council and relates to land in the ownership of the Council	
Recommendation:	Approval
Applicant Name and Address: Newry Mourne and Down District Council Greenbank Industrial Estate Newry BT34 2QU	Agent Name and Address: Consarc Conservation The Gas Office 4 Cromac Quay Ormeau Road Belfast BT7 2JD
Executive Summary: The proposed regeneration scheme will help to restore the original features of the historic park and listed bandstand and will facilitate continued and improved public use of the site. The proposals should not increase any adverse amenity impacts on neighbouring dwellings. Objections from one property have been considered and addressed where necessary, and the remainder cannot be given determining weight.	
Signatures:	

Case Officer Report

Site Location Plan:



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Transport - Downpatrick Office	Content
Statutory	NIEA	Advice
Statutory	NIEA	Content
Non Statutory	NI Water - Strategic Applications	Substantive Response Received
Advice and Guidance	Env Health Newry Mourne And Down District Council	Add Info Requested
Statutory	Rivers Agency	Advice
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received

Representations:

Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

The scheme includes alterations to the existing buildings in the park, a re-configuration of the games area as a single tennis court and a new play area and activity zone adjacent to Seaview. The listed bandstand will be restored to its former glory including the provision of a rotating glass

screen to replace the original one which is missing. The pavillion building will be remodelled as an exhibition and interpretive space through internal alterations. There will be minor alterations to the toilet and store block. The Gardener's Bothy will have a small extension to provide better staff facilities. There will be new seating with part covered by a contemporary steel canopy rain shelter. The Queen Street Entrance gate will be widened. The new play facilities will include a structure based on a fishing boat with a 7m high mast to reflect the maritime setting of the town. Paths will be resurfaced with gravel and resin bound finishes and some sections of lawn will be replaced with hard-wearing turf or artificial grass. Existing mature trees will be retained and pruned and new planting will be undertaken.

The main issues for consideration are the impact on the character of the historic park, the listed building and its setting, impact on the townscape of the area and amenity impact on neighbouring properties. Objections were received from the owner of one adjoining property, principally regarding adverse impacts on their amenity. The issues raised will be considered below.

Characteristics of the Site and Area

The site is an Edwardian-era public park first opened in 1907. It contains a range of recreational facilities and attractive mature landscaping. It forms most of a town block between 4 streets and has access points from each of them: Queen Street to the north, Seaview to the east, Princes Street to the south and Great George's Street to the west. The central feature of the park is an ornate painted wrought iron raised bandstand. It is a listed building. The hard surfaced paths converge on this central structure. Other buildings include a gardener's bothy, public toilets and a pavillion. There is a children's play area at the eastern end and two tennis courts at the southern corner. The park is bounded by dwarf walls with wrought iron railings. There are a range of mature trees, both native and exotic, up to 15m in height.

The site is located in the heart of Warrenpoint and has a range of surrounding land uses including a hotel, residential properties, other commercial uses and a school. It provides a valuable recreational facility for both residents and visitors to the town. It is affected by a wide range of planning and environmental designations and constraints as follows:

- Within the Warrenpoint development limit as defined on the Banbridge, Newry and Mourne Area Plan 2015
- Within the Warrenpoint Town Centre Boundary
- Within an Area of Townscape Character
- On the Register of Historic Parks, Gardens and Demesnes
- Within the Mournes Area of Outstanding Natural Beauty
- Adjacent to the A2 Protected Route (on Queen Street to the NE)
- The Bandstand is a Listed Building (HB16/12/002)
- There is a Scheduled Monument (Windmill) DOW 054:500 to the NW
- A Pluvial (surface water) flood zone affects part of the site

Planning Assessment of Policy and Other Material Considerations

The application has been assessed under the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Banbridge / Newry & Mourne Area Plan 2015, PPS2 – Natural Heritage, PPS3 – Access, Movement and Parking, PPS6 – Planning, Archaeology and the Built Heritage, the Addendum to PPS6 – Areas of Townscape Character, and PPS15 – Planning and Flood Risk. The Living Places Urban Stewardship and Design Guide will also be considered.

Planning History

There have been several previous planning applications on the site including:

- P/2004/2915/F - Refurbishment of Existing Toilets & Stores with Alterations to External

Facade - Approved 04.03.2005

- P/2009/1090/F - Proposed environmental improvement works - Approved 12.11.2009
- There is a parallel application for Listed Building Consent for the current scheme (LA07/2015/0735/LBC) which affects the listed bandstand and its setting.

The Banbridge / Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge / Newry & Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan. The site is located within the development limit and town centre boundary of Warrenpoint. It is also an Area of Townscape Character and a Historic Park. It is within the Mournes and Slieve Croob Area of Outstanding Natural Beauty and it fronts onto the A2 Protected Route. Under the plan, existing open spaces like this are protected by regional policy, now contained within the SPPS.

Principle of Development

The SPPS recognises that open space is vital to the quality of urban life, can enhance the character of settlements, and is beneficial to business, tourism and regeneration (paragraph 6.200). Accordingly, existing sites such as this are to be protected. It therefore follows that proposals such as this to invest in and enhance the public open space are to be welcomed. The scheme is acceptable in principle.

Impact on Listed Buildings and Area of Townscape Character

The bandstand is listed under Section 80 of the Planning Act (Northern Ireland) 2011. As there is no significant change to the policy requirements for listed buildings following the publication of the SPPS and it is arguably less prescriptive, the retained policy of PPS6 will be given substantial weight in determining the application in accordance with paragraph 1.12 of the SPPS. Therefore policy BH8 of PPS6 is applicable. Policy BH11 will also be considered as the whole park forms the setting of the listed bandstand. The renovation scheme for the bandstand seeks to retain the essential character of the building and indeed restore it to its former glory by replacing features of special interest such as the rotating glass screen. The process of restoration for each architectural element has been clearly set out and is acceptable to NIEA Historic Buildings Unit. A key feature of the original setting of the park was the vista towards the bandstand from the Seaview entrance. This has been eroded over the years by the introduction of fencing around the tennis courts. This overall scheme will restore that original view of the building and the overall Edwardian setting of the park while introducing sensitively designed modern elements such as the rain shelter. The extensions or alterations to the other buildings and the boundary wall are considered minor and in keeping with their architectural style. Therefore the scheme is acceptable under the above policies. With regard to the ATC, the scheme will enhance the overall character of the area and respect its built form. It is therefore in accordance with paragraph 6.21 of the SPPS and policy ATC2 of the Addendum to PPS6.

Impact on the Historic Park

This will be assessed under paragraph 6.17 of the SPPS and policy BH6 of PPS6. The scheme aims to restore and enhance the archaeological, historical and botanical interest of the site. A detailed assessment of existing trees has been undertaken and the proposed landscaping scheme will remove some recent inappropriate tree planting including poplar and reinstate a number of areas as lawn, as they were originally. Lighting will be improved using period-style lanterns with LED technology and access for people with disabilities will be enhanced. The historic vista from the Bandstand to Seaview will be restored. Cognisance has been taken of wildlife within the park including bats, a protected species. NIEA is content with the survey carried out and that the proposed development is unlikely to harm any natural heritage features or designated sites. The new layout reflects the historic appearance of the park, but clearly breaks down the activity within the park into three zones. Play activities are confined mainly to the eastern end where new play structures including the proposed fishing boat reflect the maritime setting of the town and

are sited to ensure that historic views within the park are retained. The detailed design of other parts of the activity zone is not yet available, but the structures will be under 4 metres in height and can be erected under the Council's permitted development rights. TransportNI has no objections under PPS3 to the new wider opening onto Queen Street, notwithstanding the fact that it is a Protected Route, as it is only to be used for occasional events or emergencies. With regard to surface water flooding, a drainage assessment is not required by policy under PPS15. the drainage infrastructure of the park will be improved by the works and Rivers Agency has provided standard informatives. In summary, the proposal clearly enhances the character and principal components of the historic park and is a welcome scheme of regeneration. The development relates satisfactorily to its townscape setting and is considered to meet the 'Ten qualities of urban stewardship and design' in *Living Places*.

Impact on Amenity

While the use of the park as an outdoor recreational space is well established, the alterations have the potential to change the impact on the amenity of neighbouring dwellings, e.g. through noise from the bandstand or play area. Therefore the amenity impact of the proposals must be fully assessed. Environmental Health requested information on the use and frequency of events in the park and the hours of operation. This was supplied in a statement and activity plan received 23rd December 2015. Having considered this information, Environmental Health recommends a condition that there should be no entertainment on the site including the use of amplified music after 11pm. This is considered reasonable and necessary to protect the amenity of nearby residents while facilitating the public benefit of the use of the park to an acceptable time of the evening.

The site is adjoined by a hotel (the Whistledown) and then directly by only one dwelling (5 Seaview). Other residential properties do not directly adjoin the site but are across the street from it. The owner of 5 Seaview has objected (twice) to the proposal. The issues he has raised are as follows:

1. Park users have trespassed on his property causing criminal damage and anti-social behaviour
2. Three proposed trees beside his boundary would block sunlight, block drains with leaves and undermine the boundary wall
3. Concern about the location of the youth area with artificial grass adjacent to his property
4. The building is sub-divided into five apartments which were not individually notified
5. Photos enclosed with the first objection were not scanned onto the Planning Portal and it is difficult to find information on it

The Planning Authority's consideration of these matters is as follows:

1. Trespass and criminal damage are matters for the police who he has rightly reported these matters to. But this does not mean an entire section of the established public park adjoining his boundary can be cordoned off to public use. The redevelopment scheme and associated activity plan should facilitate more structured use of the park and hopefully discourage anti-social behaviour.
2. The Council requested that the trees in question be removed to address his concerns. This has been done on the amended plan received 23rd December 2015.
3. The youth area is only about 6 metres wide and 18 metres long. It is too small to use as a formal sports pitch and it will be separated from the party wall by a new griselina hedge which should prevent users coming into direct contact with the boundary. The Council can erect outdoor gym and other equipment on this area under its permitted development rights. The overall effect will not cause a detrimental change to the amenity of neighbouring occupiers compared to the current situation.
4. While there does not appear to be planning permission for the sub-division of 5 Seaview, we have now sent individually addressed letters in accordance with the addresses stored in the pointer system.
5. The Council does not have the resources to scan everything relating to an application, but

the objector's photos are held on the application file and were considered in the assessment of the application. It is acknowledged that the functionality of the Portal can be difficult. This is a matter for DOE. However, the objector has taken the opportunity to submit his concerns which have been fully considered and therefore he has not been prejudiced.

The SPPS sets out the purpose of planning in Northern Ireland. The planning system operates in the public interest of local communities. Paragraph 2.3 states that the planning system *'does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases ... The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest.'* It is acknowledged that dwellings surrounding the park have the potential for loss of amenity on occasions due to the activities carried on there, but the redevelopment is not considered to have a high potential to increase adverse amenity impacts and it is clearly in the interest of the wider public to approve what is a well-planned redevelopment scheme for the benefit of the whole community.

No other objections or representations were received.

Case Officer Recommendation – Approval

Neighbour Notification Checked

Yes

Summary of Recommendation:

The proposed regeneration scheme will help to restore the original features of the historic park and listed bandstand and will facilitate continued and improved public use of the site. The proposals should not increase any adverse amenity impacts on neighbouring dwellings. Objections from one property have been considered and addressed where necessary, and the remainder cannot be given determining weight.

Conditions:

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

Reason: Time Limit.

2. There shall be no entertainment on the site including the use of amplified music between the hours of 11.00pm and 8.00am.

Reason: To safeguard the living conditions of residents in adjoining and nearby properties.

3. All construction activity shall be confined within site boundaries, and the boundary of the designated areas shall not be disturbed in any way without written consent from the Department of the Environment.

Reason: To protect the integrity of Carlingford Lough ASSI and Carlingford Lough SPA, and to avoid it being damaged by construction vehicles, deposited materials, contaminated runoff, or any other activity during the construction period or thereafter.

Signatures:

Date:

ANNEX	
Date Valid	4th August 2015
Date First Advertised	2nd September 2015
Date Last Advertised	13th January 2016
Details of Neighbour Notification (all addresses)	
<p>1 Princes Street Ringmackilroy Warrenpoint 1 Queen Street Ringmackilroy Warrenpoint 1 Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH, 10 Queen Street Ringmackilroy Warrenpoint 10A Queen Street Ringmackilroy Warrenpoint 10B Queen Street Ringmackilroy Warrenpoint 11 Queen Street Ringmackilroy Warrenpoint 12 Queen Street Ringmackilroy Warrenpoint 13 Queen Street Ringmackilroy Warrenpoint 14 Great Georges Street South Ringmackilroy Warrenpoint 14 Queen Street Ringmackilroy Warrenpoint 15 Queen Street Ringmackilroy Warrenpoint 16 Great Georges Street South Ringmackilroy Warrenpoint 16 Queen Street Ringmackilroy Warrenpoint 17 Queen Street Ringmackilroy Warrenpoint 18 Great Georges Street South Ringmackilroy Warrenpoint 18 Queen Street Ringmackilroy Warrenpoint 19 Queen Street Ringmackilroy Warrenpoint 19 Queen Street Ringmackilroy Warrenpoint 19B Queen Street Ringmackilroy Warrenpoint 1A Queen Street Ringmackilroy Warrenpoint 2 Princes Street Ringmackilroy Warrenpoint 2 Queen Street Ringmackilroy Warrenpoint 2 Seaview Ringmackilroy Warrenpoint 20 Great Georges Street South Ringmackilroy Warrenpoint 20 Queen Street Ringmackilroy Warrenpoint 20A Queen Street Ringmackilroy Warrenpoint 20B Queen Street Ringmackilroy Warrenpoint 21 Queen Street Ringmackilroy Warrenpoint 22 Great Georges Street South Ringmackilroy Warrenpoint 22 Queen Street Ringmackilroy Warrenpoint 22A Queen Street, Ringmackilroy, Warrenpoint, Down, BT34 3HZ, 22B Queen Street, Ringmackilroy, Warrenpoint, Down, BT34 3HZ, 23 Queen Street Ringmackilroy Warrenpoint 24 Great Georges Street South Ringmackilroy Warrenpoint 26 Great Georges Street South Ringmackilroy Warrenpoint 28 Great Georges Street South Ringmackilroy Warrenpoint 2A Princes Street, Ringmackilroy, Warrenpoint, Down, BT34 3NU, 3 Queen Street Ringmackilroy Warrenpoint</p>	

3 Seaview Ringmackilroy Warrenpoint
 4 Queen Street Ringmackilroy Warrenpoint
 4 Seaview Ringmackilroy Warrenpoint
 4A Queen Street Ringmackilroy Warrenpoint
 5 Queen Street Ringmackilroy Warrenpoint
 5, Seaview, Warrenpoint, Down, Northern Ireland, BT34 3NH
 5A Great Georges Street, Ringmackilroy, Warrenpoint, Down, BT34 3HS,
 5A Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH,
 5B Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH,
 5C Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH,
 5D Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH,
 5E Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH,
 6 Queen Street Ringmackilroy Warrenpoint
 61 Great Georges Street South Ringmackilroy Warrenpoint
 7 Queen Street Ringmackilroy Warrenpoint
 7A Queen Street Ringmackilroy Warrenpoint
 7B Queen Street Ringmackilroy Warrenpoint
 7C Queen Street Ringmackilroy Warrenpoint
 8 Cloughmore Terrace, Ringmackilroy, Warrenpoint, Down, BT34 3HP,
 8 Queen Street Ringmackilroy Warrenpoint
 8A Cloughmore Terrace, Ringmackilroy, Warrenpoint, Down, BT34 3HP,
 8A Queen Street Ringmackilroy Warrenpoint
 8B Cloughmore Terrace, Ringmackilroy, Warrenpoint, Down, BT34 3HP,
 8C Cloughmore Terrace, Ringmackilroy, Warrenpoint, Down, BT34 3HP,
 9 Queen Street Ringmackilroy Warrenpoint
 East Coast Adventure Centre, Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NJ,
 St. Josephs Nursing & Residential Home Princes Street Ringmackilroy
 Unit 1, St David's Building, 58 Church Street, Ringmackilroy, Warrenpoint, Down, BT34
 3HN,
 Unit 2, St David's Building, 58 Church Street, Ringmackilroy, Warrenpoint, Down, BT34
 3HN,
 Unit 3, St David's Building, 58 Church Street, Ringmackilroy, Warrenpoint, Down, BT34
 3HN,
 Unit 4, St David's Building, 58 Church Street, Ringmackilroy, Warrenpoint, Down, BT34
 3HN,
 Whistledown Hotel, 6 Seaview, Ringmackilroy, Warrenpoint, Down, BT34 3NH,

Date of Last Neighbour Notification	6th January 2016
Date of EIA Determination	N/A
ES Requested	No

Planning History

Ref ID: P/2009/1090/F

Proposal: Proposed environmental improvement works

Address: The Municipal Park between Queen Street and Princess Street, Warrenpoint

Decision:

Decision Date: 12.11.2009

Ref ID: P/2008/1368/F

Proposal: Environmental Improvement Scheme to include high quality stone paving, refurbishment of existing kerbs, undergrounding of overhead cables, semi-mature tree planting, street furniture and lighting.

Address: Road and footpaths at Church Street and Queen Street, Warrenpoint.

Decision:

Decision Date: 15.12.2008

Ref ID: P/2007/1331/F

Proposal: Public safety CCTV cameras to be erected at various locations around Warrenpoint town centre, cameras to be mounted on 8 metre poles .

Address: Various locations around Warrenpoint town centre

Decision:

Decision Date: 13.11.2007

Ref ID: P/2004/2915/F

Proposal: Refurbishment of Existing Toilets & Stores with Alterations to External Facade
Address: Warrenpoint Town Park, Queen Street, Warrenpoint. (Immediately north west of Nos. 6, 7 and 8 Seaview, Warrenpoint.)

Decision:

Decision Date: 04.03.2005

Ref ID: P/1992/1428

Proposal: Conversion of pavillion to provide changing facilities & Meeting Room

Address: WARRENPOINT MUNICIPAL PARK, SEAVIEW, WARRENPOINT

Decision:

Decision Date:

Ref ID: LA07/2015/0735/LBC

Proposal: Proposed regeneration of historic Edwardian Park associated buildings and structures. To include gardeners Bothy extension, refurbishment of Pavilion to provide interpretive space and restoration of Grade B+ Listed Bandstand.

Address: Warrenpoint Municipal Park, Warrenpoint.,

Decision:

Decision Date:

Summary of Consultee Responses

No objections from TransportNI, NI Water or Rivers Agency.
NIEA content following submission of rationale for new alignment.
Environmental Health content subject to hours of use condition.

Drawing Numbers and Title

Drawing No. 02 REV 2

Type: Site Layout or Block Plan

Drawing No. 13

Type: Technical Specification

Drawing No. 12

Type: Site Appraisal or Analysis

Drawing No. 03 REV 1

Type: Existing Site Survey

Drawing No. 01 REV 1

Type: Site Location Plan

Drawing No. 11

Type: Road Access Plan

Drawing No. 10

Type: Proposed Plans

Drawing No. 09

Type: Proposed Plans

Drawing No. 08

Type: Existing Plans

Drawing No. 07

Type: Elevations and Floor Plans

Drawing No. 06

Type: Proposed Plans

Drawing No. 05

Type: Existing Plans

Drawing No. 04

Type: Elevations and Floor Plans

Notification to Department

Will be carried out following the decision of the Planning Committee

ITEM NO	6			
APPLIC NO	P/2015/0121/O	Outline	DATE VALID	2/17/15
COUNCIL OPINION	REFUSAL			
APPLICANT	Mr O Slane		AGENT	O'Hare Associates Architectural Consultants Ltd The Masters House Abbey Yard Newry BT34 2EG 02830251919

LOCATION Land 30m North West of 1 Tullyet Road
Newtownhamilton

PROPOSAL Proposed site for infill dwelling and detached garage.


REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	1	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 and could not be located within a settlement.
- 2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and 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 Newry Road.
- 3 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and 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 and would therefore result in a detrimental change to further erode the rural character of the countryside.



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: P/2015/0121/O	Target Date:
Proposal: Proposed site for infill dwelling and detached garage.	Location: Land 30m north west of 1 Tullyet Road Newtownhamilton
Referral Route: Briefing panel decision to go to committee.	
Recommendation:	Refusal
Applicant Name and Address: Mr O Slane	Agent Name and Address: O'Hare Associates Architectural Consultants Ltd The Masters House Abbey Yard Newry BT34 2EG
Executive Summary: Proposal seeks approval for infill dwelling. The Planning Authority is of the opinion is that the site is not located on a continuously and substantially built up frontage and as a consequence would also lead to suburban build up.	
Signature(s):	

Case Officer Report		
Site Location Plan		
		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	NI Transport - Downpatrick Office	No Objection
Non Statutory	Rivers Agency	Substantive Response Received
Non Statutory	NI Water - Single Units East - Planning Consultations	Substantive Response Received
Non Statutory	Env Health Newry & Mourne District Council	Substantive Response Received
Representations:		
Letters of Support	None Received	
Letters of Objection	1	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
<p>One letter of objection. Proposal does not meet the criteria requirements of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Planning Policy Statement 21, Sustainable Development in the Courtyard.</p>		
Characteristics of the Site and Area		
<p>The site is located at land 30m North West of 1 Tullyet Road, Newotwnhamilton. The site as defined in red on the site location plan takes in a broadly triangular portion of grassed land which is surrounded by relatively mature trees and part of an existing laneway. The land sits above road level and rises marginally towards the South East (No.1 Tullyet Rd.) The site sits adjacent to the main Newry Road where a hard shoulder and banking separates the site from the main road. An existing laneway from North West to South East between No.1 and No.3 Tullyet Road connects the Tullyet Road to the main Newry Road. This laneway appears to be largely unused.</p> <p>The area is predominately rural in character with a few dwellings located in the vicinity of the site including a dwelling under construction (P/20130740/F) to the South West of the site No. 3</p>		

Tullyet Road to the South of the site and No.1 to the East of the site. The site is within the rural area and approximately 500m from the Development Limit for Newtownhamilton as designated in the Banbridge Newry and Mourne Area Plan 2015.

Planning Assessment of Policy and Other Material Considerations

The proposal seeks Outline permission for an infill dwelling.

Site History

N/A

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 infill dwellings following the publication of the SPPS and it is arguably less prescriptive, 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. The site lies within the Rural Area as designated in the Banbridge Newry and Mourne Area Plan 2015. Whilst permission in this area is restrictive for new dwellings, this may be acceptable where the proposal is in compliance with PPS21 and other material considerations.

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

Transport NI are content with the principal of there being an acceptable access arrangement able to be achieved for this site. The actual access details would be considered if/when Full plans are submitted and the Council would reserve that right for consideration at a later stage. Mr Watt's objection to the possibility of access to the site is not sustained. The application is acceptable to this policy criteria.

PPS21 – Sustainable Development in the Countryside

Policy CTY1 restricts new development in the countryside, but makes an exception for the development of a gap site sufficient only to accommodate up to a maximum of 2 dwellings with an otherwise substantial and continuously built up frontage in compliance with policy CTY8 of PPS21. The starting point for this application is to ensure there is a line of 3 buildings in a continuously built up frontage without accompanying development to the rear. In terms of a continuously built up frontage it is accepted that No. 7 Newry Road and the new dwelling recently constructed under reference P/2013/0740/F share a common frontage. However further to this, a laneway would appear to separate and isolate the next piece of land which contains the application site and No. 1 Tullyet Road. The frontage of No.1 Tullyet Road is located to face and is accessed from the Tullyet Road with only the northern gable adjacent to the main Newry Road which is critical in terms of a continuously built up frontage for the purposes of this application. A common frontage between No. 7, the dwelling recently constructed and No.1 Tullyet Road cannot be identified and with the accompanying development to rear, namely No. 3 Tullyet Road, this reinforces the Council's position that the proposal is contrary to policy CTY8. As there are no overriding reasons why this proposal cannot be located within the settlement limit the application is also contrary to CTY1 of PPS21.

The site is not thought to lack integration in terms of CTY13, however when viewed with existing buildings surrounding the site, the proposal would, if permitted contribute to build up and as a consequence have a detrimental impact on the rural character of the area. The objection from Mr Watt in terms of the detrimental impact on the natural and rural landscape is agreed with by the Council. However, the concern with regard residential amenity is not material given the separation distance of the existing property at No. 1 Tullyet and any potential property on the application site. Environmental Health were consulted in relation to the sewage arrangements and have responded with no objections. The proposal is in general compliance with CTY16.

Whilst a portion of the development is located within a predicted flooded area, Rivers Agency have no objections provided the developer constructs in a manner that minimises flood risk to the proposed development and elsewhere. There are no objections with regard to PPS15 Flood Risk.

One objection received and discussed throughout report.

All relevant neighbours have been notified and application advertised.

Refusal recommended.

Neighbour Notification Checked	Yes
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Summary of Recommendation:
 Refusal as above.

Conditions/Reasons for 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 and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and 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 Newry Road.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and 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 and would therefore result in a detrimental change to further erode the rural character of the countryside.

Signature(s)

Date:

ANNEX	
Date Valid	17th February 2015
Date First Advertised	4th March 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses) Alastair Watt 1, Tullyet Road, Newtownhamilton, Armagh, Northern Ireland, BT35 0RD The Owner/Occupier, 1 Tullyet Road, Ballintemple, Newtownhamilton, Armagh, BT35 0RD, The Owner/Occupier, 3 Tullyet Road, Ballintemple, Newtownhamilton, Armagh, BT35 0RD,	
Date of Last Neighbour Notification	16th April 2015
Date of EIA Determination	
ES Requested	No
Planning History N/A	
Summary of Consultee Responses No objections from any consultees. Standard conditions and informatives to be added to any approval notice.	
Drawing Numbers and Title	
Drawing No. 01 Type: Site Location Plan Status: Submitted	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

ITEM NO	7			
APPLIC NO	P/2015/0187/O	Outline	DATE VALID	3/18/15
COUNCIL OPINION	REFUSAL			
APPLICANT	Mr John Morgan 99 Bryansford Road Kilo Newry BT34 5LM		AGENT	M Keown 5a Ballymaginthy Road Castlewellan BT31 9BH
				028 4377 1406

LOCATION Site 150m east of the junction of Bryansford Road and Kinnahalla Road Co Down (with access from Kinnahalla Road)

PROPOSAL Site for a farm dwelling

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 paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and 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, that other development opportunities have not been sold off from the farm holding within 10 years of the date of the application, and that the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane.
- 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; the site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape, the proposed building relies primarily on the use of new landscaping for integration, the ancillary works do not integrate with their surroundings, the proposed building fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop, and 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.
- 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, be unduly prominent in the landscape, would not respect the traditional pattern of settlement exhibited in the area, and the impact of ancillary works would damage rural character, and would therefore result in a detrimental change to the rural character of the countryside.
- 4 The proposal is contrary to paragraph 6.187 of the Strategic Planning Policy Statement for Northern Ireland and Policy NH6 of Planning Policy Statement 2, Natural Heritage, in that the site lies in a designated Area of Outstanding Natural Beauty and its siting away from an established group of farm buildings would harm the amenity of the local area and the special character of the Mournes AONB.
- 5 Having notified the applicant under Article 3 (6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that further details about the farm business are 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.



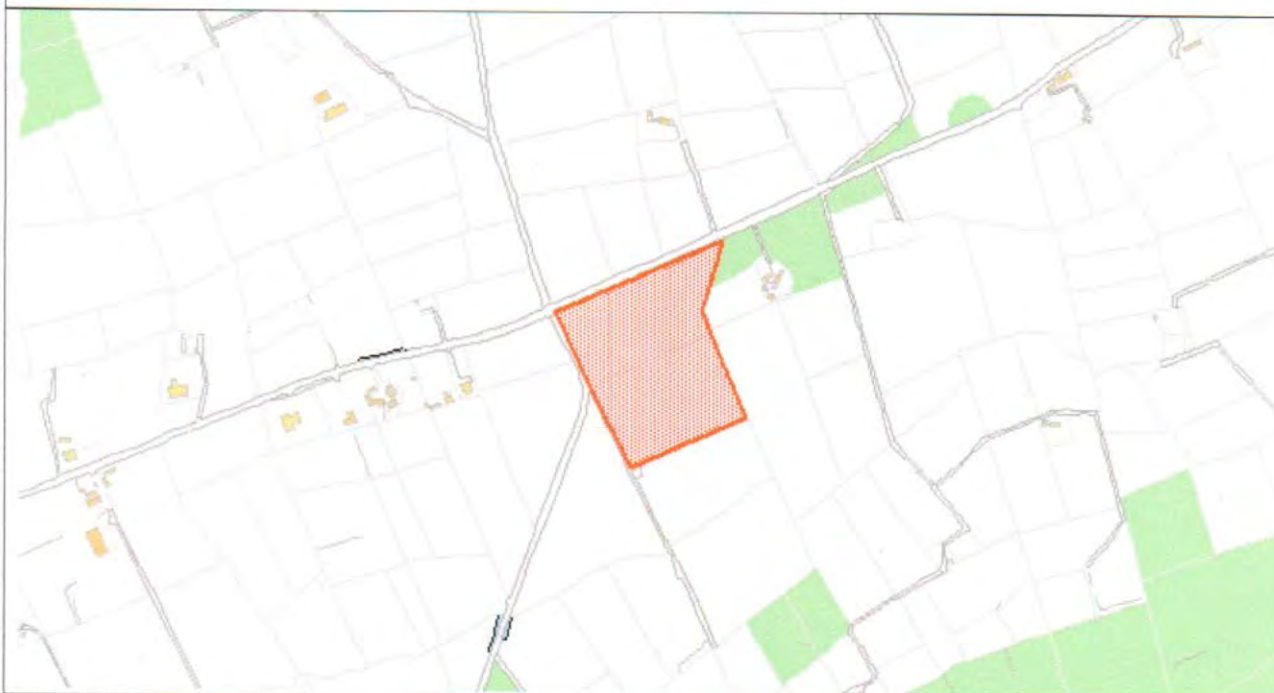
Newry, Mourne and Down District Council
Planning Office
Downshire Civic Centre
Ardglass Road
Downpatrick
BT30 6GQ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 th February 2016	Item Number:
Application ID: P/2015/0187/O	Target Date:
Proposal: Site for a farm dwelling	Location: Site 150m east of the junction of Bryansford Road and Kinnahalla Road Co Down (with access from Kinnahalla Road)
Referral Route: This is a major application under the Planning (Development Management) Regulations (Northern Ireland) 2015 as it is for residential use and the site area exceeds 2 Hectares.	
Recommendation:	Refusal
Applicant Name and Address: Mr John Morgan 99 Bryansford Road Kilcoo Newry BT34 5LM	Agent Name and Address: M Keown 5a Ballymaginthy Road Castlewellan BT31 9BH
Executive Summary: It has not been demonstrated that the farm business is currently active, that no sites have been sold off and that there is a justification for the site not clustering with an established group of buildings on the farm. Further information on these matters was requested from the agent in October and has not been supplied. The site is extremely prominent and could not integrate even a modest dwelling. The proposal would harm the amenity of the Mournes AONB.	
Signatures:	

Case Officer Report

Site Location Plan:



Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	Content
Statutory	Rivers Agency	Advice
Advice and Guidance	Env Health Newry Mourne And Down District Council	Advice
Non Statutory	DARDNI - Downpatrick	Farm business not currently active
Statutory	NI Transport - Downpatrick Office	Content subject to condition
Non Statutory	NI Water - Single Units East - Planning Consultations	Substantive Response Received

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

An indicative layout has been submitted showing the dwelling to be sited towards the eastern boundary of the site, one field back from the road, with access from Kinahalla Road to the west. The main issues to be considered are the principle of a dwelling on the farm holding, siting, integration and design, along with impacts on the AONB and historic monuments.

Characteristics of the Site and Area

The site consists of three agricultural fields located at the junction of Bryansford Road and Kinnahalla Road, Hilltown. The area is an upland mountainous landscape, though the site itself is low-lying in relation to the surrounding road network. The land is boggy with extensive rushes, and despite the presence of some sparse whin and hawthorn hedging, there is virtually no screening to the site which is visible from Bryansford Road, Kinnahalla Road, Drumboniff Road and Upper Kinghill Road. The site slopes gently from north to south towards the Kinnahalla River. It then rises steeply further to the south to the summit of Craigdoe. There are no farm buildings on this part of the holding with which to cluster a dwelling.

The site is located towards the northern edge of the Mourne Mountains approximately 3 miles east of Hilltown. The area is rural in nature and the site is unzoned land outside settlement limits on the Banbridge, Newry and Mourne Area Plan 2015. It is within the Mournes Area of Outstanding Natural Beauty. There is a Monument (DOW 048:013) to the north of the site and a surface water flood zone affects part of the site. The area has a dispersed settlement pattern with occasional clustered farm groups.

Planning Assessment of Policy and Other Material Considerations

The application has been assessed under the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Banbridge / Newry & Mourne Area Plan 2015, PPS2 – Natural Heritage, PPS3 – Access, Movement and Parking, DCAN15 – Vehicular Access Standards, PPS6 – Planning, Archaeology and the Built Heritage, PPS15 – Planning and Flood Risk, and PPS21 – Sustainable Development in the Countryside. The Building on Tradition Sustainable Design Guide will also be considered.

Planning History

There have been no previous planning applications on the site or this part of the holding. A previous application (Ref: R/2009/0430/O) for a farm dwelling adjacent to 99 Bryansford Road (approx. 1 mile east of the site) using this agricultural business ID was refused on 14.06.2011 and dismissed at appeal on 01.06.2012. The extent of the farm holding is unclear from the information submitted. Only 1 page of 4 from a 2006 set of farm maps was submitted. This shows the land at Kinahalla Road. It seems clear that there is other land around 99 Bryansford Road (where the previous application was made) and I note that the farm business has a mailing address at Tullyframe Road, Kilkeel, suggesting that there is a dwelling and other land at this location. Full details of the farm business using up-to-date maps was requested in an email to the agent dated 6th October 2015, but no information has been received to date. Therefore the proposal should be refused based on failure to submit material information.

The Banbridge / Newry & Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge / Newry & Mourne Area Plan 2015 as the new council has not yet adopted a local development plan. The site is located outside settlement limits on the above Plan, and is unzoned. It is within the Mournes and Slieve Croob Area of Outstanding Natural Beauty. There are no specific policies in the Plan that are relevant to the determination of the application and it directs the decision-maker to the operational policies of the SPPS and the retained PPS21. Impact on the AONB will be assessed under PPS2.

Principle of Development

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 PPS21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

PPS21 Policy CTY1 states that a range of types of development are acceptable in principle in the countryside. This includes farm dwellings if they are in accordance with Policy CTY10. There are three

criteria to be met:

Criteria (a) requires that the farm business is currently active and has been established for at least 6 years. DARD advised in a consultation response dated 29.06.2015 that the farm business was established for more than 6 years but did not claim Single Farm Payment. Claiming SFP is the main means used to determine if the farm is active. The lack of SFP claims suggests that the farm business is not currently active. The agent was asked for any other information to demonstrate that the farm business was currently active on 6th October 2015, but no information has been forthcoming. As it has not been demonstrated that the farm is currently active, criteria (a) is not met.

Criteria (b) requires that no dwellings or development opportunities have been sold off the farm holding since the introduction of draft PPS21 in November 2008. As the application was not accompanied by full details of the land owned by the farm business and the agent has failed to provide this information since the request dated 6th October 2015, the Council has no way of checking if there are other relevant development opportunities. It has not been demonstrated that no dwellings or development opportunities have been sold off the farm holding in the relevant period, so criteria (b) is not met.

Criteria (c) requires the new building to be visually linked or sited to cluster with an established group of buildings on the farm. The application is clearly contrary to this criteria as there are no buildings anywhere on this part of the holding at Kinahalla Road. However, as stated above, I have reason to believe that there are buildings around 99 Bryansford Road and 154 Tullyframe Road on other parts of the holding, the details of which have not been supplied. No justification for this 'alternative site' away from farm buildings has been submitted. Access is not obtained via an existing lane.

In summary, the proposal has failed on all three relevant criteria in policy CTY10, and is therefore unacceptable in principle in the countryside, contrary to policy CTY1.

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 CTY13 and CTY14 of PPS21.

The landscape setting of this site combined with the layout and elevation of much of the surrounding road network means even a modest dwelling in the location indicated would be an extremely prominent feature in the landscape. It would fail to blend with the landform and would be prominent from Bryansford Road, Kinahalla Road, Upper Kinghill Road and Drumboniff Road. There is a lack of established vegetative screening and the house would be visible over the top of that which is present. Even new landscaping would have difficulty integrating a single storey dwelling. The ancillary works required to create an access lane would also leave an unacceptable scar across the otherwise unspoiled landscape. While there is some backdrop of higher land to the south, it is some distance away and views of the dwelling would not benefit from this detached backdrop. Also, as discussed above, the dwelling is not visually linked or sited to cluster with an established group of buildings on the farm. It fails on all criteria of CTY13 with the exception of design which cannot be assessed at outline stage.

With regard to rural character, the dwelling would be unduly prominent and does not respect the settlement pattern of clustered farm groups. It would not create build-up or ribbon development. It is contrary to criteria (a), (c) and (e) of policy CTY14.

Access

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 would require visibility splays of 2.0m x 45m onto Kinahalla Road which would be achievable within the land owned and having regard to the bend in the road. Therefore the access would not prejudice road safety.

Sewerage

The site can accommodate a septic tank and soak-away – subject to obtaining consent to discharge from

NIEA. This requirement to satisfy other legislation can be included as an informative in the event of approval. Standard consultation responses were received from Environmental Health and NI Water.

Impact on the Mourne AONB

Policy NH6 of PPS2 applies to development within Areas of Outstanding Natural Beauty. This is a particularly scenic part of the main route from Hilltown to Bryansford and a dwelling on the site would harm the special character of both the AONB in general, and the particular locality because of its siting (not clustered with an established group of farm buildings). It is therefore contrary to criteria (a) of this policy.

Impact on Archaeology

There is a Historic Monument (DOW 048:013) to the north of the site. NIEA was consulted and has no archaeological objections to the proposal under PPS6.

Flooding

A surface water flood zone affects a large area in the centre of the southern field in which the dwelling is proposed. Rivers Agency was consulted and did not request a Drainage Assessment under PPS15, but stated that it was up to the applicant to ensure that flood risk was minimised, in addition to standard informatives.

Amenity

The proposal will not affect the amenity of any nearby dwellings.

Representations

No objections or representations were received.

Case Officer Recommendation – Refusal

Neighbour Notification Checked

Yes

Summary of Recommendation

It has not been demonstrated that the farm business is currently active, that no sites have been sold off and that there is a justification for the site not clustering with an established group of buildings on the farm. The site is extremely prominent and could not integrate even a modest dwelling. The proposal would harm the amenity of the Mourne AONB.

Reasons for Refusal:

1. The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and 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, that other development opportunities have not been sold off from the farm holding within 10 years of the date of the application, and that the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane.
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, the site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape, the proposed building relies primarily on the use of new landscaping for integration, the ancillary works do not integrate with their surroundings, the proposed building fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop, and 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.

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, be unduly prominent in the landscape, would not respect the traditional pattern of settlement exhibited in the area, and the impact of ancillary works would damage rural character, and would therefore result in a detrimental change to the rural character of the countryside.
4. The proposal is contrary to paragraph 6.187 of the Strategic Planning Policy Statement for Northern Ireland and Policy NH6 of Planning Policy Statement 2, Natural Heritage, in that the site lies in a designated Area of Outstanding Natural Beauty and its siting away from an established group of farm buildings would harm the amenity of the local area and the special character of the Mourne AONB.
5. Having notified the applicant under Article 3 (6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 that further details about the farm business are 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.

Signatures:

Date:

ANNEX	
Date Valid	18th March 2015
Date First Advertised	29th April 2015
Date Last Advertised	3rd June 2015
Details of Neighbour Notification (all addresses) The Owner/Occupier, 65 Bryansford Road, Drumbonniff, Newry, Down, BT34 5RD	
Date of Last Neighbour Notification	2nd June 2015
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: P/1998/0685 Proposal: Erection of 11 KV overhead line Address: KINNAHALLA ROAD HILLTOWN Decision: Decision Date:</p> <p>Ref ID: P/2015/0187/O Proposal: Site for a farm dwelling Address: Site 150m east of the junction of Bryansford Road and Kinnahalla Road, Co Down (with access from Kinnahalla Road), Decision: Decision Date:</p> <p>Ref ID: R/1975/0177 Proposal: 11 KV O/H LINE Address: DRUMBONNIFF, BALLYKEEL AND FOFANNYBANE Decision: Decision Date:</p>	
Summary of Consultee Responses	
TransportNI	Approve subject to condition
Rivers Agency	Standard informatives
NIEA	No objections
NI Water	Standard informatives
DARD	Farm business not currently active
Environmental Health	Standard informatives

Drawing Numbers and Title
Drawing No. 01 Type: Site Location Plan Status: Submitted
Drawing No. 02 Type: Housing Concept Plan Status: Submitted
Notification to Department (if relevant)
N/A

Council Newry, Mourne and Down

Date 2/17/16

ITEM NO	D1			
APPLIC NO	P/2014/0120/F	Full	DATE VALID	2/3/14
COUNCIL OPINION	REFUSAL			
APPLICANT	Glasgивen Contracts Ltd 16 Ashleigh Court Glasdrumman Road Annalong BT34 4PD		AGENT	SD McMullan Architects 2 Golf Links Road Newcastle BT33 0AN 02843724603

LOCATION Vacant site fronting onto Glasdrumman Road
Annalong
Adjacent/between no 2 Kelly's Brae and no 3 Mullartown Heights
Annalong

PROPOSAL Commercial village retail store with first floor apartments and associated car park
(Amended plans)

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	11	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to the Strategic Planning Policy Statement in that it has not been demonstrated why that there is a need for this retail proposal within the village or demonstrated why an existing vacant commercial building can be used for the proposal.
- 2 The proposed development is contrary to Policy QD 1 of the Department's Planning Policy Statement 7: Quality Residential Environments criteria a, b, g, h, and I and associated guidance, in that the applicant has failed to demonstrate that the proposal will create a quality and sustainable residential environment.
- 3 The proposal is contrary to Policy LC 1 of the Department's Planning Policy Statement 7 (PPS 7): Quality Residential Environments in that the applicant has failed to demonstrate that the proposal is in keeping with the character of residential development within the immediate area.
- 4 The proposed development is contrary to the Rural Planning Strategy for Northern Ireland Policy DES 2 in that the proposal fails to respect the road frontage development, massing, scale, design and siting of the character of development within the existing streetscape of Annalong.



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

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: P/2014/0120/F	Target Date:
Proposal: Commercial village retail store with first floor apartments and associated car park (amended plans)	Location: Vacant site fronting onto Glasdrumman Road Annalong adjacent/between no 2 Kelly's Brae and no 3 Mullartown Heights Annalong
Referral Route: Application referred to Committee by Briefing Panel	
Recommendation:	Refusal
Applicant Name and Address: Glasgiven Contracts Ltd 16 Ashleigh Court Glasdrumman Road Annalong BT34 4PD	Agent Name and Address: SD McMullan Architects 2 Golf Links Road Newcastle BT33 0AN
Executive Summary:	
Signature(s):	

Case Officer Report		
Site Location Plan		
<p>The map shows a residential area with several numbered plots (1, 4, 6, 12, 14, 18, 84, 85, 85a, 1 to 5, 80, 13). A red hatched area indicates the site location, situated near 'MULLARTOWN HTS'.</p>		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	Env Health Newry & Mourne District Council	Add Info Requested
Non Statutory	Env Health Newry & Mourne District Council	Add Info Requested
Non Statutory	NI Transport - Downpatrick Office	Substantive Response Received
Non Statutory	NI Water - Multi Units West - Planning Consultations	No Objection
Statutory	NI Transport - Downpatrick Office	Additional Information Required
Statutory	NI Transport - Downpatrick Office	Content
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Representations:		
Letters of Support	None Received	
Letters of Objection	11	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
<p>Application was originally refused on PPS 3, PPS 5, PPS 1 and PPS 7. Following initial recommendation to refuse the Planning Department has met with the agent several times to highlight concerns and issues with the proposal, however these have failed to be addressed through the processing of this application.</p>		
Characteristics of the Site and Area		
<p>The site relates to land along the Glasdrumman Road, Annalong, adjacent/between No. 2</p>		

Kelly's Brae and No. 3 Mullartown Heights. This is a triangular shaped site that is enclosed along the Glassdrumman Road by ranch style fencing. The north/north eastern boundary is enclosed by a one metre high block wall with ranch style fencing on top, this is the boundary with Nos. 2, 6, 8 and 10 Kelly's Brae, Annalong. Kelly's Brae is a cul de sac of detached and semi detached dormer dwellings. The gable window of Nos 2 and 6 Kelly's Brae look towards the site. Nos. 8 and 10 back directly onto the site.

The southern boundary is defined by a concrete block wall and grass back. Nos. 3 and 5 Mullartown Heights have windows looking directly into the site. No. 3 backs directly onto the site, with No. 5 set at a higher level than the site (approximately 4 metres above).

There is currently a mound of overgrown earth in the middle of the site. Along the roadside there is a footpath and grass strip. The site rises gently in a westerly direction.

The site is located within the settlement development limit of Annalong as defined by the Banbridge, Newry and Mourne Area Plan 2015. The access will be on to the A2 Protected Route. This is a central area within Annalong and is made up primarily of residential properties.

Planning Assessment of Policy and Other Material Considerations

Banbridge / Newry and Mourne Area Plan 2015; SPPS, PPS documents and other associated and supplementary planning guidance documents.

Neighbour notification has been carried out as appropriate and the application has been advertised in accordance with the Department's statutory obligations. At the time of writing 11 letters of objection have been received. The objections are considered elsewhere in this report.

Consultations have been issued. Responses are summarised as follows:

Environmental Health: Noise Impact assessment required (to determine the level of noise that prospective occupiers will be subjected to owing to noise from passing traffic); Details of uses and users required; Details of delivery times required; Details of noise producing equipment required and Contaminated Land assessment is required;

Environmental Health reconsultation following confirmation that the proposal will be for non-food retail: Environmental factor of 'odours' is largely reduced assuming that all refuse storage is well maintained. Remaining environmental factors are still to be considered. There is the potential for noise complaints. The applicant should be asked to provide details of the proposed retail type store and the operating hours of the facility. Details of any noise producing equipment which will be located outside the fabric of the building should be provided.

Environmental Health further consultation. Environmental Health are satisfied with the proposal so long as it remains for Non Food. Opening hours conditions proposal if approval is forth coming.

NI Water: No objections; and

Transport NI: The application should be refused on grounds of road safety.

Transport NI 4th Reconsultation: Satisfied with servicing arrangements so long as proposal remains Non food retail.

As the site is zoned as white land within the Area Plan the existing policy provisions will be applicable.

The SPPS set out the criteria for the assessment of retailing applications. This proposal is located within the village of Annalong. Within the immediate area the development is mostly residential with the only the Halfway House situated on the corner of Mill Road and Annalong Gospel Hall, being the difference in this established character of development. There are some retailing facilities to the centre of the village and with the presence of the pharmacy adjacent to the surgery and the retail shop within the grounds of the filling station to the upper stretches of the A2. A few other buildings in this locality have shop fronts but appear to be vacant. As part of the applicant's submission they have stated that this proposal is for a non food retail outlet. They have highlighted that there are at present 21 current commercial or sui generis properties within the village, 9 of which are vacant. The agent has divided the village up into three areas and highlighted a requirement of a retail unit at the most northern end of the village. However given that they have stated that it is to be non food, it is difficult to understand how the retail proposal cannot be accommodated in an existing vacant property and be situated in the area of the village where the majority of the retailing commercial element is already located. Therefore it has not been fully demonstrated that there is a requirement for further retail use within the Village of Annalong. This proposal fails to justify the principle of approval of more retailing within Annalong.

PPS 7

Policy QD1 of PPS7 expects that all proposals for residential development should conform to a number of criteria. Criterion (a) requires that the development should respect the surrounding context and be appropriate to the character of the site in terms of the scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas. In the context and nature of the commercial building and apartments on the site, the design and layout of the proposed buildings with a set back from the roadside, large area of hard standing, very little landscaping, a ridge height of 10 metres and large shop windows would be inappropriate. The proposal would therefore be contrary to criterion (a) of Policy QD1.

Criterion (b) relates to existing landscape features integrating into the design and layout. However, the majority of the site is devoid of any existing landscape features with only sparse vegetation evident. The appellant has indicated the provision of new boundary planting as part of the proposed scheme which could improve the existing situation. However while landscaping has been indicated on the plans no landscaping schedule has been shown to clearly outline the landscaping proposed. Therefore this proposal does not meet the criterion b.

Criterion (c) requires that adequate provision is made for private open space and landscaped areas as an integral part of the development. Paragraph 5.20 of Creating Places advises a minimum of 10m² to around 30m² of private open space per unit. It states that the appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. The proposal indicates open communal open space of 48m sq of open space for 4 apartments. The proposal therefore just fails within the

minimum open space requirement with 12m sq per apartment and complies with criterion (c).

Criterion (d) requires that provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development. It could be argued that this proposal is a neighbourhood facility as it would serve the surrounding area.

Criterion (e) relates to a movement pattern being provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures. The proposal does provide parking for the disabled, cycle parking stands and a designated pedestrian walkway. This proposal would therefore comply with criteria e.

Criterion (f) relates to adequate and appropriate provision for parking. The layout shows provision of 24 parking spaces, 2 of which are disabled. This meets the requirement for both the residential parking and the added non food retail. The proposal would therefore meet this criterion.

Criterion (g) relates to the design of the development drawing upon the best local traditions of form, materials and detailing. It could be argued that the scale of the building is out of keeping with the surrounding development that is primarily bungalows or two storey dwellings. The proposed ridge height is 10 metres which is considerably more than that of the surrounding development. There is also a large amount of glazing proposed which gives the building a modern feel in an area that is traditionally comprised of housing of moderate traditional design. There is also a large area of hard standing to the front of the building which has the potential to alter the streetscape and is out of character with the existing character of development of having street frontage development or garden areas to the front. The proposal therefore fails criterion g.

Criterion (h) of Policy QD1 requires that the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. The residential development at Kellys Brae is located on higher ground to the north west of the site. The dwellings at Nos. 2, 6, 8 and 10 are located adjacent to the site. There would be concerns in relation to overlooking from the first floor apartments, some loss of light and noise disturbance. Creating places highlights that a minimum distance of 20m back to back for residential development is required. In this instance the back to back distances at its closest point is 7m. This proposal would therefore fail to represent a quality residential development and would if allowed result in town cramming of development and the loss of quality private amenity space for the existing residents at Kelly's Brae highlighted above. There is also proposed car parking along the boundary of Nos. 3, 5 and 7 Mullartown Heights. The existing bournary here is consists of a low 1.2m block wall. If the proposal was allowed this development would have a severe impact on the private amenity space for these existing dwellings here also. Again the layout shows planting but no landscaping schedule has been provided to detail this so that it can be assessed. The proposal therefore fails criterion h. There have been a number of objections received from the neighbouring properties, these will be discussed below.

Criterion (i) relates to the development being designed to deter crime and promote personal safety. There does not appear to be any crime prevention measures proposed for the development. The proposal therefore fails criterion i.

In my opinion the proposal is contrary to Policy QD 1 of PPS 7 failing criterion A, B, G, H and I.

LC 1 assesses the impact proposals would have on areas of established residential character. This proposal would result in the introduction of apartments within an area which is characterised by semi detached and detached dwellings with private amenity. This proposal seeks to introduce apartments with communal amenity space which is not within the character of the existing area, in relation to built form, materials, design, plot size and form. This proposal is contrary to LC 1.

DES 2 assessed the impact this proposal will have on the character of the streetscape of Annalong. The principle development along the street frontage of Annalong is roadside development or set back with garden space to the front. This proposal would introduce a large mass of a building which is sited to the rear of the site with a large hard surfaced area to the front. This would be out of keeping with the existing streetscape within the village and would have a detrimental impact on the streetscape when assessed under DES 2.

AMP 7 of PPS 3 assesses whether adequate parking has been provided. There are 24 spaces provided which have been separated into residential and customer and the provision of disabled parking spaces also. This proposal meets this policy.

AMP 3 assesses the access of this proposal on the protected route within the settlement limit of Annalong. This proposal has adequate splays shown of 2.4m x 45m and Transport NI have reviewed the plans submitted and have stated that they have no objections to the proposal dependent on it being a non food retail proposal, due to the fact that the servicing of a non food retail unit is less frequent to a food retail unit. Therefore given Transport NI's comments this proposal is acceptable when assessed against AMP3.

Landscape features are not evident on this site. Minimal planting has been proposed around the site boundaries and very little effort has been made to soften the visual impact of the development.

The form, materials and detailing of the development are not inappropriate in general, however at this location the proposal will appear as a large commercial development. This, combined with the set back from the Glassdrummand Road and large area of hard standing to the front of the development, will undermine the character and appearance of the area, and the development will result in overlooking to the rear of the properties at Kellys Brae and Mullartown Park.

There have been 11 objections received in relation to this application. The issues raised by the objectors are summarised as follows:

- Concerns in relation to the height of the building and its proximity to neighbouring properties which will result in a loss of privacy, overlooking, block sunlight, daylight and cause overshadowing.

The Planning Department would be of the view that these concerns are substantiated and that the proposal would have an adverse effect on neighbouring properties.

- That the proposal will have an overbearing effect.

Given the siting of the building to the rear of the site, close to the neighbouring dwellings in Mullartown Heights and Kellys Brae, the Planning Department would have concerns in relation to the height, scale and massing of the proposal and would agree that there may be issues of

overbearing.

- Concerns in relation to noise, disturbance and possible unpleasant odour.

The scale and nature of the proposal will itself create a certain amount of noise and disturbance. There will be four apartments which will generate traffic, both pedestrian and vehicular, along with a retail shop which will lead to the generation of noise and disturbance. The agent has indicated that the proposal will be one of non-food retail and that there will therefore be no concerns in relation to unpleasant odours.

- That the design and proportions of the building will conflict with the characteristics of the existing nearby properties and adversely affect the local character.

The building would be out of keeping with the surrounding development that is primarily detached bungalows or semi-detached two storey dwellings.

- The commercial village is out of keeping with the existing residential area.

The commercial village would be at odds with the surrounding character which is residential.

- There are a number of vacant commercial properties in Annalong.

This is an application for one retail unit and it is felt that the approval of one unit will not be detrimental to the overall commercial viability of Annalong.

- The site is not safe and there would be concerns in relation to an increase in anti-social activity.

There have not been any measures indicated to mitigate concerns in relation to security.

- The elevated walkway is a security risk to the properties that it backs onto.

The walkway would leave the properties that it opens onto susceptible to overlooking.

- There will be new accesses created in close proximity to the existing accesses which will result in further traffic accidents.

Roads Service are of the opinion that the access and road layout are safe.

- Cars and lorries may park along the roadside to the front blocking visibility.

Roads Service are of the opinion that the access and road layout are safe providing servicing is only for non food retail.

- Bin storage is not indicated on the plans. Concern in relation to vermin increase.

Bin storage areas are shown on the submitted plans.

- Increase in noise from delivery lorries and refuse trucks.

Depending on the use of the retail unit being non food there would be no concerns in relation to noise generation from delivery lorries and refuse trucks.

- There is no sewage treatment plant in Annalong.

NI Water have no concerns in relation to sewage removal.

- Additional retail properties are likely to adversely impact attempts to regenerate Annalong.

This is an application for one retail unit and it is felt sufficient consideration of the existing retail units has not been considered or the need for a non food retailing unit at this locality.

- Concerns over fast food operation being carried out on the site.

The application as presented to the Planning Department is for a retail unit. The agent has indicated that this is a non-food retail unit. The Planning Department can place a condition on the use of the retail unit.

Neighbour Notification Checked	Yes
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Summary of Recommendation:
 A recommendation of refusal it therefore made based on Policy QD 1 of PPS 7 failing criterion A, B, G, H and I. Policy LC 1, DES 2 and the SPPS.

Reasons for Refusal:
 The proposal is contrary to the Strategic Planning Policy Statement in that it has not been demonstrated why that there is a need for this retail proposal within the village or demonstrated why an existing vacant commercial building can be used for the proposal.

The proposal is contrary to Policy QD 1 (criteria a, b, g, h & i) of the Department's Planning Policy Statement 7 (PPS 7) : Quality Residential Environments in that the applicant has failed to demonstrate that the proposal will create a quality and sustainable residential environment.

The proposal is contrary to Policy LC 1 of the Department's Planning Policy Statement 7 (PPS 7) : Quality Residential Environments in that the applicant has failed to demonstrate that the proposal is in keeping with the character of residential development within the immediate area.

The proposed development is contrary to the Rural Planning Strategy for Northern Ireland Policy DES 2 in that the proposal fails to respect the road frontage development, massing, scale, design and siting of the character of development within the existing streetscape of Annalong.

Signature(s)	
Date:	

ANNEX	
Date Valid	3rd February 2014
Date First Advertised	28th February 2014
Date Last Advertised	18th November 2015
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1 Donard Park Mullartown Annalong</p> <p>The Owner/Occupier, 10 Kellys Brae Mullartown Annalong</p> <p>The Owner/Occupier, 121 Glassdrumman Road Mullartown Annalong</p> <p>The Owner/Occupier, 123 Glassdrumman Road Mullartown Annalong</p> <p>The Owner/Occupier, 125 Glassdrumman Road Mullartown Annalong</p> <p>The Owner/Occupier, 2 Donard Park Mullartown Annalong</p> <p>The Owner/Occupier, 2 Kellys Brae Mullartown Annalong</p> <p>The Owner/Occupier, 3 Donard Park Mullartown Annalong</p> <p>The Owner/Occupier, 3 Mullartown Heights Mullartown Annalong</p> <p>The Owner/Occupier, 4 Donard Park Mullartown Annalong</p> <p>The Owner/Occupier, 4 Kellys Brae Mullartown Annalong</p> <p>The Owner/Occupier, 5 Donard Park Mullartown Annalong</p> <p>The Owner/Occupier, 5 Mullartown Heights Mullartown Annalong C W Duncan 5, Mullartown Heights, Annalong, Down, Northern Ireland, BT34 4UA</p> <p>The Owner/Occupier, 6 Donard Park Mullartown Annalong</p> <p>The Owner/Occupier, 6 Kellys Brae Mullartown Annalong</p> <p>The Owner/Occupier, 7 Mullartown Heights Mullartown Annalong</p> <p>The Owner/Occupier, 8 Kellys Brae Mullartown Annalong</p> <p>The Owner/Occupier, 9 Mullartown Heights Mullartown Annalong Wells MLA</p>	

Parliament Buildings Stormont Estate Ballymiscaw	
Date of Last Neighbour Notification	4th November 2015
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: P/2000/0094/F Proposal: Alteration to approved housing layout including a change of house type Address: Glasdrumman Road/Mill Road, Annalong Decision: Decision Date: 02.05.2000</p>	
<p>Ref ID: P/2014/0120/F Proposal: Commercial village retail store with first floor apartments and associated car park Address: Vacant site fronting onto Glasdrumman Road, Annalong, adjacent/between no 2 Kelly's Brae and no 3 Mullartown Heights, Annalong, Decision: Decision Date:</p>	
<p>Ref ID: P/1988/0972 Proposal: Site for dwelling Address: SITE 3 ADJACENT TO 130 GLASSDRUMMAN ROAD ANNALONG Decision: Decision Date:</p>	
<p>Ref ID: P/2010/0523/F Proposal: Erection of new street cabinet to facilitate provision of new fibre optic in frastructure across the BT network. Cabinet dimensions approx 1600mm*1200mmwide*450mm deep. Address: Opposite no. 5 Donnard Park and 22m south of no. 2 Kellys Brae, Annalong. Decision: Decision Date: 07.07.2010</p>	
<p>Ref ID: P/1988/0980 Proposal: Site for dwelling Address: SITE 4 ADJACENT TO 130 GLASSDRUMMAN ROAD ANNALONG Decision:</p>	

Decision Date:

Ref ID: P/1988/0979

Proposal: Site for dwelling

Address: SITE NO.5 ADJACENT TO 130 GLASSDRUMMAN ROAD ANNALONG

Decision:

Decision Date:

Ref ID: P/1988/6023

Proposal: Site for housing development Mill Road Annalong

Address: Mill Road Annalong

Decision:

Decision Date:

Ref ID: P/1987/6026

Proposal: Housing Development 130 Glasdruman Road Mullartown Annalong

Address: 130 Glasdruman Road Mullartown Annalong

Decision:

Decision Date:

Ref ID: P/1995/1028

Proposal: Retention of garage

Address: 5 MULLARTOWN HEIGHTS ANNALONG

Decision:

Decision Date:

Ref ID: P/1996/0218

Proposal: Erection of bungalow

Address: SITE NO1 MULLARTOWN HEIGHTS ANNALONG

Decision:

Decision Date:

Ref ID: P/2006/1923/F

Proposal: Extension to dwelling

Address: 3 Mullarton Heights, Glasdrumman Road, Annalong

Decision:

Decision Date: 11.06.2007

Ref ID: P/1985/0445

Proposal: CHANGE OF HOUSE TYPE

Address: SITES 12 AND 13 MULLARTOWN HEIGHTS, ANNALONG

Decision:

Decision Date:

Ref ID: P/1986/0147
Proposal: DOMESTIC GARAGE
Address: 10 MULLARTOWN HEIGHTS, ANNALONG
Decision:
Decision Date:

Ref ID: P/1978/0772
Proposal: HOUSING DEVELOPMENT
Address: MULLARTOWN, ANNALONG, COUNTY DOWN
Decision:
Decision Date:

Ref ID: P/1999/0281
Proposal: Proposed Housing Development (32 No dwellings)
Address: BETWEEN NOS 6 AND 10 MILL ROAD AND NORTH OF MULLARTOWN -
HEIGHTS, GLASSDRUMMAN ROAD, ANNALONG
Decision:
Decision Date:

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

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Status: Submitted

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Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: