



December 3rd, 2025

Notice Of Meeting

You are requested to attend the meeting to be held on **Wednesday, 10th December 2025** at **10:00 am** in **Council Chamber, Downshire Civic Centre, Downpatrick.**

Committee Membership 2025-26

Councillor M Larkin **Chairperson**

Councillor G Hanna **Deputy Chairperson**

Councillor W Clarke

Councillor L Devlin

Councillor C Enright

Councillor C King

Councillor D McAteer

Councillor D Murphy

Councillor S Murphy

Councillor A Quinn

Councillor M Rice

Councillor J Tinnelly

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

3.0 Declarations of Interest in relation to Para.25 of Planning Committee Operating Protocol – Members to be present for entire item

4.0 Minutes of Planning Committee Meeting of 12 November 2025.

 *Planning Committee Minutes 2025-11-12.pdf*

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5.0 Addendum List - planning applications with no representations received or request for speaking rights

 *Addendum list - 10-12-2025.pdf*

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Development Management - Planning Applications for determination

6.0 LA07/2025/0426/F - Land West of Bridge Technology Park, Carnagat Rd, (Carnagat lane), Carnagat, Newry BT35 8XF - Construction of a three-story light industrial factory, featuring associated office spaces, conference areas, quality control and precision testing facilities, and a testing laboratory. The proposed development also involves modifications to the existing vehicular and pedestrian access.

APPROVAL

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

 *LA07.2025.0426.F.pdf*

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7.0 LA07/2025/0530/F - 21 Tipperary Lane Tullybranigan Newcastle BT33 0PN - Conversion of garage to ancillary accommodation

APPROVAL

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

 *LA07-2025-0530.pdf*

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8.0 LA07/2022/1405/O - Between 244 Derryboy Road and 6

Killyleagh Road Crossgar - 2 infill dwellings and garages

APPROVAL

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

 [*LA07-2022-1405.pdf*](#)

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9.0 LA07/2024/0738/F - 9, 11 & 13 Duke Street, Warrenpoint, BT34 3JY - Proposed demolition of 9,11 and 13 Duke Street and the construction of one ground floor commercial unit with storage and office at first and second floor to the rear and 6 apartments at first floor and second floor.

APPROVAL

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

 [*LA07-2024-0738.pdf*](#)

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10.0 LA07/2024/0642/F - 25 Upper Dromore Road, Warrenpoint, BT34 3PW - 1 1/2 storey extension to front, rear and side of existing dormer bungalow, internal remodelling and refurbishment

REFUSAL

On agenda as a result of the Call-In Process

Speaking rights have been requested in support of the application by Mr Colin O'Callaghan.

 [*LA07-2024-0642.pdf*](#)

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 [*10. LA07 2024 0642 F.pdf*](#)

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11.0 LA07/2024/0927/O - 45m SW of 30 Brackenagh East Road, Ballymartin BT34 4PT - Erection of dwelling and a garage on a farm

REFUSAL

On agenda as a result of the Call-In Process

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

 [*LA07-2024-0927.pdf*](#)

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 [*11. LA07.2024.0927.O.pdf*](#)

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12.0 LA07/2024/1303/F - 39 Bridge Road, Burren, Warrenpoint and lands immediately adjacent to and north of No.39 Bridge Road, Burren, Warrenpoint - Erect a dwelling and detached garage in partial substitution to the extant approval granted under LA07/2023/2687/O with access from the public road via an existing & improved access. Construction of a new access to serve an existing dwelling.

REFUSAL

On agenda as a result of the Call-In Process

Speaking rights have been requested in support of the application by Mr Brendan Quinn.

 [*LA07-2024-1303.pdf*](#)

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 [*12 LA07 2024 1303 F.pdf*](#)

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13.0 LA07/2024/1088/F - 300m SE of 21 Cargabane Road, Newry, BT34 1SB - Conversion of existing barn to form two-bedroom dwelling

REFUSAL

On agenda as a result of the Call-In Process

Speaking rights have been requested in support of the application by Mr Robin Parsons

Speaking rights have been requested in support of the application by Councillor Taylor.

 [*LA07-2024-1088.pdf*](#)

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 [*13. LA07_2024_1088_F -.pdf*](#)

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 [*13. LA07-2024-1088-F in support \(Cllr Taylor\).pdf*](#)

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14.0 LA07/2024/1313/O - Between 89 and 95 Drumnaconagher Road, Crossgar, Downpatrick, BT30 9JJ - Proposed 2 no. new detached dwellings and garages (under PPS21 Policy CTY 8)

REFUSAL

On agenda as a result of the Call-In Process

Speaking rights have been requested in support of the application by Mr Brendan Starkey.

For Noting

15.0 Historic Tracking Sheet

For Information

Invitees

Cllr Terry Andrews
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Cllr Callum Bowsie
.....
Cllr Jim Brennan
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Cllr Pete Byrne
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Cllr Philip Campbell
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Cllr William Clarke
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Cllr Laura Devlin
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Cllr Cadogan Enright
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Cllr Killian Feehan
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Cllr Doire Finn
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Cllr Conor Galbraith
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Cllr Mark Gibbons
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Cllr Oonagh Hanlon
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Cllr Glyn Hanna
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Cllr Valerie Harte
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Cllr Martin Hearty
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Cllr Roisin Howell
.....
Cllr Tierna Howie
.....
Cllr Jonathan Jackson
.....
Cllr Geraldine Kearns
.....
Miss Veronica Keegan
.....
Cllr Cathal King
.....
Cllr Aurla King
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Cllr Mickey Larkin
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Cllr David Lee-Surginor
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Cllr Alan Lewis
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Cllr Oonagh Magennis
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Mr Conor Mallon
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Cllr Aidan Mathers
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Cllr Declan McAteer
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Cllr Leeanne McEvoy
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Cllr Kate Murphy
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Cllr Selina Murphy
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Cllr Declan Murphy
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Cllr Siobhan O'Hare
.....
Cllr Áine Quinn
.....
Cllr Henry Reilly
.....
Cllr Michael Rice
.....
Cllr Michael Ruane
.....
Cllr David Taylor
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Cllr Jarlath Tinnelly
.....
Cllr Jill Truesdale
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Mrs Marie Ward
.....
Cllr Helena Young
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NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 12 November 2025 at 10am in the Council Chamber, Downshire Civic Centre, Downpatrick.

Chairperson: Councillor M Larkin

Committee Members in attendance in Chamber:

Councillor L Devlin	Councillor C Enright
Councillor G Hanna	Councillor C King
Councillor D McAteer	Councillor D Murphy
Councillor S Murphy	Councillor M Rice

Committee Members in attendance on Teams:

Councillor J Tinnelly

Officials in attendance:

Mr J McGilly, Assistant Director: Regeneration
 Ms A McAlarney, Development Manager – Planning
 Mrs B Ferguson, Senior Planning Officer
 Mr M Keane, Senior Planning Officer
 Ms A Loughran, Senior Planning Officer
 Mr P Rooney, Head of Legal Administration
 Ms S Taggart, Democratic Services Manager
 Ms F Branagh, Democratic Services Officer
 Mr C Smyth, Democratic Services Officer

P/110/2025: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Clarke and Quinn.

P/111/2025: DECLARATIONS OF INTEREST

There were no declarations of interest.

P/112/2025: DECLARATIONS OF INTEREST IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL- PARAGRAPH 25

Declarations of Interest in relation to Para.25 of Planning Committee Operating Protocol – Members to be present for entire item.

Items 6 & 7 - Cllrs Hanna, Larkin, D Murphy, S Murphy, Rice and Tinnelly attended a site visit on 23 October 2025

MINUTES FOR CONFIRMATION

P/113/2025: MINUTES OF PLANNING COMMITTEE MEETING OF WEDNESDAY 15 OCTOBER 2025

Read: Minutes of Planning Committee Meeting of Wednesday 15 October 2025. **(Copy circulated)**

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor D Murphy, it was agreed to adopt the Minutes of the Planning Committee Meeting of Wednesday 15 October 2025 as a true and accurate record.**

FOR DISCUSSION/DECISION

P/114/2025: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 12 November 2025. **(Copy circulated)**

Councillor McAteer proposed deferring Item 11 (LA07/2024/0642/F) to a future Committee meeting, noting that a newly appointed agent had missed the speaking rights deadline due to being on holiday. This was seconded by Councillor Rice.

Councillor Rice then proposed deferring Item 12 (LA07/2024/0927/O) as the agent had missed the speaking rights deadline because of a family medical emergency. This was seconded by Councillor McAteer.

Councillor McAteer proposed deferring Item 13 (LA07/2024/1303/F) on the basis that the agent had been on holiday and therefore missed the speaking rights submission deadline. This was seconded by Councillor Rice.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Rice, it was agreed to defer item 11 – LA07/2024/0642/F to a future Committee Meeting.**

On the proposal of Councillor Rice, seconded by Councillor McAteer, it was agreed to defer item 12 – LA07/2024/0927/O to a future Committee Meeting

On the proposal of Councillor McAteer, seconded by Councillor Rice, it was agreed to defer item 13 – LA07/2024/1303/F to a future Committee Meeting

On the proposal of Councillor McAteer, seconded by Councillor Rice, it was agreed to approve the officer recommendations in respect of the following applications listed on the Addendum List for Wednesday 12 November 2025:

- **LA07/2022/1561/F** - Lands at 7 Teconnaught Road and to the rear of 5 and 5a Teconnaught Road Loughinisland - New floodlit GAA pitch with spectator stand, welfare facilities, ball stop nets and perimeter fencing; new floodlit 4G multipurpose training area with perimeter fencing; demolition & conversion of existing farm shed to form new changing and storage with roof-mounted solar PV panels; ball wall practice area and children's play area; partial culverting and re-alignment of stream & associated works

APPROVAL

P/115/2025: PLANNING APPLICATIONS FOR DETERMINATION (WITH PREVIOUS SITE VISITS)

(1) LA07/2024/0401/F

On agenda as a result of the Call-In Process.
Previously tabled 15 October 2025.

Location:

Opposite and adjacent to junction of Lower Knockbarragh Road with Upper Knockbarragh Road, Ballymoney, Rostrevor, Co. Down

Proposal:

Proposed new agricultural shed to shelter existing animal / stock handling facilities for the sole purpose of inspection and treatment of animals

Conclusion and Recommendation from Planning Official:

Refusal

PowerPoint Presentation:

Mr Keane reminded Members of the details of the application, which was an agricultural shed intended to shelter existing animal and stock-handling facilities for the sole purpose of inspecting and treating animals. He noted that the application had previously been presented to the Planning Committee in October 2025, where it had been deferred for a site visit.

He advised that the site was located in the countryside, comprised a small roadside plot with a three walled pen enclosure and gate, with the relevant policy test being Policy CTY 12 of PPS 21 (Agricultural Development). He confirmed that the Planning Department considered the proposal to be contrary to points A-D of that policy, whereby it had not been demonstrated that the shed was necessary for the efficient operation of the holding; the scale was inappropriate for the roadside location; and the isolated siting failed to integrate with the rural landscape, resulting in an adverse impact on the area's natural heritage. He further noted that no evidence had been provided to show that suitable existing buildings were unavailable and that the proposed structure was not positioned adjacent to existing farm buildings.

Speaking rights:

Councillors Hanna, Larkin, D Murphy, S Murphy, Rice and Tinnelly attended a site visit on 23 October 2025.

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

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

Councillor Rice referred to comments made during the site visit regarding the Planning Department's view that sufficient sheds already existed on the farm and asked Mr O'Callaghan for his response. Mr O'Callaghan advised that the applicant disagreed, noting that several buildings had recently been demolished and that the proposed structure was required for functional reasons. He stated that a separate isolation area was necessary, as existing buildings were too close to the farm dwellings to serve that purpose.

Councillor Rice queried how isolation had been managed prior to the demolition of sheds, to which Mr O'Callaghan explained that the proposed building was not intended to permanently house animals but was needed for short-term isolation and treatment. Mr Keane clarified that the sheds had been removed to facilitate a new dwelling and reiterated DAERA guidance indicating that fields could also be used as isolation areas.

Following a query from Councillor Hanna regarding the herd, Mr O'Callaghan confirmed that the farm kept cattle and sheep, and that the scale of the proposed shed was necessary to provide adequate cover during treatment. Mr Keane noted that the existing structure measured 7.5m in length, consisted of three walls and a 1.6m fence, whereas the proposed shed was 13.5m long and 3.8m high and would be far more prominent on site.

Councillor Tinnelly queried the suitability of alternative isolation areas, Mr O'Callaghan maintained that the current pen was used for isolation, testing, treatment, and shelter but was no longer adequate, and that the applicant could not continue working in such outdated conditions.

Councillor Tinnelly queried why refusal was recommended in light of this explanation, to which Mr Keane restated that DAERA guidance provided other means of isolation on the holding and that the applicant's operational needs did not outweigh the requirement to meet planning policy.

Councillor Hanna then proposed that the Committee accept the officer's recommendation for refusal, seconded by Councillor Larkin.

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

FOR:	4
AGAINST:	2
ABSTENTIONS:	0

The proposal was declared carried.

AGREED:	On the proposal of Councillor Hanna, seconded by Councillor Larkin, it was agreed to issue a refusal in respect of planning application LA07/2024/0401/F supporting officer recommendation as contained in the Case Officer Report.
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(2) LA07/2023/3646/F

On agenda as a result of the Call-In Process
Previously tabled on 15 October 2025.

Location:

100m south of No. 32 Glenvale Road, Croreagh, Newry, Co. Down, BT34 2RF

Proposal:

Change of House Type of rural detached dwelling and detached domestic garage in substitution of implemented planning application P/2006/1822/RM, additional landscaping and associated site works

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mr Keane reminded Members that the application was a change of house type relating to an earlier dwelling approval, previously deferred in October 2025 for a site visit, stating that that the key issue was whether the original Outline and Reserved Matters permissions had been lawfully commenced before they expired, which would allow a change of house type to be considered. This matter had been addressed in detail within the Case Officer's report. He highlighted that the applicant had already submitted two earlier change-of-house-type applications in 2018 and 2019: one had been refused due to lack of commencement and road concerns, and the other had been withdrawn. The current 2025 submission was therefore the third such application.

Mr Keane confirmed that the Planning Department had reviewed aerial imagery and found no evidence that the previous permission had been commenced within the required timeframe. The agent claimed that garage foundations had long been in place and were merely exposed in October, and these were partially visible during the site visit. However, there was no verifiable evidence to demonstrate that the foundations pre-dated the expiry of the permission: they did not appear on aerial imagery; no Building Control records existed; no Certificate of Lawfulness had been sought; and the photographs provided were inconclusive. He further noted that neither the applicant nor their agent had mentioned these foundations during the 2018 or 2019 applications.

Speaking rights:

Councillors Hanna, Larkin, D Murphy, S Murphy, Rice and Tinnelly attended a site visit on 23 October 2025.

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

Mr Barney McKevitt was present to answer any questions Members may have had.

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

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

FOR: 6
AGAINST: 0
ABSTENTIONS: 0

The proposal was declared carried.

AGREED: On the proposal of Councillor Hanna, seconded by Councillor Larkin, it was agreed to issue a refusal in respect of planning application LA07/2023/3646/F supporting officer recommendation as contained in the Case Officer Report.

DEVELOPMENT MANAGEMENT

P/116/2025: PLANNING APPLICATIONS FOR DETERMINATION

The Chairperson advised that item 9 (LA07/2023/3099/O) and item 10 (LA07/2023/3412/O) would be heard together.

(1) LA07/2023/3099/O and LA07/2023/3412/O

On agenda as a result of the Call-In Process
Previously tabled 23 July 2025

Location:

Directly opposite No. 32 and 32A Newtown Road, Rostrevor, Newry, Co. Down, BT34 3BZ
Directly opposite No. 32A and adjoining 33A and 33B Newtown Road, Rostrevor, BT34 3BZ

Proposal:

New dwelling with detached garage on gap/infill site.
New dwelling with detached garage on gap/infill site.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mr Keane reminded Members that the two outline applications each sought an infill dwelling on a gap site and had previously been brought to Committee in July, when they were deferred for a site visit. Although that visit had taken place, subsequent changes in Committee membership required the applications to be presented again.

Mr Keane confirmed that the sites lay in the countryside and were therefore assessed under PPS21, with both applications recommended for refusal as no planning principle had been established. The proposals were described as infill dwellings under CTY8 in the Design and Access Statements, and while the agent sought speaking rights for both, the written submission only addressed application 3099 and incorrectly referenced CTY2a.

Mr Keane explained that both sites were agricultural fields along Newtown Road. To the south, each site was separated from no.31b by an additional field, and to the north there was an access and several further fields, and that no.33b on the north side, did not have road frontage and was accessed by an access laneway. Also, that the curtilage of No.33b

was set back, fenced, and clearly distinct from the surrounding field. He advised that the Planning Department had prepared a curtilage map showing that the sites did not form part of any substantial and continuous built-up frontage, nor did they represent gap sites under policy CTY8. On that basis, both proposals were considered contrary to PPS21 and were recommended for refusal, consistent with the officers' reports.

Speaking rights:

In Support:

Mr John Young spoke in support of the applications, stating that he believed the curtilages of both 31b and 33b extended beyond the boundaries identified by the Planning Department. He noted that no.31b had erected a fence for the keeping of a pony, which, in his view, should be considered part of the private curtilage.

In response to a query from Councillor Devlin regarding the requirement for a substantial and continuous built-up frontage, Mr Young stated that he considered this to comprise no.31, no.33b, and two additional houses to the south.

Following a query from Councillor Devlin regarding evidence for the expanded curtilage of no.33b, Mr Young asked if he could share images from his phone. Councillor Larkin advised that, according to the Operating Protocol, any such information should have been submitted with his speaking rights request.

Councillor Hanna reminded the Planning Department that Members were required to consider the existing conditions on the ground at the application site and queried whether the northern house, surrounded by a steel fence, had road frontage.

Mr Keane referred to aerial images showing the north and south dwellings, their curtilages, and the adjacent agricultural fields. He confirmed that the Planning Department considered the fields were not part of the dwellings' curtilages. He noted that the dwelling to the north had a ranch-style fence enclosing its approved curtilage, clearly separating it from the adjoining field and confirming that it did not have frontage to the road. He further explained that, although the dwelling to the south had originally been approved with an enlarged curtilage, the curtilage that had existed on the ground for a considerable period was reduced and clearly defined by iron railings, with a surrounding field separating it from the application site. He stated that, as a result, there was no continuous frontage.

Councillor Hanna proposed to accept the officer's recommendations. This was seconded by Councillor Larkin.

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

FOR:	9
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared carried.

AGREED:

On the proposal of Councillor Hanna, seconded by Councillor Larkin, it was agreed to issue a refusal in respect of planning application LA07/2023/3099/O

and LA07/2023/3412/O supporting officer recommendation as contained in the Case Officer Report.

(2) LA07/2024/1570/O

On agenda as a result of the Call-In Process.

Location:

180m NW of 117 Old Belfast Road, Saintfield

Proposal:

farm dwelling, garage, and all associated site works

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mrs Ferguson outlined the application, noted that the Case Officer's report was taken as read, confirmed that no objections had been received and that consultations had returned either no objections or standing advice. She explained that the site was located in the countryside as designated in the Ards and Down Area Plan 2015, and that the application was assessed under the SPPS, Policies CTY 1, CTY 8, CTY 10, CTY 13, CTY 14, and CTY 16 of PPS 21, as well as retained policies in PPS 3.

Mrs Ferguson advised that under Policy CTY 10, planning permission for a farm dwelling was only permitted once every 10 years and that the proposal failed this test as two farm dwellings had already been granted within the 10-year period since PPS 21 came into effect in June 2010. Regarding Policy CTY 13, she highlighted that the site was visible from critical viewpoints along Old Belfast Road and lacked established boundaries, meaning the development could not adequately integrate into the landscape and relied solely on new landscaping. In relation to Policies CTY 8 and CTY 14, Mrs Ferguson explained that while visual linkage or clustering under CTY 10 had a proximity test, the development would still create a visual ribbon along the road as buildings sited back, staggered, or at angles with gaps could still constitute ribbon development if visually linked. She concluded that the proposed dwelling would visually read with existing sheds, undermining the rural character and creating a ribbon of development, thereby contravening CTY 8 and CTY 14.

Speaking rights:

In Support:

Mr Stevens advised that the applicant had effectively substituted the earlier planning permission (R/2011/0001/F) with a later permission (LA07/2016/0185/F), and he stated that it was incorrect to suggest that two planning permissions had been taken up under the relevant farm business number. He explained that the Council's approach at the time had created a legitimate expectation that the earlier permission had been replaced by the later one, without prejudice to the applicant. He highlighted issues of administrative fairness, noting that the applicant had only availed of one dwelling approval in approximately seventeen years, despite Policy CTY10 indicating an entitlement to two. Mr Stevens also

explained that the change of application location arose due to the death of the applicant's husband and her wish to reside beside her son and other farm holdings.

Regarding the refusal reason relating to ribbon development, Mr Stevens stated that the Planning Appeals Commission had consistently held that a building without road frontage could not contribute to or form part of an existing ribbon of development. He emphasised that Policy CTY10 required new development to be visually linked or clustered with existing farm buildings, and that the established planning history was a significant material consideration under the 2011 Act. He asserted that a building could not extend a ribbon of development if it had no road frontage, even if a ribbon were otherwise accepted to exist.

Councillor Hanna noted his confusion regarding the application dates and subsequent builds on the farm and requested clarification on what had actually been constructed.

Mr Stevens acknowledged the complex case history and confirmed that one house had been built, and that the 2016 application had been implemented, effectively substituting the earlier 2011 approval. He explained that the 2016 permission had been built due to a change in circumstances following the death of the applicant's husband, despite the original 2011 approval being in place.

Councillor Hanna sought clarification on the term "substitution," and Mr Stevens reiterated that the 2016 approval had been constructed, replacing the 2011 permission in practical effect due to the intervening circumstances.

Councillor Hanna requested a legal opinion, noting ongoing confusion over the application dates and terminology.

Mr Rooney stated that planning policy clearly limited farm dwelling permissions to one every ten years, which underpinned the Planning Department's refusal recommendation.

Councillor Devlin queried when the ten-year period began and whether any circumstances might allow deviation. Mrs Ferguson advised that as the March 2019 application had been implemented, the applicant would not be entitled to another build opportunity until March 2029.

Councillor McAteer proposed to accept the officer's recommendations. This was seconded by Councillor Enright.

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

FOR:	9
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: On the proposal of Councillor McAteer, seconded by Councillor Enright, it was agreed to issue a refusal in respect of planning application LA07/2024/1570/O supporting officer recommendation as contained in the Case Officer Report.

(3) LA07/2024/0783/F

On agenda as a result of the Call-In Process.

Location:

Lands adjoining and 50m south of 74 Carsonstown Road, Saintfield

Proposal:

Proposed stable building, access and associated site works

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mrs Ferguson outlined the application and noted that the case officer's report was taken as read. She confirmed that no objections had been received and that DfI Rivers and DfI Roads had responded with no objections and standing advice. She explained that the site was located in the countryside as designated in the Ards and Down Area Plan 2015, and that the proposal was assessed under the SPPS, Policy OS 1 of PPS 8, and Policies CTY 8, CTY 13, CTY 14, and CTY 16 of PPS 21, along with relevant retained policies in PPS 2, PPS 3, and PPS 15.

Mrs Ferguson advised that the proposal was contrary to Policies CTY 8, CTY 13, and CTY 14, as detailed in the officer's report, explaining that the proposed stables would be sited in an open roadside field, leaving a notable gap between No. 74 and the development. She noted that the site lacked long-established boundaries and would rely heavily on new landscaping for integration. She further stated that the development would create ribboning along the road frontage when read alongside No. 74, which would harm the rural character, a scenario consistently resisted under policy.

Speaking rights:**In Support:**

Mr Fay explained that the application was acceptable in principle if it complied with the policy criteria set out in PPS 8, noting that the case officer's report confirmed compliance with seven of the eight criteria, with the only disputed point relating to visual amenity and landscape integration. He addressed these concerns, stating that the stables were modest in scale, sited below road level, and screened by mature trees and hedging, highlighting that the design had been revised, reducing the number of stables from five to three, lowering the ridge height, and dropping the floor level, so that only a small portion would be visible above the roadside hedge. He asserted that the proposal effectively used existing vegetation and topography to integrate into the landscape, complying with PPS 8 and Policies CTY 13 and CTY 14.

Regarding Policy CTY 8 on ribbon development, Mr Fay explained that although the site was roadside, the separation from No. 74 Carsonstown Road, combined with mature vegetation and level differences, prevented any perception of a continuous built-up frontage. He

confirmed that the modest stables would not be inter-visible with the existing dwelling and therefore would not constitute ribbon development.

Following queries from Councillor Devlin regarding the location of the septic tank, Mrs Ferguson confirmed that while the tank had been considered, it was not a determining factor and would not outweigh concerns regarding ribbon development. She noted that alternative locations existed, such as a side garden or a piece of land to the rear outside the flood plain.

Councillor Devlin asked Mr Fay for his opinion on these alternatives, to which he confirmed that they had been considered but rejected as the rear land was used for the septic tank soakaway, and the garden space was needed for the applicant's young family to have a safe play area. He added that a 50m gap between the proposed stables and No. 74 negated the ribbon development concern.

Councillor Larkin queried why the stables were not sited behind the existing garden, as referenced in the case officer's report, to which Mr Fay explained that this land was constrained by floodplain restrictions and was also used for the septic tank soakaway, as confirmed by Land & Property Services maps.

Councillor Hanna proposed to overturn the recommendation to an approval, stating that stables could only realistically be sited in the countryside and noted that the agent had confirmed the proposal was a small-scale build. He acknowledged that the Planning Department had indicated the stables could be integrated with planting and stated that, while the structure would be somewhat visible from the south depending on foliage and season, it could be integrated without significant issues. He further noted that, although alternative sites might exist, the proposed location best suited the activity associated with the stables. Regarding ribbon development, he accepted the agent's assertion that the gap between the proposal and No. 74 was sufficient to mitigate the refusal reason. This was seconded by Councillor Devlin.

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

FOR:	9
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared carried.

Mr Fay took the opportunity to commend the Planning Department and the Case Officer involved in the application for their integrity, professionalism and diligent work ethic during the processing of the application.

AGREED: On the proposal of Councillor Hanna, seconded by Councillor Devlin, it was agreed to issue an approval in respect of planning application LA07/2024/0783/F contrary to officer recommendation as contained in the Case Officer Report.

(4) LA07/2024/0459/F

On agenda as a result of the Call-In Process

Location:

Land to the rear of 32 Newcastle Road & adjacent to 7 Burrenwood Road, Castlewellan

Proposal:

Proposed 2no. semi-detached dwellings

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mrs Ferguson outlined that the application proposed two semi-detached dwellings within the Castlewellan settlement limits and Mourne AONB, noting three objections had been received, and consultations with NI Water, DfI Roads, DfI Rivers, and Environmental Health had been carried out, with ongoing engagement regarding a submitted Waste Water Impact Assessment.

Mrs Ferguson explained that despite an extant approval for one dwelling, the proposed dwellings were considered out of character with the area due to plot size, layout, building appearance, roof height (8.9m), and form, creating a three-storey visual impression. The Planning department were of the opinion that the proposal would result in three closely spaced accesses, reliance on close-board timber fencing with minimal soft landscaping, and excessive ancillary works, leading to negative visual impact.

Mrs Ferguson concluded that the development would appear “hemmed in,” creating perceptions of overlooking and overdominance, failing to maintain the rhythm of existing frontages and usable front amenity areas and would not be sympathetic to the special character of the AONB or locality.

Speaking rights:

In Support:

Mr Martin argued that the proposal for two semi-detached dwellings was consistent with the established character of the residential area, noting that the Planning Department had assessed design and layout based on only a small number of properties, whereas higher-density development existed nearby. He stated that the dwellings respected the building line, had comparable or lower plot density than surrounding properties, and would provide affordable family homes. He highlighted that the three proposed accesses would be less visually intrusive than a previous approval and that existing boundary vegetation would be retained while additional soft landscaping reduced reliance on timber fencing for privacy. He argued that the roof design, featuring hipped or half-hipped roofs, and materials were in keeping with surrounding properties.

Mr Martin confirmed that a Waste Water Impact Assessment had been submitted, with NI Water agreeing to connect the dwellings to mains sewer and stormwater systems, and that network upgrades further mitigated environmental concerns. He asserted that the proposal respected the area’s character, integrated appropriately, and complied with the SPPS, PPS 7 Policy QD1, and Policy LC1 of the Addendum to PPS 7.

Councillor Enright asked whether sustainable development had been considered, and Mrs Ferguson confirmed it had, but noted that the Planning Department also needed to account for policy compliance and other material considerations.

Councillor Rice proposed overturning the recommendation to approve the application, stating that the proposal was in keeping with the character of the residential area, respected the surrounding context, and was therefore compliant with Policies OD1 and LC1 of PPS7.

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

The proposal was declared carried.

The meeting did then recess – 11.57am
The meeting did then resume – 1204pm

On agenda as a result of the Call-In Process

50m S. of No.32 Tullyah Road, Belleeks, Newry, Co,Down, BT35 7QP

Erection of dwelling and domestic garage in gap/infill site.

Refusal

Ms Loughran outlined the application, noting that the case officer's report was taken as read, no representations had been received, and all issues were addressed in the report.

Statutory consultees had raised no objections. The site lay in the countryside under the Banbridge, Newry & Mourne Area Plan 2015, and the proposal was assessed under SPPS and Policies CTY 1, CTY 8, CTY 13, CTY 14, and CTY 16 of PPS 21, alongside retained policies NH2, NH5, and AMP2.

Ms Loughran confirmed that under Policy CTY 8, while there was substantial and continuous built-up frontage with adjacent properties, the proposed 55.3m frontage, combined with visibility constraints from the steep road gradient, would result in a visual break and was therefore out of keeping with the established development pattern. She further noted that under Policies CTY 13 and CTY 14, the proposal would contribute to ribbon development along Tullyah Road and negatively impact the rural character.

Speaking rights:

In Support:

Mr John Young spoke in support of the application, arguing that from the garden of No. 32 it appeared there was no room for an additional dwelling. He stated that he had recorded different frontages and curtilages than those noted in the case officer's report. He also highlighted that, when viewed along Tullyah Road, the road's gradient meant there were no significant visual breaks, and this should be considered when assessing the site.

Councillor Hanna sought clarification on CTY8, noting that it typically allowed no more than two infill dwellings, and asked whether this single-dwelling application should be treated as "half" of a CTY8 proposal.

Ms Loughran explained that while CTY8 applications often involved two dwellings, a single-dwelling application could still be assessed on its own. However, the Planning Department needed to consider the overall plot size and potential for additional dwellings. She confirmed that the gap was large enough to accommodate more than two dwellings, meaning the proposal did not comply with CTY8.

Councillor McAteer queried the differing interpretations of road frontages raised by Mr Young and Ms Loughran. Mr Young stated that a log cabin within the curtilage of No. 32 reduced the gap to 100m, which he argued ensured compliance with CTY8.

Following Councillor McAteer's query about the log cabin, a discussion ensued, the outcome of which was Mr Young stated that the log cabin, though not visible on the Google images shared, was in place, while Ms Loughran confirmed that there was no planning permission for the log cabin and that it had only been in situ for three years, meaning it was not immune from enforcement action.

Councillor D Murphy proposed a site visit for the application, which was seconded by Councillor Hanna.

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

FOR:	10
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: On the proposal of Councillor D Murphy, seconded by Councillor Hanna, it was agreed to defer planning application LA07/2025/0482/O to allow for a site visit.

P/117/2025: HISTORIC ACTION SHEET

Read: Historic action sheet for agreement (**Copy circulated**)

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

P/118/2025: RESPONSE TO LOUTH COUNTY COUNCILS PRE-DRAFT STRATEGIC ISSUES PAPER 2027 - 2033

Read: Report from Mr J McGilly, Assistant Director: Regeneration, regarding Response to Louth County Council's Pre-Draft Strategic Issues Paper 2027 - 2033 (**Copy circulated**)

AGREED: It was agreed on the proposal of Councillor Hanna, seconded by Councillor Larkin, to note the representation response NMDDC Response to Louth County Council's Notice of Intention to review the Louth County Development Plan 2021 – 2027 and to prepare a new Louth County Development Plan 2027 – 2033 (Appendix A).

P/119/2025: RESPONSE TO ARDS AND NORTH DOWN BOROUGH COUNCIL'S DRAFT PLAN STRATEGY

Read: Report from Mr J McGilly, Assistant Director: Regeneration, regarding Response to Ards and North Down Borough Council's Draft Plan Strategy. (**Copy circulated**)

AGREED: It was agreed on the proposal of Councillor Hanna, seconded by Councillor Larkin, to note the representation response to Ards and North Down Borough Council's Local Development Plan – Draft Plan Strategy (Appendix 1).

There being no further business the meeting ended at 12.19pm

Signed: _____ Chairperson

Signed: _____ Chief Executive

NB: 25% of decisions overturned

Item 5 – Addendum List

Addendum list - planning applications with no representations received or requests for speaking rights – Planning Committee Meeting on Wednesday 10 December 2025

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

- **LA07/2025/0426/F** - Land West of Bridge Technology Park, Carnagat Rd, (Carnagat lane), Carnagat, Newry BT35 8XF - Construction of a three-story light industrial factory, featuring associated office spaces, conference areas, quality control and precision testing facilities, and a testing laboratory. The proposed development also involves modifications to the existing vehicular and pedestrian access.

APPROVAL

- **LA07/2025/0530/F** - 21 Tipperary Lane Tullybranigan Newcastle BT33 0PN - Conversion of garage to ancillary accommodation

APPROVAL

- **LA07/2022/1405/O** - Between 244 Derryboy Road and 6 Killyleagh Road Crossgar - 2 infill dwellings and garages

APPROVAL

- **LA07/2024/0738/F** - 9, 11 & 13 Duke Street, Warrenpoint, BT34 3JY - Proposed demolition of 9,11 and 13 Duke Street and the construction of one ground floor commercial unit with storage and office at first and second floor to the rear and 6 apartments at first floor and second floor.

APPROVAL

-0-0-0-0-0-0-

Committee Application

Development Management Officer Report	
Case Officer: Karen Bronte	
Application ID: LA07/2025/0426/F	Target Date:
Proposal: Construction of a three-story light industrial factory, featuring associated office spaces, conference areas, quality control and precision testing facilities, and a testing laboratory. The proposed development also involves modifications to the existing vehicular and pedestrian access.	Location: Land West of Bridge Technology Park, Carnagat Rd, (Carnagat lane), Carnagat, Newry BT35 8XF
Applicant Name and Address: Tom Mallon Unit 1 Bridge Technology Park Carnagat Lane, Chancellors Road, Newry BT35 8XF	Agent Name and Address: Stephen Miskelly Suite 5, Alexander House 17 Ormeau Avenue Belfast
Date of last Neighbour Notification:	5 June 2025 (expiry date)
Date of Press Advertisement:	13 and 14 May 2025
EIA Determination: Not required	
Consultations: DfI Roads - consulted 29 April 2025 Reply date 17 June 2025 – no objection in principle to the proposal with informatives. NI Water – consulted 29 April 2025 Reply date 20 May 2025 – approved with standard planning conditions and response specific conditions. Historic Environment Division (HED) – consulted 29 April 2025 Reply date 16 May 2025 (received via email 19 November 2025) – Historic Monuments are content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. Historic Buildings advise that the proposal is sufficiently removed from the listed asset to have a negligible impact. The proposal satisfies relevant policies in the SPPS and PPS 6. NIEA Water Management Unit (WMU) and Regulation Unit (RU) – consulted 29 April 2025, 24 October 2025 Reply dates – 8 May 2025 – RU have no objection subject to conditions and informatives. - 28 October 2025 – WMU content with the proposal subject to conditions, statutory consents being obtained and the applicant adhering to DAERA standing advice. Environmental Health – consulted 29 April 2025 Reply date 29 August 2025 – no objection subject to conditions. DfI Rivers – consulted 30 April 2025, 24 June 2025	

Last reply date 22 August 2025 - a portion of the existing access lane lies within the 1 in 100-year fluvial flood plain. The proposal is contrary to Revised PPS 15 Policy FLD 1 and would object to any such development taking place. The applicant is required to submit a Flood Risk Assessment where the principle of development is deemed an 'exception' by the Planning Department.

A Drainage Assessment is required as the thresholds under Policy FLD 3 have been exceeded.

The climate change flood maps indicate that a portion of the site lies within the 1 in 100-year fluvial climate change flood plain (Q100CC). Unless the Planning Department deem the proposal an 'exception' contained within Policy FLD 1, the proposal would be incompatible with the overall aim and thrust of regional strategic planning policy in relation to flood risk.

Shared Environment Service - informal consultation 11 November 2025
Reply date 11 November 2025 – no formal consultation with SES required.

Representations:

As required by The Planning (General Development Procedure) Order (Northern Ireland) 2015, the application was advertised in the local press on 13 and 14 May 2025 and 3 occupiers of adjacent buildings were notified on dates between 30 April and 21 May 2025. The statutory advertising period expired on 28 and 29 May 2025 (press adverts) and 5th June 2025 (neighbour notifications) respectively. No representations have been received at the time of writing this report.

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

Summary of Issues:

Site Visit Report	
Site Location Plan:	
	
Date of Site Visit:	
Characteristics of the Site and Area The application site comprises approximately 0.4ha and is located within the settlement development limit of Newry City (map no. 3/02a) as defined within the Banbridge, Newry and Mourne Area Plan 2015. It is on land zoned for economic development (designation NY 69) in an area known as Bridge Technology Park and is located approximately 1.7km north west of Newry City Centre. The application site is currently an agricultural field and is bound to the north by the Carnagat Road (Lane); to the east by two existing buildings (a light industrial unit and a testing laboratory, the latter which appears as a tin shed) occupied by Resonate Testing Ltd and their associated parking areas; to the south by agricultural land; and, to the west by an existing lane which appears to lead to a residential dwelling and outbuildings. Within the application site post and wire fencing and scrub is present along the northern perimeter with further post and wire fencing along the western perimeter adjacent to the existing lane. Security paladin fencing is present along the eastern perimeter which currently separates the application site from the applicant's existing premises. The application site sits at a slightly higher level than the adjacent lands occupied by the applicant's existing premises. An archaeological sites and monuments record is located on lands further south and a railway bridge which is grade B2 listed and railway line is located further east of the application site. The application site is in a semi-rural location with the railway line and A1 Newry Bypass to the east severing the area from the main urban footprint of Newry City. The surrounding land use is predominantly agricultural with residential dwellings located along the nearby Chancellor's Road.	
Description of Proposal	
Construction of a three-story light industrial factory, featuring associated office spaces, conference areas, quality control and precision testing facilities, and a testing laboratory. The	

proposed development also involves modifications to the existing vehicular and pedestrian access.

Planning Assessment of Policy and Other Material Considerations

PLANNING POLICY AND GUIDANCE

The following policy documents provide the primary planning context for the determination of this application:

- Regional Development Strategy 2035 (RDS)
- Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)
- Banbridge Newry and Mourne Area Plan 2015
- PPS 2 – Natural Heritage
- PPS 3 – Access, Movement and Parking
- PPS 4 – Planning and Economic Development
- PPS 6 – Planning, Archaeology and the Built Heritage
- PPS 15 (Revised) – Planning and Flood Risk
- Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended)
- The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017
- DCAN 15: Vehicular Access Standards
- Parking Standards

PLANNING HISTORY

Previous applications on or adjacent to the application site are listed below.

Application Number: LA07/2015/0231/F Decision: Permission Granted Decision Date: 08 October 2015

Proposal: Construction of a single storey light industrial factory unit with associated office content and a separate quality control and precision testing unit to include a new vehicular and pedestrian access from Carnagat Road (*existing facility – light industrial unit and testing laboratory*)

Application Number: LA07/2015/1323/F Decision: Permission Refused Decision Date: 13 April 2018

Proposal: Alteration and extension to a single storey light industrial factory unit with office space and assigned precision testing units (*refusal reasons related to insufficient information submitted to demonstrate compliance with PPS 4 and PPS 15*)

Application Number: LA07/2015/1401/F Decision: Permission Refused Decision Date: 13 April 2018

Proposal: Construction of a single storey light industrial factory unit with office space and assigned precision testing units (*refusal reasons related to insufficient information submitted to demonstrate compliance with PPS 4 and PPS 15*)

Application Number: P/1983/0513 Decision: Permission Granted Decision Date: 14 July 1983

Proposal: PAROCHIAL HOUSE

EIA DETERMINATION – THE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS (NORTHERN IRELAND) 2017

The proposed development does not fall within any of the thresholds in the schedules of the above Regulations and as such an EIA screening determination was not required.

HABITATS REGULATIONS ASSESSMENT - CONSERVATION (NATURAL HABITATS, ETC.) REGULATIONS (NORTHERN IRELAND) 1995 (AS AMENDED)

A Habitats Regulations Assessment (HRA) screening was completed by the Planning Department whereby the potential impact of the proposed development on European sites was assessed. Subsequent to this the Planning Department informally consulted Shared Environment Service given the potential hydrological link to Derryleckagh SAC and Slieve Gullion SAC.

Upon reviewing all available supporting information, Shared Environment Service confirmed in their response dated 11 November 2025 that formal consultation was not required and that the Planning Department should append NIEA WMU's recommended condition to any decision notice however this condition is not required to ensure European sites are not affected.

SUPPORTING DOCUMENTS AND DRAWINGS

The following submitted information (as amended) has been considered within this assessment:

Reports/Technical Assessments:

- Flood Map Overlay
- Biodiversity Checklist
- Planning Statement
- Proposed Renders

Drawings:

- Site Location Plan
- Existing Site Plan and Section
- Site Topographical Survey
- Proposed Site Plan
- Proposed Elevations
- Proposed Section
- Proposed Floor Plans
- Proposed Drainage Strategy Overview
- Proposed Building Drainage Strategy

EVALUATION

The main issues to be considered are the principle of development, design and access issues, impacts on natural and built heritage and drainage and flood risk.

Summary of the Proposal

The applicant, Resonate Testing Ltd, are a technology company/test facility established in 2015 with experience and specialist knowledge in vibration, fire and environmental testing for its international customer base, with specific expertise in the aerospace engineering industry.

The proposal seeks permission to expand the applicant's existing testing facility on the outskirts of Newry City Centre through the construction of a three-storey light industrial factory featuring

quality control and precision testing facilities, a testing laboratory, office spaces and conference areas. The proposed development is to be located on land to the west of the existing testing facility which currently comprises two single storey buildings, one of which appears as a tin shed.

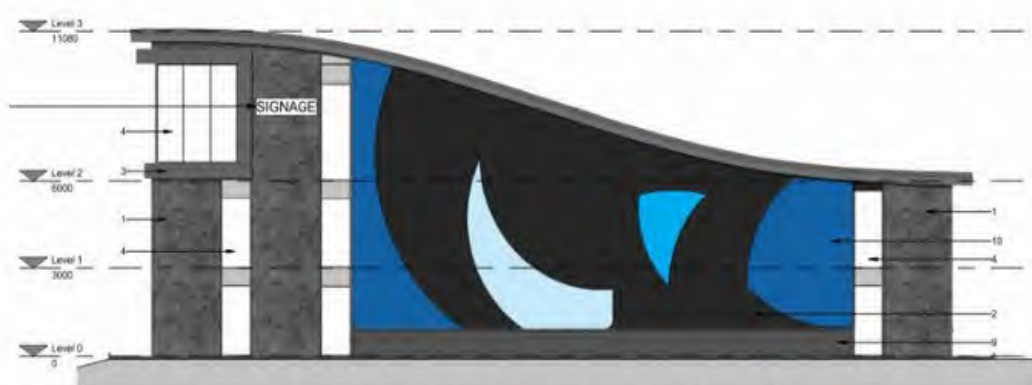


Proposed site plan

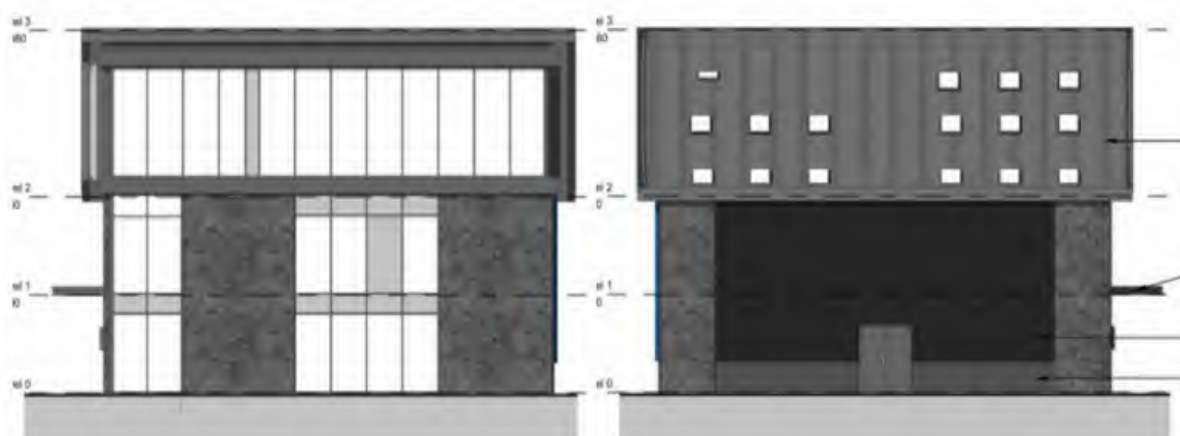
The proposed three-storey building on the application site will predominantly comprise laboratories on the ground floor with a foyer, office space, kitchen, store, WCs, an accessible toilet and shower, plant room and lift access. The second floor is to be of a similar size and will predominantly comprise a future workshop or storage area with office space, a conference room, a kitchen and breakout areas and WCs. The footprint of the third floor is smaller and will comprise a conference room, office space, a kitchen and breakout areas, a store, WCs and a shower facility. Overall, the proposed three-storey building has a gross floor space of approximately 1112sqm.

The proposed building has a distinctive wave-shaped roof with the height of the proposed building measuring 6m up to the second floor and increasing to 11m in height at the highest point on the third floor. This wave shaped roof incorporates roof lights and is most visible on the north elevation of the proposed building along the Carnagat Road and on the south elevation/rear of the proposed building which is visible from within the application site. The proposed building has been carefully designed with the front façade/highest part of the building positioned to face the existing testing facilities/buildings to the east of the application site, with the closest building to the east measuring approximately 7m in height. This façade of the proposed building primarily comprises metal cladding and curtain walls facing the Mourne Mountains which will provide panoramic views of the surrounding landscape.

Overall, the elevational treatment of the proposed building consists of grey bricks and locally sourced stone cladding on the lower levels, metal cladding, insulated cladding panels and curtain walling on the upper levels with a standing seam-cladding roof. The façade of the north elevation along the Carnagat Road is to include aluminium composite decorations and signage although the latter will be subject to a separate advertisement consent application. The windows are to be aluminium framed and roller shutter doors are proposed on the south and west elevations.



Proposed north elevation along Carnagat Road (Lane)



Proposed east elevation facing the existing premises

Proposed west elevation

The proposed development will use the existing vehicular and pedestrian access from the Carnagat Road which leads to an internal road used to access the existing testing facilities. Minor improvements are proposed to the existing access in the form of replacing a small part of the existing paladin fence with a stone clad wall of approximately 2.5m in height and replacing the existing metal gate with a new metal vehicular and pedestrian gate.

New asphalt hard surfacing is kept to a minimum and is proposed around the building especially to the rear of the building where five car parking spaces are proposed and two 4x4m plant room sheds with a height of approximately 2.8m in height. Landscaping is an integral component of the proposed development with grassed areas to remain around the asphalt hard surface and a boundary hedge and a 5m wide planted buffer zone including native tree species proposed along the Carnagat Road and along the southern and western boundaries of the site. Paladin fencing is proposed along the planting buffer on the Carnagat Road whilst the existing paladin fence along the eastern boundary of the site is to be removed and this boundary left undefined so the proposed development integrates with the existing testing facilities to the east of the application site.

Regional Development Strategy 2035 (RDS)

The RDS provides a framework for strong sustainable economic growth across the region. It aims to ensure an adequate supply of land to facilitate sustainable economic growth and protect zoned land for such uses.

Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)

Furthering sustainable development is at the heart of the SPPS and the planning system and means balancing social, economic and environmental objectives, all of which are considerations in the planning for and management of development. Of relevance to the proposed development, the core planning principles of the SPPS include 'Supporting Sustainable Economic Growth'. Para. 4.19 states planning authorities should take a positive approach to appropriate economic development proposals and proactively support and enable growth generating activities.

Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The application site is currently within the remit of BNMAP 2015 as the Council has not yet adopted a new LDP. The application site is located within the settlement development limit of Newry City in the above Plan and is zoned for economic development. There are three key site requirements for the wider zoning NY 69 as follows:

- *The Chancellors Road will be realigned and widened to agreed standards along the frontage of the site and from the site extremity to the proposed new link from Chancellors Road to the A1 Upgrade;*
This applies to development proposals on the wider zoning along Chancellors Road with road improvements already taken place. DfI Roads have been consulted and have no objection to the subject application.
- *Hedges on the site boundaries shall be retained and augmented with the planting of a 5-8 metre wide belt of trees of native species to assist integration of development on the site;*
There are no hedges along the site boundaries to retain. The site boundaries currently include post and wire and paladin fencing with areas of scrub and small patches of gorse. It is proposed to replace and enhance such boundaries with a boundary hedge and a 5m wide planted buffer zone including native tree species along the Carnagat Road and along the southern and western boundaries of the site. It is considered appropriate to place conditions on any approval regarding the proposed landscaping and its management.
- *Layout of buildings to ensure that views of open storage areas are minimised to Chancellors Road and the A1.*
There are no open storage areas proposed as part of this proposal.

Overall the principle of development is considered acceptable on the site given its use complies with the economic development zoning and associated key site requirements and it provides an extension to the existing testing facilities already established on the adjacent land.

As there is no significant change to the policy requirements for economic development following the publication of the SPPS and it is somewhat less prescriptive, the retained policy of PPS 4 will be given substantial weight in determining the subject application in accordance with paragraph 1.12 of the SPPS. As such, the proposed development is to be assessed against the retained policies as set out below.

Economic Development Use – PPS 4

The proposed development seeks permission for a three-storey light industrial factory including testing facilities and a testing laboratory and associated office, conference, storage, WCs and kitchen areas and therefore falls under Class B2: Light Industrial of The Planning (Use Classes) Order (NI) 2015. PPS 4 Planning and Economic Development sets out regional planning policy for economic development uses including Class B2.

Policy PED 1 – Economic Development in Settlements

The proposed development meets the provisions of Policy PED 1 in that it is located in an area specifically allocated for such purposes in the LDP (ie. it is on land zoned for economic development).

Policy PED 9 – General Criteria for Economic Development

Policy PED 9 requires proposals for economic development use to meet all the following criteria:

(a) it is compatible with surrounding land uses – the proposal complies with the economic development zoning on the site and will provide an expansion to the existing testing facilities (light industrial use) already established on the land to the east of the application site.

(b) it does not harm the amenities of nearby residents – there is one residential dwelling located approximately 80m from the application site and have raised no objection. Mature vegetation is present around the dwelling and a landscape buffer is proposed along the western and southern boundaries of the application site thereby ensuring no adverse visual impact. It is not considered that the proposed use will give rise to adverse impacts arising from noise or odour and no external lighting is proposed on the site. Environmental Health were consulted and offered no objection to the application.

(c) it does not adversely affect features of the natural or built heritage - there are no natural heritage concerns and HED have no objection to the proposal on built heritage grounds.

(d) it is not located in an area at flood risk and will not cause or exacerbate flooding – a small portion of the existing Carnagat Road and existing site entrance is within the 1 in 100-year fluvial flood plain. As no new development is proposed in this flood plain the proposed development is not considered to cause or exacerbate flooding (see section on drainage and flood risk).

(e) it does not create a noise nuisance – it is not considered that the nature of the proposed development (i.e. testing laboratories) will create adverse noise impacts.

(f) it is capable of dealing satisfactorily with any emission or effluent - in their consultation response NI Water have confirmed available capacity at Newry WwTW to serve the proposed development.

(g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified – there will be no increase in the number of people to the site as a result of the proposal and therefore no extra vehicular traffic with the exception of two additional goods vehicles to attend the site daily. DfI Roads were consulted and offered no objection to the proposal.

(h) adequate access arrangements, parking and manoeuvring areas are provided – the proposal will use the existing vehicular and pedestrian access currently used by the existing testing

facilities. Adequate parking and hard surfacing areas are provided to the rear of the proposed building.

(i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport – the application site is in a semi-rural location and therefore does not necessitate formal public transport links or cycling facilities. A disabled car parking space and a level approach to the building entrance is provided along with hard surfaced areas around the proposed building to facilitate pedestrian movement.

(j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity – the proposed three-storey building has a unique yet high-quality design which incorporates materials that respect the character of the surrounding area (see section below on design, scale and massing). The proposed hedgerow and native tree planting will integrate with and enhance the surrounding landscape and provide a betterment to the site boundaries which currently comprise fencing and areas of scrub. Overall, it is considered that the proposal will provide a modern yet contextually appropriate facility while ensuring that environmental and aesthetic considerations are met.

(k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view – no outside storage is proposed as part of this application. As noted above, the proposed boundary hedge and 5m wide native planting along the site boundaries will provide an effective buffer and suitable means of enclosure along with new paladin fencing along the Carnagat Road and an improved gated site entrance.

(l) is designed to deter crime and promote personal safety – the proposed development will be secured via new fencing along the Carnagat Road and an improved gated entrance into the site.

(m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape - not applicable.

Having regard to all the aforementioned criteria, the proposal does not conflict with Policy PED 9 of PPS 4.

Design, Scale, Massing and Visual Impact

The proposed development provides a contemporary design in the form of a distinctive wave-shaped roof which is inspired by the traditional curved roof barns found in rural Northern Ireland and serves as a visual representation of the technology company's forward-thinking and innovative aspirations. The design differs from the existing buildings on the adjacent land which consist of low hipped roofs and grey Kingspan cladding and overall is considered to provide a more aesthetically pleasing design.

The palette of materials proposed for the three-storey building consists of a mix of traditional masonry and insulated metal panels/dark cladding with curtain walling and a stone-clad front façade. The locally sourced stone cladding reflects the traditional construction of rural buildings in Northern Ireland whilst the curtain walling is design to maximise natural light and provide views of the Mourne Mountains thereby reinforcing the building's connection to its setting. Furthermore the proposed stone clad wall at the site entrance will provide a more appealing arrival to the premises and will integrate with the building's palette of materials.

The proposed building is sufficiently distanced away from the nearby residential property and does not create adverse visual impact or issues associated with overlooking. The proposed landscape buffer will assist in screening the proposed development when travelling from the top of the Carnagat Road. Overall, the Planning Department consider the proposal to present a high-quality, sensitively designed light industrial building that meets the operational needs of the technology company whilst respecting and enhancing the local environment at this semi-rural location.



View from entrance into the site

Drainage and Flood Risk – Revised PPS 15

Policy FLD 1 - Development in Fluvial (River) and Coastal Flood Plains

The Flood Maps (NI) indicate that a portion of the application site lies within the 1 in 100-year fluvial flood plain and in their consultation responses dated 20 May and 22 August 2025 DfI Rivers advised that development will not be permitted within such flood plain unless the Planning Department deem the proposal to be an 'exception' and a Flood Risk Assessment is submitted.

Upon a review of the flood maps and liaison with the agent it was confirmed that only a portion of the existing Carnagat Road and existing site entrance within the applications red line boundary lies within the 1 in 100-year fluvial flood plain and the agent submitted a flood overlay map to the Planning Department demonstrating same. DfI Rivers were re-consulted with this information and replied on 22 August 2025 confirming that a portion of the existing Carnagat Road lies within the 1 in 100-year fluvial flood plain however again advised that the Planning Department would need to deem the proposal an 'exception' under Policy FLD 1.

The Planning Department have given consideration to the consultation responses from DfI Rivers however as no new development in the form of the new building or hard surfacing is to be located in the flood plain, we are satisfied that the proposed development does not offend Policy FLD 1 and the 'exceptions' principle and a Flood Risk Assessment is not required. Minor improvements are proposed to the site entrance and upon completion of the proposed development a small portion of the new landscape buffer along the Carnagat Road will be located within the flood plain. It is not considered that these minor works will lead to a reduction in the flood plain and potentially remove valuable flood storage area to cause or exacerbate flooding elsewhere and on balance it is considered that the proposed development is acceptable under Policy FLD 1.

Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains

A Drainage Assessment was not required under Policy FLD 3 as the proposal does not exceed any of the specified thresholds – it is not a residential development, the site area is not in excess of 1ha and the new building footprint and hardstanding area does not exceed 1000sqm in area. A review of the Flood Maps (NI) indicate that a very small portion of the existing Carnagat Road within the site boundary lies within the 0.1% AEP surface water flood extent (1 in 1000 or greater chance in an given year) and does not affect the area of the site where the proposed building and hard surfacing is to be located. Under Policy FLD 3, where a Drainage Assessment is not required but there is potential for surface water flooding as indicated by the surface water layer of the Strategic Flood Map (i.e. along a portion of the existing Carnagat Road), it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.

NIEA's WMU were consulted with the drainage details provided with the planning application and subsequently requested a full site drainage plan in their consultation response dated 8 May 2025 in order to fully assess the impacts of the proposal on the surface water environment. Upon a review of this information provided by the agent, NIEA's WMU advised in their response dated 28 October 2025 that they were content with the proposal subject to a condition as detailed at the end of this report, any required statutory consents being obtained and the applicant referring to DAERA's standing advice.

NIEA's RU advised that the proposed development is considered to be a low risk to the ground and surface water environment and have no objection to the proposal subject to conditions as detailed at the end of this report.

The site drainage details show that storm water is to be discharged to an existing ditch approximately 200m from the application site. Schedule 6 Consent from DfI Rivers will be required to authorise the discharge of storm water to this watercourse. Minor construction phase works are required to construct a storm water discharge point however these works are considered minor in nature and scale. The agent confirmed in email correspondence to the Planning Department on 14 November 2025 that an application for Schedule 6 Consent had been submitted to DfI Rivers on 21 October 2025 for the proposed discharge location and may take up to three months to respond. It is considered appropriate to attach a condition to any forthcoming planning approval that this consent should be obtained prior to works commencing on site.

Flood Risk in the Climate Change Scenario

The climate change flood maps indicate that a portion of the site lies within the 1 in 100-year fluvial climate change flood plain (Q100cc) and DfI Rivers advised that the Planning Department should consider this as a material consideration. As above, only a small portion of the existing Carnagat Road and existing site entrance within the applications red line boundary lies within this flood plain and on balance is not considered to pose a flood risk to the proposed development.

Natural Heritage – PPS 2

Policy NH 1 - European and Ramsar Sites – International

The informal consultation with Shared Environmental Service confirmed that the proposal development will not have an adverse impact on any European site thereby complying with Policy NH 1.

Protected Habitats and Species

A review of the application site on DAERAs natural environment map viewer and the Biodiversity Checklist submitted with the planning application confirmed no protected habitats or species on the application site and that the proposed development is not in or within proximity to a designated site. There is a small patch of gorse to be removed however this is to be replaced with hedgerow and native tree planting in the form of a landscape buffer around the northern, southern and western site boundaries. There is a hedgerow approximately 20m from the application site along the southern boundary of the wider field however this is outwith the area of the application site and will be unaffected by it. Overall the application site is considered to be of low biodiversity interest and does not offend any of the policies within PPS 2.

Access and Parking – PPS 3

Policy AMP 1 – Creating an Accessible Environment

The proposed development meets the provisions of Policy AMP 1 where appropriate at this semi-rural location. It provides a level, unhindered approach from the site boundary to the building entrances and a hard surface around the building to facilitate pedestrian movement. Five car parking spaces including one disabled space are provided to the rear of the building within easy walking distance to the entrances into the building. There is also an existing footpath at the site entrance and along the internal road which provides pedestrian access to the existing premises and the proposed development.

Policy AMP 2 - Access to Public Roads

The proposed development will be accessed via the existing access on Carnagat Road and therefore complies with Policy AMP 2 given existing accesses are generally expected to be used under this policy. There will be no increase in the number of people to the site as a result of the proposal and therefore no extra vehicular traffic with the exception of two additional goods vehicles to attend the site daily. As a result the proposal will not prejudice road safety or inconvenience the flow of traffic, thereby complying with Policy AMP 2. Furthermore, the proposal does not conflict with Policy AMP 3.

Policy AMP 7 - Car Parking and Servicing Arrangements

The proposed development assumes no significant change to the applicant's operations following construction of the new facility. The proposed development will provide additional, contemporary facilities for existing staff and as such there will be no increase in persons on the site. On this basis it is considered that the five car parking spaces provided as part of this proposal is sufficient.

Built Heritage – PPS 6

Policy BH 11 - Development affecting the Setting of a Listed Building

There is a listed asset (railway bridge) to the east of the application site. HED Historic Buildings were consulted and advised that the proposed development is sufficiently removed from the listed asset to have a negligible impact and therefore does not offend the policy requirements of Policy BH 11 of PPS 6 or para. 6.12 of the SPPS.

HED Historic Monuments were also consulted given the archaeological sites and monuments record located further south of the application site and are content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Water and Sewerage

NI Water were consulted on the proposed development and confirmed in their response dated 20 May 2025 available capacity at Newry WwTW to serve the development. In their consultation

response NI Water recommended approval with standard planning conditions and site specific comments about public foul sewers traversing the application site and as such the relevant NI Water conditions addressing these points are included at the end of this report.

RECOMMENDATION: Approval subject to conditions

Neighbour Notification Checked

Yes

Summary of Recommendation

The proposed development seeks to enhance economic growth by expanding a light industrial facility in a location already identified for such use, contributing to Newry city's economic base. The proposed development complies with the LDP site zoning, planning policy and all other material considerations and as such it is recommended that the application is approved subject to conditions.

Draft Conditions

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

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

2. The drainage for the site must be constructed in line with the agreed drainage plan. (Documents 6021-BWM-XX-XX-DR-C-7300-P2 Proposed Building Drainage Strategy and 6021-BWM-XX-XX-DR-C-7301-P1 Proposed Drainage Strategy Overview uploaded on 24th October 2025).

Reason: In order to decrease the risk of the incorrect diversion of contaminated water to drains carrying rain / surface water to a waterway.

3. All plant and equipment used in connection with the premises should be situated, operated and maintained to prevent the transmission of noise, vibration and odours to nearby dwellings.

Reason: In the interests of residential amenity.

4. Prior to the commencement of development on site, a copy of the obtained Schedule 6 Consent should be submitted to the Planning Authority and approved in writing, in consultation with DfI Rivers.

Reason: To authorise the discharge of storm water from the site to a nearby watercourse.

5. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. 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. This strategy should be completed by competent persons in accordance with Land Contamination: Risk Management (LCRM) guidance, available at: <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>

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

6. After completing the remediation works under Condition 5 and prior to operation 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 Land Contamination: Risk Management (LCRM) guidance. 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.

7. No development shall be commenced until a Sewer Adoption Agreement has been authorised by NI Water to permit a connection to the public sewer in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 and Sewerage Services Act (Northern Ireland) 2016.

Reason: To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland) 2016.

8. A formal water/sewer connection application must be made for all developments prior to occupation, including those where it is proposed to re-use existing connections.

Reason: To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland) 2016.

9. No development shall commence until the applicant has demonstrated to the satisfaction of the Planning Authority, that NI Water are content that the proposed development will not affect the NI Water public sewer/s traversing the site, and sufficient drawings have been submitted, which clearly indicate the required wayleaves.

Reason: To prevent disturbance/damage to existing sewers and in the interest of public safety.

10. During the first available planting season after the operational use of the approved development, or as otherwise agreed in writing by the Planning Authority, landscaping shall be carried out in accordance with Drawing No. 1564-01-01 dated 28/03/25 and maintained in perpetuity.

Reason: In the interest of visual amenity.

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

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

12. A Landscape Management and Maintenance Plan, including long term design objectives, performance indicators, management responsibilities and maintenance schedules for all landscaped/planted areas shall be submitted to and approved by the Planning Authority prior to the occupation of the development.

Reason: To ensure the sustainability of the approved landscape design through its successful establishment and long-term maintenance.

Conditions/Reasons for Refusal:

Case Officer Signature: 
Date: 26 November 2025
Appointed Officer Signature:
Date:

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures _____

Date _____

Committee Application

Development Management Officer Report											
Case Officer: Richard McMullan											
Application ID: LA07/2025/0530/F	Target Date:										
Proposal: Conversion of garage to ancillary accommodation.	Location: 21 Tipperary Lane Tullybranigan Newcastle BT33 0PN										
Applicant Name and Address: Annette McCann 21 tipprary lane tullybrannigan newcastle bt330pn	Agent Name and Address: Annette McCann 21 tipprary lane tullybrannigan newcastle bt330pn										
Date of last Neighbour Notification:	N/a										
Date of Press Advertisement:	18 th June 2025										
EIA Determination: N/a											
Consultations: Given the nature and scale of the development and its siting within the application site, no consultations considered to be required.											
Representations: Application advertised in local press as below. No neighbours requiring notification in this instance-one derelict/vacant building potentially a dwelling noted abutting the site but not occupied therefore no neighbour notification of it is required/possible. <table><thead><tr><th>Description</th><th>SN/PA</th><th>Created</th><th>Display</th><th>Expiry</th></tr></thead><tbody><tr><td>Initial Advertisement</td><td>Press Advert</td><td>03/06/2025</td><td>18/06/2025</td><td>02/07/2025</td></tr></tbody></table>		Description	SN/PA	Created	Display	Expiry	Initial Advertisement	Press Advert	03/06/2025	18/06/2025	02/07/2025
Description	SN/PA	Created	Display	Expiry							
Initial Advertisement	Press Advert	03/06/2025	18/06/2025	02/07/2025							
No objections to date, 5 Nov. 2025.											
Letters of Support	0.0										
Letters of Objection	0.0										
Petitions	0.0										
Signatures	0.0										

Number of Petitions of Objection and signatures	
Summary of Issues: Assessment against prevailing planning policy. Issues include design, amenity, ancillary accommodation etc. AONB.	

Site Visit Report

Site Location Plan:



Date of Site Visit: 9th Oct. 2025

Characteristics of the Site and Area



This site is located upon the eastern side of Tipperary Lane, Newcastle. It is roughly rectangular in shape and has an area of approx. 0.3h. Within the site a detached modern rural dwelling and garage are noted. The dwelling has a rectangular footprint with front and rear projections, a pitched roof and windows with a vertical emphasis. It is finished with black non profiled roof tiles, smooth grey rendered walls and white upvc windows and doors.

To the north of the noted dwelling an ancillary garage is noted. It has a rectangular footprint and a pitched roof. It is finished as per the dwelling within the site. At the time

of inspection, it was noted that works have commenced in respect of the development sought within this application but were not fully completed.

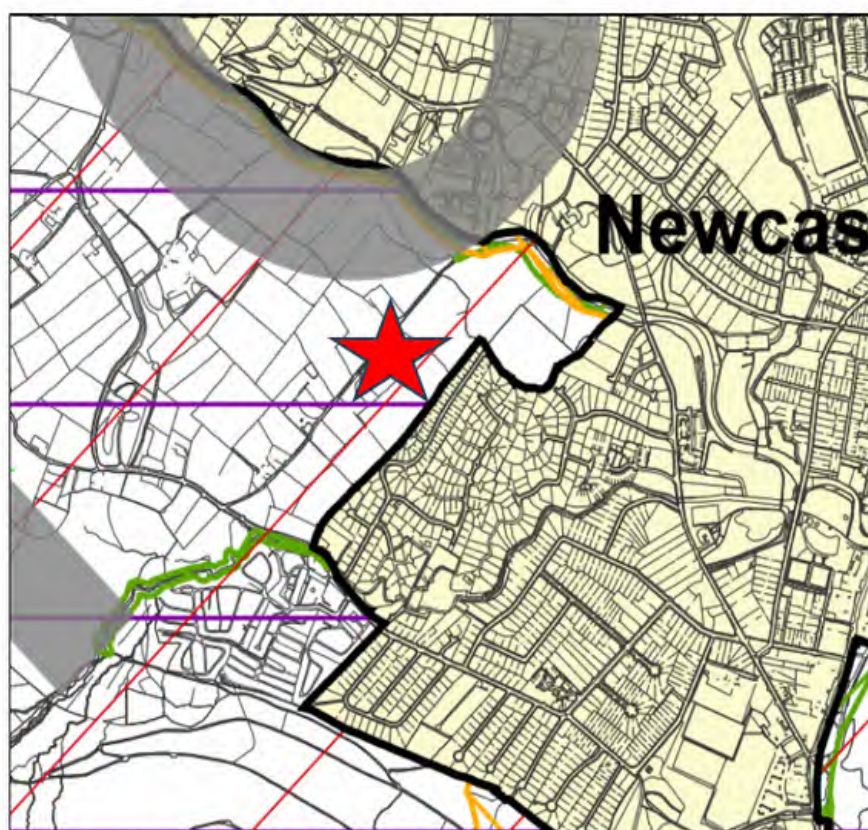
The topography of the site falls slightly in a southern eastern direction from Tipp. Lane to the rear of the site. Mature lawns enclose the dwelling and site boundaries are defined via in situ mature hedging with mature trees adjacent to the eastern site boundary.

The site is set within a rural context within Mourne AONB being surrounded by agricultural fields. It is noted that the defined settlement of Newcastle is within sight of the site to its south/southeast.

Description of Proposal

Conversion of garage to ancillary accommodation.

Planning Assessment of Policy and Other Material Considerations



Site within rural context to the west of the defined settlement of Newcastle. Site within Mourne AONB and An Area of Constraint on Minerals Development (Ards and Down Area Plan 2015).

PLANNING HISTORY

Planning Application Number: R/2009/0750/F
 Decision: Permission Granted
 Decision Date: 30 November 2009
 Proposal: Farm dwelling and garage.

SUPPORTING DOCUMENTS

Application form
 Drawings

CONSULTATIONS

N/a

REPRESENTATIONS

None to date 5th Nov. 2025

EVALUATION

SPPS

Design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region. Particular weight should be given to the impact of development on existing buildings, especially listed buildings, monuments in state care and scheduled monuments, and on the character of areas recognised for their landscape or townscape value, such as Areas of Outstanding Natural Beauty, Conservation Areas, Areas of Townscape Character and Areas of Special Archaeological Interest. Appropriate and adequate amenity space, especially in residential developments (including unconventional solutions), is an important element of good design.

Addendum to Planning Policy Statement 7 Residential Extensions and Alterations

Policy EXT 1

Residential Extensions and Alterations

Planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- (a) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- (b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- (c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- (d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

The overall aim is to encourage high quality design solutions. The design approach, which is most commonly followed, is for extensions and alterations to tie in with the style, design and materials of the existing property. However the Council does not wish to stifle or dismiss an innovative, contemporary design solution and this will be acceptable where the proposal complements the host property and respects its wider surroundings.

The overall aim is to encourage high quality design solutions irrespective of whether the approach followed seeks to mirror the style of the existing property or adopts a contemporary modern design approach. To ensure good design any extension or alteration will need to complement the host building and respect its location and wider setting.

The impact of an extension or alteration on the visual amenity of the countryside and, in particular, **Areas of Outstanding Natural Beauty** needs to be considered. Proposals should be in keeping with the character of the existing property and its countryside setting. Through poor design the individual and cumulative effect of extensions and alterations which are disproportionate in size to the existing property, or which require the use of land outside the established curtilage of the property, will result in a detrimental change to rural character.

The guidance set out in Annex A will be taken into account when assessing proposals against the above criteria.

Ancillary Accommodation

There may be occasions when people wish to provide ancillary accommodation to provide additional living space for elderly relatives or to meet a variety of other personal and domestic circumstances.

To be ancillary, accommodation must be subordinate to the main dwelling and its function supplementary to the use of the existing residence. Such additional accommodation **should** normally be attached to the existing property and **be internally accessible** from it, although a separate doorway access will also be acceptable.

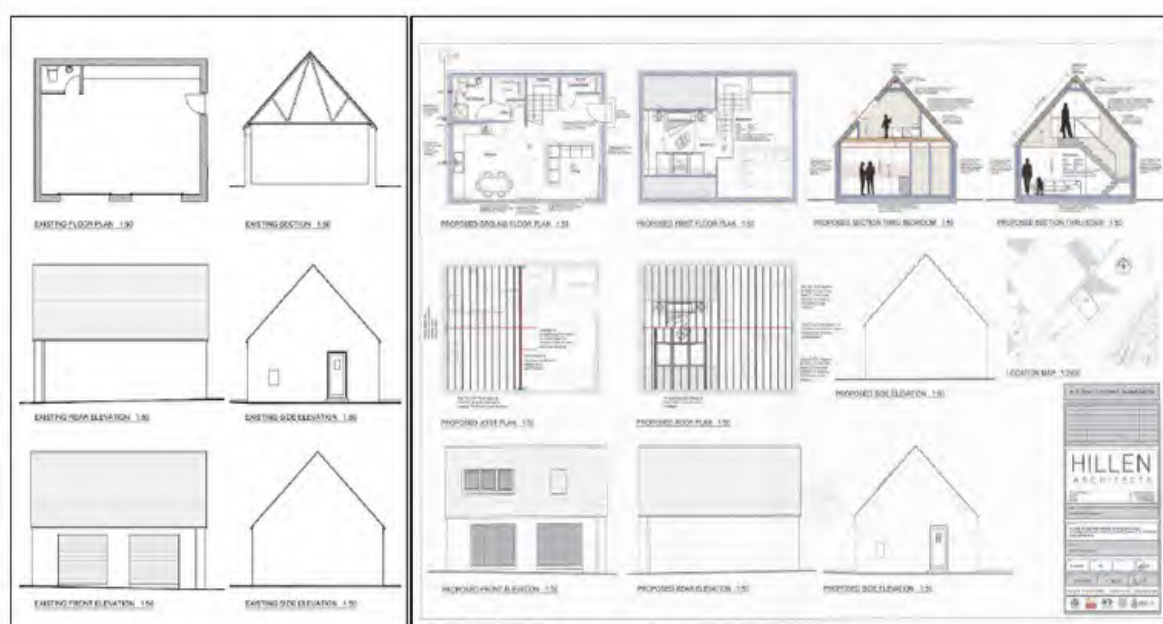
In all cases the Council will need to be satisfied that the proposed accommodation will remain ancillary to the main residential property and careful consideration will be given to the impact of proposals on neighbouring dwellings. Where permission is granted it will be **subject to a condition that the extension will only be used for ancillary residential purposes in connection with the main dwelling, and not as a separate unit of accommodation.**

PPS 2 Policy NH 6 - Areas of Outstanding Natural Beauty

Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
- b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
- c) the proposal respects:
 - local architectural styles and patterns;
 - traditional boundary details, by retaining features such as hedges, walls, trees and gates; and
 - local materials, design and colour.

Consideration



Existing and proposed plans and elevations

It is considered that the development as proposed is in keeping with the requirements of policy Ext 1. The scale, massing, design and external materials of the development are sympathetic with the host dwelling within the site and will also not detract from the appearance and or character of the surrounding area which is noted to be within Mourne AONB.

No issues of concern shall arise in respect of neighbouring properties in respect of overlooking, light loss, dominance, overshadowing or overhanging etc. Upper floor windows are only noted within the front elevation of the development (Velux windows) which face the garden of the host property only.

As this development relates to the conversion of an existing garage, no impacts in respect of trees and/or landscape features of note shall arise. No impacts shall arise in respect of space within the curtilage of the site in respect of recreational and domestic purposes including the parking and manoeuvring of vehicles.

The development is noted to be seeking to provide a unit of ancillary accommodation within the site. The unit shall provide a small kitchen/dining area, a living area and one double bedroom. Ancillary rooms in the form of w/c shower and storage rooms are also noted. It is considered that the development would be sub-ordinate to the main dwelling within the site in terms of its size, scale and functionality. Policy indicates such accommodation *should* normally be attached to the existing dwelling and be internally accessible from it. It is noted that this is not the case with the development proposed. Given the small-scale nature of the accommodation and the sharing of facilities in respect of the access, septic tank (no new tank to be provided as per submitted application form) and garden area of the host dwelling it is considered that the development is acceptable. It is considered that the development will be and remain to be ancillary to the main dwelling within the site. To ensure same, the standard condition relating to same can be utilised to ensure compliance with policy so that an additional dwelling is not formed within the site.

It is noted that the site falls within Mourne AONB and consideration of the impacts upon same is required. It is considered that the development is in keeping with this section of policy. It is in keeping with the character of the existing property within the site and the rural location in which the site is located. The development sits within the established curtilage of the host dwelling, not requiring any land outside of same, therefore no issues regarding the existing rural character of the area shall arise.

The development is in keeping with the requirements of policy NH6 of PPS 2. It is of an appropriate design, size and scale for the site and local area. The siting of the garage remains unchanged and is therefore acceptable. The scale of the development is acceptable (sub-ordinate to main dwelling within established site curtilage). The development respects existing buildings within the site and local area. It is in keeping with the architecture of the host dwelling within the site and no impacts shall arise in respect of existing mature site boundaries. Materials, designs and colours are respected.

It is considered that this application can move forward recommended for approval as it is in keeping with the policy tests as outlined above subject to conditions. Approval	
Neighbour Notification Checked	Yes
Summary of Recommendation Approval	
Conditions The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. The development hereby permitted shall not be occupied other than for purposes ancillary to the residential use of the dwelling known as 21 Tipperary Lane, Newcastle, Co. Down, BT33 0PN shown on the approved plans. Reason: To prevent the accumulation of dwellings within the site	
Case Officer Signature: R McMullan Date: 5 November 2025	
Appointed Officer Signature: B.Ferguson Date: 05/11/2025	

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures _____

Date _____

Committee Application

Development Management Officer Report											
Case Officer: Richard McMullan											
Application ID: LA07/2022/1405/O	Target Date:										
Proposal: 2 infill dwellings and garages	Location: Between 244 Derryboy Road and 6 Killyleagh Road Crossgar										
Applicant Name and Address: William McMillan 244 Derryboy Road Crossgar BT30 9DL	Agent Name and Address: 11 Ballyalton Park Downpatrick BT30 7BT										
Date of last Neighbour Notification:	19 th November 2025										
Date of Press Advertisement:	20 September 2022										
EIA Determination: The Planning (Environmental Impact Assessment) Regulations (NI) 2017 Schedule 2 10 (b) Urban development projects, including the construction of shopping centres and car parks requires an EIA Determination if the site area exceeds 0.5h. In this case the site area measures 0.12h. Therefore, an EIA screening /ES is not required to be provided.											
Consultations: NI Water: Refusal-WWIA submitted to NI Water. Solution engineer report issued 14 th May 2024. NMD EHO: No objections DAERA NED: Standing Advice DFI Roads: No objections											
Representations: Application advertised in local press and neighbours as below notified:											
<table border="1"> <thead> <tr> <th>Description</th> <th>SN/PA</th> <th>Created</th> <th>Display</th> <th>Expiry</th> </tr> </thead> <tbody> <tr> <td>Initial Advertisement</td> <td>Press Advert</td> <td>20/09/2022</td> <td>28/09/2022</td> <td>12/10/2022</td> </tr> </tbody> </table>		Description	SN/PA	Created	Display	Expiry	Initial Advertisement	Press Advert	20/09/2022	28/09/2022	12/10/2022
Description	SN/PA	Created	Display	Expiry							
Initial Advertisement	Press Advert	20/09/2022	28/09/2022	12/10/2022							

Item	Name	Address	Sent Date	Ex
1		240 Derryboy Road Crossgar Down BT30 9DL	21/09/2022	✓
2		6 Killyleagh Road Crossgar Down BT30 9LA	21/09/2022	✓
3		School 1 Killyleagh Road Crossgar Down BT30 9EY	21/09/2022	✓
4	Occupier	103 KILLYLEAGH STREET CROSSGAR BT30 9DQ	06/03/2024	✓
5	Occupier	238 DERRYBOY ROAD CROSSGAR BT30 9DL	06/03/2024	✓
6	Occupier	244 DERRYBOY ROAD CROSSGAR BT30 9DL	06/03/2024	✓
7	Occupier	6A KILLYLEAGH ROAD CROSSGAR BT30 9LA	06/03/2024	✓
8	Occupier	80 KILLYLEAGH STREET CROSSGAR BT30 9DQ	06/03/2024	✓
9	Occupier	240 Derryboy Road Crossgar Down BT30 9DL	29/10/2025	✓
10	Occupier	6 Killyleagh Road Crossgar Down BT30 9LA	29/10/2025	✓
11	Occupier	School 1 Killyleagh Road Crossgar Down BT30 9EY	29/10/2025	✓

Note:

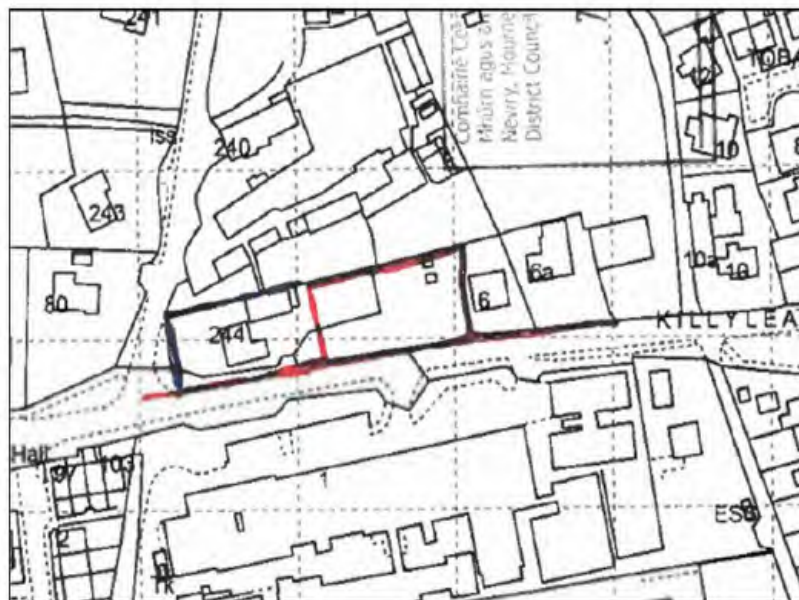
Neighbour letters called 29th Oct. 2025 not issued until 5th Nov. 2025 due to IT issue. Therefore 14 days expiration date of 19th Nov. 2025 noted. To date, 20th Nov 2025 no objections received.

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

Summary of Issues:

Assessment against prevailing planning policy considering consultation responses received. Principle of development, design, density, pattern, visual impact, overlooking, dominance, overshadowing, access, ecology & waste etc.

Site Location Plan:

Date of Site Visit: 29th Feb 2024

Characteristics of the Site and Area



This site is seen to be located within the defined settlement limits of Crossgar, opposite St. Colmcilles HS. The site is rectangular in shape with an area measuring 0.12h. Its topography falls slightly in a western direction. It is seen to consist of a medium sized paddock area to the east of no. 244 & the west of no. 6 Killyleagh Road.



The site is partially covered with tar mac and grass. A few semi mature trees are noted within the site. Site boundaries are defined as follows:

- Northern- Post and wire fencing
- Southern-Road side hedging
- Eastern-Hedging
- Western-Undefined/post and wire fence



The character of the area in which the site is located is urban. A secondary school is noted opposite the site. The main land use is noted to be residential. Mixed house types are noted within the immediate area ranging from single storey to 1.5 and 2 storey dwellings. A farm with several outbuildings is also noted abutting the site to the north.

Description of Proposal

2 infill dwellings and garages

Planning Assessment of Policy and Other Material Considerations



Site within defined settlement limits of Crossgar upon white unzoned lands (Ards and Down Area Plan 2015)

PLANNING HISTORY

Enforcement Application Number: R/2002/0024CA

Decision:

Decision Date:

Proposal: Operational Devt

Planning Application Number: R/1982/0666

Decision: Permission Granted

Decision Date: 10 May 1983

Proposal: DWELLING

Application Number: R/1992/0754

Decision: Permission Granted

Decision Date: 22 September 1992

Proposal: Extension to dwelling

Application Number: R/2001/1129/F

Decision: Permission Granted

Decision Date: 19 October 2001

Proposal: Alterations and Extension to Dwelling

Application Number: R/2002/0379/F

Decision: Permission Granted

Decision Date: 08 November 2002

Proposal: Erection of dwelling

Application Number: R/2003/1089/A41

Decision: A41: Not PD - Application Required Decision Date: 09 September 2003

Proposal: Garage, carport and tennis court.

Application Number: R/2003/1347/F

Decision: Permission Granted

Decision Date: 16 January 2004

Proposal: Replacement of existing garage and construction of tennis court and fence.

SUPPORTING DOCUMENTS

Application form

Drawings

Design and Access Statement

Design Concept Statement

NI Biodiversity Checklist (Ayre Consulting)

NI Water Solution Engineers Report

Noise Report (Impact Assessment)

CONSULTATIONS

NI Water: Refusal-WWIA submitted to NI Water. Solution engineer report issued 14th May 2024.

NMD EHO: No objections

DAERA NED: Standing Advice

DFI Roads: No objections

REPRESENTATIONS

None to date 20th Nov. 2025.

EVALUATION

SPPS

Good quality housing is a fundamental human need that plays a significant role in shaping our lives and our communities. A home is a vital part of people's lives and contributes to creating a safe, healthy and prosperous society. The planning system can play a positive and supporting role in the delivery of homes to meet the full range of housing needs of society, within the wider framework of sustainable development.

The policy approach must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services, and the creation of more balanced sustainable communities.

Planning authorities should apply the precautionary principle when considering the impacts of a proposed development on national or international significant landscape or natural heritage resources.

Planning authorities should ensure that the potential effects on landscape and natural heritage, including the cumulative effect of development are considered. With careful planning and design the potential for conflict can be minimised and enhancement of features brought about.

There are a wide range of environment and amenity considerations, including noise and air quality, which should be taken into account by planning authorities when proposing policies or managing development. For example, the planning system has a role to play in minimising potential adverse impacts, such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development. The planning system can also positively contribute to improving air quality and minimising its harmful impacts. Additional strategic guidance on noise and air quality as material considerations in the planning process is set out at Annex A.

In managing development, planning authorities should treat noise as a material consideration in the determination of planning applications for proposals likely to give rise to significant levels of noise and also for proposals such as housing in proximity to established noise generating uses such as quarrying or certain industrial uses. Where noise is identified as a significant issue, consultation with the relevant authorities, including environmental health, may be necessary. Planning authorities should seek to reach balanced decisions that consider noise issues alongside other relevant material considerations, including the wider benefits of the particular proposal. It may be appropriate to apply conditions to planning approvals for new development or change of use proposals in order to mitigate against excessive noise impacts

Planning Policy Statement 2 Natural Heritage

Policy NH 1 - European and Ramsar Sites - International

Policy NH 2 - Species Protected by Law

Policy NH 3 - Sites of Nature Conservation Importance – National

Policy NH 4 - Sites of Nature Conservation Importance – Local

Policy NH 5 - Habitats, Species or Features of Natural Heritage Importance

Planning Policy Statement 3 (PPS 3 Revised Feb 2005) Access, Movement and Parking

Policy AMP 2

Access to Public Roads

Policy AMP 7

Car Parking and Servicing Arrangements

Planning Policy Statement 7 (PPS 7) Quality Residential Environments

Policy QD 1

Quality in New Residential Development

Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.

In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.

In Conservation Areas and Areas of Townscape Character housing proposals will be required to maintain or enhance their distinctive character and appearance. In the primarily residential parts of these designated areas proposals involving intensification of site usage or site coverage will only be permitted in exceptional circumstances.

All proposals for residential development will be expected to conform to all of the following criteria:

- (a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;
- (b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;
- (c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

- (d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;
- (e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;
- (f) adequate and appropriate provision is made for parking;
- (g) the design of the development draws upon the best local traditions of form, materials and detailing;
- (h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and
- (i) the development is designed to deter crime and promote personal safety.

Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.

Policy QD 2

Design Concept Statements, Concept Master Plans and Comprehensive Planning

The Department will require the submission of a **Design Concept Statement**, or where appropriate a Concept Master Plan, to accompany all planning applications for residential development.

Any proposal for housing that would result in unsatisfactory piecemeal development will not be permitted, even on land identified for residential use in a development plan.

For small housing schemes outside sensitive locations, involving the development of a site of up to 0.25 of a hectare or 5 dwellings or less, a short written statement and a diagrammatic layout will generally suffice.

Addendum to Planning Policy Statement 7 Safeguarding the Character of Established Residential Areas.

Policy LC 1

Protecting Local Character, Environmental Quality and Residential Amenity

In established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

- (a) the proposed density is not significantly higher than that found in the established residential area;
- (b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and
- (c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

Planning Policy Statement 12 (PPS 12) Housing in Settlements

Planning Control Principle 1

Increased Housing Density without Town Cramming

An increase in the density of housing development should be promoted in town and city centres and other locations which benefit from high accessibility to public transport facilities. It should also form an integral part of major housing or mixed-use development proposals. When considering an increase in housing density in established residential areas, great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents. In residential areas of distinctive townscape character an increase in density should only be allowed in exceptional circumstances.

Planning Control Principle 2

Good Design

Good design should be the aim of all those involved in housing development and will be encouraged everywhere. All new housing developments should demonstrate a high quality of design, layout and landscaping.

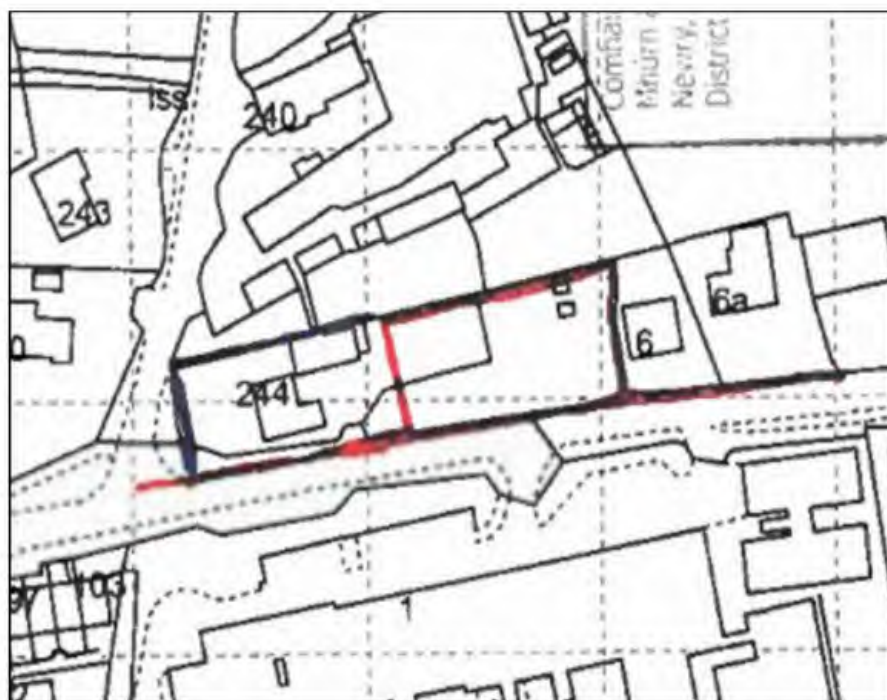
Planning Control Principle 3

Sustainable Forms of Development

The use of greenfield land for housing should be reduced and more urban housing accommodated through the recycling of land and buildings. More housing should also be promoted in city and town centres and mixed-use development encouraged. Major housing development should be concentrated in sustainable locations facilitating a high degree of integration with centres of employment, community services and public transport and taking advantage of existing infrastructure. Local facilities, services and adequate infrastructure should be integrated into new housing development to meet the needs of the community. A clear design concept should be established for all housing schemes or mixed-use development.

Creating Places
DCAN 15

Principle



Site location



Site layout

Planning Policy Statement 7 (PPS 7) Quality Residential Environments

Policy QD 1

Quality in New Residential Development

This application seeks to provide 2 infill dwellings and garages between 244 Derryboy Road and 6 Killyleagh Road Crossgar. It is noted that the site falls within the defined settlement limits of Crossgar as per the Ards and Down Area Plan 2015. This application seeks outline approval only. A site location drawing and indicative (For Information Only drawing) has been provided for consideration. No elevations or plan drawings of each house has been provided.

In turn the merits of this application as submitted shall be assessed against prevailing planning policy.

(a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

The site is noted to be located within the urban footprint of Crossgar. A mix of dwellings are noted within the local area ranging from single storey to 1.5 storey. Opposite the site a school is noted and to the rear at a lower level a large farm complex.

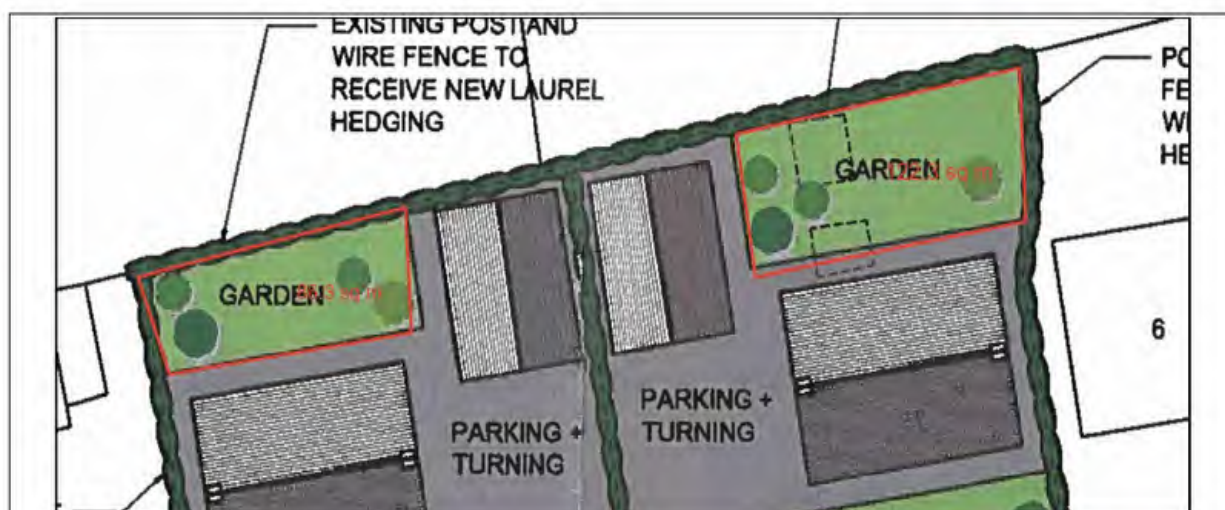


It is considered that the provision of two dwellings within the site would respect the surrounding context and would be appropriate to the character and topography of the site in terms of layout, scale, proportions, landscaped and hard surfaced areas. It is noted that this application seeks outline permission only within an indicative site layout drawing only being provided for consideration. Detailed assessment of plans and elevations can be reserved for assessment within any forthcoming RM application. Further detail in respect of landscaping and levels can also be assessed via RM application. Given the surrounding context it is considered that two 1.5 storey dwellings would be visually appropriate.

(b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

No features of archaeological and or built heritage are noted within the site or within the local area adjacent to it. A roadside hedge is noted within the site that requires removal to provide access. It is considered that this would be acceptable conditional upon the replanting.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;



The indicative site layout drawing illustrates approx.. 86m.sq and 122m.sq of rear amenity space can be provided for each dwelling as proposed. This is seen to be an adequate level of private space in keeping with guidance provided via Creating Places. It is noted that landscaping as proposed along site boundaries etc. will soften the visual impact of the development and assist with its integration with the surrounding area.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

Given the scale and nature of the development as proposed it is considered that this section of policy would not apply. The development seeks to provide two dwelling within the defined settlement limits of Crossgar, not a housing scheme that would be seen to require to provide additional facilities etc.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

This site is seen to be located within the urban footprint of Crossgar. It is within walking distance of local existing public footpaths, roadways and public transport etc. Occupants can walk and cycle to and from the site if desired. The topography of the site & proposed layout/design is noted and consequently, access can be gained by disabled users/occupants if required. No impacts upon any public rights of ways shall arise.

(f) adequate and appropriate provision is made for parking;

Adequate space shall be provided for the parking and manoeuvring of vehicles within the site including the provision of a garages etc. It is noted that DFI Roads have outlined that they have no objections to the development also.

(g) the design of the development draws upon the best local traditions of form, materials and detailing;

This application seeks outline permission only with a site location map and indicative site layout drawing only provided for consideration. No plans/elevations of each dwelling have been provided for consideration. Given that it is considered that the principal pf development is acceptable, design detail can be assessed via the submission of a RM or Full application in the future.

(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and

Assessing the site layout drawing provided within this application it is considered that two dwellings of acceptable design, scale, massing and siting could be provided within the site without creating conflict with adjacent noted land users. Two dwellings are noted either side of the site (single storey and 1.5 storeys). No issues of concern in respect of overlooking, light loss, overshadowing, noise or other disturbance shall arise. It is noted that the rear amenity space of no. 244 is open to public views therefore any side windows within the side elevation of the closest proposed dwelling will not significantly add to the current situation.



Rear amenity space open to existing public views from adjacent road/pavements

Such matters can be more fully assessed at RM stage when plans and elevations of each dwelling are provided for consideration. A school noted to the south of the site will not be adversely impacted upon in respect of overlooking, light loss, dominance etc. The noted farm dwelling to the north of the site also will not be adversely impacted upon. While the site is at a higher level an adequate separation distance of 100m (+) is noted and farm outbuildings are noted between the site and this dwelling. Given the scale of the dwellings either side of the site it is felt that a condition restricting the height of the proposed dwellings to 1.5 storeys would be appropriate, to ensure no

issues of concern arise re: dominance, light loss and overshadowing etc. and to respect the street scene as noted.



(i) the development is designed to deter crime and promote personal safety.

The proposal is in keeping with the requirements of the above policy. Existing site boundaries in conjunction with proposed new ones would provide for a secure development.

Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.

Policy QD 2

Design Concept Statements, Concept Master Plans and Comprehensive Planning

A small design and access statement/DCS has been provided for consideration.

Addendum to Planning Policy Statement 7 Safeguarding the Character of Established Residential Areas.

Policy LC 1

Protecting Local Character, Environmental Quality and Residential Amenity

In established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

- (a) the proposed density is not significantly higher than that found in the established residential area;
- (b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and
- (c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

The size of a home is a key factor in defining who can live there and how they use the property, and this will be particularly important in terms of protecting the character of established residential areas. Whilst a mixture of different types and sizes of houses (including apartments and townhouses) can assist in the creation of balanced communities, it is critical that all new housing units are sufficiently spacious, particularly if they are to prove attractive to families with children on a long-term basis. In recent years, possibly in response to the sharp increases in the cost of development land and property values, there has been an unwelcome trend from some developers towards provision of dwelling units of particularly limited internal floor areas. The Department/Council expects developers to provide adequately sized dwelling units.

It is noted that it is considered that the development as proposed is in keeping with the requirements of Policy QD 1 of PPS 7.

In turn assessment against policy LC1 of the addendum to PPS 7 is engaged.

It is considered that the introduction of the two dwellings as proposed would respect the density of development noted within the surrounding area. Plot sizes would be in keeping with those either side of the site. It is also considered that the pattern of development noted within the surrounding context would be respected (dwellings abutting and fronting onto the Killyleagh Road). It is considered that two dwellings of adequate size (internal space standards) can be provided within the site in keeping with point (c) of LC1.

Access and car parking

DFI Roads have been consulted and are noted to offer no objections to the development. Consequently, it is considered that the scheme is in keeping with the requirements of PPS 3 AMP 2 and no issues of concern about road safety shall arise. Access arrangements as proposed are acceptable. Adequate car parking space can

be provided to serve the dwellings. A Scale Plan and site survey is to be provided within any forthcoming RM application (in the event of approval). This shall be secured via standard planning condition. Policy AMP 3 of PPS is not engaged in this instance as the Killyleagh Rd is not a Protected Route.

Natural Heritage

A fully filled out NI Biodiversity report (filled out by Ayre Environmental Consulting Ltd) has been provided in support of this application. DAERA NED following consultation direct Council to standing advice.

Considering the content of the submitted Biodiversity report, in conjunction with inspection of the site, Council is content that no issues of concern shall arise in respect of any natural heritage features within the site or remote from it (designated site and/or priority species). Assessment of the site in respect of bats and badgers is noted within the report, with it being found that no issues of concern shall arise. Replanting and additional planting should be via native species which can be a condition of approval in this instance. The planting of a Laurel hedge is noted which is not a native species but given the urban context is acceptable with other boundaries planted out with native species. It is therefore considered that the scheme would be in keeping with the requirements of the SPPS and PPS 2 and no harm shall arise to any features of natural heritage importance in this instance.

Sewerage

NI Water within their first consultation reply outlined that this application warrants refusal for the following issue:

A high level assessment has indicated potential network capacity issues. This establishes significant risks of detrimental effect to the environment and detrimental impact on existing properties. For this reason NI Water is recommending connections to the public sewerage system are curtailed.

The Applicant is advised to consult directly with NI Water. The applicant will need to submit an application to NI Water for a **Wastewater Impact Assessment**. NI Water will assess the proposal to see if an alternative drainage or treatment solution can be agreed. Subject to successful outcome and subject to re-consultation, NI Water may reconsider its recommendation.

In turn a **WWIA** has been submitted for consideration. Consequently, this application can move forward on this basis with the following two negative conditions utilised.

The development hereby approved shall not commence on site until full details of foul and surface water drainage arrangements to service the development, including a programme for implementation of these works, have been submitted to and approved in writing by the Council in consultation with NIW.

Reason: To ensure the appropriate foul and surface water drainage of the site.

No part of the development hereby permitted shall be occupied until the drainage arrangements, agreed by NI Water and as required by Planning Condition No 1, have been fully constructed and implemented by the developer. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure the appropriate foul and surface water drainage of the site

Noise:

NMD EHO unit have been consulted in respect of the potential impacts of noise in relation to the development as proposed from the neighbouring farm complex to the north of the site. In turn a Noise Impact Assessment was provided for consideration. EHO within their last consultation response outline the following:

Environmental Health have reviewed the information provided in support of the outline application for the proposed 2 infill dwellings and garages. Environmental Health note the submission of the noise impact assessment from MCL Consulting dated March 2024. Environmental Health have no objections but would request the following informative be attached:

The proposed development is located in close proximity to commercial business and a main road. Care should be taken to ensure future occupants of the properties are not adversely impacted by noise. Advice should be sought from an acoustic consultant with respect to suitable glazing and if necessary acoustic ventilation to ensure suitable internal acoustic design targets are met.

It is therefore considered that the development as proposed would be acceptable. Design detail in the form of glazing and acoustic ventilation can be considered further via the submission of any forthcoming reserved matters application. The development therefore is in keeping with point 4.11 of the SPPS in relation to noise impacts upon new development.

Housing in Settlements:

This development proposal within the defined settlement limits of Crossgar is seen to engage PPS 12. It is seen to proposed to utilise existing vacant space within the

defined settlement limits of Crossgar. Considering the development as proposed, the nature of the site and the surrounding mixed context (residential, educational & agricultural) it is considered that the development is in keeping with requirements of Planning Control Principles that apply which in this instance are considered to be 1, 2 & 3.

The scheme, introducing two dwellings will comply with PCP 1 regarding housing density. The introduction of two dwellings (and garages) will respect local character, environmental quality and amenity. The proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents.

Via assessment within any forthcoming reserved matters application, it is considered that two dwellings (and associated garages) can be provided that shall be in keeping with PCP 2. It is also considered that in so far as applicable this small scaled urban development will be in keeping with PCP 3. The site is adjacent to existing linkages within Crossgar providing access to shops, educational and recreational facilities etc. Public transport links can also be utilised from the site. A Design Concept Statement has been provided for consideration in respect of this development.

Conclusion:

It is considered that subject to conditions this application can move forward recommended for approval.

Approval.

Neighbour Notification Checked

Yes

Summary of Recommendation

Approval

Conditions

Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements in accordance with the attached form RS1. Access, sight visibility splays and forward sight distance (where applicable) are a pre-commencement condition.

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

No development shall take place until a landscaping scheme has been submitted to and approved by the Council showing the location, numbers, species and sizes of native species trees and shrubs to be planted. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

The proposed dwellings shall have a ridge height of less than 7 metres above finished floor level.

Reason: To ensure that the development is satisfactorily integrated into the local street scene & to protect neighbouring amenity levels.

No development shall take place until a plan of the site has been submitted to and approved by the Council indicating the existing and proposed contours, the finished floor level(s) of the proposed building(s) and the position, height and materials of any retaining walls. Development shall be carried out in accordance with the approved plans.

Reason: To ensure the development takes account of the site's natural features.

The development hereby approved shall not commence on site until full details of foul and surface water drainage arrangements to service the development, including a programme for implementation of these works, have been submitted to and approved in writing by the Council in consultation with NIW.

Reason: To ensure the appropriate foul and surface water drainage of the site.

No part of the development hereby permitted shall be occupied until the drainage arrangements, agreed by NI Water and as required by Planning Condition No 7, have been fully constructed and implemented by the developer. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure the appropriate foul and surface water drainage of the site.

Case Officer Signature: R McMullan

Date: 20 November 2025

Appointed Officer Signature: B.Ferguson

Date: 20/11/2025

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

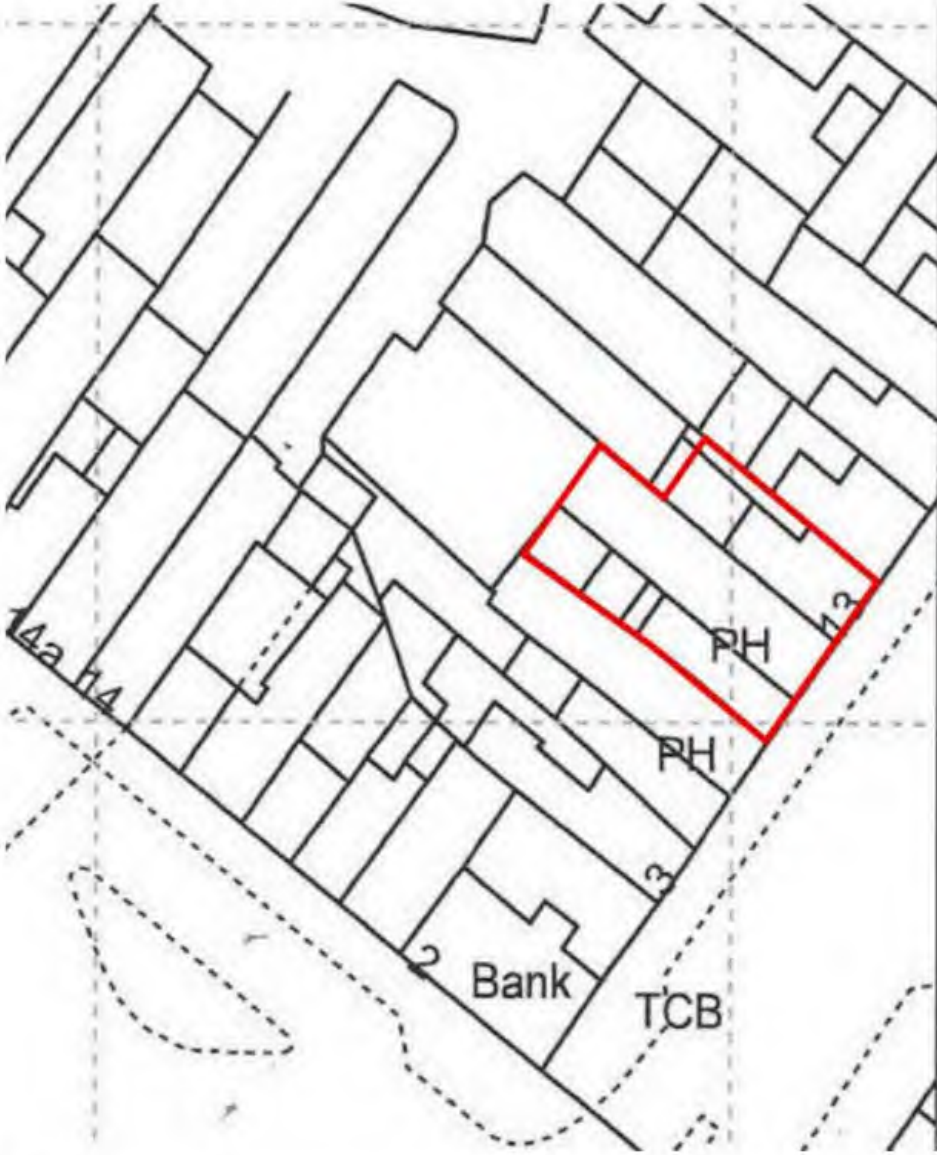
D.M. Group Signatures _____

Date _____

Application

Development Management Officer Report	
Case Officer: Richard McMichael	
Application ID: LA07/2024/0738/F	Target Date:
Proposal: Proposed demolition of 9,11 and 13 Duke Street and the construction of one ground floor commercial unit with storage and office at first and second floor to the rear and 6 apartments at first floor and second floor.	Location: 9,11 and 13 Duke Street Warrenpoint BT34 3JY
Applicant Name and Address: Raymond O'Hare 11 Duke Street Warrenpoint BT343JY	Agent Name and Address: John Cole 12A Duke Street Warrenpoint
Date of last Neighbour Notification:	23 January 2025
Date of Press Advertisement:	31 July 2024
EIA Determination: N/A	
Consultations: DfI Roads: No objection Env. Health: No objection, subject to a condition ensuring NIA mitigation measures are implemented NI Water: Refusal, subject to successful discussions and outcomes from WwIA. The agent has engaged with NIW in this regard, whereby this matter is ongoing. This provides sufficient comfort to the Planning Dept to attached suitably worded conditions to deal with this matter. NIEA (NED): No objection	
Representations: None received	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: Impact of design and materials on ATC Residential amenity	

Habitats
Town Centre retail impact

Site Visit Report	
Site Location Plan:	
	
Date of Site Visit:	
Characteristics of the Site and Area The site is located within the development limits for Warrenpoint and Warrenpoint Town Centre, as designated under the Banbridge, Newry and Mourne Area Plan 2015 (BNMP 2015). The site is also within an Area of Outstanding Natural Beauty and an Area of Townscape Character (WB 34). The red line boundary comprises three buildings, 9 Duke Street is a recently vacated commercial unit at ground floor and storage at 1st and 2nd floor, 11 Duke Street is an existing off-licence and 13 Duke Street has been vacant for some time (Approx 25 yrs).	

There are a mix of uses in the area including residential, retail, office space, restaurants and cafes and a public house. There is on-street parking along both sides of Duke Street and public car parks within close proximity to the application site.

Description of Proposal

Proposed demolition of 9,11 and 13 Duke Street and the construction of one ground floor commercial unit with storage and office at first and second floor to the rear and 6 apartments at first floor and second floor.

Planning Assessment of Policy and Other Material Considerations

This application will be assessed under the following policy considerations:

- Strategic Planning Policy Statement (SPPS)
- Banbridge, Newry and Mourne Area Plan (2015)
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 6: Planning, Archaeology and the Built Heritage
- PPS 6 Addendum: Areas of Townscape Character
- PPS 7: Quality Residential Environments
- PPS 7 Addendum: Safeguarding the Character of Established Residential Areas
- PPS 12: Housing in Settlements
- Creating Places
- DCAN 8: Housing in Existing Urban Areas
- DCAN 15: Vehicular Access Standards Parking Standards
- Parking Standards
- General Principles of Good Shop Front Design

PLANNING HISTORY

Application Number: LA07/2025/0368/F

Decision: Current live application

Decision Date: Current live application

Proposal: Variation of conditions 3 and 4 of planning permission LA07/2021/1151/F for beer garden.

Condition 3 currently reads: 'The hours of operation of the area contained within the red line shall be limited to 12:00-22:00 after which it will be closed to patrons.'

Proposed condition 3: 'The hours of operation of the area contained within the red line shall be limited to 12:00hrs to 01:15hrs on Fridays and Saturdays.'

Condition 4 currently reads: 'Amplified/live music events shall only occur between 12:00hrs and 19:30hrs and on no more than 2 occasions per calendar month and no more than 12 per year in total'.

Proposed condition 4: 'Amplified/live music events shall only occur between 12:00hrs and 01:00hrs on Fridays and Saturdays'.

(Amended description)

Application Number: LA07/2022/1395/F

Decision: Permission Granted

Decision Date: 29 January 2024

Proposal: Proposed demolition of Nos 11 & 13 Duke Street, Warrenpoint and reconstruction of off-licence with four apartments over

Application Number: LA07/2021/1151/F

Decision: Permission Granted

Decision Date: 09 March 2022

Proposal: Proposed change of use and renovation from previous commercial premises to beer garden to the rear of No. 13 Duke Street in connection with No. 7 Duke Street, Warrenpoint

Application Number: LA07/2020/1758/F

Decision: Permission Granted

Decision Date: 05 March 2021

Proposal: Proposed extension of existing public house into No.5 Duke Street (adjacent building) (Amended address)

Application Number: LA07/2016/1413/F

Decision: Permission Granted

Decision Date: 17 August 2017

Proposal: Beer garden with entertainment/stage area and bar facilities.

SUPPORTING DOCUMENTS

- NI Biodiversity Checklist Version 2 - Cole Partnership - April 2017
- Concept Statement - Cole Partnership
- Noise Impact Assessment - Irwin Carr Consulting - 5 March 2024
- Bat Roost Potential Report - Steven McKinney
- Updated Bat Roost Potential - MCL Consulting - December 2024
- Biodiversity Checklist and Bat Roost Potential - MCL Consulting - September 2022
- Bat Survey Report - Clare Childs Ecological Services - Summer 2025

CONSULTATIONS

Env. Health and DfI Roads raised no objections to the proposal. NI Water raised a holding objection, subject to the successful outcome of the submitted WwIA. NED initially acknowledged that the Bat Roost Potential surveys concluded that the buildings had bat roosting potential and advised that further surveys were undertaken. A Bat Emergence Survey was then submitted to which NED stated that they were content that the proposed development is unlikely to significantly impact protected or priority species or habitats, as the emergence survey indicated that no bats were recorded emerging from the building.

EVALUATION

The proposal involves the demolition of the existing buildings and redevelopment of off-licence with four apartments over. The existing street elevation alongside the proposed street elevation is shown below.



Existing Front Elevation



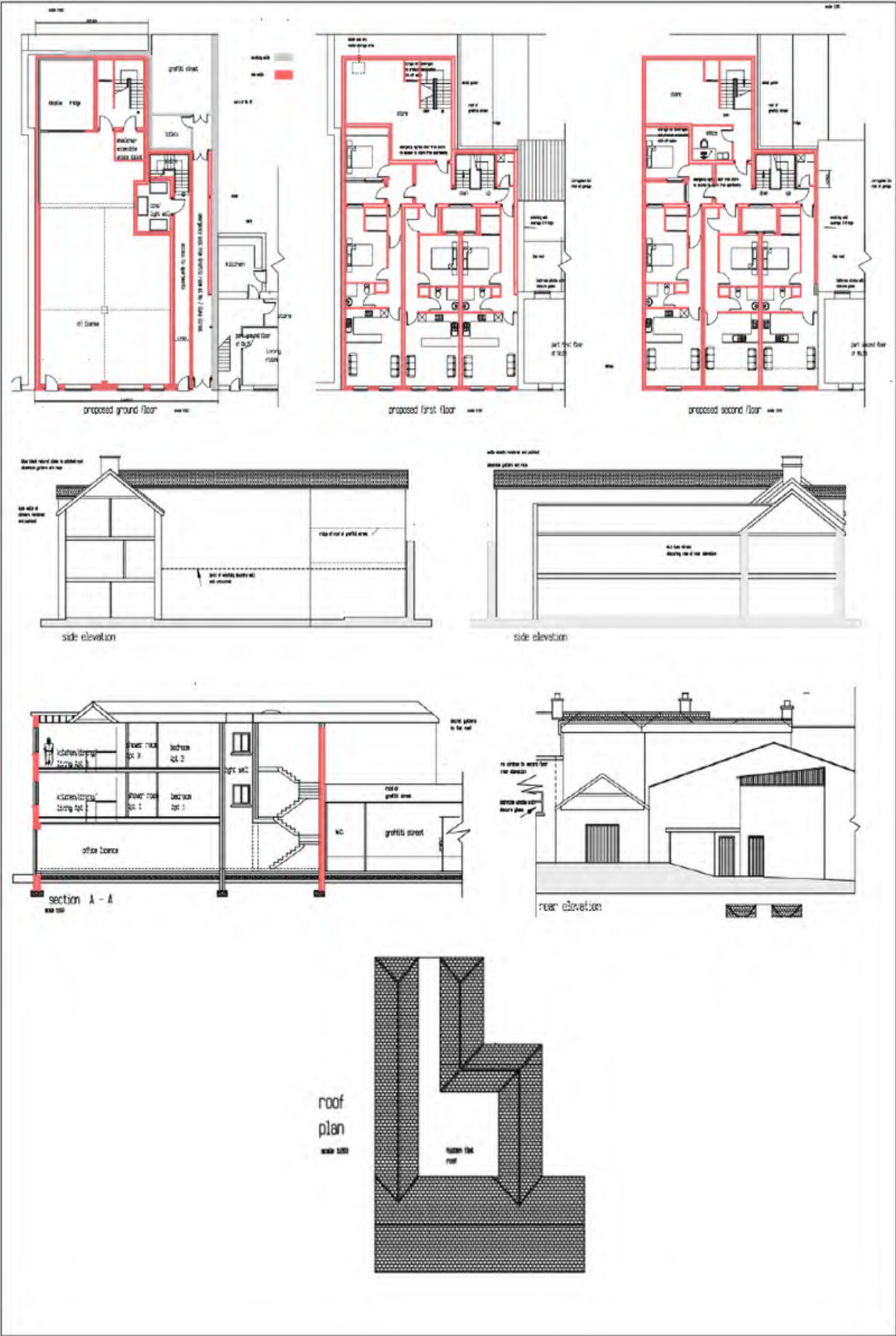
Proposed Front Elevation

There is no increase in ridge height or eaves level of 11 and 13 Duke Street. However, 9 Duke Street will increase both by 0.5m to create a stepped roof between 7 and 11 Duke Street. Three dormer windows are proposed on the front elevation and there is a proposed increase in fenestration at first floor level.

The rear extension will be a mix of flat and hipped pitched roofs, the latter of which matches the ridge height of 11 and 13 Duke Street. The flat roof being 0.6m below that.

The proposed finishes include timber windows and doors on GF, hardwood painted windows on FF and SF level, aluminium gutters and RWP, blue black natural roof slates and smooth rendered walls.

The proposed drawings are shown below.



Banbridge Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP.

The site is located within the development limits for Warrenpoint and Warrenpoint Town Centre as designated under the Banbridge, Newry and Mourne Area Plan 2015.

The Strategic Planning Policy Statement

The SPPS is material to all decisions on individual planning applications. However, a transitional period will operate until such times as a Plan Strategy for the whole Council area has been adopted. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provision of the SPPS i.e. where there is a change in policy direction, clarification or conflict with the existing policies then the SPPS should be afforded greater weight. However, where the SPPS is silent or less prescriptive on a planning policy matter than the retained policies should not be judged to lessen the weight afforded to retained policy.

The nature of the proposal involves both retail and residential elements. The retail element shall be assessed under the SPPS's designated section on town centres and retailing. Paragraph 6.276 advises that the Planning Authority should retain and consolidate existing district and local centres as a focus for everyday local shopping. This is to ensure that this role is complementary to the role and function of the town centre. In these centres, extensions shall only be permitted where the applicant has demonstrated that no adverse impact will result on the town centre's catchment.

The proposal involves the demolition of three existing buildings and redeveloping the site to create a larger off-licence premises on GF level as well as access to the upper floor apartments and an emergency exit from the 'Graffiti Room' at No 7 Duke Street, with residential accommodation on FF and SF level.

It is considered that the proposal will retain and consolidate the existing town centre and is complementary to the role and function of the town centre without affecting vitality or viability given the mixed use within the town centre and along Duke Street.

Given that the building into which the off-licence premises is proposed to be extended has remained vacant for a number of years, and noting that the overall extension is acceptable in both size and scale, I am satisfied that the proposal will not have an adverse impact on Warrenpoint Town Centre. Furthermore, residential accommodation is proposed for the first and second floors, which will contribute positively to the vitality and use of the building.

Paragraph 6.292 of the SPPS states that to ensure high quality and otherwise satisfactory forms of development all applications for retailing or main town centre uses

will also be assessed in accordance with normal planning criteria including transportation and access arrangements, design, environment and amenity impacts.

The design of the proposal is considered to be acceptable and the principle of an extension of the off-licence is also considered acceptable. Further consideration will be given to the design and amenity impact of the proposals under PPS 6 and PPS 7 below.

In relation to the proposed enlargement of the off-licence premises, it is not considered that this will adversely affect the amenity of the area. The proposal involves the redevelopment of a derelict dwelling that's currently unfit for occupation and has remained vacant for several years.

The redevelopment of this building will effectively improve the street scene along Duke Street and will positively contribute to the amenity of the town centre. The proposed shop front will enhance the townscape quality whereby the Department considers it to be sympathetic to its setting, both in terms of its immediate building frontage and the wider streetscape. The inclusion of stall risers and pilasters on the shop front are welcomed and considered appropriate and sympathetic to the area. Traditional materials have been proposed including timber windows and doors and natural slate roof.

Car parking will be addressed under the PPS 3 section below. With regard to the residential component of the proposal, the retained policies will be applied, as the SPPS provides less prescriptive guidance.

The Regional Development Strategy

Policy RG8 of the Regional Development Strategy aims to manage housing growth to achieve sustainable patterns of residential development. It aims to provide high quality accessible housing within existing urban areas without causing unacceptable damage to the local character and environmental quality or residential amenity of these areas. The principle of developing this site within the urban footprint is in line with the regional housing policy of the RDS.

The Strategic Planning Policy Statement sets out that the policy approach must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone, promote more sustainable housing development within existing urban areas, and the provision of mixed housing development with homes in a range of sizes and tenures. The SPPS also addresses housing in settlements. It repeats the planning control principles set out within PPS12.

PPS 12 - Housing in Settlements

Planning Control Principle 1- Increased Housing Density without Town Cramming

The policy states that an increase in the density of housing development should be promoted within town and city centres however great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded and that the density along with form, scale, massing and layout respect adjacent housing and safeguard privacy. It is considered that the design and layout of the development

does adhere to the principles set out within PCP1. Further consideration of these issues has been considered under PPS7 below.

Planning Control Principle 2 - Good design

The policy states that good design should be the aim of all those involved in housing development and will be encouraged everywhere and that all new housing developments should demonstrate a high quality of design, layout and landscaping. It is considered that the design of the scheme successfully respects the overall character, quality and sustainability of the area. There is further consideration of these issues under PPS 7 below.

Planning Control Principle 3 - Sustainable forms of development

The policy promotes more urban housing accommodated through the recycling of land and buildings whereby more housing should also be promoted in city and town centres and mixed-use development encouraged. The site is within the settlement area of Warrenpoint and Warrenpoint Town Centre and the development is not considered to harm the character of the immediate residential area, given the proposed redevelopment of an existing derelict residential building and suitable extension and is therefore considered to be a sustainable form of development. Moreover, the proposed residential accommodation above the proposed retail unit is encouraged. Para 5.9 of DCAN 8 also states that 'Living Over The Shop' can make a small but valuable contribution to the promotion of high-density development.

PPS7 - Quality Residential Environments

Policy QD 1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment based on an overall design concept that draws on the positive aspects of the character and appearance of the surrounding area. All proposals for residential development will be expected to conform to all of the following criteria:

(a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas

The proposed development seeks to demolish the existing buildings and redevelop the site to create a larger off-sales premises on ground floor and six apartments on first and second floor. Given the town centre location, the application site is within walking distance to nearby restaurants, public houses and retail shops. As such, the proposed development is appropriate to the character of the site and area.

The proposed changes to the front elevation are considered acceptable whereby there is no proposed increase in ridge height or eaves level. As mentioned above, the proposed shop front will enhance the townscape quality whereby the Department considers it to be sympathetic to its setting, both in terms of its immediate building frontage and the wider streetscape. The inclusion of stall risers and pilasters on the shop

front are welcomed and considered appropriate and sympathetic to the area. Traditional materials have been proposed including timber windows and doors and natural slate roof. The upper floor windows are vertically emphasised and spread evenly across the façade. Access is proposed to the upper floor living accommodation as well as an emergency exit from the 'Graffiti Room' at No 7 Duke Street.

Accordingly, the use, layout, height, scale, massing finishes and appearance are considered acceptable, sympathetic and appropriate for this town centre location.

The scale and design of the rear extension is also noted whereby the works will result in a matching ridge height of the main roof. However, given the existing development surrounding the site, the rear extension will be obscured from view along critical viewpoints such as The Square, Duke Street, Church Street and Charlotte Street.

No landscaping is proposed given the urban context and existing characteristics of the site.

Given the above, I am satisfied that the proposal complies with criterion (a).

(b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development

The application site is within the WB 34 Area of Townscape Character and the Mourne Area of Outstanding Natural Beauty.

The agent submitted a Concept Statement which states that No. 11 Duke Street shows signs of condensation which is due to the building not having adequate insulation in the existing building fabric. The Concept Statement asserts that No. 13 Duke Street is beyond repair, citing significant water ingress that has destroyed the timber joists supporting the first and second floors to such an extent that the upper floor is unsafe to walk on. The walls also exhibit extensive dampness, with several sections in a severely deteriorated condition. Overall, the building is deemed unfit for purpose and considered beyond economic or practical repair. The Concept Statement includes internal photos that seemingly confirm these assertions.

The key areas of the WB 34 ATC, in relation to the application site, are The Dock, Dock Street, Duke Street and the eastern parts of Charlotte Street and Newry Street where they join.

The landscaping quality of the square helps screen the functional car-parking use without taking from the spatial quality of the square. Given the current condition and appearance of the buildings, which are considered make limited contribution to the ATC, and noting that the proposal includes a comprehensive sympathetic redevelopment of the site, with a front elevation design deemed sympathetic to the ATC setting, which will enhance the ATC, the proposals are, on balance, considered acceptable and in

accordance with paragraph 6.22 of the SPPS and Policy ATC 1 of the Addendum to PPS 6. Accordingly, demolition of the existing buildings is accepted on the basis of the redevelopment scheme.

As per para 6.21 of the SPPS and Policy ATC 2 (New Development in an Area of Townscape Character) development proposals will only be permitted in an ATC where the development maintains or enhances its overall character and respects the built form of the area. As mentioned above, the redevelopment of both buildings will effectively improve the street scene along Duke Street and will positively contribute to the amenity of the town centre.

The proposed changes to the front elevation are considered acceptable, as there is no increase in the overall ridge height or eaves level. The introduction of a new, high-quality shop front will enhance the townscape character, replacing the current outdated/run-down appearance with a contemporary and sympathetic façade that complements the surrounding streetscape. The overall character will be further enhanced with the inclusion of design features such as stall risers and pilasters, as well as traditional materials, including timber windows and doors and natural slate roof. The upper floor windows are vertically emphasised and spread evenly across the façade which is an improvement to the existing fenestration. Given the above, I am satisfied that the proposal conforms to the overall aim of Policy ATC 2 and the SPPS.

Policy NH 6 of PPS 2 is also applicable to the proposal given the location within the Mourne AONB. The proposal is considered acceptable in that the redevelopment of the sites is sympathetic to the character of the AONB. The scale, architectural styles and patterns and materials respects the character of the surrounding area.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area

The Creating Places document recommends that, in the case of flatted development, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10-30 sqm per unit.

The guidance states that, generally, developments in inner urban locations and other high-density areas will tend towards the lower figure. There is clearly flexibility in respect the level of provision, but the thrust of the guidance is that it is anticipated that all new residential units are provided some level and form of private amenity space. There is no provision of private amenity space proposed to serve the six apartments. However, the town centre location of the application site is acknowledged whereby the 'Living Over The Shops' concept can make a small but valuable contribution to the promotion of high-density development. The application site is approx. 150m from Ringmacilory Playing Fields and approx. 330m from Warrenpoint Park. The seaside location of Warrenpoint

is also noted. In consideration of the urban context including the town centre location, it is considered that the proposal complies with criterion (c).

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development

All the necessary services are located in close proximity to the site, given its town centre location. The site is within walking distance to most neighbourhood facilities, including a park, local shops, churches, GP surgery, restaurants and cafes and schools. Therefore, it is considered that the proposal complies with criterion (d).

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures

The site's location provides a movement pattern that supports walking and cycling. The proposal offers proximity to good public transport links and neighbourhood facilities. Therefore, it is considered that the proposal complies with criterion (e).

(f) adequate and appropriate provision is made for parking

DfI's Parking Standards provides the guidance of 1.25 unassigned spaces for each 1-bed apartment and 1.5 unassigned spaces for each 2-bed apartment. Para A1 of Annex 1 states that lesser provision may be acceptable in inner urban locations and other high-density areas. In special circumstances, in some inner urban locations, 'car-free' developments may be considered appropriate, where it can be demonstrated that households will not own a car or will keep it elsewhere.

The existing buildings are served by on-street parking along Duke Street. The guidance above advises that five spaces are required to serve the proposed accommodation. The proposed 4 x 1-bed and 2 x 2-bed apartments replace an existing 1-bed dwelling whereby the Parking Standards advises that 1.5 unassigned spaces for a 1-bed terraced dwelling is required. As such, the overall parking spaces required is 6.5. Policy AMP 7 of PPS 3 states that a reduced level of car parking provision may be acceptable in the following circumstances:

- where the development is in a highly accessible location well served by public transport; or
- where the development would benefit from spare capacity available in nearby public car parks or adjacent on-street car parking
- where the exercise of flexibility would assist in the conservation of the built or natural heritage, would aid rural regeneration, facilitate a better quality of development or the beneficial re-use of an existing building.

The proposed scheme does not provide any off-street parking. However, there is on-street parking along both sides of Duke Street, as well as a number of car parks close

by, and given its scale and location within the town centre where there's excellent public transport links, walking and cycling opportunities, off-street parking is not considered to be a requirement.

The extension to the existing off-licence premises is acknowledged whereby it is not considered that the extension will result in a large increase in customers. The nature of the business is also noted whereby visitors will be short term. The Planning Department consider the proposal to be compliant with criterion (f) and Policy AMP 7 of PPS 3.

(g) the design of the development draws upon the best local traditions of form, materials and detailing

As previously outlined in this report, the design, detailing, materials, and overall form of the development have been carefully considered. The proposed use of traditional materials such as timber windows and doors, natural slate roofing, vertically emphasised upper-floor windows, and sympathetic shopfront features, together with the scale and proportions of the building, draw upon the best local traditions of form, materials, and detailing.

Accordingly, the proposals are considered to meet criterion (g), in that the design of the development reflects and respects the local architectural character.

(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance

Paragraph 4.12 of the SPPS states that amenity considerations arising from development, that may have potential health and well-being implications, include design considerations, impacts relating to visual intrusion, general nuisance, loss of light and overshadowing.

The surrounding context of the site includes the adjacent public house, which extends to the rear of the development site. Recent planning history associated with the public house has been outlined above including the approval of a beer garden and the approved change of use and renovation of an outbuilding to a beer garden. Conditions have been attached to both approvals restricting the hours of operation to 12:00-22:00 and restricting the hours of amplified/live music events to 12:00-19:30 (2 per month or no more than 12 per year.) A current application is currently under consideration (LA07/2025/0368/F) to vary the hours of operation to:

- Monday to Thursday & Sunday 12:00 to 22:00
- Friday and Saturday 12:00 to 01:15

It also seeks to increase the maximum number of amplified/live music events to 24 per year and vary the hours to:

- Monday to Thursday & Sunday 12:00 to 19:30
- Friday and Saturday 12:00 to 01:00

A Noise Impact Assessment (NIA) was submitted as part of the application, whereby Environmental Health (EH) advised that there is the potential for loss of amenity for the occupants of the proposed apartments, due to noise nuisance from the adjacent entertainment premises. EH went on to advise that they have no objection in principle, subject to the NIA's proposed mitigation measures being included as conditions of any planning approval. Given that EH, who provided expertise in this respective field and offered no objections, it is considered that subject to conditions being attached, it is considered that the proposal is acceptable in terms of noise impact on the future residents of the proposed apartments.

Regarding impact on the amenity of neighbouring residents, because of the proposed works, the neighbouring building to the south-west, No. 7 Duke Street, is currently in use as an entertainment premises. The commercial nature of this building is noted. No. 15 Duke Street abuts the application site to the north-east and is a residential dwelling. The agent has provided existing and proposed floor plans of the proposal in relation to No. 15.

The relationship between No. 15 Duke Street and the application site (rear) is shown below.



There is an existing outbuilding within the yard of No. 15 Duke Street, and the common boundary between No. 15 and the application site is defined by a wall approximately 3 metres in height. The application building also contains an existing two-storey flat-roof rear extension. The adjoining property known as 'Graffiti Street' abuts the application site and has a ridge height of approximately 4.9 metres. The extent of the proposed rear extension and its potential to result in some additional overshadowing of the private amenity space and rear-facing habitable room windows at No. 15 Duke Street is noted.

However, consideration must be given to the established site context, where it is evident that this terrace has been subject to a range of rear extensions and alterations over time. The existing dense urban grain has already resulted in a degree of mutual overlooking and overshadowing between properties. Having regard to the scale of the proposed development in comparison to that existing, and taking account of the path of the sun, it is considered that, on balance, any additional impact would not be so significant as to warrant refusal on these grounds.

No. 17 Duke Street is sufficiently separated from the application site to alleviate any concerns regarding loss of light, privacy or overshadowing.

No side or rear windows are proposed as all internal bedrooms are served by two internal light wells. As such, there is no unacceptable overlooking resulting from the proposed development. The proposals are considered to meet criterion (h).

(i) the development is designed to deter crime and promote personal safety

The proposal is considered to comply with this criterion whereby the access to all the apartments is via an access straight onto Duke Street which, due to the town centre location, provides sufficient surveillance.

Overall, the proposal complies with Policy QD 1.

PPS7 (Addendum) - Safeguarding the Character of Established Residential Areas

Policy LC 1 of the PPS 7 Addendum states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

- (a) the proposed density is not significantly higher than that found in the established residential area;
- (b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and
- (c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

Paragraph 2.4 of Policy LC 1 further states that when considering an increase in housing density in established residential areas, great care should be taken to ensure that local

character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents.

The current proposal involves the creation of six apartments, comprising two 2-bedroom (4-person) units and four 1-bedroom (2-person) units, replacing an existing residential unit. Given the existing mix of apartment types in the town centre, it's considered that the proposed density is not significantly higher than that typically found in the established residential area. Furthermore, the pattern of development is considered to be in keeping with the overall character and environmental quality of the surrounding area.

In terms of internal unit size, Annex A sets out minimum floorspace requirements of 70-75sqm for 2-bedroom (4-person) apartments and 50-55sqm for 1-bedroom (2-person) apartments. The 2-bed units meet exceed their minimum threshold and the 1-bed units are negligibly smaller than the lower end of it's minimum threshold.

Accordingly, the proposal is considered to comply with Policy LC 1.

PPS 2 Natural Heritage

PPS2 sets out the planning policies for the conservation, protection, and enhancement of Northern Ireland's natural environment. The policy aims to safeguard biodiversity, geological features, and natural landscapes from inappropriate development, while promoting sustainable use and enjoyment of the natural environment. PPS2 provides the framework for assessing potential impacts on designated sites, habitats, and species, ensuring that development proposals respect and enhance natural heritage values. The site is in close proximity to designated sites namely the Carlingford Lough Area of Special Scientific Interest (ASSI).

The scale and nature of the proposal is also noted whereby airborne pollutants resulting from the development is not considered to be an issue. 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). It is not considered that the proposal will have a likely significant effect on this site or any other European Sites.

Policies NH 2 and 5 of PPS 2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance. This includes species protected by law. A Biodiversity Checklist, Bat Roost Potential and Bat Report were submitted.

Question 1 of Part 2 of the submitted Biodiversity Checklist was ticked 'yes', as the terrace units to be demolished are dated pre-1914 and are within 400m of water. Therefore, the applicant instructed MCL Consulting to carry out an Environmental

Statement and Bat Roost Potential report. As the structure exhibited bat roosting features a bat survey was required. The bat survey observed no emergence or re-entry and no roosts were found. NED stated that they were content that the proposed development is unlikely to significantly impact protected or priority species or habitats. It is therefore considered that the proposal is not contrary to the provisions of Policy NH2 & NH5.	
Neighbour Notification Checked	Yes
Summary of Recommendation The proposed scheme is acceptable in that retailing is to be promoted within town centres and 'Living Over the Shop' is also encouraged under PPS 12 as a sustainable form of development. The scheme will not create any negative amenity issues for neighbouring residents or future residents of the proposed apartments. The design and use of materials are considered appropriate to the setting, maintaining and enhancing the character and appearance of the Area of Townscape Character. The proposal is considered to comply with all prevailing planning policies. As such, approval is recommended.	
Conditions: 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The external walls to the rear and exposed side elevations of the development shall be constructed as fixed cavity walls providing a minimum sound reduction performance of Rw 57dB, as specified in Section 5.1 of the Noise Impact Assessment by Irwin Carr Ltd (Ref: Rp002N 2023038). The approved acoustic construction details shall be implemented in full prior to occupation of the residential units and thereafter retained. Reason: To protect residential amenity from external noise sources. 3. Prior to occupation of the residential units, an acoustic ventilation system shall be installed and fully operational, providing whole-dwelling ventilation, extract, and purge ventilation rates in accordance with the specifications outlined in Table 4 of the Noise Impact Assessment by Irwin Carr Ltd (Ref: Rp002N 2023038) and compliant with Technical Booklet K. The system shall be maintained in accordance with manufacturer's instructions and retained thereafter.	

Reason: To ensure adequate internal acoustic comfort while providing suitable ventilation in accordance with Technical Booklet K.

4. The residential accommodation shall be designed and constructed so that internal ambient noise levels do not exceed the guideline values in BS8233:2014 and WHO Guidelines for Community Noise, namely:
 - 35dB LAeq,16hr for living rooms (07:00–23:00)
 - 30dB LAeq,8hr for bedrooms (23:00–07:00)

A post-completion verification report by a suitably qualified acoustic consultant shall be submitted to and approved in writing by the Planning Authority prior to occupation of the residential units hereby approved.

Reason: To ensure internal noise levels meet WHO and BS8233:2014 standards.

5. The development shall be designed and constructed so that entertainment noise from adjacent premises does not exceed the NR20 curve within any habitable room of the proposed residential units, as demonstrated in Section 5.3 and Figure 3 of the Noise Impact Assessment (Irwin Carr Ltd, Ref: Rp002N 2023038). Verification of compliance shall be provided to the Planning Authority prior to occupation.

Reason: To ensure noise from adjacent entertainment premises does not cause adverse impact on residential amenity.

6. No alterations to the approved acoustic construction, ventilation systems, or glazing specifications shall take place without the prior written consent of the Planning Authority.

Reason: To ensure continued compliance with approved noise mitigation.

7. The windows, doors, external joinery and rainwater goods of the development hereby approved shall be constructed and finished in the materials and colours as specified on Drawing No. 3261 PL FP Rev. D (proposed floor plans, sections, site plan and elevations), date stamped 6th October 2025. The approved materials shall be implemented in full prior to occupation of the development and shall be retained thereafter unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the development respects the character and appearance of the Area of Townscape Character.

8. The ground floor unit hereby approved shall be used only for any use contained within Use Class A1 of the Schedule to the Planning (Use Classes) Order (NI) 2015.

Reason: To prohibit a change to an unacceptable use within this Use Class.

9. The development hereby approved shall not commence on site until full details of foul and surface water drainage arrangements to service the development, including a programme for implementation of these works, have been submitted to and approved in writing by the Council.

Reason: To ensure the appropriate foul and surface water drainage of the site.

10. No part of the development hereby permitted shall be occupied until the drainage arrangements, agreed by NI Water and as required by the Planning Condition above, have been fully constructed and implemented by the developer. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure the appropriate foul and surface water drainage of the site.

Case Officer Signature:



Date: 7 November 2025

Appointed Officer Signature: M Keane

Date: 07-11-25

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures

Date

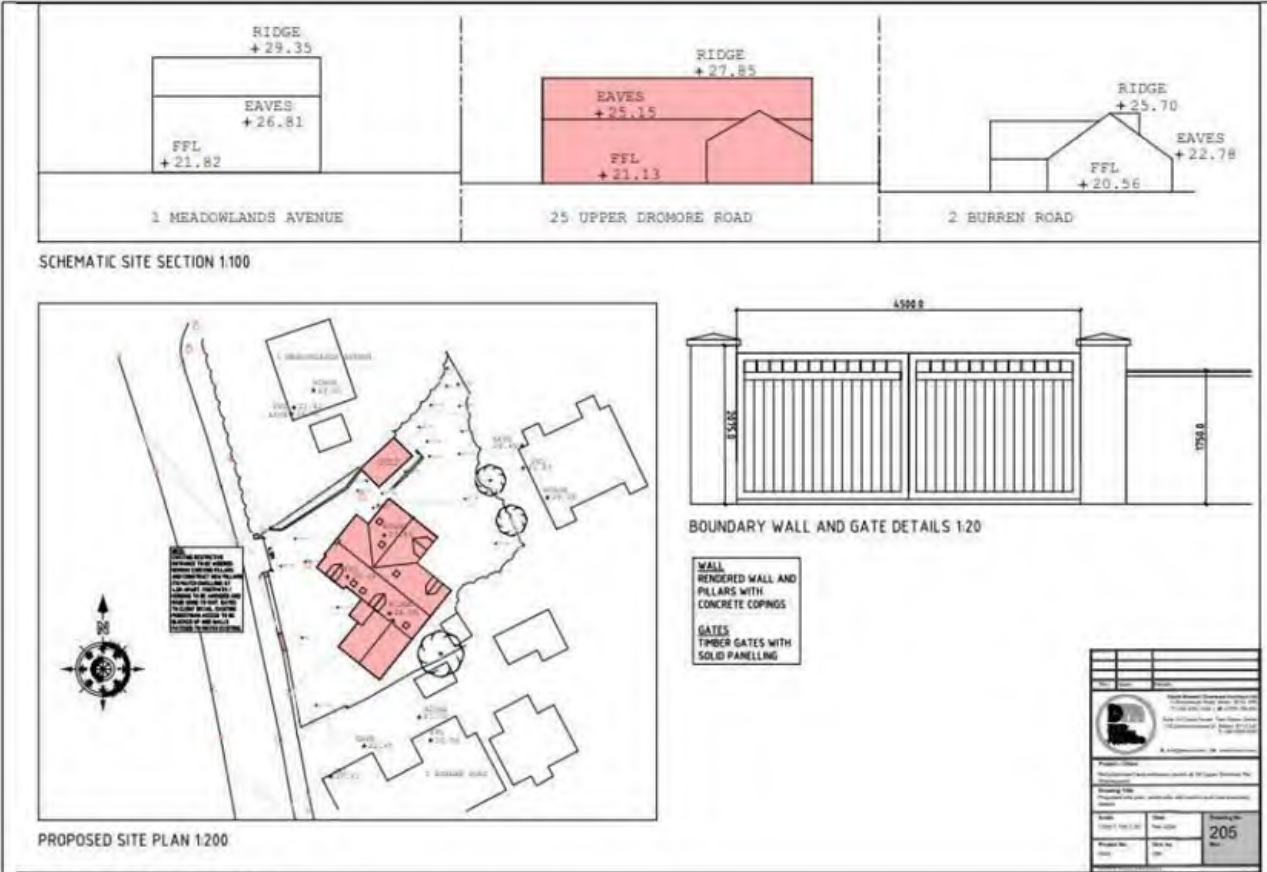
Application

Development Management Officer Report	
Case Officer: Rhys Daly	
Application ID: LA07/2024/0642/F	Target Date:
Proposal: 1 1/2 storey extension to front, rear and side of existing dormer bungalow, internal remodelling and refurbishment	Location: 25 Upper Dromore Road Warrenpoint BT34 3PW
Applicant Name and Address: Lionel Humphris 25 Upper Dromore Road Warrenpoint BT34 3PW	Agent Name and Address: David Maxwell Architect Ltd 12 Ballyblagh Road, Newry, BT34 1RR
Date of last Neighbour Notification:	18/08/2025 (New amendments submitted there re notification was needed)
Date of Press Advertisement:	19 June 2024
ES Requested: No	
Consultations: No consultees were considered necessary for the following application.	
Representations: 13 neighbours were notified as part application process. 2 representations were received, 1 in objection to the following application and 1 in support. The supporting representation stated they would be pleased this property will be extended & improved and will be looking forward to seeing the completed project. The objection highlighted concern in relation to the proposed works invading privacy with overlooking, block light into their property and that it would be intrusive. All of these points have being taken into consideration when accessing this application. The agent was notified of the Departments concerns regarding the proposed works to the dwelling including scale, design, dominance and overlooking. The agent submitted plans on 12/08/2025 and this is what the decision is based on.	
Letters of Support	1
Letters of Objection	1
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Site Visit Report

Site Location Plan:





Date of Site Visit:

Characteristics of the Site and Area

The application site is located within the settlement development limits of Warrenpoint as defined within the Banbridge, Newry and Mourne Area Plan 2015. The application site is located within an Area of Outstanding Natural Beauty.

The site is located just off Upper Dromore Road and comprises a detached dwelling, which primarily appears single storey in form with a modest single upper floor dormer window to the front and rear, with a detached garage to the side. There is a garden to the front and rear and hardstanding for the parking and manoeuvring of vehicles within the site. The site fronts the Upper Dromore Road and shares a common boundary with 1, 2, 3 & 10 Burren Road, and 1 Meadowlands Avenue.

Description of Proposal

1 1/2 storey extension to front, rear and side of existing dormer bungalow, internal remodelling and refurbishment

Planning Assessment of Policy and Other Material Considerations

This application will be assessed under the following policy considerations:

- Strategic Planning Policy Statement (SPPS)
- Banbridge, Newry and Mourne Area Plan (2015)
- PPS 2: Natural Heritage
- PPS 7 (Addendum): Residential Extensions and Alterations

PLANNING HISTORY

Appeals

Application Number: 2003/A395 Decision: Planning Appeal Upheld Decision Date: 20 July 2004

Proposal: Erection of pair of semi-detached dwellings to replace existing dwelling Enforcement

Application Number: P/2003/0126CA Decision: Decision Date:

Proposal: Operational Devt

Planning

Application Number: P/1979/0986 Decision: Permission Granted Decision Date:

Proposal: SITE FOR BUNGALOW

Application Number: P/1974/0647 Decision: Permission Granted Decision Date: 21 November 1974

Proposal: PROPOSED EXTENSION TO EXISTING BUNGALOW

Application Number: P/1979/1283 Decision: Permission Granted Decision Date: 10 January 1980

Proposal: SITE FOR PLAYING FIELDS, CAR PARK AND PAVILION

Application Number: P/1985/0104 Decision: Permission Granted Decision Date: 13 March 1985

Proposal: IMPROVEMENTS TO DWELLING

Application Number: P/1987/1364 Decision: Permission Granted Decision Date: 17 December 1987

Proposal: Formation of New Access to Dwelling

Application Number: P/1993/1344 Decision: Permission Granted Decision Date: 16 February 1994

Proposal: Site for housing development

Application Number: P/1994/0765 Decision: Permission Granted Decision Date: 27 September 1994

Proposal: Erection of dwelling

Application Number: P/2002/1714/F Decision: Allowed Decision Date: 15 January 2004

Proposal: Erection of pair of semi-detached dwellings to replace existing dwelling

Application Number: P/2006/1685/F Decision: Permission Refused Decision Date: 22 October 2009

Proposal: Erection of 3 dwellings (reduced scheme)

Application Number: P/2014/0149/F Decision: Permission Granted Decision Date: 16 April 2014

Proposal: Retention of car repair garage which has been in existence 7.5 years

EVALUATION

Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is Banbridge, Newry and Mourne Area Plan 2015 as

the Council has not yet adopted a LDP. The site is located within the Warrenpoint settlement development limit. There are no specific policies in the Plan relating to the proposed use therefore this application will be assessed against regional planning policy.

Strategic Planning Policy Statement (SPPS)

As there is no significant change to the policy requirements for the proposed alteration and extension of a dwelling following publication of the SPPS, the retained planning policies are PPS2 Natural Heritage and PPS7 Addendum Residential Extensions and Alterations. These policies will be given substantial weight in determining the proposal in accordance with para 1.12 of the SPPS.

As outlined above there are several elements to this proposal including raising both the eaves and ridge height of the dwelling with the introduction of new upper floor windows, an extension to the front and rear and reconfiguring the internal layout with various new openings and finishes.

PPS 2 Natural Heritage

NH6- Areas of Outstanding Natural Beauty

Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and*
- b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and*
- c) the proposal respects:*
 - *local architectural styles and patterns;*
 - *traditional boundary details, by retaining features such as hedges, walls, trees and gates; and*
 - *local materials, design and colour.*

The proposed works are to all parts of the existing dwelling with the ridge being increased, and a front extension and rear extension. The site opens directly onto the road and will be visible approaching the site from both directions on the Upper Dromore Road.

The works to the dwelling are considered to be significant in relation to that pre-existing, however the character of this road is also noted, which includes a varied mix of house types, styles, age, design and finish.

While the site is readily visible and the works proposed are extensive, having account the character of the wider area, on balance, it is considered the siting and scale of the works will not be unduly unsympathetic to the character of this AONB setting, whereby the design and style are in keeping with that found in the area thus are considered to be respectful.

Policy NH 5 - Habitats, Species or Features of Natural Heritage Importance is also applied. The proposal doesn't involve the removal of any priority habitats. The site is not within any designated sites and is not hydrologically linked to any designated sites. The proposed extension is within the established dwelling curtilage and is domestic in scale and nature extending over, forward and back of that existing, using the garden and driveway area. It is considered therefore the proposals do not offend policy NH5 of PPS2.

PPS7 (Addendum) EXT1: Residential Extensions and Alterations

Policy EXT1 of PPS 7 (Addendum) states that permission will be granted for a proposal to extend or alter a residential property where specific criteria are met.

- a) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;*

As stated above the site comprises a detached dwelling at present which largely appears single storey in form with a modest sized dormer to the front and rear.

The works proposed include a major overhaul of this existing dwelling and although comprise an extension, will bear little resemblance to that currently existing.

While the character of the wider area and mix of house types and sizes are noted, the constraints of each site vary.

While there is no objection in principle to alterations and extensions to this property, it is considered the scale and extent of the works are excessive and are unsympathetic to the built form and appearance of the existing property.

The general size of the proposed extension and works to the dwelling is larger than the existing house and will dominate the character of the existing property. The dwellings ridge will be increased by 1.5m by the upper floor extension with the front and rear extension being below the ridge height. An extension or alteration should not be so large or so prominent as to dominate the host property or its wider surroundings. Proposals in an urban context should not overdevelop the site in terms of massing, and plot size.

The extension to the front will extend from the host dwelling building line. This front extension will extend out 6.3m, 8.5m wide and a ridge height of 4.9m. Extensions to the front of a property require great care as the front elevation is often the most visible to public view. This design will upset the architectural integrity of the existing property and have an intrusive effect on the street scene. The extension will extend out from the host dwelling line which is restricted due to the negative impacts on the streetscape along Upper Dromore Road.

The rear extension will have ridge height of 7m comprising 2 floors of accommodation, and although will be set down from the proposed raised ridge and new roof, is effectively higher than that existing, which is again reflective of the size and extent of the works proposed.

The existing finishes on the dwelling will be changed. These finishes consist of concrete roof tiles which match the existing with a flat metal roof over the front porch, and the walls will have new smooth render with small areas of stone cladding and timber. The completed dwelling will have all same finishes when completed which will allow it fit in with the host dwelling.

The detailing in regard to the window openings has also been assessed, to facilitate the integration of an extension or alteration with the existing property, new windows should be aligned to the existing fenestration and match the symmetry of the existing dwelling. The windows on this proposal are not proportionate, comprising various shapes and sizes, however having account the vary urban nature and grain of the area with varied house types and styles, it is considered the design and window detailing will not unduly adversely impact on the character of the area.

(b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;

The works proposed include alterations and extensions to the upper floor (raising the roof), with extensions to the rear and front and general refurbishment and internal alterations.

The site fronts the Upper Dromore Road and shares a common boundary with 1, 2, 3 & 10 Burren Road, and 1 Meadowlands Avenue.

The side boundary adjoins the terrace of 1-3 Burren Rd, which comprise a row of 3 modest dwellings whereby the rear gardens of these properties adjoin the side boundary of the application site. The application site enjoys a slightly elevated position above this terrace.

The proposed front extension will extend out from the host dwelling into the existing garden area. Due to the shape of the site and siting and angle of the dwelling, this forward projection will reduce the separation distance between the dwelling and the neighbouring properties to the south of the site (No.s 1-3). This forward projection will be sited very close to the boundary adjoining the terrace, and although will be single storey, its size and height, and elevated nature are such that it is considered will create and result in an unduly dominant feature when viewed from the rear private amenity space of these properties. While it is noted the side gable of this forward extension will only include an en-suite window, it is considered the windows to the front will enjoy direct views into the rear garden of the adjoining properties thereby result in unacceptable overlooking. The layout of the existing dwelling and its spacing to the common boundary has been, whereby it is considered the forward projection and also proposed new ground floor bedroom opening on the side gable as a result of the internal refurbishment will result in unacceptable overlooking. The new stairwell window will have opaque glazing thus will not create any unacceptable impact.

The site also adjoins no.1 Meadowland Avenue to the far side, whereby the side gable of the dwelling will face this northern common boundary with No.1. This boundary is screened by mature trees, thus it is considered there will be no unacceptable impact

on privacy, loss of light or dominance as a result of the proposed works, which include new openings on the side gable as well as the raising of the roof and front and rear extension. The proposals include a 2 storey return to the rear. The ground floor will serve the family play room with 2 window openings and upper floor the master bedroom with en-suite and dressing room which will have 1 window serving it. Along the rear boundary an existing mature hedge will provide screening for the rear elevation as well as a sufficient separation distance between the proposed works and the rear common boundary, which together will ensure no unacceptable impact will result on the amenity of this property beyond in terms of overlooking, overshadowing or dominant impact. The remaining windows to the front as a result of the works proposed will primarily overlooking the application site and towards the street, with no undue impact resulting. The side gables of this rear return face towards the terrace of 1-3 and no.1 to either side. The side gable facing no.1 will be blank, while that facing no.1-3 will include glazing on both floors. It is considered the separation distance of this rear return to the common boundary adjoining no.1-3 is sufficient to prevent any unacceptable overlooking, overshadowing or dominant impact in this urban context. The works also include alterations to the roadside boundary with the access widened, pedestrian access removed and a new 1.75m high boundary wall, which will replace the existing wall and boarded fencing. Having account the existing site characteristics and character of the area it is considered these works will not result in any unacceptable impact on the areas character. <i>c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality;</i> There is no loss or damage to trees or landscape features which contribute significantly to the local environmental quality as a result of this proposal. All works are proposed within the dwelling curtilage. <i>d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.</i> There will remain adequate space for the applicant to park their vehicles as well for the enjoyment of the garden and normal domestic activities such as storage of bins.	
Neighbour Notification Checked	Yes
Summary of Recommendation The Departments recommends a refusal for this application.	
Reasons for Refusal:	

1. The proposal is contrary to the SPPS and the Addendum to Planning Policy Statement 7: Policy EXT 1 Residential Extensions and Alterations in that the scale, massing and design of the proposal is not sympathetic with the built form and appearance of the existing property and will detract from the appearance and character of property and the surrounding area.
2. The proposal is contrary to the SPPS and the Addendum to Planning Policy Statement 7: Policy EXT 1 Residential Extensions and Alterations in that the proposed extension will unduly affect the privacy and amenity of the neighbouring residents within No.1-3 Burren Rd, by reason of overlooking and dominance.

Case Officer Signature: R.Daly

Date: 19 September 2025

Appointed Officer Signature: M Keane

Date: 19-09-25

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures

Date

LA07/2024/0642/F Extension to 25 Upper Dromore Road, Warrenpoint

- Planning permission is sought to modernise, revamp, alter and extend a family home in a residential area that is not distinctive in terms of its townscape or character. The existing dwelling is a single storey building, fronting onto one of the main arterial routes into Warrenpoint. It is a suburban bungalow finished with pebbled dash, mahogany-coloured PVC windows, profiled clay roof tiles and it features a large and prominent flat-roofed dormer to its front and another to the rear. This combination of materials and finishes, and the flat-roofed dormer do not contribute positively to the Area of Outstanding Natural Beauty within which the dwelling is situated.
- The applicant proposes to raise the ridge of the dwelling, and to add traditional dormers to the roof. A small frontal extension is also proposed. The proposal is very similar to a completed project opposite, on Upper Dromore Road.
- It is believed that the fundamental reason this application is being resisted is because the ridge of the existing house is being increased. That, however, is not something that is precluded by planning policy. Increasing the height of a dwelling has been the predominant way houses have been extended in rural Ireland and is one characteristic of vernacular architecture.
- Officers' opinion appears to be that increasing the height of a dwelling is not tolerable. That is not supported by planning policy, and Members are open to apply their own judgement in this regard.
- This proposal will make a positive contribution to the character and appearance of the area in general, and will be in harmony with the similar property opposite although its palette of materials and finishes will be simpler and more in keeping with the Area of Outstanding Natural Beauty. The proposal will resemble a typical rural dwelling, despite being subject to lesser design standards in this suburban area of no distinctive townscape character.
- Because the proposal is on a tight site, the applicant has been exceptionally careful in commissioning a sensitive design.
- The height of the proposal, per se, is not an issue, given the two storey dwelling to one side. The main objectives have been: to avoid overlooking and compromising adjacent residents' privacy; to avoid dominating the open spaces in the gardens of the adjacent properties; to avoid any loss of daylight and to avoid overshadowing the adjacent properties. The applicant has been successful on all fronts.
- The northern boundary is protected by a line of high trees. This screening protects the amenities of No. 1 Meadowlands Avenue (the two storey house). It will be retained.
- Because the site is north of 1, 2 and 3 Burren Road, the potential for loss of direct sunlight is diminished – the evening sun will have set without lining up with the houses next door and the site.
- While there is a high level window in the gable of the proposal, this serves a stairwell. Its function is to allow the light to the interior of the house. It is not in a habitable room and is not a room in which occupants would spend prolonged periods of time looking towards the adjacent properties.
- The applicant had earlier been informed of design concerns by the planning department, and was also mindful of a third party objection having been submitted. Accordingly, revised plans were submitted but these have unfortunately not satisfied the planning department.
- The case officer report recognises that *"the siting and scale of the works will not be unduly unsympathetic to the character of this AONB setting, whereby the design and style are in keeping with that found in the area thus are considered to be respectful"* yet the refusal reasons suggest that the scale, massing and design of the proposal is not sympathetic

with the built form and appearance of the existing property and will detract from the appearance and character of property and the surrounding area. On that matter, officers' recognition that NH 6 of PPS 2 (which deals with the Area of Outstanding Natural Beauty) is satisfied undermines the concerns pertaining to scale, massing and design.

- Officers consider the scale and extent of the works are excessive and are unsympathetic to the built form and appearance of the existing property. However, the existing dwelling is not architecturally distinctive and requires no protection whatsoever given the combination of discordant materials, finishes and detailing.
- The planning reports indicates that officers believe the general size of the proposed extension and works to the dwelling are larger than the existing house and will purportedly dominate the character of the existing property. Had this been an application for a replacement dwelling, it is believed there would be no concerns whatsoever. Some account needs taken of that, with account also needing to be taken of the small size of the existing dwelling. Some weight must also be given to the concepts of planning gain and betterment: the proposal will be a positive change in this streetscape whereas the existing dwelling contributes nothing.
- The proposal will not be dominant in the street scene. The increase in ridge height is only 1.5 metres. The proposal will still be lower than the adjacent dwelling. Increasing the dwelling's height is preferable to over-developing the site.
- The case officer report recognises that the design and window detailing "*will not unduly adversely impact on the character of the area*", again undermining the refusal reason that suggests problems with scale, massing and design.
- The suggestion that ground floor windows will result in unacceptable overlooking can be easily addressed by a 2 metre high fence, which would not require planning permission but could be secured by way of planning condition. In any case, there are outbuildings to the rear of No's 1 and 2 (thereby preventing direct overlooking).
- It is suggested the design will upset the architectural integrity of the existing property and have an intrusive effect on the street scene. However, the existing dwelling has no architectural integrity whatsoever. As for the intrusive impact on the street scene, the front extension will not be visible from the northern approach due to the screening. On the southern approach the front extension will largely be shielded from views by No. 1 Burren Road.
- While we do not disagree with officers' comment that extensions to the front of a property require great care as the front elevation is often the most visible to public view, in this case the requisite degree of care has been placed upon the street scene. In this suburban context, front projections are not uncommon and we ask Members to set these concerns aside in recognition of the fact the area is not one of distinctive townscape character.
- While the applicant has amended the proposal previously, we are open to any meaningful and reasonable concession the Committee might recommend. In the event that Members feel that the issues are site-specific and warrant a site visit, the applicant would welcome this opportunity.
- We thank you for your time and consideration in this matter and in the event you require anything further please feel free to ask any questions.

Delegated Application

Development Management Officer Report	
Case Officer: Rhys Daly	
Application ID: LA07/2024/0927/O	Target Date:
Proposal: Erection of dwelling and garage on a farm	Location: 45 M South West of 30 Brackenagh East Road, Ballymartin.
Applicant Name and Address: Brian Rooney 23 Brackneagh East Road Ballymartin BT34 4PT	Agent Name and Address: John Cole 12A Duke Street Warrenpoint BT34 3JY
Date of last Neighbour Notification:	14 February 2025
Date of Press Advertisement:	11 September 2024
ES Requested: No	
Consultations: DfI Roads – were consulted as proposed new access for the application. The first consultation they requested further information. The agent submitted amendments and DFI Road were reconsulted and had no objection. DAERA – Farm business ID has been established greater than 6 years ago and has claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years NI Water – No objection NIEA – Standard Advice Historic Environment Division – No objection Council Environmental Health – Advice in relation to package treatment plant and neighbouring dwellings. Standing advice in relation to farm dwellings.	
Representations: Three neighbouring dwellings have been notified and the application was advertised in the local press and one letters of representation have been received from one address. Key issues are summarised below: • Green belt location ◦ There are currently no greenbelt areas in the countryside of Northern Ireland. • Flood risk currently on the site and increased risk if developed. ◦ The application site is not within an area prone to flood risk. • Road safety issues relating to site traffic and access located on a corner. • Attraction of pests particularly flies and may create rat nesting opportunities impacting on the amenity of existing residents.	

o Control of pests is a developer responsibility and does not fall within the remit of planning. Another representation in objection to the application. Within this representation they stated the site history, the dwellings causing the splays to be hazards, blocking corner views. All of the above has been considered in the processing of the application and relevant consultations in response to some points raised. The point referring to blocking of view, this is not a material consideration within Planning and therefore cannot be considered in the assessment of this application.	
Letters of Support	0.0
Letters of Objection	1
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Site Visit Report	
Site Location Plan:  O.S. plan 279-09 NE scale 1 : 1250 L.N. 3423	
Date of Site Visit: 30th January 2025	
Characteristics of the Site and Area The application site is located 45m southwest of No. 30 Brackenagh East Road, Ballymartin. This is a countryside location beyond any development limits as identified in the Banbridge/Newry and Mourne Area Plan 2015 and is within the Mournes AONB as identified in the Plan. The application site is a section of a larger agricultural field, with the northern boundary defined by a 1.5 metre dry stone wall. The remaining boundaries of the application site are undefined,	

however a dry stone wall transects the application site. The topography of the site is largely flat, with the lands falling away gradually to the south and west beyond the application site.

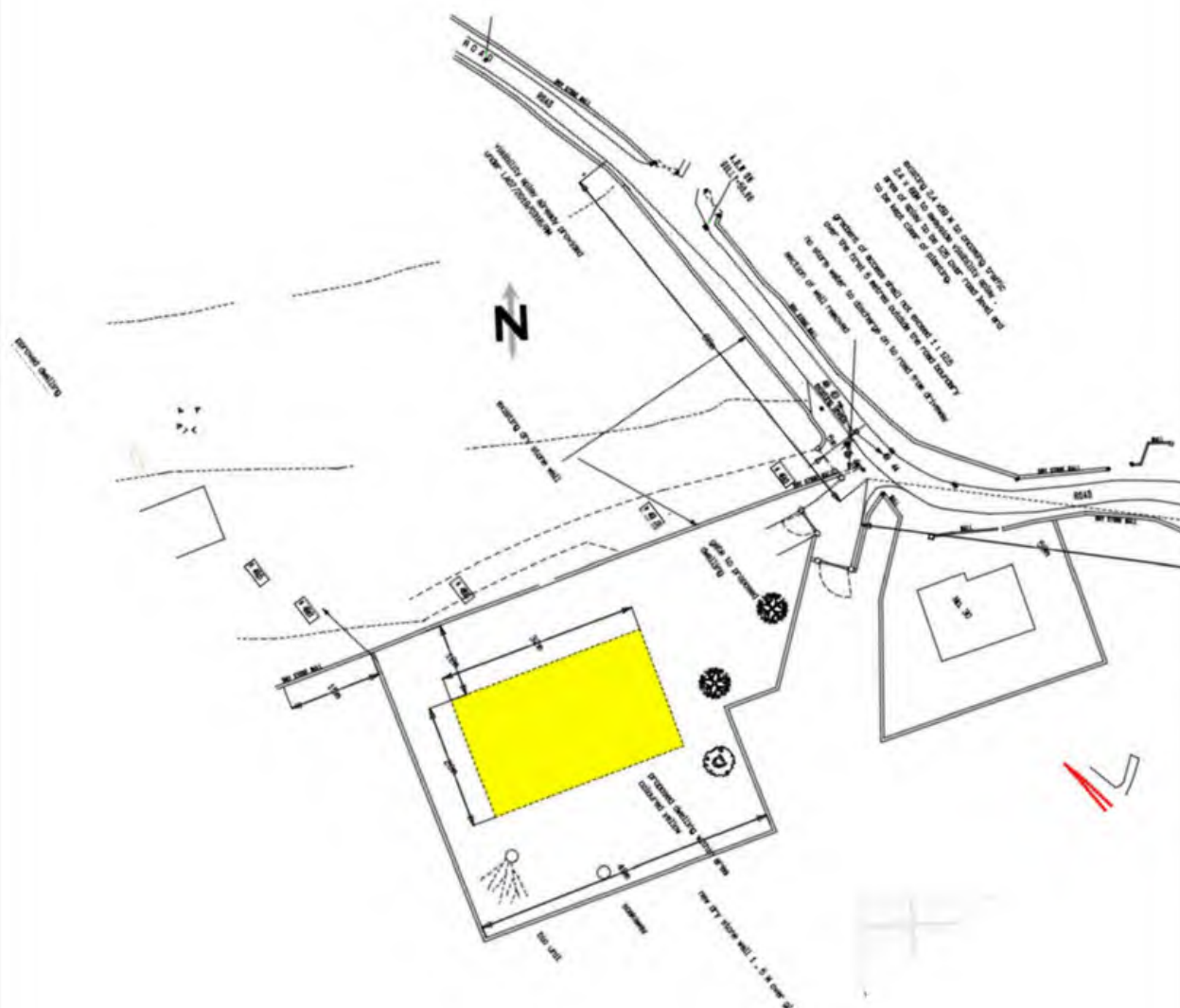
The surrounding location is countryside, characterised by open fields carved up by dry stone walls, single dwellings and farm buildings. The farm group is located over 100 metres to the southeast of the application site and across the Brackenagh East Road to it.





Description of Proposal

The application seeks outline planning permission for the erection of a dwelling and garage on a farm.



Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

Application Number: P/2010/1036/F

Decision: Permission Granted

Decision Date: 07 November 2011

Proposal: Site for a dwelling on a farm

Application Number: LA07/2015/1204/O

Decision: Permission Granted

Decision Date: 05 May 2016

Proposal: Renewal of planning approval P/2012/0867/O for dwelling on a farm

Application Number: LA07/2018/1567/O

Decision: Permission Refused

Decision Date: 07 March 2019

Proposal: Site for a off site replacement dwelling and domestic garage

Application Number: LA07/2019/0316/RM

Decision: Permission Granted

Decision Date: 24 May 2019

Proposal: Dwelling on a farm

Planning Assessment of Policy and Other Material Considerations

Assessment:

Banbridge Newry and Mourne Area Plan 2015

Strategic Planning Policy Statement for Northern Ireland

Planning Policy Statement 21

Planning Policy Statement 6

Planning Policy Statement 3 / DCAN 15

Planning Policy Statement 2

Building on Tradition

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The potential impact of this proposal on European Sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended). The proposal would not have any likely significant effect on the features of any European Site.

The site lies within the Mourne AONB as designated in the Banbridge Newry and Mourne Area Plan 2015. There are no site-specific objections to the proposal with regard to the Area Plan and decision making is designated to the retained policies below.

Principle of Development

PPS 21 Sustainable Development in the Countryside is the relevant planning policy in determining the principle of development for this proposal. Policy CTY 1 gives a number of opportunities for housing development in the countryside.

The relevant planning policy for the assessment of this planning application is policy CTY 10 of PPS 21. The policy lists a number of requirements that must be met in order for the principle of development to be established. Firstly, it has been demonstrated by means of the submission of the applicant's farm business ID in consultation with DAERA, that the farm business has been active and established for each of the last 6 years. The second criterion requires that no development opportunities have been sold off the farm holding in the last 10 years. Having thoroughly checked the lands within the farm holding, it does not appear that any such opportunities have been sold off the farm in the last 10 years.

Lastly, the policy requires that the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. In this case, there is a separation distance of over 100 metres (as the crow flies) from the main farm holding and is located on the opposite side of the Brackenagh Road East to the established group of buildings on the farm as shown in fig. 1.



Fig. 1: Application site in relation to established group of buildings on the farm.

In the first instance, it is not disputed that Criterion (c) of policy CTY 10 of PPS 21 states that exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings

on the farm or out-farm, and where there are either: demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group(s).

It is noted that the applicant has submitted a health and safety statement and supporting statement to support this off-site location. In the supporting design and access statement, it points to the health and safety statement to demonstrate that health and safety reasons for this off site location. It also states fields number 116/5, 116/6 and 116/14 are to the rear of a very busy farm yard and would not be a safe access for a dwelling. A house positioned in these fields would not be acceptable to a mortgage lender for finance. Financial conditions for lending are not a material planning consideration and therefore will not be given any weight in overruling the policy requirement for visual linkage or sited to cluster with an established group of buildings on the farm.

The submitted health and safety document breaks down the health and safety hazards into 5 key areas consisting of: livestock movement; farm vehicle traffic; noise and dust; slippery surfaces; and chemical exposure. The document then breaks each hazard down into the corresponding risks, likelihood and mitigation measures. It must be accepted that due to the nature of farming activity, there is a degree of hazard involved and unless the health and safety risks of the farm are exceptional, criterion (c) of Policy CTY 10 requiring the dwelling to have visual linkage or sited to cluster would carry no weight in the assessment of the siting of such dwellings. The risks identified within the health and safety document are generic farm hazards with associated risks that would not elevate the necessity of an off-site replacement any greater than any other application for such a principle of development. The application site as shown in fig. 1 is so far removed from the farm and located across the public road to it that it has no degree of visual linkage and would be read in isolation.

It was pointed out to the agent that this siting location is not appropriate and there are identifiable lands within the farm group that a dwelling could be sited to cluster or visually link with as shown in fig. 2. The agent has explained that in their opinion these lands cannot be safely accessed through the farm based on the health and safety documentation, however the merits of these sites cannot be overlooked in the sense that due to the applicant meeting with criterion (a) and (b) of the Policy, the application site does not visually link, nor is it considered that the indicated health and safety need for this off site replacement is superlative to the policy requirements. It is noted that the consultation response from Environmental Health recommend a 75m separation distance from any farm building not associated with the applicant. This complements the requirements of the policy insofar as not including buildings that are associated with the applicant and therefore does not override the requirements of this policy.



Fig. 2: fields 116/6, 116/5 and 116/14 all provide opportunities to cluster with the established farm group.

It is therefore considered that the principle of development has not been established as the proposal has failed to meet with criterion (c) of Policy CTY 10.

Impact on the Character and Appearance of the Area

It is noted that this application seeks outline planning permission and therefore detailed plans have not been submitted in support of the application. An indicative siting location has been submitted and is shown in fig. 3.



Fig. 3 SCBUF based on existing and commenced buildings. Key:

Existing farm building	Commenced dwelling	Application site	Existing dwelling

It is considered that the development of the application site would have a significant impact on the character of the surrounding location for the following reasons: a dwelling in the application site would not be sited to visually link with the existing farm group; the addition to a ribbon of development resulting in a suburban style build-up of development when viewed with existing and approved buildings. All of which accumulatively do not respect the pattern of development in this countryside location and is unacceptable in this instance. The site is also effectively cut out of a field and will primarily rely on new planting for integration.

Impact on Neighbouring Amenity

It is noted that the abutting dwelling had provided objection to the proposal, with a summary of the key points of objection provided above. It is considered that there is a minimum of 40 metres between the closest point of this dwelling and the indicated siting location of the proposed dwelling. It is not considered that there will be any significant or unacceptable impacts on the amenity of the residents of this neighbouring dwelling due to the separation distances involved and also having account the topography of the landscape. Appropriate care in the window design should be

considered (should the application be granted outline permission) at the reserved matters stage.

PPS 6 Planning, Archaeology and the Built Heritage

The application site falls within the zone of influence for historic feature reference: DOW056:029 – CASHEL. DfC Historic Environment Division were consulted on the proposal and have provided no objection. The Planning Dept have reviewed this response and agree that the proposal will not offend the policies contained within SPPS and PPS 6 archaeological policy requirements.

PPS 2 Natural Heritage

Policy NH 6 of PPS 2 states that planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality. The policy then lists a number of other essential criteria that must be met. In this case, this is an outline planning application and no indicative plans regarding landscaping, finishes or appearance have been provided. Should outline permission be granted, a number of conditions are recommended to ensure any development within the application site is sympathetic to this location. However as outlined above the siting is considered contrary to various policies contained within CTY13 and CTY14 as well as CTY10, thus is considered contrary to policy NH6 also.

PPS 3: Access, Movement and Parking

DFI Roads were consulted and came back requesting amendments for splays. The agent was notified and submitted the amendments. Re-consultation was issued and there was no objection for the proposal.

RECOMMENDATION: REFUSE OUTLINE PLANNING PERMISSION

Drawing No.: 3423 PL1

Neighbour Notification Checked

Yes

Summary of Recommendation

For the reasons stated above, it is considered that the proposal fails to meet with the policy requirements of CTY 1, CTY 10 and CTY 14 of PPS 21 and NH6 of PPS2 and therefore it is recommended to refuse outline planning permission.

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being

considered as an exceptional case in that it has not been demonstrated that: the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm, there are other sites available at the group of buildings on the farm; and health and safety reasons do not exist to justify an alternative site not visually linked or sited to cluster with an established group of buildings on the farm and No verifiable plans exist to expand the farm business into the adjoining fields.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that: the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm, relies primarily on new planting for integration and therefore would not visually integrate into the surrounding landscape.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal result sin suburban style build up of development when viewed with existing and approved buildings, and will add to a ribbon of development.
5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY18 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal will result in ribbon development.
6. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH6 of Planning Policy Statement 2, Natural Heritage, in that the siting of the proposal is not sympathetic to the special character of this AONB setting.

Case Officer Signature: R.Daly

Date: 25/09/2025

Appointed Officer Signature: M Keane

Date: 25-09-25

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures

Date _____

Cole Partnership
Architecture and Project Management
 12A Duke Street Warrenpoint
 Co.Down BT34 3JY

117

Proposed dwelling on a farm 45 South West of No.30 Brackenagh East Road bally Martin. LA07/2024-0927/O

This is an outline planning application for a dwelling on a farm 45 South West of No.30 Brackenagh East Road Ballymartin. The applicant Mr.Rooney is owner of the farm and been farming at this location for over 30 years. The farm currently has 250 cattle as part of the working farm, livestock cross the farm yard on a numerous times every day. Agricultural machinery movements around the farmyard are constant.

The planning department are of the opinion that the proposal does not meet the criteria for a dwelling on a farm as it is not visually linked or clustered with the existing farm buildings, would not integrate into the surrounding landscape, would cause ribbon development and effect the ANOB.

Under CTY 21 of PPS 10 there are a number of criteria which have to be met for planning to be granted for a dwelling on a farm, has the farm been active for more than 6 years and no development opportunities have been sold off from the farm holding the last 10 years. The planning department are content that the application meets the first two criteria. The third criteria is that the proposal is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either: demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group.

The fields on the farm holding where a dwelling could potentially provide a visual link to the existing farm buildings are to the rear of the existing farm buildings and an active farmyard, fields 116/5, 116/6 and 116/14, the case officer also recommended this area as a suitable position for the proposed dwelling. The statement from CTY 21 'consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either: demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group' allows for a dwelling on a farm which would not be visually linked with existing farm buildings. The site chosen for the proposed dwelling is due to health and safety reasons.

The area recommended by the case officer means that a proposed dwelling would have to be accessed through an active farmyard with livestock and agricultural machinery movements. The policy goes further to state that 'Where an alternative site is proposed under criteria (c) which is removed from existing buildings on the farm, the applicant will be required to submit appropriate and demonstrable evidence from a competent and independent authority such as the Health and Safety Executive or Environmental Health Department of the local Council to justify the siting'. A Health and Safety risk assessment, completed by a certified Health and Safety Officer was provided with planning application clearly stating 'Allowing residential access through an active farmyard presents unacceptable health and safety risks. Constructing the dwelling on the proposed site will safeguard residents from these hazards and ensure compliance with health and safety standards.' The risk assessment table completed by the qualified Health and Safety Officer goes further to show the risks that would occur if a dwelling was to be accessed through the farmyard and recommends mitigation measures all of which emphasize that the dwelling should not be constructed with access through the farmyard.

The fields suggested by the case officer to the rear of the existing farm buildings would position a dwelling approximately 120m from the roadside with access through the active farm yard, the proposed site, chosen for health and safety reasons, would position a dwelling approximately 50m from the road side and provide direct access from the public road.

The applicant does not own any land to the boundary of his fields at the rear of the farm buildings which would allow for direct access to the road. The only way that a dwelling positioned in the fields to the rear of the farm buildings would be able to be access the main road would be through the existing farmyard. As mentioned previously this would pose a serious health and safety risk. This is an active farm with a large number of livestock using the yard on a daily basis and there is a constant movement of agricultural machinery across the farmyard

The case officer suggests in the report that the health and safety plan is generic. This health and safety risk assessment was carried out by a qualified health and safety officer with a NEBOSH qualification, would the planning department be able to confirm what health and safety qualifications and certification they have to comment that the submitted plan is generic. The reasons stated in the H&S plan provide evidence that an access through an active farm to a dwelling to the rear of the farm buildings as suggested in the case officers report would not be acceptable in any circumstance.

In planning approval P/2011/0909/F in the Mourne area where there is a lack of integration the case officer states 'I am satisfied that this dwelling integrates within the landscape equally as well as other dwellings in this locality' The planning department suggest that the proposed dwelling in this application would not visually integrate into the landscape and would rely primarily on new planting for integration. Very few of the dwellings along the Brackenagh East Road have any planting providing integration, in the wider area very few dwellings are integrated into the landscaped by planting. The dwellings in the area of the proposal and the wider Mourne mountain area are defined by Mourne granite stone walls. The proposal will have the same integration as the vast majority of dwellings in the area.

To the North of the proposal there are two farm sheds, to the East of the proposal there are three dwellings and to the South East is the farm dwelling and farm buildings. The proposal is positioned in the middle of this cluster of buildings. The proposal will not spread development out from the cluster of buildings, it is positioned sensitively in the middle and will not result in suburban style build up given that there is already a large number of buildings in this area.

In relation to ribbon development the case officers report states 'It is considered however, that the proposed siting location would contribute towards creating a substantial and built up frontage when read with the existing and approved buildings where development has commenced' The commenced development that the case officer is referring to has only been constructed to sub floor level.

The siting and character of the proposal is similar to all dwellings in the area. The proposal is for a storey and a half dwelling which would match the character of other dwellings in the area. The boundary of the proposal would be defined by mourne granite stone walls which again would meet the character of the area. The dwelling would be as integrated into the landscape as many of the other dwellings in the area, with no requirement for new planting to match the character of other dwellings in the area. As the proposal would match the characteristics of many of the dwellings and its position within a cluster of buildings it would have no detrimental effect on the ANOB.

From the information provided we feel that the proposal meets the criteria for a dwelling on a farm. The health and safety information justifies the chosen position of the site, the integration of a proposed dwelling will match the integration of the surrounding dwellings, the proposal will not result in ribbon development and will have no effect on the ANOB.

Delegated Application

Development Management Officer Report	
Case Officer: Elaine Eastwood	
Application ID: LA07/2024/1303/F	Target Date:
Proposal: Erect a dwelling and detached garage in partial substitution to the extant approval granted under LA07/2023/2687/O with access from the public road via an existing & improved access. Construction of a new access to serve an existing dwelling.	Location: 39 Bridge Road, Burren, Warrenpoint and lands immediately adjacent to and north of No.39 Bridge Road, burren, Warrenpoint
Applicant Name and Address: Padraig Cunningham 4 Woodbrook Park Warrenpoint	Agent Name and Address: Quinn Design & Engineering Services 36 Carrogs Road, Burren, Warrenpoint, BT34 3PY
Date of last Neighbour Notification:	23 April 2025
Date of Press Advertisement:	6 November 2024
ES Requested: No	
Consultations: • DFI Roads- No objections, conditions provided. • Environmental Health- No objections, conditions provided. • NI Water- No objections.	
Representations:	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: No objections from neighbours or consultees have been received.	

Site Visit Report	
Site Location Plan:	
	
Date of Site Visit: 31/07/2025	
Characteristics of the Site and Area The application site comprises of a vacant parcel of land located along Bridge Road. A wall is present to the rear of the site with temporary metal fencing towards the road side. The southern boundary with No 37 consists of wooden fencing with the northern boundary undefined. The application site is located outside any defined settlement limits and within the rural area.	

Description of Proposal

Erect a dwelling and detached garage in partial substitution to the extant approval granted under LA07/2023/2687/O with access from the public road via an existing & improved access. Construction of a new access to serve an existing dwelling.

Planning Assessment of Policy and Other Material Considerations

Planning History

Application Site:

LA07/2023/2687/O- 2 infill dwellings with detached garages and associated siteworks immediately adjacent to and N of no. 39 Bridge Road, Burren. Outline permission granted 1st March 2024.





No 39 Bridge Road:

LA07/2020/0984/O- Site for a replacement dwelling and detached garage at. Outline permission granted 25th September 2020.

LA07/2021/0508/F- Erect replacement dwelling and detached garage at 39 Bridge Road, Burren, Warrenpoint. Permission granted 10th September 2021.



Planning Policies & Material Considerations:

This application will be assessed under the following policy considerations:

- Strategic Planning Policy Statement (SPPS)
- Banbridge, Newry and Mourne Area Plan (2015)
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 6: Planning, Archaeology and the Built Heritage
- PPS 21: Sustainable Development in the Countryside
- DCAN 15: Parking Requirements
- Building on Tradition

Principle of Development

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 un-zoned. There are no specific policies in the Plan that are relevant to the determination of the application and it directs the decision-maker to the operational policies of the SPPS and the retained PPS21.

There is little change in the SPPS from that of the policies within PPS 21 and it is arguably less prescriptive, therefore PPS 21: Sustainable Development in the Countryside will provide the material considerations for this application.

As the application is for the infill of a site, the relevant policy would be Policy CTY 8 – Ribbon Development. This policy provides the criteria to be met in order to grant permission for an infill site.

In assessing proposals against policy CTY8, the PAC has set out four steps to be undertaken in order (e.g. in appeal decision 2016/A0040):

- a. Identify whether there is a substantial and continuously built up frontage.
- b. Establish whether there is a small gap site.
- c. Determine whether the proposal would respect the existing development pattern in terms of size, scale, siting and plot size.
- d. Assess the proposal against other planning and environmental requirements (typically, integration and impact on rural character). This approach will be followed below.

It was determined under LA07/2023/2687/O that there is a substantial and continuously built up frontage along Bridge Road consisting of No 37, 39 and cottage to the north. On balance it was considered the development of the application site and resulting 2 plots will not appear out of character of the pattern of development along this stretch of road. It therefore follows that this application for one dwelling out of two previously approved, is a small gap site within an otherwise substantial and continuously built up frontage.

However, under LA07/2023/2687/O the proposed access to each dwelling was served by two separate accesses running directly from Bridge Road into each site (which was in keeping with the character of this rural area). The proposal now submitted involves relocating the existing access which serves No 39 from the north of the site to the south of the site. It is proposed to reduce the curtilage of No 39 towards the northern corner of the site to allow the access to the new dwelling to be constructed where the access serving No 39 was previously in place. This new access effectively comprises and sweeps across a portion of the existing curtilage of the existing property, and will then result in this existing curtilage being reduced solely to accommodate this new access (which was not previously approved).

The Planning Department advised the principle of using an existing adjoining dwelling in such an arrangement, in order to gain access to a new dwelling is not an acceptable access arrangement in this rural context. Whilst an infill dwelling was previous approved on the site, the Planning Department consider the scheme as proposed is no longer in

keeping with the traditional development pattern in the area, would not integrate with the surroundings and would damage rural character.

The Agent contends that the provision of the visibility splay to the north of the access that has already been approved to serve the approved dwelling on the proposed site requires the removal of 50m of mature hedge to the north of the application site, significant earth works to lower the area adjacent to the public road to 150-250mm above adjacent road level and the construction of a new fence along Bridge Road. The Agent further advised that being able to leave 50m of mature hedge un-touched and not having to undertake significant excavations etc along Bridge Road would allow the proposal at hand to integrate with the surroundings to a better standard than what has been already been approved and that the retention of vegetation will lead to less damage to rural character in the area. It has also been stated that the proposal will result in an improvement to the existing access arrangement to No 39.

This application is in partial substitution to LA07/2023/2687/O and whilst this application may require less removal of hedgerow, the outline approval for the second infill dwelling remains valid and if developed would require the removal of this vegetation to achieve the required visibility splays. The dwelling and access at No 39 received approval under LA07/2021/0508/F and DFI Roads had no objections subject to conditions, it is therefore not a requirement to further improve the visibility splays for this dwelling.

The principle of using the curtilage of an existing adjoining dwelling in order to gain access to a new dwelling is not an acceptable access arrangement and is not typical of the area. The resultant access will sweep into the site from the south which does not respect the existing development pattern as this access arrangement is not evident in the locality. The proposal is considered to be contrary to Policy CTY8 as the proposal does not respect the existing pattern of development along the frontage.

Policies CTY13 & CTY14

Policy CTY13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. Policy CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

The proposed dwelling is one and a half storey with a ridge height of 7m above finished floor level. It includes walled dormers, single storey porch and return to the rear which is set down with chimneys on the ridge with internal chimney breasts. The dwelling is of similar design to adjoining No 39, whereby its size, design, scale proportions and appearance are considered appropriate for this rural location and are in keeping with the character of the area. A detached single storey garage is also proposed which is of relatively standard construction. The dwelling will not appear as prominent in the landscape comprising an infill, with built development to either end and a backdrop which together aids integration.

However, as outlined above, the proposed access arrangement is not considered acceptable as it does not integrate with the surroundings, doesn't respect the existing development pattern and does would damage rural character contrary to criterion d of Policy CTY13 and Criterion c and e of Policy CTY14.

Residential Amenity

It is considered the house type proposed, together with its size, layout, levels and spacing to any existing/approved site are such that no unacceptable impact will result in terms of overlooking, loss of privacy, overshadowing or dominant impact.

Policy CTY16

Planning permission will only be granted for development relying on non-mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem. The application has outlined on the P1 form that a WWTP is the proposed means of disposing sewage. Environmental Health have been consulted and are content with this arrangement subject to condition. It is considered that the application site is of a sufficient size to accommodate the dwelling and garage whilst also achieving sufficient separation distances between the proposed WWTP and adjacent properties. A condition could be attached to ensure that prior to commencement of development the applicant shall submit a copy of a consent to discharge for the proposed site.

PPS3

DFI Roads have been consulted and are content with the proposal in terms of Planning Policy Statement 3 requirements.

PPS2

The site is currently vacant and does not contain and landscaping features or potential habitats, it is noted further planting is proposed which will assist in the integration of the site while also creating a suitable habitat for various species.

Neighbour Notification Checked: Yes

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of PPS 21 Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would not respect the existing pattern of development along the frontage.

3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland (SPPS) and criterion d of Policy CTY13 and criteria c and e of Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
- ancillary works do not integrate with their surroundings
 - the proposal does not respect the traditional pattern of settlement exhibited in that area;
 - the impact of ancillary works would damage rural character.

Case Officer Signature: E. Eastwood

Date: 6 October 2025

Appointed Officer Signature: M Keane

/Date: 06-10-25

Details of Discussion:

Group decision:

Application LA07/2024/1303/F. Bridge Road, Burren. Applicant, Padraig Cunningham

No 39 Bridge Road was constructed as a replacement dwelling which was approved via planning ref LA07/2021/0508/F. No 39 and its associated garage are shown accurately on the OS map and site plan which were submitted with this application. No 39 is owned by the applicant, Padraig Cunningham. Visibility at the access which serves no 39 is sub-standard in both directions. When the former no 39 was replaced, the access was accepted by DFI Roads as no 39 was capable of occupation and because the new access represented a vast improvement compared to the existing dangerous vehicular access which served the former no 39.

The northern section of the current application site, and the plot beyond, have been the subject of a recent successful planning application which approved OPP for 2 infill dwellings. One of the dwellings was to be located in the northern portion of the current application site with the second to be located in the adjacent field to the north. The application was approved on 1st March 2024 under planning ref LA07/2023/2687/O.

The applicant, Padraig Cunningham, and his neighbour, Mr Gerard Fegan, submitted application LA07/2023/2687/O jointly with each benefiting from visibility over their respective lands. Mr Fegan no longer wishes to construct a dwelling on his land. As such, Mr Cunningham has submitted this application to allow him to proceed with a dwelling on his own land which already enjoys approval in principle via LA07/2023/2687/O.

The new dwelling will be served by the existing access which currently serves no 39. After visibility improvements which are now proposed, the access will achieve 2.4 x 75m visibility to the south, which is a marked improvement to the current standards achieved. No 39 will be served by a completely new access which will achieve 2.4 x 75m splays in both directions. The improvements in visibility which are required to facilitate the new access to no 39 will automatically increase visibility to the north of the access at no 37 from 2.4 x 49 to 2.4 x 75m.

Given the volume of traffic that uses Bridge Road on a daily basis, the increase in visibility at the accesses for 37 & 39 will make these accesses much safer for both the occupants of nos 37 & 39 and road users in general. They will also bring about a significant planning gain in terms of road safety. The planning department have overlooked this highly material consideration.

In short, the application site already benefits from OPP for an infill dwelling. DFI Roads are content with the proposed access proposals. The planning department have no issues or concerns relating to the design of the proposed dwelling or the proposed access which will serve no 39.

Re-purposing the existing access to serve the proposed dwelling, means the driveway leading to the proposed dwelling will skirt in through the corner of the curtilage of no 39. When travelling past the site, a road user would struggle to notice or even realise that the existing access no longer serves no 39. However, the planning department have elevated this very menial issue to a point where it has generated 3 refusal reasons. The department feel that the application is contrary to CTY 8 as the altered access would not be in keeping with the pattern of development in the area. We are advised that the application is contrary to CTY 13 & 14 as ancillary works relating only to the access would not integrate with the surroundings and that the driveway skirting in through the corner of the curtilage of no 39 would somehow damage rural character.

Policy CTY 8 deals with infill dwellings. In relation to the pattern of development, CTY 8 advises that a dwelling or dwellings will be permitted in certain circumstances “*provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size*”. When dealing with pattern of development in the area, Policy CTY 8 makes no reference to access or the siting of an access. It is very clear that pattern of development is judged against 4 clearly defined factors and access is not one of them. As such, the department’s refusal reason relating to CTY 8 is of no relevance.

Policy CTY 13 of PPS 21 “*Integration and Design of Buildings in the Countryside*” states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. It sets out seven circumstances where a new building will be unacceptable. The planning department have raised objections to the proposed new access under criterion (d) and they allege that ancillary works (the access) do not integrate with their surroundings. The planning department is content that the application complies with the other criteria in CTY 13.

Part 15 of the Planning Act (Northern Ireland) 2011 (the Act) says a “*building*” includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building. The proposed access does not fall within this definition of a building. As Policy CTY 13 relates solely to buildings, it does not apply to the access now proposed. As such, the refusal reason relating to CTY 13 is void. This approach is supported by a recent, un-challenged planning appeal at Comber.

In relation to CTY 14, the department allege that a very non descript access, which would be sandwiched in between 2 dwellings, would not respect the traditional pattern of development when viewed with existing buildings and that the access would in some way damage rural character.

Altering the existing access as described above will not increase views of the proposed dwelling above that which would have been anticipated when the outline application was considered. In fact, accessing the new dwelling as proposed will allow a very significant section of hedge along Bridge Road to be retained to screen the existing and proposed dwellings. This factor has unfortunately also been overlooked by the planning department.

The re-purposed access will involve the construction of a very short section of new fence/railings extending to approximately 12m in length to re-direct traffic into the proposed dwelling. No other discernible changes are proposed. Given that the access works will be located between 2 new dwellings and the works will be hard to discern, the applicant contends the access could not give rise to the concerns the department raise re CTY 14.

CTY 8 has clearly been mis-interpreted by the planning department.

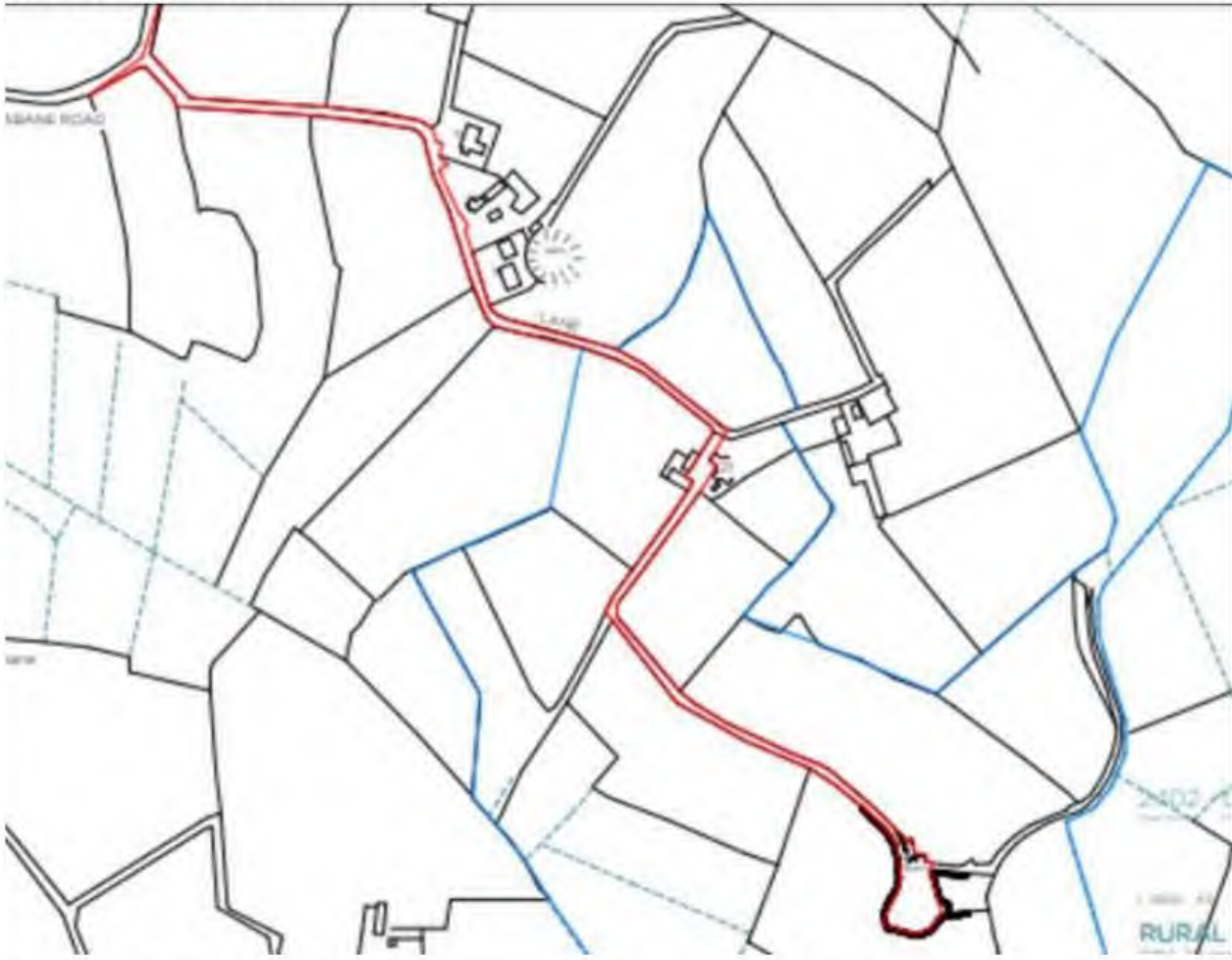
CTY 13 has been used erroneously to refer to an access.

The works which the department feels will damage rural character and will be scarcely noticeable.

Respectfully, I would ask the committee to consider the above, the content of the file and overturn this recommendation of refusal to one of approval.

Delegated Application

Development Management Officer Report	
Case Officer: Elaine Eastwood	
Application ID: LA07/2024/1088/F	Target Date:
Proposal: Conversion of existing barn to form two bedroom dwelling	Location: 300m South east of 21 Cargabane Road, Newry BT34 1SB
Applicant Name and Address: James Shilliday 21 Cargabane Road Newry BT34 1SB	Agent Name and Address: Robin Parsons 8A Jericho Road Killyleagh Downpatrick
Date of last Neighbour Notification:	4 July 2025
Date of Press Advertisement:	2 October 2024
ES Requested: No	
Consultations: • <i>DFI Roads</i>- No objections to the proposal, conditions provided. • <i>Environmental Health</i>- No objections. • <i>NI Water</i>- Approval recommended. • <i>NIEA</i>- WMU and NED refer to standing advice. • <i>DAERA</i>- Confirmed business has been in existence for more than 6 years, has claimed through basic payment scheme or agri environment scheme in each of the last 6 years and confirmed the application site is located in an unmapped area of land adjacent to field 3/068/069/15 which was claimed for BPS in 2024 by the business listed on the application form. The applicant is not a member of this business. • <i>DFI Rivers</i>- No objections	
Representations: None received	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: No objections from consultees, no representations or objections from neighbours have been received. Amended plans (design changes) were received during the processing of the application but the changes were not considered significant enough to require the application to be re-advertised or neighbours re-notified given the siting of the subject structure and distance to any adjacent property.	

Site Visit Report
Site Location Plan: 
Date of Site Visit: 01/08/2025
Characteristics of the Site and Area The application site comprises a two-storey barn and surrounding lands. The site is accessed via a lengthy laneway from Cargabane Road. The application site is located outside any defined settlement limits.



Description of Proposal

Conversion of existing barn to form two bedroom dwelling

Planning Assessment of Policy and Other Material Considerations

Planning History

There is no planning history on the application site.

Planning Policies & Material Considerations:

This application will be assessed under the following policy considerations:

- Strategic Planning Policy Statement (SPPS)
- Banbridge, Newry and Mourne Area Plan (2015)
- Planning Policy Statement 2- Natural Heritage
- Planning Policy Statement 3- Access, Movement and Parking Planning Policy Statement 21- Sustainable Development in the Countryside
- Building on Tradition

Assessment

Section 45 of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as it is material to the application, and to any other material considerations. The Banbridge/ Newry and Mourne Area Plan (2015) is the statutory development plan for the area, the application site is located outside any defined settlement limits.

The Strategic Planning Policy Statement for Northern Ireland: Planning for Sustainable Development (SPPS) was published on 28th September 2015 and is material to all applications. The transitional arrangements set out in Paragraph 1.10 of the SPPS indicate that until such times as a Plan Strategy for the whole council area has been adopted, planning authorities will apply existing policy within Planning Policy Statements that have not been cancelled together with the SPPS. The relevant planning context is

the SPPS and Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21). Supplementary Planning Guidance: Building on Tradition (BoT) is also a material consideration in this application.

The SPPS retains the policy provisions of PPS21. Policy CTY 1 of PPS21 lists the range of types of development which, in principle, are considered acceptable in the countryside. This includes the conversion and reuse of an existing building in accordance with Policy CTY4.

Policy CTY4 states that planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.

Paragraph 6.73 of the SPPS however in stating that provision should be made for the sympathetic conversion and re-use, with adaptation if necessary, of a locally important building (such as former school houses, churches and older traditional barns) as a single dwelling effectively offers a revision of Policy CTY4.

The matter of potential conflict arising between the SPPS and retained existing policies is addressed in Paragraph 1.12 of the SPPS. It states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be afforded greater weight in the assessments of individual planning applications. The weighting direction in the SPPS indicates that '*locally important building*' must take precedence in the first instance over the term "*suitable building*" in Policy CTY4 of PPS21.

Whilst '*locally important*' is not defined in the SPPS, it is considered that it requires the building to be of some merit and importance to its local setting making it worthy of retention and to warrant it being of '*special character or interest*'.

The application was accompanied by a Design and Access Statement which contains references to both Policy CTY 4 and Policy CTY10. The Planning Department advised on 29th August 2025 that in terms of Policy CTY4 that "*along with the criterion contained within Policy CTY4, the SPPS advises that the building to be converted must be a locally important building. The Planning Department do not consider this to be the case for the subject building. In addition, the proposed conversion significantly alters the character and appearance of the subject building rather than maintaining and enhancing as required by policy. The proposal is considered contrary to the SPPS and Policy CTY4.*

In terms of Policy CTY10, criterion c requires that the new building is visually linked or sited to cluster with an established group of buildings on the farm. The proposed conversion of the existing barn is not sited to visually link or cluster with an established group of buildings on the farm." The Agent was asked to confirm which policy the proposal was considered to meet.

On 18th September 2025 the Planning Department were furnished with a Supplementary Planning Statement advising the scheme is most appropriately assessed under the provisions of Planning Policy CTY 4 of PPS 21. This Statement notes that *“while SPPS makes provision for the retention and conversion of ‘locally important’ buildings, this does not override the criteria set out in CTY 4. Importantly, CTY 4 itself does not require a building to be of ‘local importance’ to qualify for conversion —such a stipulation would, in practice, exclude the majority of rural barn conversions.”*

A meeting to discuss the application was requested by Councillor Hanna which duly took place on 9th October 2025. Discussions were mainly around the interpretation of the SPPS with the Agent considering the wording of the SPPS suggests buildings to be converted should be locally important, rather than must be locally important. Following the meeting amended plans, historical photos and maps were provided and will be considered below.

As outlined above, the SPPS clarifies the type of building that may be converted. While Policy CTY 4 of PPS 21 refers to a *suitable* building, the SPPS refers to a *locally important* building. Paragraph 1.12 of the SPPS states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be accorded greater weight in the assessment of individual planning applications. The weighting direction in the SPPS indicates that *“locally important”* building must take precedence over *“suitable”* building.

Drawing 2012 Rev P1 shows ‘Historic Site Photographs’, this drawing notes the photographs are of the farm yard with the current owner, circa 1980’s with the current barn out of shot. This does not assist with the case as the subject building is not present.

Drawing 2013 Rev P1 includes historic maps for years 1833, 1903, 1918, 1942 and 1964. During the office meeting it was confirmed that the subject building was rebuilt at some time during the 1940’s with the new barrel roof added. On this basis, the historic maps are unlikely to relate to the current building on the site. In any case, a building is not considered locally important simply due to the age or size of the building.

No further justification has been provided as to why this barn should be considered a locally important building. The building is of a mix of brick and concrete block construction with a barrel roof at first floor level consisting of metal sheeting. An external staircase allows for access to the first floor. There are numerous window and door openings on three sides of the building. The building is sited at the end of a long private laneway set back some distance from the public road and is not visible from public viewpoint and has no presence in the landscape. The building lacks architectural merit or a traditional form, it is considered that the building is not locally important, no information has been submitted to counter this opinion. The proposed development fails to accord with paragraph 6.73 of the SPPS.

While the SPPS takes precedence regarding the locally important requirement aspect, the remaining elements of policy CTY 4 still also apply, and which state:

"Planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention. Such proposals will be required to be of a high design quality and to meet all of the following criteria:

- a) *the building is of permanent construction;*
The building is considered to be of permanent construction.
- b) *the reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality;*
Amended plans show the proposal will convert the existing building whilst maintaining existing door and window opening, external staircase and also creating some new windows. The proposal would maintain the form of the existing building.
- c) *any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building;*
No extension to the building are proposed.
- d) *the reuse or conversion would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land or buildings;*
The building is located a considerable distance from any neighbouring residents and will not impact on their amenity. The adjoining lands could continue to be used for agricultural purposes.
- e) *the nature and scale of any proposed non-residential use is appropriate to a countryside location;*
N/A, the proposal is for residential use.
- f) *all necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and*
It is considered necessary services could be provided without significant adverse impact on the environment or character of the area.
- g) *access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic."*
DFI Roads have been consulted and are content with the proposed access arrangements.

Whilst the proposal complies with CTY4 as contained within PPS21, for the reasons outlined above it fails to meet Para 6.73 of the SPPS in that the building is not a locally important building and is contrary to this policy..

Policies CTY13 & CTY14

Policy CTY13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. Policy CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. The proposal seeks to convert an existing building and is not considered a new building in the countryside. The dimensions of the building will remain and it will not be altered to appear as prominent in the landscape. All existing

site boundaries will remain, the dwelling amenity space is proposed on disused portion of land.

CTY 16- Development Relying on Non-Mains Sewerage

Planning permission will only be granted for development relying on non-mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem. The application has outlined on the P1 form and site layout plan that a package treatment plant is the proposed means of disposing sewage and soakaways are proposed for surface water.

It is considered that the application site is of a sufficient size to accommodate the dwelling and garage whilst also achieving sufficient separation distances between the proposed treatment plant. A condition could be attached to ensure that prior to commencement of development the applicant shall submit a copy of a consent to discharge for the proposed site.

PPS3- Access, Movement and Parking

DFI Roads have been consulted on the application and are content with the proposed access subject to conditions.

Planning Policy Statement 2- Natural Heritage

The proposal involves the conversion of an existing building in the countryside. The application was accompanied by a Biodiversity Checklist, Ecological Statement and Preliminary Bat Roost Assessment. Trees adjoining the site were determined to have low bat roost potential, no further survey work was required. The subject building was assessed as having a bat roost potential of 'None', under 4th Edition guidelines, no further bat roost emergence surveying was required. The proposal will not impact on any protected species or priority habitats as required by Policies NH2 and NH5.

Neighbour Notification Checked: Yes

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement 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 SPPS Paragraph 6.73 in that it has not been demonstrated that the structure to be converted and adapted is locally important.

Case Officer Signature: E. Eastwood

Date: 22/10/2025

Appointed Officer Signature: M Keane

Date: 22-10-25

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures

Date

Written Statement Accompanying a Request for Speaking Rights

LA07/2024/1088/F - 300m South east of 21 Cargabane Road, Newry BT34 1SB

3 December 2025

RURAL STUDIO

Site History

The site under consideration was originally a distinct farmyard, later absorbed into the wider holding at 21 Cargabane Road when the farms merged in the 1960s. It is recorded on the 1836 Ordnance Survey maps as a farmhouse with associated barns and outbuildings, accessed via a lane from the east. This cluster functioned as a complete farm settlement until the 1980s, when the farmhouse and adjoining barn were demolished to expand the yard in line with modern agricultural practices. Despite these changes, the site remains a long-established farm location with a clear history of residential use.

The barn itself occupies the footprint of a traditional structure rebuilt in the 1940s. Its design is distinctive, incorporating a Nissen Hut barrel-vaulted roof set on a typical 1940s concrete barn construction. While unusual compared to the types of buildings typically considered for retention and conversion, it nonetheless possesses both visual and historic interest.

Statement of Need

The applicant is a member of the farming family at 21 Cargabane Road and currently resides in a temporary caravan on the farm. This arrangement allows them to assist with farming activities while maintaining affordable accommodation.

A search of PropertyPal confirms that there are no suitable dwellings available within five miles of the site at or below a budget of £150,000. The applicant therefore has a clear and demonstrable need for permanent accommodation on or near the farm.

Planning Policy

Although the application relates to the needs of a farming family member, the proposal does not fall under CTY 10 'Dwellings on Farms', as it is not for a new building clustered alongside the main farmyard.

Instead, Policy CTY 4 'The Conversion and Reuse of Existing Buildings' is considered relevant. This policy requires that buildings be of permanent construction, that their character is maintained or enhanced, that they do not adversely affect nearby residents or adjoining agricultural land, that their scale is appropriate to the countryside, and that services and safe road access are available. All these criteria are demonstrably met by the proposal.

Policy 6.73 of the SPPS further supports the conversion and re-use of existing buildings for residential purposes, encouraging the sympathetic adaptation of locally important buildings where this secures their retention and upkeep. While the policy does not define "locally important," we believe the barn qualifies: it dates from the 1940s, is the last remaining structure of a farmyard settlement predating 1836, and contributes to the historic character of the site. Its distinctive architectural form—including the barrel-vaulted roof and external staircase—reflects its early-20th-century heritage.

Finally, paragraph 1.12 of the SPPS clarifies that where the SPPS is less prescriptive than retained policies, this should not diminish the weight of those retained policies. We believe this is also applicable to this application given the brief nature of the SPPS and the detailed requirements of CTY4 of PPS 21.

Case Officer's Recommendation for Refusal

The case officer's report cites two reasons for refusal:

- "1. The proposal is contrary to the Strategic Planning Policy Statement 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 SPPS Paragraph 6.73 in that it has not been demonstrated that the structure to be converted and adapted is locally important."

We believe the evidence presented today demonstrates that:

1. The development of a dwelling is essential in this location to meet the applicant's housing need and maintain the continuation of the farm business
2. The barn, as the last surviving element of a historic farmstead, merits retention and conversion to a dwelling to serve the broader farm.

Conclusion

In conclusion, we respectfully submit that the application to convert the existing barn at 21 Cargabane Road merits consideration for approval for the following reasons:

- The building has historic and architectural merit and is part of a long-established farm site.
- The conversion is intrinsically linked to the operation of the farm, supporting its continued viability.
- The proposal does not represent ribbon development or countryside sprawl, as it sustainably reuses an existing building.
- The application aligns with the requirements of both the SPPS and PPS 21 'Sustainable Development in the Countryside'.

Thank you for your time and consideration.

Slides to be presented

1. Historic setting
2. Present-day building
3. Application proposals

I would state in the first instance the application seeks to secure the farm for future generations by re-using and converting an existing building on the farm. The applicant currently resides in temporary accommodation on the farm, and this relationship to the existing farm business would be harmed by a forced move to an externally situated accommodation. The provisions under planning policy CTY4 of PPS 21 'The Conversion and Reuse of Existing Buildings' sets out a more detailed framework for assessing proposals for re-using existing buildings, for which all criteria are met by the application proposals.

The application contains various key issues which are open to interpretation against the requirements of planning policy, and I believe a broader interpretation can be achieved by presentation to planning committee on this case.

Policy 6.73 of the SPPS supports the conversion and re-use of existing buildings for residential purposes, stating that provision should be made for the sympathetic adaptation and re-use of locally important buildings—such as former schoolhouses, churches, and older traditional barns or outbuildings—as single dwellings where this would secure their retention and upkeep. While the policy does not define what constitutes a 'locally important' building, the applicant and agent consider this determination is best made by the Planning Committee.

The barn in question dates from the 1940s and forms the last remaining structure of a traditional farmyard settlement that predates 1836. Although it may not be considered a traditional barn in the conventional sense, it contributes to the historic character of the site and exhibits a distinctive architectural form, including a barrel-vaulted upper storey and external staircase—features that reflect its early-20th-century heritage. I have taken the opportunity to visit the site and I believe the proposal submitted would serve as an important opportunity to restore an old building, sustain a farm business and enhance the current site.

Additionally, paragraph 1.12 of the SPPS clarifies that where the SPPS is silent or less prescriptive on a particular planning matter than retained policies, this should not be interpreted as diminishing the weight of those retained policies. This principle could be argued to apply to the relationship between SPPS 6.73 and retained Policy CTY 4; the SPPS provision being a short statement which is complimented by the more detailed and prescriptive framework under CTY 4.

In balance with this, the proposals are concerned with the continuation of the farm business, the applicant currently living in temporary accommodation on the farm.

I would say that I believe the interpretation of planning policies 6.73 of the SPPS, and CTY4 and CTY10 of PPS 21, have not been adequately considered in the context of this application, and that a balanced and informed judgement of the application merits in relation to these policies would be best made by Committee.

Delegated Application

Development Management Officer Report	
Case Officer: Laura O'Hare	
Application ID: LA07/2024/1313/O	Target Date:
Proposal: Proposed 2 no. new detached dwellings and garages (under PPS21 Policy CTY 8)	Location: Between 89 and 95 Drumnaconagher Road, Crossgar, Downpatrick, BT30 9JJ
Applicant Name and Address: Paula Jones 93A Drumnaconagher Road Crossgar Downpatrick BT30 9JJ	Agent Name and Address: Michael Bailie 42 Crew Road Ardglass DOWNPATRICK
Date of last Neighbour Notification:	9 May 2025
Date of Press Advertisement:	6 November 2024
ES Requested: No	
Consultations: • DFI Roads – no objections subject to conditions. (24/04/2025) • NI Water – approve with standard conditions. (24/04/2025) • Environmental Health – no objection in principle. (22/05/2025) • Historic Environment Division (HED) – Historic Monuments have advised they are content in principle. (28/04/2025) • NIEA – Water Management Unit (WMU) refers to standing advise in regards to septic tanks. (19/06/2025)	
Representations: Mr Conor Smyth 89 DRUMNACONAGHER ROAD	
Letters of Support	0.0
Letters of Objection	1
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: Does not meet policy CTY8 and CTY14, road safety issues,	

Site Visit Report	
Site Location Plan:	
	
Date of Site Visit: June 2025	
Characteristics of the Site and Area The site is located along the Drumnaconagher Road and comprises 0.38ha roughly rectangular parcel of land which is currently a road side section of a larger agricultural field. There is a field gate to the south east of No. 95 that allows access into the field. There is a gradual increase in levels across the application site as you move from north west to south east. Lands to the rear (north east) and beyond the application site continue to rise. The site is defined to the south-west (road frontage boundary) by a mature hedgerow. The north west boundary is also defined by hedging. The south eastern boundary is defined by post and wire fencing. As the site is cut from a larger agricultural field the north-eastern boundary remains undefined. The site sits outside any designated settlement limits as defined by the Ards and Down Area Plan 2015, The area is rural in character and surrounding development comprises mainly of single dwellings and their associated outbuildings.	
Description of Proposal Proposed 2 no. new detached dwellings and garages (under PPS21 Policy CTY 8)	
Planning Assessment of Policy and Other Material Considerations The following planning policies have been taken into account: • Regional Development Strategy • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Ards and Down Area Plan (2015) • Planning Policy Statement 2 Natural Heritage • Planning Policy Statement 3 Access, Movement and Parking	

- Planning Policy Statement 21 Sustainable Development in the Countryside; - Policy CTY 1 Development in the Countryside - Policy CTY 8 Ribbon Development - Policy CTY 13 Integration and Design of Buildings in the Countryside - Policy CTY 14 Rural Character - Policy CTY 16 Development relying on non mains sewerage

PLANNING HISTORY

Planning

Application Number: R/1981/0209 Decision: Permission Granted Decision

Date: 13 May 1981

Proposal: EXTENSION TO BUNGALOW

Application Number: R/1991/0391 Decision: Withdrawal Decision Date: 09 September 1991

Proposal: Bungalow

Application Number: R/1991/0796 Decision: Permission Granted Decision

Date: 31 October 1991

Proposal: Dwelling

Application Number: R/1992/0211 Decision: Permission Granted Decision

Date: 02 June 1992

Proposal: Bungalow

Application Number: R/1993/0116 Decision: Permission Granted Decision

Date: 16 March 1993

Proposal: Dwelling (change of house type)

Application Number: R/1993/0772 Decision: Pending Decision Date: 17 August 1993

Proposal: Bungalow

Application Number: R/1994/0323 Decision: Permission Granted Decision

Date: 25 July 1994

Proposal: Dwelling

Application Number: R/1996/0137 Decision: Permission Granted Decision

Date: 22 March 1996

Proposal: Alterations and extension to dwelling

SUPPORTING DOCUMENTS

- Site Location Plan
- Indicative Site Layout
- Biodiversity checklist

CONSULTATIONS

- Environmental Health - Environmental Health have no objection in principle, however, at the subsequent planning stage the applicant should also provide a detailed site plan which includes the location of the proposed dwelling, the septic tank and the areas of subsoil irrigation for the disposal of effluent. The drawing should also include the position of the septic tank and soakaway for any other relevant adjacent dwelling.
- DFI Roads - No objections in principle, A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed prior to commencement and other requirements in accordance with the attached form RS1.
- Historic Environment Division This application site is located close to a rath (DOW030:002), an early medieval defended farmstead (c.500-1000 AD), which is an archaeological monument of local importance. Policy BH2 of PPS 6 applies. Historic Environment Division (Historic Monuments) has considered the impacts of the proposal and is content, in principle, that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. However, we would advise that the proposed dwelling must be of modest vernacular style with quality design and finish and be of low ridge height (single-storey or storey and-a-half would be appropriate) in order to integrate the proposed development within the setting of the rath. Please reconsult HED (Historic Monuments) at Reserved Matters.
- NI Water – approve with standard conditions.
- NIEA – WMU to standing advise in regards to septic tanks.

REPRESENTATIONS

Neighbour notification and advertising of this application was undertaken in line with the statutory requirement. There was one objection letter received. See below.

Mr Conor Smyth 89 DRUMNACONAGHER ROAD Comment:

- Contravenes PPS21 – CTY8 and CTY 13.
- Harmful extension to ribbon development, would merge 4 dwellings into a continuous ribbon of 8, eradicating a visual break.
- Gap provides visual relief; development would destroy this rural character.
- Frontage is twice that of the existing cottages.
- Scale, massing and siting would visually dominate and overpower exiting cottages.
- Does not respect the existing size, scale and plot size.
- Prominent siting resulting in new dwelling being dominant and incongruous in landscape.
- No natural enclosure, site lacks mature vegetation / landform to provide enclosure.
- Suburbanising effect, removal of roadside hedgerow, large plots and garages.
- Reliance on new landscaping.

- Road safety concerns.

The above is a summary of the main issues raised in the representators letter. The objection will be considered as part of the report and through the consultee process as laid out below.

EVALUATION

Section 45 (1) of the Planning Act 2011 requires that regard must be had to the local development plan (LDP), so far as material to the application. Section 6(4) of the Act requires that where in making any determination under the Act, regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise, until such times as a Plan Strategy for the whole of the Council Area has been adopted. The LDP in this case is the Ards and Down Area Plan 2015.

The LDP sets out the transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. Paragraph 6.73 of the SPPS provides strategic policy for residential and non-residential development in the countryside.

The SPPS states that in the case of infill/ribbon development provision should be made for the development of a small gap site in an otherwise substantial and continuously built-up frontage. This is less prescriptive than the content of PPS21 regarding infill dwellings, however, the SPPS states that the policy provisions of PPS21 will continue to operate until such time as a Plan Strategy for the whole of the Council area has been adopted.

Policy CTY 1 of Planning Policy Statement 21 identifies a range of types of development that are, in principle, considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Planning permission will be granted for an individual dwelling house in the countryside in the certain cases which are listed, the development of a small gap site within an otherwise substantial and continuously built-up frontage in accordance with Policy CTY 8 is one such instance. Integration and design of buildings in the Countryside CTY 13 and Rural character CTY 14, and CTY 16 are also relevant.

Policy CTY8- Ribbon Development

Planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing

development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purpose of this policy the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

The agent considers that the site is such a gap site, falling within a substantial and continuously built-up frontage that could accommodate two dwellings. See below plans submitted below.

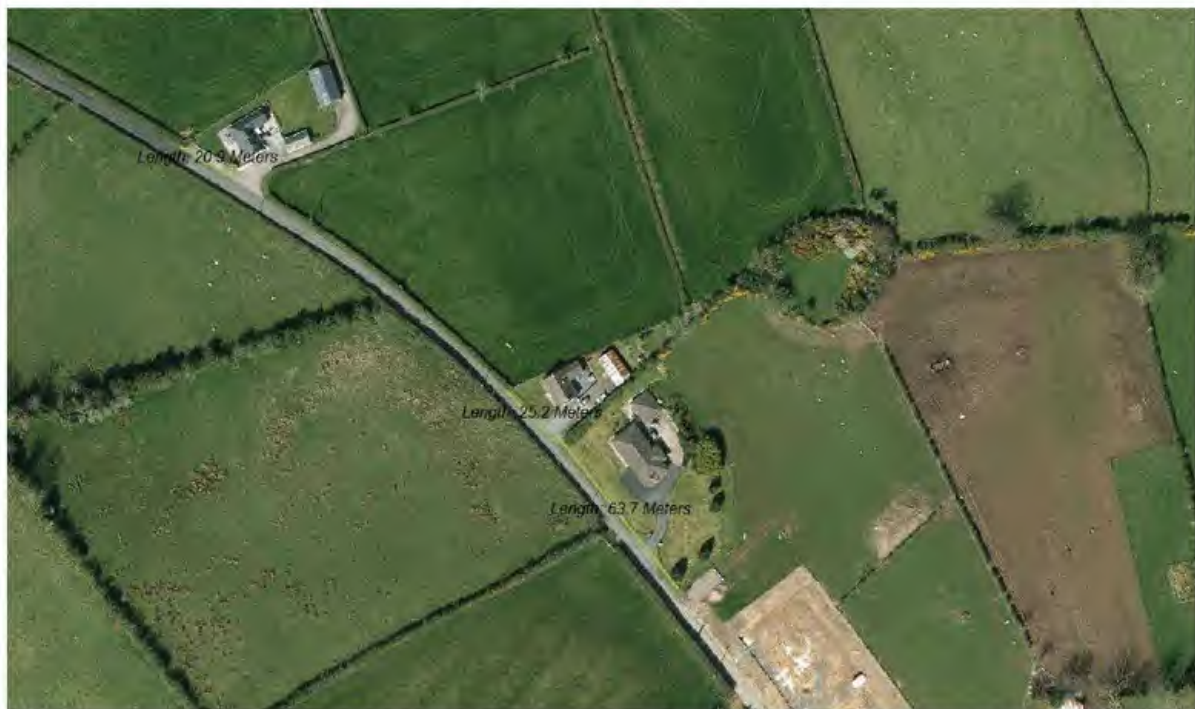


The agent identifies the residential dwellings and their garages at No's 95, No. 89 and at No. 87 make up the substantial and built-up frontage. A building has a frontage to a road, footpath, or lane if the plot on which it stands abuts or shares a boundary with that road, footpath or lane.

On assessment, the Planning Department is satisfied the detached bungalows positioned at No's 95, 89 and 87 have frontage to the Drumnaconagher Road and make up a substantial and built-up frontage for the purpose of the policy. The gap therefore to be considered lies between No. 95 and No. 89 along the Drumnaconagher Road.

Paragraph 5.34 infers that for the purposes of the policy, the 'gap' is between buildings. The gap between the two buildings (side elevation of the garage at No. 95 and the gable elevation of No. 89) is approximately 113 metres wide. In assessing whether that gap is 'small', it must be assessed in the context of the existing pattern of development along the frontage in terms of size, scale, siting and plot size. The guidance in Building on Tradition (BoT) indicates that when the gap is more than twice the length of the average plot width, it is often unsuitable for infill with two new plots. This guidance is explanatory to the policy and whether or not a gap site is suitable for infill development in accordance with the policy is a matter of planning judgement, taking into account what one ascertains on the ground.

On measuring the plot frontages along this stretch of road, No 95. has a frontage width of 20.9m, No. 89 has a frontage width of approx. 25.2m and No. 87 has a frontage width of 63.7m, with the average plot width worked out as 36.6m. See below aerial.



The proposed site frontage is approx. 107m with the resulting two frontages measuring 56m and 44m each and a portion left for a field gate entrance along the Drumnaconagher Road for access to agricultural lands beyond the application site as demonstrated by the indicative layout plan below.



In terms of the plot sizes, both No's 95 and 89 equate to 0.1ha and No. 87 equates to 0.2ha. The application site has a plot size of around 0.4ha with two average plots of around 0.2ha each. The proposed plots would have similar depths to the existing plots to the north west and south east and would have plots sizes reflective of No. 87.

On inspection of the application site and surrounds in July 2025, it was noted that construction works have commenced to erect two dwellings to the south east of No. 89 Drumconagher Road. These two dwellings were approved under the infill principle under planning ref's LA07/2017/0270/O and LA07/2020/0632/RM. See below approved Site Location Plan under LA07/2017/0270/O.



While construction works have commenced on site, the dwellings approved are not yet considered to be substantially completed and therefore cannot be included as part of the substantial and built-up frontage for the purpose of this assessment.

It has to be taken into account the overall building to building gap that exists at the location, this being the gap to be filled and in this instance the gap is 113m in length. On the basis of the average frontage width of the three identified plots, the gap could accommodate more than two dwellings and for this reason it cannot be considered that the policy requirements are met as there is not a gap sufficient to accommodate up to a maximum of two dwellings.

In terms of the gap representing a visual break, the BoT guidance advises that some gaps are not suitable for infilling if they frame a view or provide an important visual break in development. The application site is a cut out of a larger agricultural field. It is not considered to form a break that constitutes an important visual break in development.

On considered the existing ribbon of development and the approved 2 x infill dwellings to the south east, it was judged that this was suitable development under the infill principle and thus allowed for the development of two houses. While it is

acknowledged that should approval be recommended on this application development along this section of the Drumnaconagher Road would increase by an additional two dwellings, it is however the nature of this policy to allow for the infilling of gaps between buildings provided all considerations of the policy are met.

The proposal is considered contrary to policy CTY 8 as it has not met the requirements set out within the policy and as such cannot be deemed an exception and therefore must also be considered to fail to meet the provisions set out in CTY 1.

Policy CTY 8 also requires that the proposal meets other planning and environmental requirements; for completeness the proposal is further considered below.

CTY 13 – Integration and Design of Buildings in the Countryside

CTY 13 requires to be considered as part of the assessment of the proposal. As the application is for outline permission, no specific details of house type or design have been submitted.

Policy CTY 13 states that a new building will be unacceptable where it is considered a prominent feature in the landscape and where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the buildings to integrate into the landscape.

Taking account of the site characteristics whereby a natural backdrop is provided to the rear by rising lands and there are existing buildings on either side that would provide a level of enclosure to new development, it is therefore not considered that the appropriate development of this site would result in the works being prominent within the landscape.

While the application site has some boundaries that are defined by either post and wire fencing or hedging, it is quite open in nature. The proposed development however, is not considered to rely primarily on new landscaping for integration as boundaries should be retained (exception of roadside boundary for splays) and screening is provided by existing development to the north west and south east of the site. With adequate planting, appropriately designed dwellings would be considered acceptable on the site without the reliance of new planting for integration. A condition will be attached, if approval was granted, ensuring that landscaping details are to be confirmed through a reserved matters planning application.

As this is an outline application full particulars have not been provided, however given the location of the site and the proximity to existing utilities it is not considered that the provision of ancillary works will have any detrimental impacts on the surroundings.

The design of the new dwellings has not been presented for consideration, however provided that two dwellings, differing in style, but both respecting the existing character of the immediately adjacent lands are presented it is not considered that suitably designed dwellings would be inappropriate at this location

New development within the application site is considered can respect the existing contours without resulting in any detrimental impacts. The land does rise gradually towards No. 89, however suitably designed dwellings on each site, with restricted ridge heights would not appear prominent. The works will not detract from the character or appearance of the area and there is a suitable natural backdrop of additional lands so as to not have any detrimental impacts on the surrounding landscape or result in prominence as noted above. It will be important that existing and proposed levels are submitted at reserved matters stage.

CTY 14 – Rural Character

CTY 14 states that states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. It sets out five circumstances where a new building would be unacceptable.

As stated previously, it is not considered that works would be prominent in the landscape taking account of the site and surrounding context.

The development of this site would not change the overall character and appearance of the area. It is not considered that there will be a suburban style build-up of development if the works should be approved. Development in the surrounding area is characterised by single dwellings on individual plots or farm complexes, this development seeks permission to develop two single dwellings within an existing ribbon of development. The dwellings and their associated garages should be positioned generally in accordance with that as demonstrated by the indicative layout plan, drawing No. 03P. The overall development proposal would not be considered to disrespect the overall pattern of development provided all policy requirements are met

The development of this site would not change the overall character and appearance of the area in terms of changing the overall character of development within the area. It is not considered that there will be a suburban style build-up of development if the works should be approved.

As outlined above, it is not considered that the ancillary works would have any detrimental impacts in terms of rural character. Ancillary works could be accommodated without being visually harmful.

Through the assessment of CTY 8 above, it is considered that the development does not meet the requirements of CTY 8 as the gap between buildings within the existing ribbon of development exceeds what is acceptable to accommodate only up to two dwellings. It must then follow that the development of this site would add to a ribbon of development along the Drumnaconagher Road.

CTY 16 – Development relying on non mains sewerage

There would be sufficient room within the land in red for septic tanks and soakaways. The granting of planning permission does not negate the need for other consents outside of the planning process. A consent to discharge will be required from DAERA (NIEA).

PPS 2 – Natural Heritage

PPS 2 sets out the planning policies for the conservation, protection and enhancement of our natural heritage. In safeguarding Biodiversity and protected habitats, the Planning Department recognises its role in enhancing and conserving our natural heritage and should ensure appropriate weight is attached to designated site of international, national and local importance, priority and protected species and to biodiversity and geological interests with the wider environment.

In assessment of the above, NIEA's Biodiversity checklist was used as a guide to identify any potential adverse impacts on protected species identified. The supporting ecological assessment offers mitigation measures to be put in place as necessary.

The information was provided by a suitably qualified ecologist and found there to be no likely impacts as a result of the works on protected species or habitat however the development proposed requires the removal of roadside vegetation to provide the necessary site lines to allow for a safe access to be created and it has been recommended development takes place outside of nesting season to ensure nesting birds/bird nests were not disrupted or destroyed.

Whilst it is acknowledged that hedgerows are classed as priority habitats, it considered that reinstatement of the lost roadside hedgerow with a species rich native hedgerow would be acceptable and can be conditioned as such if the Planning Department are minded to approve the development.

An informative advising the applicant in relation to bird breeding season can be placed on the decision notice. The proposal is not therefore considered to offend protected species or priority habitats. It is considered therefore that the proposal complies with policies NH2 and NH 5 of PPS 2.

PPS 3 - Access, Movement and Parking

Policy AMP 2 of PPS3 outlines that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

- (a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- (b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

DFI Roads were consulted as part of the proposal and have no objections subject to the RS1 form at reserved matters stage of 2.4m x 80m as outlined in red being complied with and the access position at the centre of the site frontage as indicated on the indicative layout plan. The proposal complies with AMP 2 of PPS 3.

The Planning Department acknowledge the objectors' comments in regards to road safety and notes that DFI Roads are the statutory consultee for road safety matters in regards to new accesses. DFI Roads considers that a safe the proposal would ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

PPS6 Planning, Archaeology and the Built Environment

The site is adjacent to a Rath reference SM 11/1 DOW 030:002 which is a monument protected by Policy BH2 of PPS6. On consulting with the Historic Environment Division (HED), they offered no objections in principle, however they have advised the proposed dwellings must be of modest vernacular style with quality design and finish and be of low ridge height (single-storey or storey and-a-half would be appropriate) in order to integrate the proposed development within the setting of the rath. This could be conditioned. They have also requested further consultation at Reserved Matters.

Conclusion

Having considered the proposal against relevant policy context it is considered that the proposal does not meet the policy requirements set out in CTY 8 and CTY 14 of PPS 21 and therefore a recommendation of refusal is made for the reasons outlined below.

Neighbour Notification Checked

Yes

Summary of Recommendation

Refusal

Refusal Reasons:

1. The proposal is contrary to the 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 and Policy CTY8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill dwelling as there is no small gap sufficient to accommodate up to a maximum of two houses in an otherwise substantial and built-up frontage and it would, if permitted, result in the addition of ribbon development along the Drumnaconagher Road.

Case Officer Signature: Laura O'Hare

Date: 15 October 2025

Appointed Officer Signature: B.Ferguson

Date: 16th October 2025

Development Management Consideration

Details of Discussion:

Letter(s) of objection/support considered: Yes/No

Group decision:

D.M. Group Signatures

Date

WRITTEN SUBMISSION

156

Reference No: LA07/2024/1313/O

Proposal: Proposed 2 no. new detached dwellings and garages (under PPS21 Policy CTY 8)

Location: Lands Between 89 and 95 Drumnaconagher Road, Crossgar, Downpatrick, BT30 9JJ

Context of the Proposal

1. This application seeks outline planning permission for the erection of two infill dwellings and garages on a gap site situated between No. 89 and No. 95 Drumnaconagher Road. The application is predicated on Policy CTY 8 of PPS 21 (Ribbon Development), which permits the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage.
2. The Planning Department has recommended refusal based principally on the assertion that the gap in question is not "small" and that the proposal would effectively result in the addition of ribbon development. It is important to note at the outset that it is not disputed that the existing dwellings (comprising Nos. 95, 89, and 87) constitute a "substantial and continuously built-up frontage." Therefore, the sole point of contention before the Committee is whether the gap is "small" and whether the proposed plot sizes and widths respect the existing development pattern. We fundamentally disagree with the Officer's interpretation, which appears to rely on a flawed mathematical methodology that is inconsistent with both Planning Appeals Commission (PAC) jurisprudence and the Council's own recent decision-making in this immediate locality.

Site Analysis & Policy Compliance (CTY 8)

Issue 1: Flawed "Mathematical" Application of Policy

3. The Case Officer's assessment appears to hinge entirely on a calculation of the "average frontage width" of the three existing plots (Nos. 87, 89, and 95) to determine that the application site is "too big" to accommodate two dwellings. We submit that this approach is erroneous and fundamentally flawed as Policy CTY 8 does not mandate a rigid mathematical test. Rather, the policy requires a nuanced, qualitative judgement as to whether the proposal respects the existing pattern of development in terms of size, scale, siting, and plot size "in the round." By reducing the assessment to a simple average, the Department has failed to properly assess the visual reality of the site.
4. The Planning Appeals Commission (PAC) has explicitly and repeatedly rejected the rigid application of mathematical averages in infill cases. In Appeal Reference 2019/A0027, the Commissioner ruled that while average width can inform judgement, "the policy does not necessitate duplication of such a mathematical factor... assessment requires consideration of size, scale, siting and plot size in the round." That appeal was allowed, establishing that a site cannot be deemed contrary to policy simply because it deviates from a mathematical mean. The Council's reliance on a rigid average in this instance is therefore unsustainable and legally fragile.

Issue 2: Respect for the Existing Development Pattern

5. When analysing the established character of the area, it becomes evident that the development pattern is defined by the actual buildings on the ground, not by an abstract average. The existing frontage widths in this specific row are highly variable, ranging from 25 meters at No. 89 to 60

meters at No. 87. This variation is the defining characteristic of the immediate locality. The proposal seeks to create two plots with frontages of 58 meters and 44 meters respectively. The proposed 58-meter frontage is almost identical to the existing 60-meter frontage of No. 87, ensuring that the new development mirrors the prevailing development pattern.

6. Furthermore, the proposed plot sizes of 1,880 sqm and 1,980 sqm are entirely appropriate for this location. While they are larger than the smaller plots at Nos. 89 and 95, they are smaller than the plot at No. 87 (2,150 sqm). Therefore, the proposal fits naturally within the existing range of plot sizes found in this specific frontage. To refuse the application on the grounds that the plots are "too wide" ignores the critical fact that they are consistent with the largest existing plot (No. 87) in the very same line of development. The proposal essentially infills the gap in a manner that is consistent with the neighbouring pattern of development.

Issue 3: Inconsistency & Precedent

7. A fundamental principle of administrative law is that decision-making must be consistent. In this regard, we must draw the Committee's attention to a direct precedent located approximately 100 meters southeast of the application site on the same side of Drumnaconagher Rd as the application site (permission refs: LA07/2017/0270/O and LA07/2020/0632/RM). In that recent case, the Council approved two CTY 8 infill dwellings where the building-to-building gap was approximately 180 meters, resulting in plot frontages of 62 meters and 66 meters respectively.
8. Crucially, those approved frontages of 62m and 66m are wider than the plots proposed in this current application (58m and 44m) and, indeed, wider than any existing plot in that frontage. Yet, the Council assessed that scheme as compliant with CTY8 and did not apply the arbitrary "average width" reduction that is currently being used to justify refusal here. It is unreasonable and procedurally unfair for the Planning Department to approve wider plots just 100 meters down the road while refusing narrower, more contextual plots on this site using a significantly stricter methodology.

Conclusion

9. In conclusion, the proposal represents a classic infill opportunity that fully accords with the requirements of PPS21. It involves the development of a small gap within a substantial and continuously built-up frontage to accommodate two dwellings, which is the maximum permitted under the policy. The plot sizes and frontages of 58m and 44m clearly respect the development pattern, specifically matching the character of the neighbouring property at No. 87. Given that the Officer's recommendation relies on a mathematical average unsupported by PAC case law, and considering the clear inconsistency with the Council's recent approval of larger plots just 100 meters away, we respectfully request that the Planning Committee overturns the recommendation for refusal and grants planning permission for this sustainable rural development.

TRACKING ACTION SHEET ARISING FROM PLANNING COMMITTEE MEETINGS

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
PLANNING COMMITTEE MEETING – 20 AUGUST 2025					
LA07/2023/ 2331/F	66 Moss Road, Glassdrumman, Ballynahinch, BT24 8XZ, accessed via 19 Old Saintfield Road - Dwelling on a Farm (Amended drawings provided)	Withdrawn by the Planning Dept	B Ferguson	Deferred for further consideration	N
PLANNING COMMITTEE MEETING – 17 SEPTEMBER 2025					
LA07/2023/22 30/O	55m east of 29 Clonvaraghan Road, Castlewellan, BT31 9JU – Proposed replacement dwelling (with retention of original dwelling for storage purposes) and all associated site works	Deferred to allow for submission of Listed Building consent application	B Ferguson	Awaiting submission of LB consent	N
PLANNING COMMITTEE MEETING – 12 NOVEMBER 2025					
LA07/2024/ 0642/F	25 Upper Dromore Road, Warrenpoint, BT34 3PW - 1 1/2 storey extension to front, rear and side of existing dormer bungalow, internal remodelling and refurbishment	Deferred.	M Keane	To be tabled at Dec Committee	Y
LA07/2024/ 0927/O	45m SW of 30 Brackenagh East Road, Ballymartin BT34 4PT - Erection of dwelling and a garage on a farm	Deferred.	M Keane	To be tabled at Dec Committee	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
LA07/2024/ 1303/F	39 Bridge Road, Burren, Warrenpoint and lands immediately adjacent to and north of No.39 Bridge Road, Burren, Warrenpoint - Erect a dwelling and detached garage in partial substitution to the extant approval granted under LA07/2023/2687/O with access from the public road via an existing & improved access. Construction of a new access to serve an existing dwelling.	Deferred	M Keane	To be tabled at Dec Committee	Y
LA07/2025/ 0482/O	50m S. of No.32 Tullyah Road, Belleeks, Newry, Co,Down, BT35 7QP - Erection of dwelling and domestic garage in gap/infill site	Deferred	A Loughran	Site visit to be arranged	N