

November 24th, 2015

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 25th November 2015** at **10:00 am** in the **Boardroom District Council Offices Monaghan Row, Newry.**

The Members of the Planning Committee are:-

Chair: Councillor J Tinnelly

Vice Chair: Councillor W Clarke

Members: Councillor M Larkin

Councillor M Ruane

Councillor V Harte

Councillor D McAteer

Councillor K Loughran

Councillor L Devlin

Councillor M Murnin

Councillor G Craig

Councillor H McKee

Councillor P Brown

Agenda

1. **10.00 am - Site visit to sites 2 and 4 Donard Street, Newcastle - planning application R/2012/0081/F - Oaklee Homes Group Ltd. - 15 No. apartments and 1 No. house. (Case Officer report attached and representation of objection from Councillor Devlin and Sean Rogers MLA attached).**

[R-2012-0081- Donard Street.pdf](#)

Page 1

[R-2012-0081-F - Oaklee Homes \(Cllr. Devlin\).pdf](#)

Page 15

[R-2012-0081-F 9 - Oaklee \(S Rogers MLA\).pdf](#)

Page 17

2. **12 noon approx. - Planning Committee Meeting to commence in the Boardroom, Monaghan Row, Newry.**
3. **Apologies.**
4. **Declarations of Interest.**

Minutes for Consideration and Adoption

5. **Minutes of Planning Committee Meeting held on Wednesday 28 October 2015. (Attached).**

[Planning Minutes - 28 October 2015.pdf](#)

Page 20

For Noting

6. **Action Sheet of the Members' Briefing Panel Meeting held on Tuesday 3 November 2015. (Attached).**

[Action Sheet - 3 November 2015.pdf](#)

Page 24

7. **Planning Performance figures. (Attached).**

Development Management

8. Schedule of planning applications and applications deferred from previous meetings for determination. (Schedule attached).

- LA07/2015/0513/F - Killeavy GFC - proposed new 3G pitch, outdoor gym area and new walking/jogging path with associated site works at 49 Forkhill Road, Newry. **REC: APPROVAL (Case Officer report attached).**
- P/2014/0515/F - BCM NI - additional accommodation to provide sports hall facilities at Mullartown House, Annalong. **REC: APPROVAL (Case Officer report attached).**
- R/2014/0145/F - Windsor Developments Ltd. - erection of 50 dwellings (12 detached and 38 semi detached) including car parking and landscaping at Boulevard Park, Dundrum Road, Newcastle (amended proposals/plans received). **REC: APPROVAL. (Case Officer report attached).**
- R/2012/0081/F - Oaklee Homes Group Ltd. - 15 No. apartments and 1 No. house at sites 2 and 4 Donard Street, Newcastle. **REC: APPROVAL (Case Officer report attached). (Representations from Sean Rogers MLA attached).**
- R/2013/0107/F - G & M Lodge Caring Ltd. - change of use and bedroom extension to existing guest house to provide hotel (amended plans) at 76 Tollymore Road, Newcastle. **REC: REFUSAL (Case Officer report attached). (Representations from Councillor Devlin attached).**

Council Schedule - 25-11-2015.pdf

Page 32

Council deferred Schedule - 25-11-2015.pdf

Page 35

P-2015-0513-F - Killeavy GAC.pdf

Page 37

P-2014-0515-F - Mullartown House.pdf

Page 47

R-2013-0107 - G & M Lodge Caring Ltd.pdf

Page 56

R-2014-0145-F - Windsor Developments Ltd.pdf

Page 71

R-2012-0081- Donard Street.pdf

Page 87

R-2013-0107-F - G& M Lodge Caring Ltd (Cllr. Devlin).pdf

Page 101

***** Please click on the link below which will take you to the planning portal - this will allow you to view supporting documents *****

<http://epicpublic.planningni.gov.uk/publicaccess/>

*For Noting Implementation of Planning Policy for the retention of zoned
land and economic development uses - planning advice note.
(Attached).*

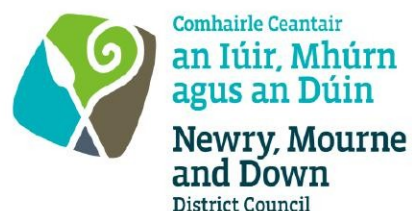
**Planning Policy for the retention of zoned land and economic development
uses.pdf**

Page 104

Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
Cllr. Naomi Bailie	naomi.bailie@nmandd.org
Cllr. Patrick Brown	patrick.brown@nmandd.org
Cllr. Robert Burgess	robert.burgess@downdc.gov.uk
Cllr. Stephen Burns	stephen.burns@downdc.gov.uk
Cllr. Michael Carr	michael.carr@newryandmourne.gov.uk
Cllr. charlie casey	charlie.casey@newryandmourne.gov.uk
Cllr. Patrick Clarke	patrick.clarke@downdc.gov.uk
Cllr. Garth Craig	garth.craig@downdc.gov.uk
Cllr. Dermot Curran	dermot.curran@downdc.gov.uk
Mr. Eddie Curtis	eddie.curtis@newryandmourne.gov.uk
Mr. Andrew Davidson	andrew.davidson@nmandd.org
Cllr. Laura Devlin	laura.devlin@downdc.gov.uk
Ms. Louise Dillon	louise.dillon@newryandmourne.gov.uk
Cllr. Geraldine Donnelly	geraldine.donnelly@newryandmourne.gov.uk
Cllr. Sean Doran	sean.doran@newryandmourne.gov.uk
Cllr. Sinead Ennis	sinead.ennis@nmandd.org
Cllr. Cadogan Enright	cadogan.enright@downdc.gov.uk
Cllr. Gillian Fitzpatrick	gillian.fitzpatrick@newryandmourne.gov.uk
Mr. Patrick Green	patrick.green@downdc.gov.uk
Cllr. Glyn Hanna	glyn.hanna@nmandd.org
Mr. Liam Hannaway	liam.hannaway@nmandd.org
Cllr. Valerie Harte	valerie.harte@newryandmourne.gov.uk
Cllr. Harry Harvey	harry.harvey@newryandmourne.gov.uk
Cllr. Terry Hearty	terry.hearty@newryandmourne.gov.uk
Cllr. David Hyland	david.hyland@newryandmourne.gov.uk
Mrs. Patricia Kelly	patricia.kelly@newryandmourne.gov.uk
Cllr. Liz Kimmins	liz.kimmins@nmandd.org
Cllr. Mickey Larkin	micky.larkin@nmandd.org
Mr. Michael Lipsett	michael.lipsett@downdc.gov.uk
Cllr. Kate Loughran	kate.loughran@newryandmourne.gov.uk
Cllr. Kevin Mc Ateer	kevin.mcateer@nmandd.org
Cllr. Colin Mc Grath	colin.mcgrath@downdc.gov.uk
Collette McAteer	collette.mcateer@newryandmourne.gov.uk
Cllr. Declan McAteer	declan.mcateer@newryandmourne.gov.uk
Mr. Anthony McKay	anthony.mckay@nmandd.org
Cllr. Harold McKee	harold.mckee@newryandmourne.gov.uk
Eileen McParland	eileen.mcparland@newryandmourne.gov.uk
Ms. Jacqui McParland	jacqui.mcparland@nmandd.org
Cllr. Roisin Mulgrew	roisin.mulgrew@nmandd.org
Cllr. Mark Murnin	mark.murnin@nmandd.org

Mrs. Aisling Murray	aisling.murray@newryandmourne.gov.uk
Cllr. Barra O Muiri	barra.omuiri@nmandd.org
Cllr. Pol O'Gribin	pol.ogribin@nmandd.org
Mr. Canice O'Rourke	canice.orourke@downdc.gov.uk
Cllr. Brian Quinn	brian.quinn@newryandmourne.gov.uk
Cllr. Henry Reilly	henry.reilly@newryandmourne.gov.uk
Pat Rooney	pat.rooney@nmandd.org
Cllr. Michael Ruane	michael.ruane@newryandmourne.gov.uk
Cllr. Gareth Sharvin	gareth.sharvin@downdc.gov.uk
Cllr. Gary Stokes	gary.stokes@nmandd.org
Sarah Taggart	sarah-louise.taggart@downdc.gov.uk
Cllr. David Taylor	david.taylor@newryandmourne.gov.uk
Caroline Taylor	Caroline.Taylor@downdc.gov.uk
Cllr. Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Cllr. William Walker	william.walker@nmandd.org
Mrs. Marie Ward	marie.ward@downdc.gov.uk
Cllr. Clarke William	william.clarke@downdc.gov.uk



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 25 Nov 2015	Item Number:
Application ID: R/2012/0081/F	Target Date:
Proposal: 15 no apartments and 1no house	Location: Sites 2 and 4 Donard Street Newcastle Co Down BT33 0AW
Referral Route: Briefing Panel Referral	
Recommendation:	APPROVAL
Applicant Name and Address: Oaklee Homes Group Ltd	Agent Name and Address: RPP Architects Ltd 155-157 Donegall Pass Belfast BT7 1DT
Executive Summary:	
Signature(s):	

Case Officer Report		
Site Location Plan		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	NI Transport - Downpatrick Office	Add Info Requested
Non Statutory	NI Water - Multiple Units South	Approval in Principle
Non Statutory	Env Health Down District Council	Approval in Principle
Non Statutory	Water Management Unit	Refusal Recommended * Note upgrade of WWTW now complete.
Representations:		
Letters of Support	None Received	
Letters of Objection	20	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
Characteristics of the Site and Area		
<p>The site is located within the triangle of Donard Street, Bryansford Avenue and Shimna Road. The site is currently occupied by 2 large redundant technical college buildings. A right of way known as Park Lane runs through the site.</p> <p>The building on the southern portion of the site, where Donard Street and Bryansford Avenue meet, consists of a large grey pebble dashed two storey building which sits at an oblique angle to Bryansford Avenue and fronts onto Donard Street. Adjacent to this building is a smaller 2 storey building which is numbered No2 Donard Street. It is not clear what the purpose of this building was or if it was associated with the wider educational use on site. The smaller building is tucked into the rear of this building and faces onto Park Lane.</p> <p>The building on the northern portion of the site, differs in appearance in that it is red brick with different type glazing. It is three storey to the front along Donard Street and drops to two storey to the rear, with significant underbuilding so the overall massing is substantial. There is a car park to the rear of the site but not included within the site.</p> <p>The majority of the site is located within the town centre boundary of Newcastle, with the exception of the detached building on the southern portion of the site, which lies outside the town centre boundary. The area is a mix of residential properties and commercial premises.</p>		
Planning Assessment of Policy and Other Material Considerations		

This is an application for 15 apartments and 1 house. There have been two previous planning approvals on the site under R/2005/0608/O and R/2005/0610/O for residential apartment development (10 apartments in 3 storey blocks) and for residential apartment development (8 apartments in 3 storeys) respectively. The current application is for Choice Housing formerly Oaklee Housing Association.

The site is currently occupied by two educational buildings and a detached building. The principle of this type of development is acceptable at this location, the planning history on the site is also a material consideration.

The site is located within the settlement limits of Newcastle, with the majority falling within the town centre, it is within such urban centres that high density accommodation is found and expected. There is a mix of uses found in this area and a range of building types. On this site the two educational buildings are large, detached buildings with one being two storeys high (Site 2) and the other being 3 storeys (Site 4). This application proposes the demolition of these buildings and their replacement with 2 apartment buildings and a detached two and a half storey dwelling. Both apartment blocks proposed are 3 storeys, and generally mirror the footprint of the previous buildings.

Policy consideration

The Regional Development Strategy 2035 (RDS)
Strategic Planning Policy Statement 2015 (which supersedes PPS1)
Ards and Down Area Plan 2015
PPS 7 Quality Residential Environments
PPS 12 Housing in Settlements
PPS3 Access Movement and Parking
DCAN15 - Vehicular Access Standards
DCAN 8 - Housing in Existing Urban Areas.

The Regional Development Strategy 2035 (RDS) acknowledges that housing is a key driver of physical, economic and social change and emphasises the importance of the relationship between the location of housing, jobs, facilities, services and infrastructure. The RDS recognises that there are significant opportunities for new housing on appropriate vacant and underutilised land, and sets a regional target of 60% of new housing to be located in appropriate 'brownfield' sites within the urban footprints of settlements greater than 5,000 population.

It is considered the proposal complies with the policy guidance contained within the RDS.

The Strategic Planning Policy Statement published in 2015 Para 4.11 and 4.12 refers to Safeguarding Residential and Work Environments. There is no policy conflict between the current provisions of PPS7 and the SPPS. Similarly para 6.137 of the SPPS refers to Housing in Settlements again there is no policy conflict between the SPPS and applicable policies in PPS12.

Ards and Down Area Plan 2015 Policy NE14 Apartments, states that
Proposals for apartment development in Newcastle shall respect the architectural, streetscape and landscape character of the area and shall be in conformity with its established character in terms of:

- the set backs of properties from the street;

- the treatment of boundaries, both hard and soft;
- the structural landscape including the retention of mature trees;
- the scale of built form, particularly in terms of the height and massing when viewed from the street;
- the articulation of the roof and building lines; and
- the architectural detailing and use of materials.

It is contended that the proposal meets the above criteria and respects the existing streetscape and character. Further consideration of the above criteria is discussed further below.

Planning Policy Statement 7 - Policy QD1 Quality Residential Environments

Policy QD1 in 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. 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.

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.

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. The Department has considered the proposals against this and the above criteria and make the following assessment in this regard.

The proposed apartment block positioned on the corner of Donard St and Bryansford Avenue contains 9 units (Site 2). It is double fronted onto both roads and it turns the corner with the site. There is currently a large building on this site. It is a 2 storey building with a ridge of 12.6m. The new apartment building proposed is to be 10.8m at the highest points. It occupies a reduced footprint than the existing building. The existing building sits at an oblique angle to the dwelling at No. 3 Bryansford Avenue, whereas the new apartment building will follow the building line of the dwellings along Bryansford Avenue. The new building will be sited closer to the dwelling at No. 3, which is a 2 storey detached dwelling fronting onto the road. The new building will be running gable to gable with this house. It will be 2.6m away from the common boundary. There is a side extension on this house which goes up to the common boundary.

The Department is satisfied that the new building positioned here will not detrimentally affect the amenity of the residents of the dwelling at No. 3 Bryansford Avenue as there is only a window at ground level along this elevation so there will be no incidents of overlooking. Although the gable will sit further forward than the gable of the existing building, I am of the opinion that there will be no adverse effects to the neighbouring property as the buildings will sit gable to gable and the overall effect will be less than the existing building as it is overall a smaller building and occupies less area on the ground. The existing building is bigger and extends quite far back in the site and along the rear of the adjacent property, whereas the proposed building is located to the front of the site only and does not extend back as far as the property beside it. The proposal has marked the corner site by designing the part that is on the corner with wrap around corner windows surrounded in a different finish. Vehicular Access is proposed to this site from Donard Street. Pedestrian access is proposed to this site from Donard Street and Park Lane. Parking is provided on site. Normal car parking standards which would apply to a residential development such as this would be 1.5 spaces per residential unit. Given the highly accessible town centre location of the development, its proximity to public transport and capacity in a neighbouring car park, all this was considered by the Department in line with PPS 3 AMP7 that a reduced standard of 1:1 could apply. Therefore for the 15 no apartments, 15 no spaces are provided.

Public open space is only required where a development exceeds 25 no units. The current development is for 16 no units therefore there is no requirement to provide public open space for this development.

Private open space has been provided in this development in the form of communal open space, this is acceptable for apartment development in line with PPS 7 QD1/ DCAN 8. The site context also allows for easy access to open spaces and recreational spaces, namely numerous local parks and the beach and promenade.

The single detached house located in the middle of Site 2 is acceptable as it conforms with Policy QD1 in PPS7. The dwelling is proposed to be 2.5 storeys high and will front onto Park Lane. It will sit gable to gable with the adjacent property at No. 4 Park Lane. It is proposed to be located slightly in front of the adjacent dwelling at No.4 by 1m, meaning the footprint of the proposed dwelling is 6m closer to Park Lane than the existing buildings footprint.

No.4 Park Lane is a bungalow and although the proposed new dwelling is 8.9m to ridge, there will be no adverse effects on the adjacent dwelling as there are no windows proposed on the gable so there will be no incidents of overlooking and there will be no overshadowing as they site

side on, being 2.4m apart. There are 3 no ground floor windows on No. 4 Park lane, however these windows are already overshadowed by the existing building on site, I therefore consider there to be no increase in impact on amenity of No.4 by pulling the building closer by 6m to Park Lane. There is adequate private amenity to the rear and private parking provided. Vehicular access to the site is through Site 2, pedestrian access is from Park Lane. Parking is provided on site at 1 no space in line with the reduced standard of 1:1 ratio.

The apartment block proposed on Site 4, is located in the most northerly part of the site. There is an existing 3 storey building on this part of the site. It extends from the front of the site to the rear. There is a drop in levels from the front part of the site to the rear. There is an existing right of way running through the site adjacent to this building, namely Park Lane.

The current building extends in width from the edge of this part of the site along the right of way to the opposite end adjacent to the property at No. 6 Donard St.

This proposal is a new 3 storey apartment building housing 6 apartments. It is to be located alongside Park Lane right of way. The access will be from Donard Street. The proposed apartment block will be 9m at the closest point to the adjacent dwelling at No.6 Donard street. The existing building on site is currently 2m from No.6 Donard Street.

The apartment block has been assessed against the Policy requirements of Policy QD1 and is satisfied that the apartment block will not adversely affect the residential amenity of neighbouring properties. The existing building occupies a much larger footprint of the ground, and as stated extends to the common boundary of the dwelling at No. 6. The proposed building is smaller overall. The height of the existing and the proposed building is the same. As the proposed building is smaller and further removed from the dwelling at No. 6 the impact of this building will be less than the existing in terms of overshadowing or loss of light.

The front of the proposed apartment block faces north, towards the dwelling at No. 6. However the Department is of the opinion that as there is sufficient separation distance between the proposed building and the curtilage of the adjacent property there will be no adverse effects on the private amenity of this property. The new building will be set at an oblique angle from the adjacent property, unlike the existing which is set directly running alongside the dwelling, therefore reducing the impact of the new building. It is noted that the private amenity of No.6 Donard Street is to the rear of the property. There is a front garden to No.6 which fronts Donard Street, while this forms part of the properties amenity it cannot be considered to be truly private given the passing pedestrian and vehicular traffic along Donard Street.

Vehicular and pedestrian access to the site is from Donard Street. Parking is provided on site. No impact on ROW: Park Lane.

Boundary treatments proposed involve the removal of the existing boundary wall along Donard Street/ Bryansford Ave/Park Lane, with its set back into the site, and replacement with facing brick wall with metal railing on top.

Facing brick wall with close board fencing will define the car parking on Site 4 with Park Lane, also defines partial boundary with No.3 Bryansford Ave and Site 2. Existing hedge noted to be retained on remainder of this boundary.

Boundary treatment with No.6 Donard Street and Site 2 is a close board fence.

A close boarded fence and wall below defines the boundary of Site No.2 with the adjacent Public Car park

Considering the above I am content that the proposals will not result in unacceptable damage to the local character, environmental quality or residential amenity of this area.

The Department has assessed the design of the buildings and the overall form and is satisfied with the proposal. The use of different materials such as clay facing brick and render break up the overall appearance of the buildings. The red brick is seen in buildings in the area, most notably the Donard Hotel opposite the site. The overall layout of the scheme is acceptable. TransportNI are satisfied with the parking provision and access arrangements. There is adequate landscaped areas for a scheme of this nature in this location. A landscape plan has been submitted with the proposals which will be conditioned to be implemented. Current boundary wall to Donard Street is to be removed and set back into the site, creating a wider pavement along Donard Street.

PPS 12 Housing in Settlements states that the reservation of land for social housing will be achieved either through the zoning of land or the outlining of key site requirements through the development plan process. This will not preclude other sites coming forward through the development control process. The zoning of land for social housing will help facilitate the supply of affordable housing. The current site is brownfield land which has come up for development. Residential use is considered an acceptable use.

HS 2 Social Housing

In locations where a demonstrable housing need is identified by the Northern Ireland Housing Executive, planning permission for housing proposals will only be granted where provision is made for a suitable mix of housing types and tenures to meet the range of market and social housing needs identified.

The proportion of land or units to be set aside for social housing will be determined as part of the development control process.

This policy will be applied where a need for social housing is established through a local housing needs assessment and the development plan for the area has not provided for it.

There is correspondence on file from the Minister of Social development stating that Newcastle is an area of high housing need and refers to this scheme by Choice Housing Association.

PPS3 Access Movement and Parking

TransportNI carried out a traffic Survey between 6-16 July 2012. this revealed max vehicle count on 14 July 2012 to be 3334 vehicles and the average speed in Donard Street to be <30mph, they state that the increase in volume of traffic on Donard Street would not cause any significant traffic progression problems. Access and site layout fully complies with the Road requirements in terms of access arrangement and parking. No objection therefore offered on Traffic grounds.

DCAN15 - Vehicular Access Standards

The proposal is for 2 no accesses directly onto Donard Street. Transport NI was consulted and have no objections to the proposal subject to conditions.

NIEA Water Management Unit had initially recommended refusal based on the capacity issues at the WWTW in advance of the upgrade. The situation has now been resolved since the upgrade to the WWTW is complete.

Representations received

A substantial number of objections including a number of petitions and representations from MP's MLA's and elected representatives were received in respect of this application. The main issues raised were;

- The proposal is contrary to PPS 7 and PPS 7 Addendum and the criteria therein.
- The impact on the street scene including, views, separation distances, overlooking, loss of light, overshadowing, noise and other general disturbance
- The impact of parking provision
- The existing buildings have had an over-bearing effect and this should be an opportunity to put this right.
- Loss of light to adjoining properties
- Provision of open space is inadequate
- Parking provision is inadequate
- Two accesses onto Donard St
- Additional traffic onto an already problematic immediate road network, will cause congestion
- Residents of the new proposal would suffer from the noise and disturbance from the bar and taxi office opposite
- The area is too close to the town for families or elderly people
- Character of the area would be altered and disrupt the lives of the present residents
- The proposed development is 3 storey while the existing blocks are 2 storey
- The development is too large and dense for the site
- Noise during construction
- Concerns over how many people each unit can accommodate
- Not suitable site for social housing.

The issues raised during the processing of the application have been considered. Those issues dealing with overlooking, overshadowing, separation distances have been addressed in the above report and have been assessed against PPS7.

It is not considered that the proposal will have a negative impact on the street scene as the impact from the new buildings will be overall less than the existing buildings.

TransportNI have been consulted and after discussion and amended plans being submitted, they have no further objections. They are satisfied with the parking provision and the access arrangements and have considered the current road layout and traffic volume.

The open space provision is adequate considering the urban context, whereby the expectation for amenity space is less in such areas. The site is located within close proximity to parks and the beach and promenade for recreational use. All the necessary services are located in close proximity to the site given its town centre location.

The Department consider the existing uses across from the site will not create any adverse effects to any potential occupants of the buildings. This type of development is found and expected in such urban locations.

The site provides an ideal location in terms of providing a movement pattern that supports walking and cycling, meets the needs of people whose mobility is impaired. Proposal offers proximity to good public transport links and neighbourhood facilities.

One of the existing blocks is 2 storey and the other is 3 storey. But as discussed above the ridge height is largely the same with the existing and the proposed. The Department has to consider the existing buildings on the site when assessing any new application. The proposed buildings overall are smaller in scale than the existing.

The Department has no control over the potential number of occupants or social makeup of the development in the future, as it has no control over any noise during construction.

A meeting on site was convened on site on the 8 October 2015 at the request of Sean Rogers MLA and attended by residents and TransportNI representatives. Issues raised related to the

traffic generation from the proposal and the suitability of the site for social housing. TransportNI reiterated that the proposal was acceptable in terms of traffic generation and progression and had no objection to the proposal. On the matter of the suitability of the site for social housing, planning has considered the proposal against residential policy namely PPS7 and have found the proposal acceptable. Planning cannot control the occupants of the development, this would be a matter for the Housing Association to control.

Having considered the above, an APPROVAL is recommended.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Conditions

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

Reason: Time Limit.

2. The development hereby approved shall not be commenced until the developer/applicant has submitted to and received approval from the Council for a scheme for the highway improvements indicated generally on drawing No R/2012/0081/03 dated 20 July 2012

3. Tactile paving to be provided as where is considered necessary by the Council.

4. No dwelling shall be occupied until the works comprised in the highway scheme referred to in condition 2 have been fully completed and so certified by the Council in writing.

5. A suitable wall to be erected to the satisfaction of the Council along frontage of site to the rear of footway.

6. Prior to the occupation of the development hereby approved, all boundary treatments shall be erected as indicated on drawing ref R/2012/0081/03 date stamped 20 July 2012 and R/2012/0081/05 dated 8 February 2012.

Reason: In the interest of privacy and amenity.

7. None of the dwellings hereby permitted shall be occupied until the (sewage disposal/drainage) works have been completed in accordance with the submitted plans.

Reason: In the interests of public health.

8. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Department.

Reason: In the interests of public health.

9. No building shall take place within 6 metres of (public sewers/watermains).

Reason: To prevent disturbance to existing sewers/watermains.

10. All services within the development shall be laid underground.

Reason: In the interests of visual amenity.

11. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice as indicated on the Landscape Plan ref R/2012/0081/13 dated 31 October 2012. The works shall be carried out prior to the occupation of any part of the development.

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

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

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

Informatives

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. The applicant is advised that the internal layout of the proposal should make adequate provision for the needs of people with disabilities.
4. The applicant's attention is drawn to:
 - i. the relevant provisions of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and
 - ii. the Code of Practice for Access for the Disabled to buildings.
5. The applicant is advised that there is a premises in close proximity which has an Entertainment Licence and there is potential for disturbance from patrons, music etc.
6. Notwithstanding the terms and conditions of the Department for Regional Development's approval set out above, the developer is required to enter into a license agreement with the Department for Regional Development, Roads Service for the carrying out of the road works at Donard Street prior to the commencement of any works on the public road network.
7. Final details of the highway improvements directly related to the development referred to in condition 2, should be agreed with the Department for Regional Development's Roads Service prior to the issue of the license, which can take 3-4 months to process.
8. Notwithstanding the terms and conditions of the Council's approval set out above, the applicant is required under the Street works (Northern Ireland) Order 1995 to be in possession of a Street Works license before any work commences which involves making any opening or placing of any apparatus in the public roadway.
9. Traffic management arrangements to facilitate the construction of the development and associated road works hereby approved shall comply with the requirements of the Safety at Street Works and Road Works Code of Practice issued by the Department for Regional Development (Northern Ireland) under Article 25 of the Street works (Northern Ireland) Order 1995. Detailed proposals shall be agreed with Traffic Section, Rathkeltair House in advance of the commencement of any works that may affect the public road network and, where appropriate, shall be subject to the approval of the PSNI Road Policing Unit.

Signature(s)

Date:

ANNEX

Date Valid

8th February 2012

Date First Advertised

22nd February 2012

Date Last Advertised

Details of Neighbour Notification (all addresses)

The Owner/Occupier,
11 Main Street Ballaghbeg Newcastle

The Owner/Occupier,
11 Main Street Ballaghbeg Newcastle
P Clarke
135D Main Street Dundrum Down
obo Mrs Anne Callan
14 Killynure Avenue, Carryduff, Down, Northern Ireland, BT8 8ED
C O'Boyle
16 Rowley Meadows Ballaghbeg Newcastle
S McKibbin
24 Eliza Close Tollymore Newcastle

The Owner/Occupier,
3 Bryansford Avenue Ballaghbeg Newcastle

The Owner/Occupier,
30 Railway Street Ballaghbeg Newcastle

The Owner/Occupier,
31 Main Street Ballaghbeg Newcastle
A Callan
4 Park Lane Ballaghbeg Newcastle

The Owner/Occupier,
4 Park Lane, Newcastle, Co. Down
M Kane
44 Merrion Avenue Murlough Upper Newcastle

The Owner/Occupier,
5 Bryansford Avenue, Ballaghbeg, Newcastle, Down
A Maginn
6 Donard Street Murlough Upper Newcastle
H Corbett
6 Park Lane Ballaghbeg Newcastle

The Owner/Occupier,
6 Park Lane, Newcastle, Co. Down
S Rogers MLA

<p>60 Main Street Castlewellan Down J Baillie 70 Tullybrannigan Road Ballaghbeg Newcastle A O'Donoghue 8 Park Lane Ballaghbeg Newcastle The Owner/Occupier, 9 Main Street Ballaghbeg Newcastle The Owner/Occupier, Donard Hotel, Main Street, Newcastle, Co. Down The Owner/Occupier, Donard Taxis, Donard Street, Newcastle, Co. Down JH Wells MLA Parliament Buildings Stormont Estate Ballymiscaw The Owner/Occupier, Presbyterian Church Hall, Bryansford Avenue, Newcastle, Co. Down P Small Unit 3 The Shopping Centre Main Street M Davey Unit 5 The Shopping Centre Main Street T Herron Unit 6 The Shopping Centre Main Street</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
Summary of Consultee Responses	
Drawing Numbers and Title	
<p>Drawing No. Type: Status: Submitted</p> <p>Drawing No. Type:</p>	

Status: Submitted
Drawing No.
Type:
Status: Submitted
Notification to Department (if relevant)
Date of Notification to Department:
Response of Department:

Application Number: R/2012/0081/F – Oaklee Housing – 15 Apartments and 1 dwelling at 2+4 Donard Street, Newcastle

Councillor's Name: Laura Devlin

Reason(s) for requesting application appear before the Planning Committee:

I am making this submission as a Councillor and not a member of the Planning Committee. I have been involved with the objectors to this application during my time on the Legacy Council so will be removing myself if/when this application comes before the full Committee for Decision.

I am fully supportive of social housing but feel that this location remains inappropriate for development of this size and scale. I continue to support the local objectors on this issue.

I along with a number of other elected representatives have had concerns about this application from the onset.

I would ask the panel to consider the lack of **private and public amenity space** in this proposal.

The area identified for amenity space at site 2 faces the Donard Bar and taxi rank. The local taxi rank operates some nights as late as 5am. I do not feel that this location is in keeping with the requirements of PPS7, as I do not feel that this will provide for suitable family living space.

Loss of Light and overlooking

Number 4 will be adversely affected by this development in that her sole source of light to her front sitting room will be lost as the dwelling has been moved forward 9.2m and she will be overlooked. This is not fair and has a massive impact on her residential amenity. Has the privacy of number 2 and 4 Park Lane been given full consideration give the views that the new tenants will have on 3 separate neighbouring floors?

Parking

This proposal allows for only 15 car parking spaces. From experience Transport NI have always made a stipulation of 1.5 car spaces per unit so in this application, the developer falls drastically below what is required. I would also challenge the applicants assumption that their tenants may not all have cars. Given that Oaklee housing works off the NIHE's common Housing waiting list they have no control over which individuals get allocated a property and whether or not they have access to a vehicle or maybe even two vehicles.

Transport NI have also stated "I assume full off-street parking has been provided as any overspill onto the public road at this location will not be permitted."

Why does there appear to be one rule for social housing parking and one for private? I think it is unfair to make the assumption that the parking requirements will be less with no knowledge of the individual tenant.

For this reason alone this application should be recommended for refusal.

Traffic

There have been issues with this application from the onset in that the Roads Report which was initially provided did not reflect the new road network in Newcastle. From the portal, I see the roads report is dated 2012 – is this the new one that reflects the revised layout in Newcastle? This isn't clear.

I also note that the Roads Report makes reference to road works at 22 Dromore Road?? There is no Dromore Road in the vicinity of this proposed development. Has there been an error?

I am in Newcastle every single day and traffic flow is an issue – even in the depths of winter. During the summer the town is more often than not at a standstill so I would again ask Transport NI to demonstrate how this additional traffic can be accommodated especially given the comments above re parking, I have grave concerns about this application.

I feel that this application warrants a full interrogation of detail at the full Planning Committee and respectfully request that it be approved by the panel to proceed to Committee.

Thank you.

Briefing Panel Decision:



Oaklee Housing, Newcastle

Rogers, Sean

to:

mark.keane@nmandd.org, annette.mcalarney@nmandd.org

16/11/2015 16:10

Cc:

"colette.mcateer@newryandmourne.gov.uk"

Hide Details

From: "Rogers, Sean" <sean.rogers@mla.niassembly.gov.uk>

To: "mark.keane@nmandd.org" <mark.keane@nmandd.org>,

"annette.mcalarney@nmandd.org" <annette.mcalarney@nmandd.org>,

Cc: "colette.mcateer@newryandmourne.gov.uk"

<colette.mcateer@newryandmourne.gov.uk>

History: This message has been forwarded.

1 Attachment



16 Nov 15 Objection A Maginn.pdf

Mark/Annette/Colette

Please find attached objection letter received from Ms Anne Maginn of 6 Donard Street, Newcastle.

May I ask that this be associated with the Oaklee Planning Application for Donard Street, Newcastle which is due before the Planning Committee next week?

Hardcopy to be delivered to Downpatrick this evening.

Best wishes,

Seán



Seán Rogers MLA
8 Railway Street,
Newcastle,
BT33 0AL

Tel: 437 22443
www.seanrogers.ie

6, Donard Street,
Newcastle
Co Down
BT33 0AW
12/11/2015

Planning Division,
Department of Environment,
Downpatrick.

Dear Sir,

I understand that planning for the proposed development of the site on Donard Street has passed the preliminary stage, despite ongoing objections.....

I live literally next door (at No 6) to the proposed building (referred to on the plans as 'Site 4') and, as the **sole** resident in Donard Street, it is hard to believe that I have never been updated by Planning on this very serious matter. As well as the general objections ie inadequate parking spaces on site; proximity to busy road; proposed widening of the footpath etc, I wish to highlight yet again **my** personal concerns, which have not been addressed.

- Living area in the proposed apartments directly overlooks my hall, living room, bathroom and back yard.
- The replacement building is to be three storeys high, curtailing my natural light even more than the existing two storey building.
- Proposed boundary wall at the side of my garage appears to be on my property.

I read in this week's local paper that a site meeting is planned 'in the near future' so could I suggest - **yet again** - that a visit to my property might be included in that site meeting.

I look forward to your reply.
Yours faithfully,

Anne Maginn

Enclosing copy of my previous correspondence on this matter date 03/03/2012

Ref: R/2012/0081/F

6 Donard Street,
Newcastle
Co Down
BT33 0AW
03/03/12

Area Planning Manager
Southern Area Planning Division
Department of the Environment
Rathkeltair House

Dear Sir,

I am writing to you concerning the proposed development of the old Technical College site in Newcastle.

I am the owner/resident of 6 Donard Street which borders the development and while I am not totally opposed to the concept proposals by Oaklee Housing, I have some concerns which I need addressed before I could consider giving my support to the project.

There are several points on which I am seeking clarification:

- (i) When viewing the drawings, part of the new construction seems to be on my land (the garage wall to the rear of the house looks like it is being used as a new wall/border) please clarify the proposed border.
- (ii) There is no scale on the drawings to truly be able to comprehend the finished size of the development and surrounding landscaped areas.
- (iii) My main concern involves the loss of privacy that the development will cause. The proposed block of 6 apartments directly overlooks my living room as well as overlooking my backyard. Therefore the proposed construction detail of the border to my land is of upmost importance. I will need detailed and comprehensive drawings of the proposed separating structures, and feel that nothing less than a wall of at least 10 feet in height will give me piece of mind regarding my security/privacy.
- (iv) Your letter of Jan 4th stated that previous representations made to the developer have forced a revision of the plans, resulting in "re-orientation to 'face' Donard Street and the existing car park with no habitable windows on the elevation overlooking residences in Park Lane". I would like to know why others have been accommodated at my expense.

I look forward to your responses on the above concerns to enable me to give my support to the proposed development. In fact I would welcome the opportunity to discuss these issues, preferably on site.

Regards,

Anne Maginn

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

Ref: PL / DM

Minutes of the Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 28 October 2015 at 10.00 am in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor W Clarke (in absence of Councillor J Tinnelly)**In attendance:****(Committee Members)**

Cllr P Brown	Cllr M Larkin
Cllr G Craig	Cllr V Harte
Cllr L Devlin	Cllr K Loughran
Cllr H McKee	Cllr M Ruane

(Officials)

Mr A McKay	Head of Planning
Mr P Green	Legal Officer
Mr P Rooney	Principal Planning Officer
Ms J McParland	Senior Planning Officer
Mr A Davidson	Senior Planning Officer
Ms C McAteer	Democratic Services Officer
Ms L Dillon	Democratic Services Officer

P/55/2015: APOLOGIES / CHAIRMAN'S REMARKS

Mr L Hannaway Chief Executive
 Councillor J Tinnelly
 Councillor D McAteer
 Councillor M Murnin

P/56/2015: DECLARATIONS OF INTEREST

Councillor L Devlin declared an interest in Planning Application R/2014/0403/O regarding a proposed infill dwelling and garage at site approximately 50m nw of 53 Tullyree Road Kilcoo as she had been involved with this application in the legacy Down District Council.

Councillor W Clarke declared an interest in Planning Application R/2014/0403/O regarding a proposed infill dwelling and garage at site approximately 50m nw of 53 Tullyree Road Kilcoo as he had been involved with this application in the legacy Down District Council.

**P/57/2015: MINUTES OF PLANNING COMMITTEE MEETING
- WEDNESDAY 30 SEPTEMBER 2015**

Read: Minutes of Planning Committee Meeting held on Wednesday 30 September 2015. (Copy circulated)

AGREED: On the proposal of Councillor Craig seconded by Councillor McKee it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 30 September 2015 as a true and accurate record.

**P/58/2015: ACTION SHEET
RE: MEMBERS' BRIEFING PANEL MEETING
TUESDAY 6 OCTOBER 2015**

Read: Action Sheet of Members' Briefing Panel Meeting held on Tuesday 6 October 2015. (Copy enclosed)

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

P/59/2015: PLANNING PERFORMANCE FIGURES

Read: Planning Department Performance Indicators. (Copy circulated)

Noted: It was noted the Planning Performance figures showed significant improvement in performance. Additional administrative support staff have been provided and it was envisaged they would all be in place by early November 2015. It was hoped additional planning staff would be in place by December/ 2015/January 2016.

AGREED: It was agreed to note the Planning Performance Figures.

P/60/2015: APPLICATIONS FOR DETERMINATION

The following Applications were considered by the Committee:

(1) P/2006/2023/O

Location:

Lands between Crieve Road and Monks Hill Road, Newry (extending eastwards from Crieve Court to No. 37 Crieve Road).

Proposal:

Site for 65 detached dwellings with associated site works.

Conclusion and recommendation from Planning Official:

Refusal.

Noted: Councillor P Brown joined the meeting at this point. (10.10am)

AGREED: On the proposal of Councillor Craig seconded by Councillor Ruane it was agreed to issue a Refusal in respect of Planning Application No. P/2006/2023/O, as per the Development Management Officer Report.

Noted: No abstentions

(2) P/2014/1025/FULL

Location:

50 metres east of No. Drumhariff Road, Whitecross, Newry.

Proposal:

Erection of poultry shed, underground wash water tank, 2 feed silos, sorting/packing area and concrete yard with alterations to access onto public road.

Conclusion and recommendation from Planning Official

Approval.

AGREED: On the proposal of Councillor McKee seconded by Councillor Devlin it was agreed to issue an Approval in respect of Planning Application P/2014/1025/F, subject to Conditions 1 – 5, and Informatives 1-8, as per the Development Management Officer Report.

**P/61/2015: DRAFT CONDITIONS
RE: PLANNING APPLICATION R/2014/0487
(ALTERNATIVE HEATING KANE HEATING)**

Agreed: On the proposal of Councillor McKee seconded by Councillor Ruane it was agreed to exclude the public and press from the meeting during discussion on this matter which related to exempt information by virtue of Paragraph 6 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information which reveals that the Council proposes

- (a) to give under any statutory provision a notice by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any statutory provision.

Agreed: Councillor McKee seconded by Councillor Devlin it was agreed to issue an Approval in respect of Planning Application P/2014/1025/F, subject to Conditions 1 – 5, and Informatives 1-8, as per the Development Management Officer Report.

Meeting to be held on Wednesday 25 November 2015, if possible, to allow investigations to continue into the alleged breach of planning controls at the site.

P/62/2015: TRAINING – PLANNING COMMITTEE

Councillor Clarke said it appeared there was a need to provide more clarity within political party structures on how the Planning Committee operated in the new Council and he felt training should be provided on this area.

Agreed: On the proposal of Councillor McKee seconded by Councillor Larkin it was agreed the Council arrange for appropriate training to be provided for the various political parties on the Council, including MLAs, MPs and relevant office/administrative staff within party structures on how the Planning Committee operates under the new Council.

There being no further business the meeting concluded at 11.00am.

For adoption at the Planning Committee Meeting to be held on Wednesday 25 November 2015.

Signed: _____ Chairperson

Signed: _____ Chief Executive

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL
MEMBERS' BRIEFING PANEL (PLANNING)

ACTION SHEET – from Meeting held on Tuesday 3 November 2015

In Attendance:	Councillor J Tinnelly (Chair) Councillor W Clarke (Vice Chair) Councillor D McAteer Councillor H McKee
Officials in Attendance:	Mr A McKay, Head of Planning Mr P Rooney, Principal Planning Officer Ms J McParland, Senior Planning Officer Mr A Davidson, Senior Planning Officer Mr M Keane, Senior Planning Officer Mr P Green, Legal Advisor Mrs E McParland, Democratic Services Manager Ms L Dillon, Democratic Services Officer

The following delegated applications were presented to the Members' Briefing Panel for consideration:-

DETAILS OF APPLICATION	ACTION
<p>Councillor W Clarke declared an interest in this application as he had been involved with press statements and had been in contact with the Planning Department regarding this application facilitated and he withdrew from the meeting for the discussion. (10.10am)</p> <p>Application ref: R/2012/0081/F</p> <p>Applicant Name: Oaklee Homes Group Ltd</p> <p>Proposal: 15 No. apartments and 1 No. house</p> <p>Site Location: Sites 2 and 4 Donard Street Newcastle Co Down</p> <p>Recommendation from Planning Officer: APPROVAL</p>	

DETAILS OF APPLICATION	ACTION
<p>Briefing Panel Decision: (Councillor Devlin made a representation of objection to this planning application)</p> <p>It was unanimously agreed the Planning Committee conduct a site visit on Wednesday 25 November 2015, prior to the commencement of the Planning Committee Meeting and thereafter be referred to the Planning Committee for consideration.</p> <p>NB: Councillor Clarke joined the meeting – 10.40am</p>	<p>Defer for site visit on 25/11/15 and refer to Planning Committee Mtg 25/11/15 for consideration.</p>
<p>Application ref: R/2014/0078/F</p> <p>Applicant Name: Henderson Group Property</p> <p>Proposal: Side and rear 2 storey extension .</p> <p>Site Location: 7 Saintfield Road Crossgar</p> <p>Recommendation from Planning Officer: APPROVAL</p> <p>Briefing Panel Decision: It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – APPROVAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – APPROVAL</p>
<p>Application ref: R/2015/0084/F</p> <p>Applicant Name: Mr Chambers</p> <p>Proposal: Proposed dwelling and garage on farm in substitution of R/2009/0909/O</p>	

DETAILS OF APPLICATION	ACTION
<p>Site Location: 180 s/e of 16 Kennel Road Clough</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Cllr D Curran made representation on this application)</p> <p>Councillor McAteer proposed that Planning Application R/2015/0084/F be deferred to the Planning Committee for consideration. No seconder was received.</p> <p>It was agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>
<p>Application ref: P/2014/0578/F</p> <p>Applicant Name: Mr Shane Quinn</p> <p>Proposal: Proposed erection of domestic shed and associated works.</p> <p>Site Location: Adjacent and s/w of No. 56 Drumalt Road Dorsey Cullyhanna.</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor B O Muiri)</p>	<p>Agree with the decision as proposed by the</p>

DETAILS OF APPLICATION	ACTION
<p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Officers under delegated powers – REFUSAL</p>
<p>Application ref: P/2014/0806/LDP</p> <p>Applicant Name: Mr Brendan Quinn</p> <p>Proposal: Alterations and extension to dwelling.</p> <p>Site Location: 88 Newry Road Hilltown</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor Fitzpatrick)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – consideration of amendments required. If the amendments do not meet legislation the proposal will continue as a REFUSAL</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – consideration of amendments required. If the amendments do not meet the legislation the proposal will continue as a REFUSAL</p>
<p>Councillor H McKee declared an interest in this planning application as he had previously made representations on the application and he withdrew from the meeting for discussion. (11.25am)</p> <p>Application ref: P/2015/0002/F</p> <p>Applicant Name: Mr J Perry</p> <p>Proposal: Erection of dwelling and garage (proposed</p>	

DETAILS OF APPLICATION	ACTION
<p>change of house type from that previously approved under P/2008/0825/RM)</p> <p>Site Location: Council Road Kilkeel</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor Doran)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p> <p>Councillor McKee joined the meeting. (11.45am)</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>
<p>Application ref: P/2015/0221/F</p> <p>Applicant Name: Mr F McGuinness</p> <p>Proposal: Erection of vehicle maintenance shed and retention of existing yard for storage of vehicles.</p> <p>Site Location: Adjacent and south of No.41 Newtown Road Killeen Newry)</p> <p>Recommendation from Planning Officer: REFUSAL</p> <p>Briefing Panel Decision: (Representation of support for the applicant received from Councillor T Hearty)</p> <p>It was unanimously agreed that the Panel are satisfied with the decision as proposed by officers under delegated powers – REFUSAL.</p>	<p>Agree with the decision as proposed by the Officers under delegated powers – REFUSAL</p>

For noting at the Planning Committee Meeting to be held on Wednesday 25 November 2015.

Signed: Mr A McKay
Head of Planning

Live Applications by length of time in the system
As At:- 11/9/2015

Division	Under 6 months	Between 6 and 12 months	Between 12 and 18 months	Between 18 and 24 months	Over 24 months	Total
Newry, Mourne and Down	673	500	131	64	132	1,500
Newry, Mourne and Down Totals	<u>673</u>	<u>500</u>	<u>131</u>	<u>64</u>	<u>132</u>	<u>1,500</u>
Divisions Total No HQ	<u>673</u>	<u>500</u>	<u>131</u>	<u>64</u>	<u>132</u>	<u>1,500</u>
Planning Service Totals	<u>673</u>	<u>500</u>	<u>131</u>	<u>64</u>	<u>132</u>	<u>1,500</u>

Applications Received

Month	2014	2015
April	140	164
May	185	171
June	100	148
July	128	152
August	119	102
September	145	136
October	125	144
Total	942	1017

No. of Applications Decided

Month	2014	2015
April	87	20
May	106	69
June	106	66
July	128	84
August	122	72
September	118	119
October	121	130
Total	788	560

Breakdown of Decisions 1 April – 31 October 2015

Decision	Total	Percentage
Approve	509	91%
Refuse	51	9%
Total	560	100%

Newry, Mourne and Down Council

Applications for Planning Permission

and

Applications deferred from previous meetings

11/25/15

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

Council Newry, Mourne and Down

Date 11/25/15

ITEM NO	1			
APPLIC NO	LA07/2015/0513/F	Full	DATE VALID	6/18/15
COUNCIL OPINION	APPROVAL			
APPLICANT	Killeavy GAC 49 Forkhill Road Cloughogue Newry BT35 8QX		AGENT	Milligan Reside Larkin 56 Armagh Road Newry BT35 6DN 02830253755
LOCATION	49 Forkhill Road Cloughogue Newry BT35 8QX			
PROPOSAL	Proposed new 3G pitch, outdoor gym area and new walking/jogging path with associated site works			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

ITEM NO	2			
APPLIC NO	P/2014/0515/F	Full	DATE VALID	6/3/14
COUNCIL OPINION	APPROVAL			
APPLICANT	BCM NI C/O Agent		AGENT	McCready Architects 8 Market Place Lisburn BT28 1AN 02892662357
LOCATION	Mullartown House 159 Glassdrumman Road Annalong			
PROPOSAL	Additional accommodation to provide sports hall facilities			
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	0	0	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

PLANNING (NI) ORDER 1991
APPLICATIONS FOR PLANNING PERMISSION

ITEM NO	3						
APPLIC NO	R/2014/0145/F	Full	DATE VALID	3/20/14			
COUNCIL OPINION	APPROVAL						
APPLICANT	Windsor Developments Ltd c/o agent		AGENT	Coogan and Co Architects Ltd 144 Upper Lisburn Road Belfast BT10 0BG 02890301130			
LOCATION	Boulevard Park Dundrum Road Newcastle						
PROPOSAL	Erection of 50 dwellings (12 detached and 38 semi-detached) (change of house types from that previously approved under 2004/A563 and R/2003/0888/F), including car parking and landscaping. (Amended proposal/plans received)						
REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions		SUP Petitions		
	1	0	0		0		
			Addresses	Signatures	Addresses	Signatures	
			0	0	0	0	

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

Council Newry, Mourne and Down Date 11/25/15

ITEM NO	D1			
APPLIC NO	R/2012/0081/F	Full	DATE VALID	2/8/12
COUNCIL OPINION	APPROVAL			
APPLICANT	Oaklee Homes Group Ltd		AGENT	RPP Architects Ltd 155-157 Donegall Pass Belfast BT7 1DT 028 9024 5777

LOCATION Sites 2 and 4 Donard Street
Newcastle
Co Down
BT33 0AW

PROPOSAL 15 no apartments and 1no house

REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	20	0	3	0
			Addresses Signatures	Addresses Signatures
			146 174	0 0

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

ITEM NO	D2			
APPLIC NO	R/2013/0107/F	Full	DATE VALID	3/8/13
COUNCIL OPINION	REFUSAL			
APPLICANT	G & M Lodge Caring Ltd 76 Main Street Pomeroy BT70 2QP		AGENT	Building Design Solutions 76 Main Street Pomeroy BT70 2QP 028 87 759292

LOCATION 76 Tollymore Road
Newcastle
Co.Down

PROPOSAL Change of use and bedroom extension to existing guest house to provide hotel
(amended plans)


REPRESENTATIONS	OBJ Letters	SUP Letters	OBJ Petitions	SUP Petitions
	20	1	0	0
			Addresses	Signatures
			0	0
			Addresses	Signatures
			0	0

- 1 The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal fails to comply with PPS21 CTY4 and PPS 16 Tourism Development in the Countryside.
- 2 The Proposal is contrary to Planning Policy Statement 16, Tourism, policies TSM 3 and TSM 7 in that access to the public road can not be provided without prejudice to road safety or significantly inconveniencing the flow of traffic.
- 3 The Proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the road infrastructure to sustain this development cannot be provided within the scope of this application.



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA07/2015/0513/F	Target Date:
Proposal: Proposed new 3G pitch, outdoor gym area and new walking/jogging path with associated site works	Location: 49 Forkhill Road Cloughogue Newry BT35 8QX
Referral Route: Application falls within the threshold of Retailing, Community, Recreation and Culture of The Planning (Development Management) Regulations (Northern Ireland) 2015 in that the area of land exceeds 1 hectare and therefore is classed as a major application	
Recommendation:	Approval
Applicant Name and Address: Killeavy GAC 49 Forkhill Road Cloughogue Newry BT35 8QX	Agent Name and Address: Milligan Reside Larkin 56 Armagh Road Newry BT35 6DN
Executive Summary:	
Signature(s):	

Case Officer Report		
Site Location Plan		
		
Consultations:		
Consultation Type	Consultee	Response
Statutory	Rivers Agency	Content
Advice and Guidance	Env Health Newry Mourne And Down District Council	Substantive Response Received
Statutory	NI Transport - Downpatrick Office	Content
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
Characteristics of the Site and Area		
<p>The application site is located immediately adjacent and 0.2 miles of the small settlement of Newtowncloghoge.</p> <p>The general area is rural with surrounding agricultural land whilst mountainous/ forestry hillside is located to the west (Slieve Gullion). Within the vicinity of the site residential housing is located to SE along with a number of commercial properties stretched along Forkhill Road.</p> <p>The existing Killeavy GAC comprises of two existing grass pitches with a separate all weather surfaced area which is encompassed by flood lighting, car parking areas and club buildings with access from a gated entrance to the southern portion of the site.</p>		

Planning Assessment of Policy and Other Material Considerations

ASSESSMENT OF POLICY AND OTHER MATERIAL CONSIDERATIONS

Area Plan:

Banbridge/ Newry and Mourne Area Plan 2015 - Outside the development limits of Newtowncloghoge within the open countryside of the designated AONB

Proposals:

Full planning permission is sought to replace the existing all weather pitch by a new 3G pitch with 6m high perimeter fence (6m high PPC aluminium posts with hollow section for green coloured ball stop mesh 3 metres in height above a 3m high paladin fence) with outdoor gym space on concrete base with astro turf finish. Surrounding the entire existing grass pitch and new 3G pitch is a 2m wide walking/ jogging path finished with concrete kerbing and 35mm deep dust on a 150mm compacted gravel/ stone base.

Representations:

- Representation made by Cllr L. Mc Kimmins requesting priority due to funding constraints (letter attached from the chairman of St Moninna's Gaelic Athletic Club, Killeavy)
- No objections have been received

Consultations

Rivers Agency (11.09.15) - No watercourses within or adjacent to the site, not within a fluvial flood plain however site is shown to be affected by small portions of pluvial flooding although they have no records of flooding at this location. From a drainage and flood risk aspect they have no objections

Roads (08.09.15) - No objections

Environmental Health (15.09.15) - No objections

Planning History

P/2013/0558/F - Extension to existing GAC Club incorporating refurbishment of existing changing rooms, facades and roofs. Approval 21.08.13 (Adjacent and south of proposals).

P/2011/0076/F - Proposed redevelopment of existing football field to include repositioning and upgrading of field, 8 No. new 18m high floodlights, new covered viewing stand, all ancillary service areas/associated site works. Approval 27.01.12 (Adjacent and south of proposals)

P/2010/1481/F - Extension and refurbishment to existing GAC club incorporating new changing room facilities, new gym facilities, new activity suites, all ancillary service areas and associated site works. Approval 09.05.11 (Adjacent and south of proposals)

Assessment of Policy	
SPPS: Development in the Countryside, Open Space and Outdoor Recreation, Natural Heritage, Flood Risk	
<ul style="list-style-type: none"> • Visual and residential amenity <p>There is already existing playing and club facilities associated with St Moninna's Gaelic Athletic Club at the application site. Proposals will replace the entire surface area of the existing all weather pitch with a 3G facility which will cover a lesser area with the remainder of land being utilised by an outdoor gym. The overall layout and uses will match in with recreational facilities at this location which are already part of the character of the area and will not appear visually intrusive or misplaced at this locality. Given that there are already existing playing facilities which currently include flood lighting facilities the proposals put forward are unlikely to create any further impact to amenity above and beyond what already exists at the site and environmental health in their comments have raised no issues relating to impact to amenity.</p> <p>No ancillary buildings or structures are proposed, the development is in keeping with the neighbouring land uses.</p>	
<ul style="list-style-type: none"> • Public safety, including road safety <p>These proposals are ancillary to the main St Moninna's GAC playing fields and community uses, the existing access will be used and Transport NI have raised no concerns in relation to road safety or expressed concern with regard to potential for additional vehicular traffic.</p>	
<ul style="list-style-type: none"> • Impact on nature conservation, landscape character, archaeology or built heritage; and <p>Not applicable</p>	
<ul style="list-style-type: none"> • Accessibility <p>There are no major layout changes relating to the development, with proposals complementing existing facilities which also adequately accommodate the needs of all users. As the development is close to the settlement limits of Newtowncloghoge there is opportunity for access to public transport facilities but within the site there is sufficient means to accommodate other vehicles besides private cars.</p>	
<ul style="list-style-type: none"> • Flood Risk <p>Rivers Agency in comments dated 11th September 2015 have no objections with respect to drainage or flood risk.</p>	
<ul style="list-style-type: none"> • AONB (Area of Outstanding Natural Beauty) <p>Works to be undertaken will be contained within the confines of the existing recreational/ sport facility at St Moninna's GAC with limited visual impact and thus will not adversely detract from the scenic quality of the AONB</p>	
Neighbour Notification Checked	Yes

Summary of Recommendation:

The site is located and contained within the existing defined ground at St Moninna's GAC. Proposals will adequately blend into its surroundings and land use with no adverse visual impact, its current use will remain relatively unaltered by proposals and is unlikely to create any further impact to residential amenity. Overall proposals fully met planning policy and there have been no third party representations in relation to proposals. On this basis it is recommended to approve the application

Conditions/ Informatives:**Conditions**

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

Reason: Time Limit.

Informatives

1. This notice relates to drawing Nos. 01 and 03 which were received on 18th June 2015.
2. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
3. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
4. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
5. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
6. The applicant is advised that the internal layout of the proposal should make adequate

provision for the needs of people with disabilities. Further advice is set out in Development Control Advice Note ""Access for People with Disabilities"" available from Divisional Planning Offices.

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

Signature(s)

Date:

ANNEX	
Date Valid	18th June 2015
Date First Advertised	8th July 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 51 Forkhill Road Ballymacdermot Cloghoge</p> <p>The Owner/Occupier, 51A Forkhill Road Newtown Cloghoge</p> <p>The Owner/Occupier, 51C Forkhill Road Newtown Cloghoge</p> <p>The Owner/Occupier, 55 Forkhill Road Newtown Cloghoge</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: P/1973/0163 Proposal: PROPOSED ERECTION OF BUNGALOW Address: DRUMINTEE Decision: Decision Date:</p> <p>Ref ID: P/2009/0616/Q Proposal: Proposed school Address: Meigh Road, Newtowncloghoge, Newry Decision: Decision Date:</p> <p>Ref ID: P/2009/1417/F Proposal: New Brethren Primary and Secondary school (including gym, school meals provision, classrooms and external playing fields) Address: Lands west of 3-7 Park View, Forkhill Road and east of Killeavy Memorial Park (Gaelic Football Ground) Carn Road Newry Decision: Decision Date: 23.11.2010</p>	

Ref ID: P/1996/0355

Proposal: Construction of two new Gaelic Football and hurling playing fields

Address: ADJACENT TO NO49 FORKHILL ROAD CLOGHOGE NEWRY CO DOWN IN THE TOWNLAND OF BALLYMACDERMOT

Decision:

Decision Date:

Ref ID: P/1998/1017

Proposal: Erection of fence

Address: ADJACENT TO ST MONINNAS G.A.C 49 FORKHILL ROAD KILLEAVY

Decision:

Decision Date:

Ref ID: P/1991/0085

Proposal: Extension to GFC social club

Address: ST MONINA MEMORIAL PARK CARN ROAD NEWTOWNCLOGHOGE NEWRY

Decision:

Decision Date:

Ref ID: P/1984/1162

Proposal: ERECTION OF CLUB PAVILION

Address: SAINT MONINNA GROUNDS, KILLEAVY

Decision:

Decision Date:

Ref ID: P/2010/1481/F

Proposal: Extension and refurbishment to existing GAC club incorporating new changing room facilities, new gym facilities, new activity suites, all ancillary service areas and associated site works.

Address: 49 Forkhill Road, Cloughogue, Newry,

Decision:

Decision Date: 09.05.2011

Ref ID: LA07/2015/0513/F

Proposal: Proposed new 3G pitch, outdoor gym area and new walking/jogging path with associated site works

Address: 49 Forkhill Road, Cloughogue, Newry, BT35 8QX,

Decision:

Decision Date:

Ref ID: P/1979/0718

Proposal: FLOODLIGHTING OF EXISTING FOOTBALL PITCH

Address: M49 FORKHILL ROAD, CLOGHOGE, NEWRY



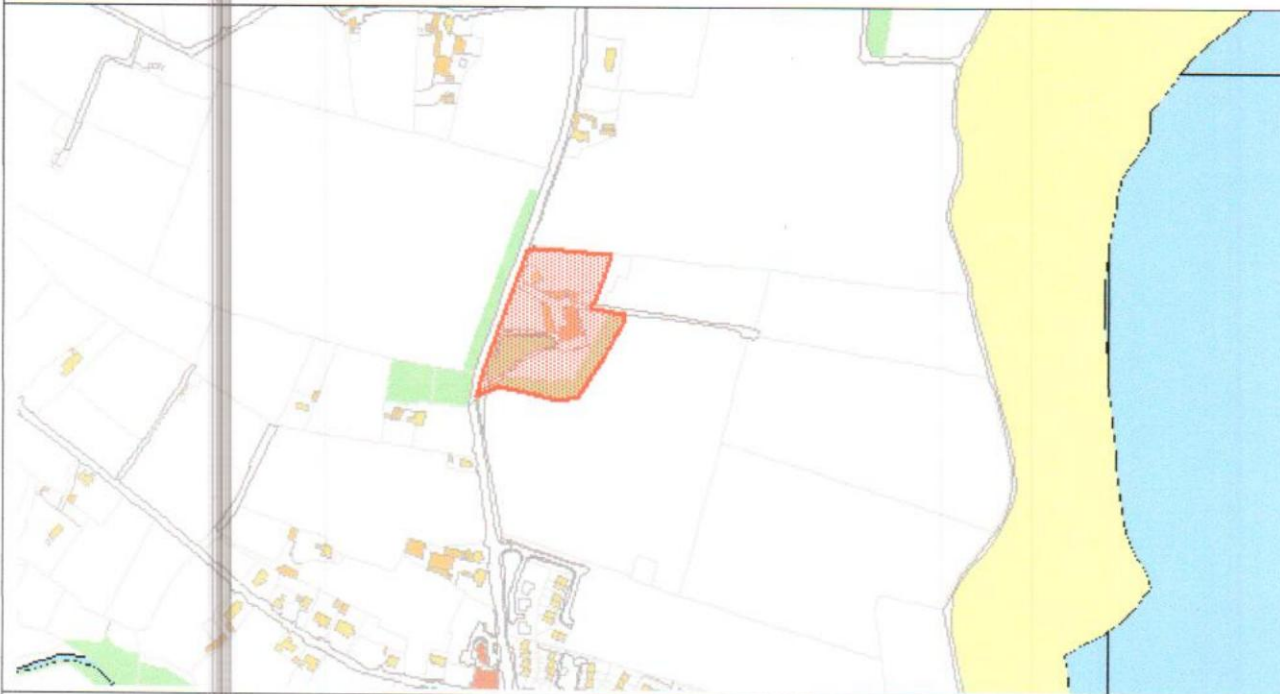
Newry, Mourne and Down District Council
Planning Office
O'Hagan House
Monaghan Row
Newry
BT35 8DJ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 25 th November 2015	Item Number:
Application ID: P/2014/0515/F	Target Date:
Proposal: Additional accommodation to provide sports hall facilities	Location: Mullartown House, 159 Glassdrumman Road, Annalong
Referral Route: This is a major application under the Planning (Development Management) Regulations (Northern Ireland) 2015 as it is for recreational use and the site area exceeds 1 Hectare.	
Recommendation:	Approval
Applicant Name and Address: BCM NI C/O Agent	Agent Name and Address: McCready Architects 8 Market Place Lisburn BT28 1AN
Executive Summary: Mullartown House is a Listed Building used as a youth residential centre. Proposal is for a new sports hall to complement and enhance the existing facilities on site. Design has been amended to ensure it does not adversely affect the setting of the listed building. No objections received.	
Signature(s):	

Case Officer Report

Site Location Plan:



Consultations:

Consultation Type	Consultee	Response
Non Statutory	NIEA Historic Buildings	Amended plans acceptable
Non Statutory	NIEA Natural Heritage	No objections
Non Statutory	Env Health Newry & Mourne District Council	No objections
Non Statutory	NI Transport - Downpatrick Office	No objections
Non Statutory	NI Water - Strategic Applications	Standard informatives

Representations:

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

Summary of Issues:

Additional accommodation to provide sports hall facilities
 The proposed sports hall will be attached to the existing barn and will provide space for 2 badminton courts and other ancillary facilities. The main building will measure 16.5m x 15.6m and 8m to the ridge. It will have a smaller return to the east side and a link to the barn where toilet facilities will be provided. The walls will be dry dash rendered, the roof will be natural slate with clipped eaves and the windows will be white painted hardwood.

Characteristics of the Site and Area

The site is set in the grounds of a listed building, Mullartown House, a two and a half storey / three bay building with main elevation to south. It is used as a residential and camping centre for youth groups. The pitched roof is of natural slate with a chimney at each gable: that to left is of coursed granite blocks, the other cement rendered. Rainwater goods are plastic. Walls are regularly coursed granite blocks, with the exception of the north gable, which is rendered. Front (south) elevation is symmetrical with central porch, which sits on a plinth (two steps high) and has two Doric columns, with pilasters behind, supporting an architrave and cornice. Sides have been infilled with granite blocks. Door is modern and glazed, with a wrought iron grille and margin-paned transom light. There are two windows on either side of the front door and also in line with them at first floor level. Above porch is a modern wrought-iron baluster rail enclosing a balcony with metal-framed French window. All windows are Georgian sliding sash (six over six) with granite cills. Left-hand (west) elevation has a modern door and window to ground floor and single sliding sash window at first floor. Rear elevation faces onto a courtyard. It has a one and half storey gabled modern extension at centre and a single storey gabled lean-to to right. To the left side of rear elevation is a low two storey block (formerly an outhouse); its rear (east-facing) wall is in line with the right gable of the house. The right (east) gable of the house has one window at attic level and metal fire escape stair down to a single storey extension to right of main facade. This one-bay wide structure, which is used as a dining room and extends backwards, has a flat roof, pebble dashed walls and stained timber windows. At rear left is a modern single storey dwelling with gabled roof and modern windows. On the north side of the courtyard is a two-storey barn with external steps and original animal stalls. It is proposed to erect the new building in the grassed area to the north of this barn. The planted grounds are mature, with lawns and shrubs to main facade, walled garden with small green house to the west and small lawn to the east. The foundations of a shell house survive on the boundary wall at Glassdrumman Road.

The site is located just to the north of Annalong, and outside its settlement limit in a rural area, as defined on the Banbridge, Newry and Mourne Area Plan 2015. Most of the site is within the AN11 Local Landscape Policy Area, though the area to be developed is outside this designation. The site is within the Mournes and Slieve Croob Area of Outstanding Natural Beauty and it is accessed from the A2 Protected Route. The A2 Glassdrumman Road is part of the main route from Kilkeel to Newcastle and has a significant level of development - mainly residential uses. The local landscape is part of the coastal plain between the Mourne Mountains and the Irish Sea Coast.

Planning Assessment of Policy and Other Material Considerations

The application has been assessed under the Strategic Planning Policy Statement for Northern Ireland (SPPS), the Planning Strategy for Rural Northern Ireland, the Banbridge / Newry & Mourne Area Plan 2015, PPS2 – Natural Heritage, PPS3 – Access, Movement and Parking, PPS6 – Planning, Archaeology and the Built Heritage, and PPS21 – Sustainable Development in the Countryside.

Planning History

There has been a series of planning applications relating to the site in recent years. Planning permission for change of use from a dwelling to a residential recreation centre was first granted under application P/1978/0712. An extension was approved under P/1982/0835. Replacement toilets were granted under P/1994/0179 and a new store under P/1994/1298. The caretaker's dwelling to the west of the proposed hall was approved under P/2001/0119/F. A first floor extension to the residential accommodation was approved under P/2006/2326/F. There were accompanying applications for Listed Building Consent for most of the above schemes. The present application is associated with an LB application P/2014/0534/LBC. Consultations with NIEA have been carried out under that application, but will be referred to in this report. The

planning history demonstrates that the use as a residential centre is clearly established. The use would fall within Class C2: Guest Houses of the Planning (Use Classes) Order (Northern Ireland) 2015.

Area Plan

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 for the sports hall is located outside settlement limits on the above Plan, and is unzoned. It is within the Mournes and Slieve Croob Area of Outstanding Natural Beauty. There are no specific policies in the Plan that are relevant to the determination of the application and the principle of the development will be determined under regional policy. The proposal will not affect the designated features of the LLPA further south. Impact on the AONB will be considered under PPS2.

Principle of Development

Development proposals in rural areas will be considered under PPS21. Policy CTY1 of PPS21 – Sustainable Development in the Countryside indicates that planning permission will be granted for a necessary community facility to serve the local rural population. No specific needs test is indicated.

Policy PSU1 of the Department's Planning Strategy for Rural Northern Ireland requires that sufficient land is allocated to meet community need for health, education and other public facilities. Emphasis is placed on making the best possible use of existing sites.

As this is an existing residential centre that serves the local rural population, and the proposal is to enhance the on-site facilities for youth groups who use the centre, it is acceptable in principle subject to the specific policies considered below.

Impact on Setting of Listed Building

Mullartown House is listed under Section 80 of the Planning Act (Northern Ireland) 2011. The proposal affects the setting of the listed building and must be assessed against the relevant policy. As there is no significant change to the policy requirements for listed buildings following the publication of the SPPS and it is arguably less prescriptive, the retained policy of PPS6 (specifically BH11) will be given substantial weight in this assessment in accordance with paragraph 1.12 of the SPPS.

Over the course of the application, there has been a series of changes to the plans with regard to the massing, alignment, detailed design and external detailing/finishes, in response to comments from NIEA Historic Buildings Unit. They are now satisfied that the overall scheme meets the policy requirement of respect for the listed building. Much of it will be screened by the presence of the barn which will be sympathetically altered. It uses appropriate design features such as clipped eaves and vertically proportioned openings. External materials include natural slate and hardwood windows. The nature of the use proposed is in keeping with the wider use of the site and will facilitate the enjoyment of Mullartown House and its setting by young people.

Impact on the AONB

Policy NH6 of PPS2 applies to development within Areas of Outstanding Natural Beauty. The siting and scale of the building respects its local context and will not harm the special character of the AONB. The traditional granite built barn, to which the hall will be attached, will be preserved and enhanced as part of the scheme. The detailed design respects the architectural style of Mullartown House and uses appropriate external materials and colours. Therefore it is in keeping with policy NH6.

Integration

Views of the sports hall will be limited by the presence of the main building, boundary wall and on-site vegetation when approaching from the south. It will be more visible from the north, but will read as part of the existing group of buildings and will have the backdrop of mature trees.

The building will not appear as a prominent feature in the landscape and complies with the requirements of policies CTY13 and CTY14 of PPS21.

Access and Parking

There are currently 2 entrances from Glassdrumman Road allowing one for incoming and one for outgoing traffic. There is good parking provision within the site. The proposal is to enhance existing facilities for users of the site and will not of itself attract additional users for which more parking would be required (there has been no increase in the number of bed spaces). Therefore no alterations to the access or parking arrangements should be required and there will be no prejudice to road safety as required in PPS3 policy AMP2. TransportNI has no objections to the proposal provided there is no intensification of use. As existing access points are being used, the proposal is in keeping with policy AMP3 for Protected Routes.

Amenity

There is one existing dwelling within the site used by the caretaker. There are no nearby dwellings not associated with the site whose amenity would be adversely affected in terms of loss of light or overlooking. While there can sometimes be an issue with noise at sporting facilities, this scheme will allow more activities to take place inside the hall where they would currently be outside, so noise should be less of a problem. Environmental Health had no objections in this regard.

Representations

No objections or representations were received.

Case Officer Recommendation – Approval

Neighbour Notification Checked

Yes

Summary of Recommendation:

New sports hall at established youth residential centre. Design has been amended to ensure it does not adversely affect the setting of the listed building. No objections received.

Conditions:

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

REASON: Time Limit.

2. The existing natural screenings of this site shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing within 14 days.

REASON: To ensure the development integrates into the countryside.

Informatives:

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

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

3. TransportNI has pointed out that the existing vehicular access to the site is sub-standard and that, in your interests and that of other road users, measures should be taken to provide acceptable visibility.

4. The applicant is encouraged to consider the use of renewable energy and energy efficient materials and fittings in association with this development.

5. The premises must comply with food safety and health and safety at work legislation. The applicant should liaise at an early stage with the Environmental Health Department of Newry, Mourne and Down District Council.

6. Public water supply within 20m of your proposal, consultation with NIW is required to determine how your proposals can be served. Application to NIW is required to obtain approval to connect.

7. The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or waterline@niwater.com, upon receipt of this decision to discuss any areas of concern. Application forms and guidance are also available via these means.

8. If during the course of developing the site the developer uncovers a pipe not previously evident NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002.

9. The applicant's attention is drawn to the fact that the site is close to the boundary of a designated ASSI and precautions should be taken to ensure its integrity should not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter.

10. The applicant's attention is drawn to:

- i. the relevant provisions of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and
- ii. the Code of Practice for Access for the Disabled to buildings.

The internal layout of the proposal should make adequate provision for the needs of people with disabilities.

Signature(s):

Date:

ANNEX	
Date Valid	3rd June 2014
Date First Advertised	27th June 2014
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 156 Glasdrumman Road, Mullartown, Annalong, Down, BT34 4QL, The Owner/Occupier, 159 Glasdrumman Road, Mullartown, Annalong, Down, BT34 4QL, The Owner/Occupier, 161 Glasdrumman Road, Mullartown, Annalong, Down, BT34 4QL,	
Date of Last Neighbour Notification	18th June 2014
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: P/2014/0534/LBC Proposal: Proposed Sports Hall Address: 159 Glasdrumman Road, Annalong, Decision: Decision Date:</p>	
<p>Ref ID: P/2014/0515/F Proposal: Additional accommodation to provide sports hall facilities Address: Mullartown House, 159 Glasdrumman Road, Annalong, Decision: Decision Date:</p>	
<p>Ref ID: P/2006/2331/LB Proposal: Erection of first floor extension to residential accommodations Address: 159 Glasdrumman Road, Annalong Decision: Consent Decision Date: 14.08.2007</p>	
<p>Ref ID: P/2006/2326/F Proposal: Erection of first floor extension to residential accommodation Address: 159 Glasdrumman Road, Annalong</p>	

Decision: Approval
Decision Date: 13.08.2007

Ref ID: P/2001/0119/F
Proposal: Erection of caretakers dwelling.
Address: Adjacent to Mullartown House, 159 Glasdrumman Road, Annalong.
Decision: Approval
Decision Date: 11.06.2001

Ref ID: P/2000/0366/O
Proposal: Site for dwelling
Address: Adjacent to Mullartown House, 159 Glasdrumman Road, Annalong
Decision: Approval
Decision Date: 18.10.2000

Ref ID: P/1994/1298
Proposal: Extension to provide store
Address: MULLARTOWN HOUSE NO159 GLASSDRUMMAN ROAD ANNALONG
Decision: Consent
Decision Date:

Ref ID: P/1994/1297
Proposal: Extension to provide store
Address: MULLARTOWN HOUSE NO159 GLASSDRUMMAN ROAD ANNALONG
Decision: Approval
Decision Date:

Ref ID: P/1994/0179
Proposal: Erection of replacement toilets and store
Address: MULLARTOWN HOUSE NO159 GLASSDRUMMAN ROAD ANNALONG
Decision: Approval
Decision Date:

Ref ID: P/1994/0178
Proposal: Application for Listed Building Consent for erection of replacement toilets and store
Address: MULLARTOWN HOUSE NO159 GLASSDRUMMAN ROAD ANNALONG
Decision: Consent
Decision Date:

Ref ID: P/1982/0835
Proposal: EXTENSION TO EXISTING YOUTH CENTRE
Address: MULLARTON HOUSE, ANNALONG
Decision: Approval

Decision Date:

Ref ID: P/1980/1196
 Proposal: PROPOSED RENEWAL OF OUTLINE PLANNING PERMISSION FOR
 CARETAKERS BUNGALOW
 Address: MULLARTOWN HOUSE, ANNALONG
 Decision: Approval
 Decision Date:

Ref ID: P/1978/0712
 Proposal: CHANGE OF USE FROM DWELLING HOUSE TO RESIDENTIAL
 RECREATIONAL CENTRE
 Address: MULLARTOWN HOUSE, ANNALONG
 Decision: Approval
 Decision Date:

Summary of Consultee Responses

No objections from any consultees except NIEA Historic Buildings Unit who requested a series of changes to the design, orientation and external finishes of the building to ensure that there was no adverse effect on the setting of the listed building.

Drawing Numbers and Title

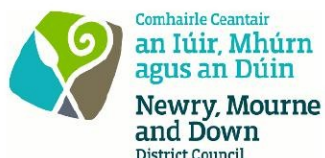
Drawing No. 01
 Type: Site Location Plan
 Status: Submitted

Drawing No. 02 REV 2
 Type: Site Layout or Block Plan
 Status: Submitted

Drawing No. 03 REV 3
 Type: Elevations and Floor Plans
 Status: Submitted

Notification to Department (if relevant)

Not applicable to Full application
 Accompanying application for listed building consent will be notified



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 25 Nov 2015	Item Number:
Application ID: R/2013/0107/F	Target Date:
Proposal: Change of use and bedroom extension to existing guest house to provide hotel (amended plans)	Location: 76 Tollymore Road Newcastle Co.Down
Referral Route: Major Application	
Recommendation:	REFUSAL
Applicant Name and Address: G & M Lodge Caring Ltd 76 Main Street Pomeroy BT70 2QP	Agent Name and Address: Building Design Solutions 76 Main Street Pomeroy BT70 2QP
Executive Summary:	
Signature(s):	

Case Officer Report		
Site Location Plan		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	NI Water - Single Units East - Planning Consultations	No Objection
Non Statutory	Env Health Down District Council	Substantive Response Received
Non Statutory	NI Transport - Downpatrick Office	Substantive Response Received
Non Statutory	Water Management Unit	Substantive Response Received
Non Statutory	NI Water - Multi Units East - Planning Consultations	Consulted in Error
Non Statutory	Rivers Agency	Add Info Requested
Non Statutory	Northern Ireland Tourist Board	Add Info Requested
Non Statutory	NI Water - Multi Units West - Planning Consultations	Consulted in Error
Non Statutory	NI Water - Strategic Applications	Substantive Response Received
Advice and Guidance	Env Health Newry Mourne And Down District Council	
Representations:		
Letters of Support	1	
Letters of Objection	20	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
Road Safety.		
Characteristics of the Site and Area		
<p>The site is occupied by a large 2 storey high dwelling on a large mature plot which includes lands separated by a river and joined through a bridge. The dwelling is finished with white render with a high angled pitched roof with non-profiled tiles and 3 pitched dormer windows. The dwelling has an integrated garage and is accessed via a private drive. The dwelling faces onto the Tollymore Road with a large setback and a mature hedge with a stone wall defining the boundary shared with the Tollymore Road. The dwelling is set in its own generous grounds. The boundaries are mature and well defined.</p>		

Planning Assessment of Policy and Other Material Considerations

The proposal was amended on the 5 September 2014 and now involves a reduced scheme from 20no. bedrooms to 12no bedroom hotel with a reduced conferencing facility.

Policy Framework

Ards and Down Area Plan 2015
 SPPS Strategic Planning Policy Statement 2015
 PPS21 Sustainable Development in the Countryside
 PPS2 Natural Heritage
 PPS3 Access Movement and Parking
 PPS15 Planning and Flood Risk
 PPS16 Tourism
 PPS21 Sustainable Development in the Countryside

Representations/Objections

Letters of objection received from neighbouring properties and within the vicinity outlining the following concerns:

- Traffic concerns
- Lack of public footpath on Tollymore Road
- Noise pollution from proposal
- Unsafe access to and from the site
- Flooding
- Sewerage/water system capacity issues
- No need for an additional hotel in the area
- Proposal would have potential animal welfare issues due to the horses
- Proposal out of keeping with residential area.
- proposal is contrary to PPS16 Policy TSM5
- The site is currently under a TPO

Consultees

NI Water - Public water supply is within 20m, foul sewer is within 20m and no surface sewer within 20m, contact NIW to obtain approval to connect and requisition a surface water sewer. The Newcastle WWTW has available capacity and several informatives and conditions highlighted. NO OBJECTION

NIEA WMU received confirmation that the WWTW and associated upgrade will be complete by 30 of June 2013 and has no objection subject to inclusion of a condition ensure no occupation of buildings until 1 July 2013 as well as informatives to be added. NO OBJECTION

DARD Rivers Agency - Comments dated 15 January 2015. The site lies adjacent to a watercourse designated under Drainage (NI) Order 1973 and known to Rivers Agency as the Burren River. According to Rivers Agency Strategic Flood Maps risk of flooding is indicated to a minor extent along the northern bank of the river. Built development including the car parking within this application as indicated and proposed on drawing 2110-D-013 (A) is outside the floodplain. Hence Rivers Agency would have no specific reason to object to the proposed development from a drainage or flood risk perspective. NO OBJECTION

DRD Road Service - Comments dated 14 October 2015 OBJECTION for the following reason
 - The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the road infrastructure to sustain this development cannot be provided within the scope of this application.

NMD Environmental Health – No objection subject to conditions.

Policy Consideration***Ards and Down Area Plan 2015***

Located outside the settlement limits of Newcastle. LLPA 1 Burren River Corridor bounds the site, with the following attributes

- river and shorelines provides local nature conservation interest and potential for public access linking countryside with open space within the town centre; and
- includes lands retained as flood pondage following implementation of flood alleviation scheme.

The proposal does not offend any of the designations contained within the Area Plan.

The Strategic Planning Policy Statement 2015

The relevant chapters in the SPPS are outlined below.

Para 6.73 Non-residential Development in the Countryside

The conversion and re-use of existing buildings for non-residential use: provision should be made for the sympathetic conversion and re-use of a suitable locally important building of special character or interest (such as former school houses, churches and older traditional barns and outbuildings) for a variety of alternative uses where this would secure its upkeep and retention, and where the nature and scale of the proposed non-residential use would be appropriate to its countryside location.

While the SPPS would not allow for the conversion of such a building in that it is not locally important it is considered that greater weight should be attached to the economic and tourism benefits of this proposal, which has been afforded greater weight in the assessment of this application.

6.168 Natural Heritage

Para 6.186 Areas of Outstanding Natural Beauty (AONBs) are designated by the Department primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage under the Nature Conservation and Amenity Lands (NI) Order 1985 (NCALO).

Para 6.187 Development proposals in AONBs must be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife, and be in the accordance with relevant plan policies.

Para 6.188 In assessing proposals, including cumulative impacts in such areas, account will also be taken of the Landscape Character Assessments and any other relevant guidance including AONB Management Plans and local design guides.

The SPPS would allow for the current proposal.

6.251 Tourism

The aim of the SPPS in relation to tourism development is to manage the provision of sustainable and high quality tourism developments in appropriate locations within the built and natural environment.

Para 6.260 In the countryside planning authorities must carefully manage tourism development. This is necessary in the interests of rural amenity, wider sustainability objectives and the long term health of the tourism industry. The guiding principle should be to ensure policies and proposals facilitate appropriate tourism development in the countryside (such as appropriate farm diversification schemes, the re-use of rural buildings and appropriate redevelopment and expansion proposals for tourism purposes) where this supports rural communities and promotes a healthy rural economy and tourism sector. Where there is no suitable site within a settlement a new build hotel, guest house, or tourist hostel may be appropriate on the periphery of a settlement subject to meeting normal planning requirements. Other acceptable tourist development in the countryside may include appropriate self catering accommodation, particularly in areas where tourist amenities and accommodation have become established or likely to be provided as a result of tourism initiatives, such as the Signature Projects, or a new or extended holiday park that must be a high quality and sustainable form of tourism development.

Para 6.265 A positive approach should be adopted in determining applications for tourism development so long as proposals are sustainable, are in accordance with the LDP, and will result in high quality forms of development. Important considerations will include whether the nature, scale and design of the specific proposal is appropriate to the site context.

The SPPS would allow for the current proposal.

PPS21 Sustainable Development in the Countryside

Non-Residential Development

Planning permission will be granted for non-residential development in the countryside in the following cases:

- farm diversification proposals in accordance with Policy CTY 11;
- agricultural and forestry development in accordance with Policy CTY 12;
- the reuse of an existing building in accordance with Policy CTY 4;
- tourism development in accordance with the TOU Policies of PSRNI;
- industry and business uses in accordance with PPS 4 (currently under review);
- minerals development in accordance with the MIN Policies of PSRNI;
- outdoor sport and recreational uses in accordance with PPS 8;
- renewable energy projects in accordance with PPS 18; or
- a necessary community facility to serve the local rural population.

There are a range of other types of non-residential development that may be acceptable in principle in the countryside, e.g. certain utilities or telecommunications development. Proposals for such development will continue to be considered in accordance with existing published planning policies.

The current proposal has been assessed against CTY4 and PPS16 (which supersedes the TOU Policies of the PSRNI)

PPS2 Natural Heritage

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.

The proposal is sympathetic in terms of siting and scale to the character of this AONB area. The proposal represents an extension to a large detached property, it is proposed to retain the majority of the extensive boundary and internal planting within the scheme.

Concern was raised in relation to the retention/loss of TPO trees on the site. It is proposed to remove 7no TPO trees from the rear of the site. I do not consider that the loss of these trees is detrimental to the landscape character of the site or the integrity of the wider TPO grouping. The proposal is to retain the evergreen hedge along the frontage and TPO trees to be retained. Tree protection fencing to be in place prior to construction commencing on site. There will be very little perception of change on the site from the public perception on the road. Car Parking to be finished in Turf stone grass block finish which will aid integration and soften the impact of the parking.

The design of the proposal is in keeping with the dwelling to be extended in terms of scale and design, the addition of Mourne Stone has been added to the render finish, this is considered acceptable.

The Mourne AONB Management Plan 2010 and its key objectives to encourage design standards in new development which complement the special qualities of the AONB. The current proposal complies with NH6 Areas of Outstanding Natural Beauty.

PPS3 Access Movement and Parking

Policy AMP 2 Access to Public Roads.

The proposal is not acceptable when considered against the above policy. TransportNI have advised that the proposal would prejudice the safety and convenience of road users since the road infrastructure to sustain this development cannot be provided within the scope of this application. The level of car parking provided at 38 no spaces is sufficient for this development.

PPS15 Planning and Flood Risk

Built development associated with the proposal is located outside the Floodplain therefore Rivers Agency would have no specific reason to object to the proposed development from a drainage or flood risk perspective.

PPS16 Tourism

PPS16 Policy TSM 3 and TSM 7 is applicable.

It should be noted that PPS16 is silent on applications for changes of use from guest houses to hotels.

However in view of the current use on the site this application has been assessed against the criteria included in TSM 3 Hotels, Guest Houses and Tourist Hostels in the Countryside, and TSM 7 General tourism development.

TSM 3 'Hotels, Guest Houses and Tourist Hostels in the Countryside' provides for permission to be granted where the proposal is in keeping with specified criteria.

While the proposal does not fit neatly with the above policy, the specific criteria for assessment are appropriate to the assessment of this proposal in the Countryside.

A proposal to replace an existing building in the countryside with a hotel, guest house or tourist hostel will be permitted subject to the following specific criteria:

- the building is of permanent construction;

The building is currently occupied and is of permanent construction.

- the existing building and its replacement are both of sufficient size to facilitate the proposed use in accordance with the accommodation requirements set out in Tourism (NI) Order 1992

The existing building and its extension allows for a 12no bed hotel and conference facility.

- the existing building is not a listed building;

The existing building is not listed.

- where the existing building is a vernacular building and is considered to make an important contribution to local heritage or character, replacement will only be approved where it is demonstrated that the building is not reasonably capable of being made structurally sound or otherwise improved;

The existing building is not vernacular; its replacement is not proposed.

- the redevelopment proposed will result in significant environmental benefit;

It is not proposed to remove the existing building on site, an extension is proposed which is in keeping

with the character of the existing building in terms of scale design and materials.

- the overall size and scale of the new development, including car parking and ancillary facilities, will allow it to integrate into the surrounding landscape and will not have a visual impact significantly greater than the existing building;

The existing building is located within a sizeable landscaped garden. The scale and size of the extension is acceptable and allows it to integrate into the landscape without detriment to the local landscape. Car parking is sensitively treated in Turf stone grass block. The majority of the trees/hedging on site is to be retained.

- the design is of high quality, appropriate to the rural setting and has regard to local distinctiveness; The design is in keeping with the existing building.

- access, car parking and other necessary services are available or can be provided without significant adverse impact on the environment, the appearance and character of the locality and road safety. While the level of car parking can be accepted, Transport NI have road safety concerns and have objected to the proposal.

TSM 7 Criteria for Tourism Development

A proposal for a tourism use, in addition to the other policy provisions of this Statement, will be subject to the following design criteria:

Design Criteria

- (a) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;

The proposal is located at an accessible location with easy access to Public transport. Walking and cycling is provided for in the proposal.

- (b) the site layout, building design, associated infrastructure and landscaping arrangements (including flood lighting) are of high quality in accordance with the Department's published guidance and assist the promotion of sustainability and biodiversity;

The layout of the site is acceptable, the building design is in keeping with the existing building.

Landscaping arrangements allow for car parking however this is sensitively treated in turf stone grass blocks.

- (c) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are screened from public view;

Boundaries on site are to remain unaltered. Site remains relatively enclosed and private.

- (d) utilisation of sustainable drainage systems where feasible and practicable to ensure that surface water run-off is managed in a sustainable way;

Changes to hard surfacing to facilitate the car parking has been treated by using tuff stone grass blocks.

- (e) is designed to deter crime and promote personal safety;

The proposal is secure as existing.

- (f) development involving public art, where it is linked to a tourism development, needs to be of high quality, to complement the design of associated buildings and to respect the surrounding site context.

N/A

In addition to the above design criteria, a proposal will also be subject to the following general criteria (g – o).

General Criteria

(g) it is compatible with surrounding land uses and neither the use or built form will detract from the landscape quality and character of the surrounding area;

The proposal for a 12 no bedroom hotel has been assessed in terms of its compatibility with surrounding land uses. There are a number of surrounding residential properties however the area is essentially rural in character. Boundaries are being retained to retain rural character. The proposal will read as an extension to the existing building on site, the site itself can accommodate the size of extension without detriment to the rural landscape.

(h) it does not harm the amenities of nearby residents;

The site adjoins a number of residential properties. EHO have been consulted in terms of impact of air handling units, they have responded with no objections subject to conditions regarding deliveries to the site. The proposal has been assessed for impact on neighbouring amenities, there is no direct impact on the closest neighbouring property at no.78 Tollymore Road.

(i) it does not adversely affect features of the natural or built heritage;

The site is subject to a TPO. It is proposed to remove 7 no trees from the rear of the site to accommodate the extension. All other TPO trees along the site frontage are to be retained and protected during construction. It is felt that the loss of these trees, which are located in a landscaped private garden at present, would not be detrimental to the integrity of the wider TPO on site. & no new trees are proposed to be planted along the rear boundary with No. 78 Tollymore Road.

(j) it is capable of dealing with any emission or effluent in accordance with legislative requirements. The safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains sewerage and water supply services must be utilised where available and practicable;

No objection from NIEA or NIW

(k) access arrangements must be in accordance with the Department's published guidance;

TransportNI have recommended refusal on road safety grounds.

(l) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic;

TransportNI have recommended refusal on road safety grounds.

(l) the existing road network can safely handle any extra vehicular traffic the proposal will generate;

TransportNI have recommended refusal on road safety grounds.

(m) access onto a protected route for a tourism development in the countryside is in accordance with the amendment to Policy AMP 3 of PPS 3, as set out in Annex 1 of PPS 21.

Access is not onto a Protected Route.

(o) it does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourism asset, unless a suitable alternative is provided;

N/A

Policy CTY 4 – The Conversion and Reuse of Existing Buildings

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;

(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;

- (c) any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building;
- (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;
- (e) the nature and scale of any proposed non-residential use is appropriate to a countryside location;
- (f) all necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and
- (g) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic.

Buildings of a temporary construction such as those designed and used for agricultural purposes, including sheds or stores will not however be eligible for conversion or re-use under this policy.

Exceptionally, consideration may be given to the sympathetic conversion of a traditional non-residential building to provide more than one dwelling where the building is of sufficient size; the scheme of conversion involves minimal intervention; and the overall scale of the proposal and intensity of use is considered appropriate to the locality.

I have considered the proposal in relation to Policy CTY4 of PPS21 regarding the conversion and re-use of existing buildings. The proposal includes an extension which is sympathetic to the scale, massing and architectural style of the existing building. The proposed finishes include natural Mourne Stone and render finish, windows aluminium (new and replacement). These finishes are acceptable. The proposal is located in an existing large landscaped plot, the site can accommodate a large extension such as this and its associated works. Car Parking has been provided on site and has been finished in tuff stone grass blocks to aid integration. Impacts on neighbouring residences has been considered, the nearest neighbour is No.78 Tollymore Road. The proposed extension is located to the rear of the site and is located 5m to the boundary with No.78, 4m at its closest. There is one ground floor lobby window proposed to the elevation with No.78. There will be no impact on overlooking or overshadowing from the proposal on No.78. It is acknowledged that there will be additional traffic attracted to the site as a result of this proposal, however this will only be at peak times. 9 no car parking spaces are proposed closest to No.78, however the spaces are aligned long the front boundary, so headlights will not be directed into No.78. The proposal seeks to retain the majority of the boundaries on the site thus retaining the sites rural character.

In light of the failure of the proposal to include a safe access to the public Road, this proposal must fail and therefore REFUSAL if recommended.

Neighbour Notification Checked	Yes
---------------------------------------	------------

Summary of Recommendation:
REFUSAL is recommended on the grounds of Road Safety.

- Reasons for Refusal:**
1. The Proposal is Contrary to PPS 21 CTY1 in that the proposal fails to comply with CTY4 and PPS16.
 2. The Proposal is Contrary to PPS16 Tourism policies TSM 3 and TSM 7 in that access to the public road cannot be provided without prejudice to road safety or significantly inconveniencing the flow of traffic.
 3. The Proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the road infrastructure to sustain this development cannot be provided within the scope of this application.

<p>Signature(s)</p> <p>Date:</p>

ANNEX	
Date Valid	8th March 2013
Date First Advertised	3rd April 2013
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Wild Forest Close, Tollymore, Newcastle, Down, BT33 0JW, E Keating 11 Wild Forest Close Tollymore Newcastle The Owner/Occupier, 2 Wild Forest Close, Tollymore, Newcastle, Down, BT33 0JW, B McNeilly 21, Brook Street, Australia, QLD 4030 G Owens 33 Tollymore Road Tollymore Newcastle B Valentine 4 Wild Forest Close Tollymore Newcastle B mcNeilly 46 Tollymore Road Tollymore Newcastle The Owner/Occupier, 62 Castlewellan Road, Carnacavill, Newcastle, Down, BT33 0JP, The Owner/Occupier, 64 Castlewellan Road, Carnacavill, Newcastle, Down, BT33 0JP, The Owner/Occupier, 64 Tollymore Road, Tollymore, Newcastle, Down, BT33 0JN, The Owner/Occupier, 64A Castlewellan Road, Carnacavill, Newcastle, Down, BT33 0JP, The Owner/Occupier, 66 Tollymore Road, Tollymore, Newcastle, Down, BT33 0JN, G Kenneally 68 Tollymore Road Tollymore Newcastle B and C Murphy 70 Tollymore Road, Tollymore, Newcastle, Down, BT33 0JN, E McNeilly 72 Tollymore Road, Tollymore, Newcastle, Down, BT33 0JN, The Owner/Occupier, 76 Tollymore Road, Carnacavill, Newcastle, Down, BT33 0JN, A Sawey 77 Tollymore Road Carnacavill Newcastle Maureen Smith 78 Tollymore Road Carnacavill Newcastle S Rogers MLA 8 Railway Street Ballaghbeg Newcastle The Owner/Occupier, 80 Tollymore Road Carnacavill Newcastle</p>	

<p>The Owner/Occupier, 82 Tollymore Road Carnacavill Newcastle D Dizuti 83 Tollymore Road,Carnacavill,Newcastle,Down,BT33 0JN,</p>	
Date of Last Neighbour Notification	8th September 2014
Date of EIA Determination	
ES Requested	Yes /No
<p>Planning History</p> <p>Ref ID: R/2013/0107/F Proposal: Change of use and bedroom extension to existing guest house to provide hotel Address: 76 Tollymore Road, Newcastle, Co.Down, Decision: Decision Date:</p> <p>Ref ID: R/1995/6089 Proposal: Wind tunnel Wild Forest Lane Tollymore Road Newcastle Address: Wild Forest Lane Decision: Decision Date:</p> <p>Ref ID: R/1977/0441 Proposal: 11KV O/H LINE Address: TOLLYMORE ROAD AND CARNACAVILLE Decision: Decision Date:</p> <p>Ref ID: R/1975/0566 Proposal: DWELLING Address: BURRENDALE, TOLLYMORE ROAD, NEWCASTLE Decision: Decision Date:</p> <p>Ref ID: R/1997/6096 Proposal: Stable block Adj 76 Tollymore Road Newcastle Address: Adj 76 Tollymore Road Decision: Decision Date:</p> <p>Ref ID: R/1979/0640</p>	

Proposal: DWELLING
 Address: CARNACAVILLE, NEWCASTLE
 Decision:
 Decision Date:

Ref ID: R/2008/0371/O
 Proposal: Proposed 2 storey 60 bed nursing home and associated carparking at lands adjacent to No 76 Tollymore Road, Newcastle, BT33 0JN (Concept plan submitted)
 Address: Lands adjacent to No 76 Tollymore Road, Newcastle, BT33 0JN
 Decision:
 Decision Date: 24.08.2009

Ref ID: R/2009/0813
 Proposal: Tree Preservation.
 Address: Lands at and to South of 76 Tollymore Road, Newcastle.
 Decision:
 Decision Date:

Ref ID: R/2006/0193/F
 Proposal: Demolition of existing house & construction of new 2 storey dwelling with associated siteworks
 Address: 70 Tollymore Road, Tollymore, Newcastle, Northern Ireland, BT33 0JN
 Decision:
 Decision Date: 29.06.2006

Ref ID: R/2002/1481/A41
 Proposal: Domestic Extension.
 Address: 70 Tollymore Road, Tollymore, Newcastle, Northern Ireland, BT33 0JN
 Decision:
 Decision Date:

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

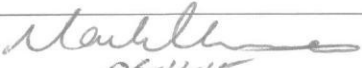

Drawing No.
Type:
Status: Submitted

<p>Notification to Department (if relevant)</p> <p>Date of Notification to Department:</p> <p>Response of Department:</p>
--



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

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: R/2014/0145/F	Target Date:
Proposal: Erection of 50 dwellings (12 detached and 38 semi-detached) (change of house types from that previously approved under 2004/A563 and R/2003/0888/F), including car parking and landscaping. (Amended proposal/plans received)	Location: Boulevard Park Dundrum Road Newcastle
Referral Route: The proposal falls within the Major application category as per the Planning (Development Management) Regs (NI) 2015.	
Recommendation:	APPROVAL
Applicant Name and Address: Windsor Developments Ltd c/o agent	Agent Name and Address: Coogan and Co Architects Ltd 144 Upper Lisburn Road Belfast BT10 0BG
Executive Summary:	
Signature(s):  06-11-15	 6-11-15

Case Officer Report		
Site Location Plan		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	Rivers Agency	Add Info Requested
Non Statutory	NI Transport - Downpatrick Office	Substantive Response Received
Non Statutory	NI Water - Multi Units West - Planning Consultations	No Objection
Non Statutory	Water Management Unit	No Objection
Non Statutory	NI Transport - Downpatrick Office	Substantive Response Received
Representations:		
Letters of Support	None Received	
Letters of Objection	1	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
Characteristics of the Site and Area		
<p>The site is located along Dundrum Road, Newcastle, comprising a vacant parcel of land to the rear of an existing residential development at Boulevard Park. The site is currently enclosed by a mix of mature vegetation and planting and boarded fencing, and is currently fenced off from the remainder of the Boulevard development,. The site previously comprised a former caravan park and contains tarmac roads, hardstandings etc associated with that use Mounds of builders material remain on site. The existing development of Boulevard comprises a number of blocks which are 2 and 3 storey high.</p>		
Planning Assessment of Policy and Other Material Considerations		
<p>The site is located within the settlement limit of Newcastle and within an area zoned for housing (NE13) within the Ards and Down Area Plan 2015.</p> <p>Zoning NE13 (2.16 hectares of land west of Dundrum Rd). Planning permission was granted on Appeal for 51 dwellings on this site in Sept 2005. (Planning Ref: R/2003/0888, Appeal Ref: 2004/A563)</p> <p>In consideration of this proposal the Planning Department of NM_D will have regard to the Area Plan, Planning Policy Statements 1, 2, 3, 7, 8, 11, 12 and 15, SPPS, supplementary guidance and any other material consideration.</p>		

This application was initially for a total of 52 units, however this was amended in Oct 2015, and is now for a total of 50 units (12 detached and 38 semi-detached).

While the previous approval on site has expired, the principle of housing on this site has been accepted, and as advised above the site is located within the development limits on land zoned for housing. Planning Policy Statement 7: Policy QD1 provides the policy context for new residential developments stating that 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.

In consideration of the above it is considered that the proposal respects the surrounding residential context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance, in that it is in keeping with that constructed and immediately adjacent to the south east in Phase 1 of Boulevard Park.

There are no archaeological or built heritage features of concern within the site. The rear of the site is however, defined by the presence of the Carrigs River. As such consultation was undertaken with DARD Rivers Agency who offer no objections to the proposal from a flood risk perspective.

With regard to the provision of public and private open space within the development. It is considered that the proposal provides a satisfactory level of private open space for each dwelling, with average rear gardens for each dwelling. A variety of garden sizes are provided which is in line with current guidance. Having account the number of units proposed (more than 25), the content of PPS8 (Open Space, Sport and Outdoor Recreation) is applicable, and specifically Policy OS2 (Public Open Space in new residential

developments).

The site layout plan submitted makes provision for a large area of open amenity space to the rear of the development, between those dwellings to the north west of the development and the Carrigs River. While such an arrangement is not ideal and centrally located for all residents, having account other developments in the Newcastle area, on balance it is considered satisfactory.

The site is located within walking distance of all the nearest neighbourhood facilities available in Newcastle and has an adequate movement pattern which support walking, cycling etc. The site is located on a busy bus route and the proposed layout promotes traffic calming measures.

Following a lengthy consultation with Transport NI, it is considered that adequate and appropriate provision has been made for parking within the development. Each dwelling will have incurtilage parking for two vehicles, provision has also be made for visitor parking to the rear of the development.

The density, size, design and finishes of the units proposed are considered acceptable, and will be in keeping with and respect the character of this area.

In terms of layout, it is considered the dwellings have been sited and designed to ensure there is no unacceptable overlooking between units within this urban context, and are also designed to provide a frontage to the road.

However there are concerns regarding the potential impact on several units within the grounds of Woodcroft Caravan Park from several units.

Following internal discussions in early Oct a letter was issued to the agents advising of concerns regarding the potential impact on several properties within the grounds of Woodcroft Caravan Park.

It is also noted a representation in opposition to the proposal was received from the owner/occupier of Woodcroft Caravan Park, which is summarised below.

Amended plans were submitted on 21st Oct 2015 whereby the scheme was reduced to a total of 50 units, and the units closest to this boundary have been re-sited further away from this boundary. See assessment below.

It is considered that the development has been designed to deter crime and promote personal safety by providing an open and accessible layout with footpaths throughout.

It is noted 1 representation has been received to date (06-11-15) from the owner/occupier of Woodcroft Caravan Park who's boundary adjoins the application site, whereby the main issues raised include concerns of:



- loss of light and privacy
- flooding.

(It is noted this representation was received in April 2014, and nothing further has been received to date (06-11-15) following receipt of amended plans/*reduced scheme* .

As stated above Rivers Agency were consulted as part of this application who offer no objections. A Flood Risk Assessment was submitted as part of this application whereby Rivers Agency have advised they are content with the content of that Assessment and consequently have no reason for refusal from a drainage or flood risk perspective. It is noted however, that Rivers Agency advise the developer that the Murlough Drain cannot accommodate storm water discharge from this site at present and recommend that the storm water is attenuated on site and discharge rate is restricted to green field run-off.

With regards to the impact on the grounds of Woodcroft Caravan Park, as advised above the number of units has now reduced whereby the amended plans show the units closest to this boundary (No.s 44, 47, 48, 49, 50) are now located further away from this boundary.

No.44 and 47 will sit gable end to the grounds of the Caravan Park and will now be at least 6m from this boundary, while no.48, 49, 50 will back towards this boundary and will be sited approx 10m from this rear

<p>boundary. It is considered these increased distances and the layout in general will ensure no unacceptable impact on the caravan park and associated homes/mobiles, in terms of resulting in unacceptable overlooking, overshadowing, loss of light or dominant impact, in this urban context. The grounds of the caravan park and associated layout comprising static homes and yard/decked/grassed areas were inspected and assessed as part of this application. The size, layout and proximity of these units were also observed and considered as part of this application. It was also noted the grounds of the caravan park are located south of the application site, and having account the path of the sun and amendments made it is considered the layout as amended will not result in any unacceptable impact on these lands.</p> <p>It is also considered the amended layout will not create any unacceptable impact between units or any other adjoining property.</p> <p>Having account the nature of this proposal and constraints of the site, consultations were carried out with Transport NI, NI Water, NIEA and Rivers Agency as part of this application, who offer no objections in principle subject to conditions.</p> <p>As stated above the site is located within the developments of Newcastle on land zoned for housing, whereby it is considered the amendments/reductions made resolve the initial concerns.</p> <p>Accordingly Approval is now recommended subject to conditions.</p>	
Neighbour Notification Checked	Yes
Summary of Recommendation:	
Approval is recommended to the amended/reduced scheme for 50 dwellings.	
Conditions/Reasons for Refusal:	
Conditions attached at end	
Signature(s)	
Date:	08/11/15
	 08-11-15

CONDITIONS RE: R/14/0145/F

1. As required by Article 61 of the Planning (Northern Ireland) Act 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
2. The Private Street (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No C104.
3. Notwithstanding the provisions of the Planning (General Development) Order (NI) 2015 no garages shall be sited closer than 5.6m from the back of the footway or service strip.
4. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.
5. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars at the rate of 2 spaces per dwelling or otherwise specified.
6. The development hereby permitted shall not be commenced until any (highway structure/ retaining wall / culvert) requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.
7. The development hereby permitted shall not be commenced until a Street Lighting scheme design has been submitted and approved by the Transport NI Street Lighting Section.
8. The Street Lighting scheme, including the provision of all plant and materials and installation of same, will be implemented as directed by the Transport NI Street Lighting Section. (These works shall be carried out entirely at the developer's expense).
9. All appropriate road markings and associated signage within the development and on the public road shall be provided by the developer / applicant in accordance with the Transport NI specification (Design Manual for Roads & Bridges) and as directed by Transport NI Traffic Management Section prior to the development becoming occupied by residents.
10. The gradient of a private access should not exceed 8% for the first 5m outside the public road boundary and a maximum gradient of 10% thereafter.
11. The developer / applicant prior to the commencement of any road works shall provide a detailed programme of works and associated traffic management proposal to Transport NI for agreement in writing.

12. The developer / applicant will contact Transport NI (Traffic Management) prior to commencement of works on site to agree suitable positions for any existing road signage and traffic calming measures that will require being relocated as a result of this proposal.
13. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out prior to the occupation of any part of this phase of development hereby approved
14. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Authority, 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.
15. Storm water shall be attenuated on site and the discharge rate shall be restricted to green field run off.
16. All services within the development shall be laid underground.
17. None of the dwellings hereby permitted shall be occupied until the sewage disposal / drainage works have been completed in accordance with the submitted plans.
18. The proposed boundary boarded fencing associated for each unit shall be erected prior to the occupation of that unit, which shall be permanently retained thereafter.

ANNEX	
Date Valid	20th March 2014
Date First Advertised	2nd April 2014
Date Last Advertised	11th November 2015
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 10 Boulevard Park Murlough Upper Newcastle T Magowan 104 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 106 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 11 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 113 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 115 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 117 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 12 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 120 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 121 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 127 Dundrum Road Murlough Upper Newcastle</p> <p>The Owner/Occupier, 136 Dundrum Road, Murlough Upper, Newcastle, Down, BT33 0LN,</p> <p>The Owner/Occupier, 14 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 15 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 16 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 17 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 18 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier, 19 Boulevard Park Murlough Upper Newcastle</p> <p>The Owner/Occupier,</p>	

2 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
20 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
21 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
22 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
23 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
24 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
24 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
25 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
25 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
26 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
26 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
27 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
27 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
28 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
28 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
29 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
29 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
3 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
30 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
30 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
31 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
31 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
32 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
32 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
33 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,

33 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
34 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
34 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
35 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
35 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
36 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
37 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
37 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
38 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
39 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
39 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
4 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
40 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
41 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
41 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
42 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
42A Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
43 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
43 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
44 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
45 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
45 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
46 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
47 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
47 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,

48 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
49 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
49 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
5 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
50 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
51 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
51 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
53 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
53 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
55 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
55 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
57 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
57 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
59 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
59 Corrigs Avenue Murlough Upper Newcastle
The Owner/Occupier,
6 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
61 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
63 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
65 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
67 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
69 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
7 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
8 Boulevard Park Murlough Upper Newcastle
The Owner/Occupier,
9 Boulevard Park Murlough Upper Newcastle

Date of Last Neighbour Notification

28th October 2015

Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: R/2014/0145/F Proposal: Erection of 52 dwellings (change of house types from previously approved under 2004/A563 and R/2003/0888/F) including car parking and landscaping Address: Boulevard Park Dundrum Road Newcastle, Decision: Decision Date:</p> <p>Ref ID: R/2013/0562/PREAPP Proposal: Pad for Social housing Address: To rear of Boulevard Prak, Newcastle, Decision: Decision Date:</p> <p>Ref ID: R/1981/0128 Proposal: HOUSING DEVELOPMENT Address: MURLOUGH UPPER, NEWCASTLE Decision: Decision Date:</p> <p>Ref ID: R/1979/0865 Proposal: PUBLIC AUTHORITY HOUSING Address: DUNDRUM ROAD, MURLOUGH UPPER, NEWCASTLE Decision: Decision Date:</p> <p>Ref ID: R/2006/0121/Q Proposal: Proposed 2G radio base station Address: Murlock Works Dundrum Road Newcastle Decision: Decision Date:</p> <p>Ref ID: R/1988/1042 Proposal: Housing development Address: BOULEVARD CARAVAN SITE DUNDRUM ROAD NEWCASTLE Decision: Decision Date:</p>	

Ref ID: R/2003/0888/F

Proposal: Development of 60 houses.

Address: Boulevard Caravan Park, 114 Dundrum Road, Newcastle.

Decision:

Decision Date:

Ref ID: R/1999/6069

Proposal: Proposed housing development

Address: Dundrum Road, Newcastle

Decision:

Decision Date:

Ref ID: R/2000/0509/F

Proposal: Residential development - Amended scheme (29 town houses and 36 apartments).

Address: Boulevard Caravan Park, 114 Dundrum Road, Newcastle

Decision:

Decision Date: 26.07.2002

Ref ID: R/1995/0306

Proposal: Change of use from toilet block and recreational area to additional caravan parking spaces and new toilet block

Address: BOULEVARD CARAVAN PARK DUNDRUM ROAD NEWCASTLE

Decision:

Decision Date:

Ref ID: R/2003/0886/F

Proposal: Development of 71 houses.

Address: Boulevard Caravan Park, 114 Dundrum Road, Newcastle.

Decision:

Decision Date: 19.12.2005

Ref ID: R/1981/0145

Proposal: RESIDENTIAL DEVELOPMENT

Address: BOULEVARD CARAVAN PARK, DUNDRUM ROAD, NEWCASTLE

Decision:

Decision Date:

Ref ID: R/1979/0535

Proposal: ADDITION OF THIRTEEN CARAVAN SITES

Address: BOULEVARD CARAVAN SITE, DUNDRUM ROAD, NEWCASTLE

Decision:

Decision Date:

Ref ID: R/2010/0883/F

Proposal: Part change of road in front of units 20-23 from adopted parking to incurtilage owner parking

Address: Boulevard Park, Newcastle BT33 0GH.

Decision:

Decision Date: 09.06.2011

Ref ID: R/1994/0559

Proposal: Games room for caravan park

Address: BOULEVARD CARAVAN PARK 114 DUNDRUM ROAD (TO REAR OF 118 DUNDRUM ROAD) NEWCASTLE

Decision:

Decision Date:

Ref ID: R/1986/0386

Proposal: REPLACEMENT BUNGALOW

Address: 118 DUNDRUM ROAD, NEWCASTLE.

Decision:

Decision Date:

Ref ID: R/1993/1090

Proposal: Replacement dwelling

Address: 114 DUNDRUM ROAD NEWCASTLE

Decision:

Decision Date:

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

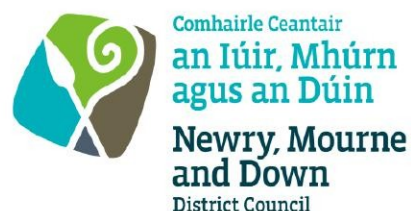
Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

<p>Notification to Department (if relevant)</p> <p>Date of Notification to Department:</p> <p>Response of Department:</p>
--



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 25 Nov 2015	Item Number:
Application ID: R/2012/0081/F	Target Date:
Proposal: 15 no apartments and 1no house	Location: Sites 2 and 4 Donard Street Newcastle Co Down BT33 0AW
Referral Route: Briefing Panel Referral	
Recommendation:	APPROVAL
Applicant Name and Address: Oaklee Homes Group Ltd	Agent Name and Address: RPP Architects Ltd 155-157 Donegall Pass Belfast BT7 1DT
Executive Summary:	
Signature(s):	

Case Officer Report		
Site Location Plan		
Consultations:		
Consultation Type	Consultee	Response
Non Statutory	NI Transport - Downpatrick Office	Add Info Requested
Non Statutory	NI Water - Multiple Units South	Approval in Principle
Non Statutory	Env Health Down District Council	Approval in Principle
Non Statutory	Water Management Unit	Refusal Recommended * Note upgrade of WWTW now complete.
Representations:		
Letters of Support	None Received	
Letters of Objection	20	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
Characteristics of the Site and Area		
<p>The site is located within the triangle of Donard Street, Bryansford Avenue and Shimna Road. The site is currently occupied by 2 large redundant technical college buildings. A right of way known as Park Lane runs through the site.</p> <p>The building on the southern portion of the site, where Donard Street and Bryansford Avenue meet, consists of a large grey pebble dashed two storey building which sits at an oblique angle to Bryansford Avenue and fronts onto Donard Street. Adjacent to this building is a smaller 2 storey building which is numbered No2 Donard Street. It is not clear what the purpose of this building was or if it was associated with the wider educational use on site. The smaller building is tucked into the rear of this building and faces onto Park Lane.</p> <p>The building on the northern portion of the site, differs in appearance in that it is red brick with different type glazing. It is three storey to the front along Donard Street and drops to two storey to the rear, with significant underbuilding so the overall massing is substantial. There is a car park to the rear of the site but not included within the site.</p> <p>The majority of the site is located within the town centre boundary of Newcastle, with the exception of the detached building on the southern portion of the site, which lies outside the town centre boundary. The area is a mix of residential properties and commercial premises.</p>		
Planning Assessment of Policy and Other Material Considerations		

This is an application for 15 apartments and 1 house. There have been two previous planning approvals on the site under R/2005/0608/O and R/2005/0610/O for residential apartment development (10 apartments in 3 storey blocks) and for residential apartment development (8 apartments in 3 storeys) respectively. The current application is for Choice Housing formerly Oaklee Housing Association.

The site is currently occupied by two educational buildings and a detached building. The principle of this type of development is acceptable at this location, the planning history on the site is also a material consideration.

The site is located within the settlement limits of Newcastle, with the majority falling within the town centre, it is within such urban centres that high density accommodation is found and expected. There is a mix of uses found in this area and a range of building types. On this site the two educational buildings are large, detached buildings with one being two storeys high (Site 2) and the other being 3 storeys (Site 4). This application proposes the demolition of these buildings and their replacement with 2 apartment buildings and a detached two and a half storey dwelling. Both apartment blocks proposed are 3 storeys, and generally mirror the footprint of the previous buildings.

Policy consideration

The Regional Development Strategy 2035 (RDS)
Strategic Planning Policy Statement 2015 (which supersedes PPS1)
Ards and Down Area Plan 2015
PPS 7 Quality Residential Environments
PPS 12 Housing in Settlements
PPS3 Access Movement and Parking
DCAN15 - Vehicular Access Standards
DCAN 8 - Housing in Existing Urban Areas.

The Regional Development Strategy 2035 (RDS) acknowledges that housing is a key driver of physical, economic and social change and emphasises the importance of the relationship between the location of housing, jobs, facilities, services and infrastructure. The RDS recognises that there are significant opportunities for new housing on appropriate vacant and underutilised land, and sets a regional target of 60% of new housing to be located in appropriate 'brownfield' sites within the urban footprints of settlements greater than 5,000 population.

It is considered the proposal complies with the policy guidance contained within the RDS.

The Strategic Planning Policy Statement published in 2015 Para 4.11 and 4.12 refers to Safeguarding Residential and Work Environments. There is no policy conflict between the current provisions of PPS7 and the SPPS. Similarly para 6.137 of the SPPS refers to Housing in Settlements again there is no policy conflict between the SPPS and applicable policies in PPS12.

Ards and Down Area Plan 2015 Policy NE14 Apartments, states that
Proposals for apartment development in Newcastle shall respect the architectural, streetscape and landscape character of the area and shall be in conformity with its established character in terms of:

- the set backs of properties from the street;

- the treatment of boundaries, both hard and soft;
- the structural landscape including the retention of mature trees;
- the scale of built form, particularly in terms of the height and massing when viewed from the street;
- the articulation of the roof and building lines; and
- the architectural detailing and use of materials.

It is contended that the proposal meets the above criteria and respects the existing streetscape and character. Further consideration of the above criteria is discussed further below.

Planning Policy Statement 7 - Policy QD1 Quality Residential Environments

Policy QD1 in 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. 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.

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.

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. The Department has considered the proposals against this and the above criteria and make the following assessment in this regard.

The proposed apartment block positioned on the corner of Donard St and Bryansford Avenue contains 9 units (Site 2). It is double fronted onto both roads and it turns the corner with the site. There is currently a large building on this site. It is a 2 storey building with a ridge of 12.6m. The new apartment building proposed is to be 10.8m at the highest points. It occupies a reduced footprint than the existing building. The existing building sits at an oblique angle to the dwelling at No. 3 Bryansford Avenue, whereas the new apartment building will follow the building line of the dwellings along Bryansford Avenue. The new building will be sited closer to the dwelling at No. 3, which is a 2 storey detached dwelling fronting onto the road. The new building will be running gable to gable with this house. It will be 2.6m away from the common boundary. There is a side extension on this house which goes up to the common boundary.

The Department is satisfied that the new building positioned here will not detrimentally affect the amenity of the residents of the dwelling at No. 3 Bryansford Avenue as there is only a window at ground level along this elevation so there will be no incidents of overlooking. Although the gable will sit further forward than the gable of the existing building, I am of the opinion that there will be no adverse effects to the neighbouring property as the buildings will sit gable to gable and the overall effect will be less than the existing building as it is overall a smaller building and occupies less area on the ground. The existing building is bigger and extends quite far back in the site and along the rear of the adjacent property, whereas the proposed building is located to the front of the site only and does not extend back as far as the property beside it. The proposal has marked the corner site by designing the part that is on the corner with wrap around corner windows surrounded in a different finish. Vehicular Access is proposed to this site from Donard Street. Pedestrian access is proposed to this site from Donard Street and Park Lane. Parking is provided on site. Normal car parking standards which would apply to a residential development such as this would be 1.5 spaces per residential unit. Given the highly accessible town centre location of the development, its proximity to public transport and capacity in a neighbouring car park, all this was considered by the Department in line with PPS 3 AMP7 that a reduced standard of 1:1 could apply. Therefore for the 15 no apartments, 15 no spaces are provided.

Public open space is only required where a development exceeds 25 no units. The current development is for 16 no units therefore there is no requirement to provide public open space for this development.

Private open space has been provided in this development in the form of communal open space, this is acceptable for apartment development in line with PPS 7 QD1/ DCAN 8. The site context also allows for easy access to open spaces and recreational spaces, namely numerous local parks and the beach and promenade.

The single detached house located in the middle of Site 2 is acceptable as it conforms with Policy QD1 in PPS7. The dwelling is proposed to be 2.5 storeys high and will front onto Park Lane. It will sit gable to gable with the adjacent property at No. 4 Park Lane. It is proposed to be located slightly in front of the adjacent dwelling at No.4 by 1m, meaning the footprint of the proposed dwelling is 6m closer to Park Lane than the existing buildings footprint.

No.4 Park Lane is a bungalow and although the proposed new dwelling is 8.9m to ridge, there will be no adverse effects on the adjacent dwelling as there are no windows proposed on the gable so there will be no incidents of overlooking and there will be no overshadowing as they site

side on, being 2.4m apart. There are 3 no ground floor windows on No. 4 Park lane, however these windows are already overshadowed by the existing building on site, I therefore consider there to be no increase in impact on amenity of No.4 by pulling the building closer by 6m to Park Lane. There is adequate private amenity to the rear and private parking provided. Vehicular access to the site is through Site 2, pedestrian access is from Park Lane. Parking is provided on site at 1 no space in line with the reduced standard of 1:1 ratio.

The apartment block proposed on Site 4, is located in the most northerly part of the site. There is an existing 3 storey building on this part of the site. It extends from the front of the site to the rear. There is a drop in levels from the front part of the site to the rear. There is an existing right of way running through the site adjacent to this building, namely Park Lane.

The current building extends in width from the edge of this part of the site along the right of way to the opposite end adjacent to the property at No. 6 Donard St.

This proposal is a new 3 storey apartment building housing 6 apartments. It is to be located alongside Park Lane right of way. The access will be from Donard Street. The proposed apartment block will be 9m at the closest point to the adjacent dwelling at No.6 Donard street. The existing building on site is currently 2m from No.6 Donard Street.

The apartment block has been assessed against the Policy requirements of Policy QD1 and is satisfied that the apartment block will not adversely affect the residential amenity of neighbouring properties. The existing building occupies a much larger footprint of the ground, and as stated extends to the common boundary of the dwelling at No. 6. The proposed building is smaller overall. The height of the existing and the proposed building is the same. As the proposed building is smaller and further removed from the dwelling at No. 6 the impact of this building will be less than the existing in terms of overshadowing or loss of light.

The front of the proposed apartment block faces north, towards the dwelling at No. 6. However the Department is of the opinion that as there is sufficient separation distance between the proposed building and the curtilage of the adjacent property there will be no adverse effects on the private amenity of this property. The new building will be set at an oblique angle from the adjacent property, unlike the existing which is set directly running alongside the dwelling, therefore reducing the impact of the new building. It is noted that the private amenity of No.6 Donard Street is to the rear of the property. There is a front garden to No.6 which fronts Donard Street, while this forms part of the properties amenity it cannot be considered to be truly private given the passing pedestrian and vehicular traffic along Donard Street.

Vehicular and pedestrian access to the site is from Donard Street. Parking is provided on site. No impact on ROW: Park Lane.

Boundary treatments proposed involve the removal of the existing boundary wall along Donard Street/ Bryansford Ave/Park Lane, with its set back into the site, and replacement with facing brick wall with metal railing on top.

Facing brick wall with close board fencing will define the car parking on Site 4 with Park Lane, also defines partial boundary with No.3 Bryansford Ave and Site 2. Existing hedge noted to be retained on remainder of this boundary.

Boundary treatment with No.6 Donard Street and Site 2 is a close board fence.

A close boarded fence and wall below defines the boundary of Site No.2 with the adjacent Public Car park

Considering the above I am content that the proposals will not result in unacceptable damage to the local character, environmental quality or residential amenity of this area.

The Department has assessed the design of the buildings and the overall form and is satisfied with the proposal. The use of different materials such as clay facing brick and render break up the overall appearance of the buildings. The red brick is seen in buildings in the area, most notably the Donard Hotel opposite the site. The overall layout of the scheme is acceptable. TransportNI are satisfied with the parking provision and access arrangements. There is adequate landscaped areas for a scheme of this nature in this location. A landscape plan has been submitted with the proposals which will be conditioned to be implemented. Current boundary wall to Donard Street is to be removed and set back into the site, creating a wider pavement along Donard Street.

PPS 12 Housing in Settlements states that the reservation of land for social housing will be achieved either through the zoning of land or the outlining of key site requirements through the development plan process. This will not preclude other sites coming forward through the development control process. The zoning of land for social housing will help facilitate the supply of affordable housing. The current site is brownfield land which has come up for development. Residential use is considered an acceptable use.

HS 2 Social Housing

In locations where a demonstrable housing need is identified by the Northern Ireland Housing Executive, planning permission for housing proposals will only be granted where provision is made for a suitable mix of housing types and tenures to meet the range of market and social housing needs identified.

The proportion of land or units to be set aside for social housing will be determined as part of the development control process.

This policy will be applied where a need for social housing is established through a local housing needs assessment and the development plan for the area has not provided for it.

There is correspondence on file from the Minister of Social development stating that Newcastle is an area of high housing need and refers to this scheme by Choice Housing Association.

PPS3 Access Movement and Parking

TransportNI carried out a traffic Survey between 6-16 July 2012. this revealed max vehicle count on 14 July 2012 to be 3334 vehicles and the average speed in Donard Street to be <30mph, they state that the increase in volume of traffic on Donard Street would not cause any significant traffic progression problems. Access and site layout fully complies with the Road requirements in terms of access arrangement and parking. No objection therefore offered on Traffic grounds.

DCAN15 - Vehicular Access Standards

The proposal is for 2 no accesses directly onto Donard Street. Transport NI was consulted and have no objections to the proposal subject to conditions.

NIEA Water Management Unit had initially recommended refusal based on the capacity issues at the WWTW in advance of the upgrade. The situation has now been resolved since the upgrade to the WWTW is complete.

Representations received

A substantial number of objections including a number of petitions and representations from MP's MLA's and elected representatives were received in respect of this application. The main issues raised were;

- The proposal is contrary to PPS 7 and PPS 7 Addendum and the criteria therein.
- The impact on the street scene including, views, separation distances, overlooking, loss of light, overshadowing, noise and other general disturbance
- The impact of parking provision
- The existing buildings have had an over-bearing effect and this should be an opportunity to put this right.
- Loss of light to adjoining properties
- Provision of open space is inadequate
- Parking provision is inadequate
- Two accesses onto Donard St
- Additional traffic onto an already problematic immediate road network, will cause congestion
- Residents of the new proposal would suffer from the noise and disturbance from the bar and taxi office opposite
- The area is too close to the town for families or elderly people
- Character of the area would be altered and disrupt the lives of the present residents
- The proposed development is 3 storey while the existing blocks are 2 storey
- The development is too large and dense for the site
- Noise during construction
- Concerns over how many people each unit can accommodate
- Not suitable site for social housing.

The issues raised during the processing of the application have been considered. Those issues dealing with overlooking, overshadowing, separation distances have been addressed in the above report and have been assessed against PPS7.

It is not considered that the proposal will have a negative impact on the street scene as the impact from the new buildings will be overall less than the existing buildings.

TransportNI have been consulted and after discussion and amended plans being submitted, they have no further objections. They are satisfied with the parking provision and the access arrangements and have considered the current road layout and traffic volume.

The open space provision is adequate considering the urban context, whereby the expectation for amenity space is less in such areas. The site is located within close proximity to parks and the beach and promenade for recreational use. All the necessary services are located in close proximity to the site given its town centre location.

The Department consider the existing uses across from the site will not create any adverse effects to any potential occupants of the buildings. This type of development is found and expected in such urban locations.

The site provides an ideal location in terms of providing a movement pattern that supports walking and cycling, meets the needs of people whose mobility is impaired. Proposal offers proximity to good public transport links and neighbourhood facilities.

One of the existing blocks is 2 storey and the other is 3 storey. But as discussed above the ridge height is largely the same with the existing and the proposed. The Department has to consider the existing buildings on the site when assessing any new application. The proposed buildings overall are smaller in scale than the existing.

The Department has no control over the potential number of occupants or social makeup of the development in the future, as it has no control over any noise during construction.

A meeting on site was convened on site on the 8 October 2015 at the request of Sean Rogers MLA and attended by residents and TransportNI representatives. Issues raised related to the

traffic generation from the proposal and the suitability of the site for social housing. TransportNI reiterated that the proposal was acceptable in terms of traffic generation and progression and had no objection to the proposal. On the matter of the suitability of the site for social housing, planning has considered the proposal against residential policy namely PPS7 and have found the proposal acceptable. Planning cannot control the occupants of the development, this would be a matter for the Housing Association to control.

Having considered the above, an APPROVAL is recommended.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Conditions

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

Reason: Time Limit.

2. The development hereby approved shall not be commenced until the developer/applicant has submitted to and received approval from the Council for a scheme for the highway improvements indicated generally on drawing No R/2012/0081/03 dated 20 July 2012

3. Tactile paving to be provided as where is considered necessary by the Council.

4. No dwelling shall be occupied until the works comprised in the highway scheme referred to in condition 2 have been fully completed and so certified by the Council in writing.

5. A suitable wall to be erected to the satisfaction of the Council along frontage of site to the rear of footway.

6. Prior to the occupation of the development hereby approved, all boundary treatments shall be erected as indicated on drawing ref R/2012/0081/03 date stamped 20 July 2012 and R/2012/0081/05 dated 8 February 2012.

Reason: In the interest of privacy and amenity.

7. None of the dwellings hereby permitted shall be occupied until the (sewage disposal/drainage) works have been completed in accordance with the submitted plans.

Reason: In the interests of public health.

8. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Department.

Reason: In the interests of public health.

9. No building shall take place within 6 metres of (public sewers/watermains).

Reason: To prevent disturbance to existing sewers/watermains.

10. All services within the development shall be laid underground.

Reason: In the interests of visual amenity.

11. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice as indicated on the Landscape Plan ref R/2012/0081/13 dated 31 October 2012. The works shall be carried out prior to the occupation of any part of the development.

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

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

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

Informatives

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. The applicant is advised that the internal layout of the proposal should make adequate provision for the needs of people with disabilities.
4. The applicant's attention is drawn to:
 - i. the relevant provisions of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and
 - ii. the Code of Practice for Access for the Disabled to buildings.
5. The applicant is advised that there is a premises in close proximity which has an Entertainment Licence and there is potential for disturbance from patrons, music etc.
6. Notwithstanding the terms and conditions of the Department for Regional Development's approval set out above, the developer is required to enter into a license agreement with the Department for Regional Development, Roads Service for the carrying out of the road works at Donard Street prior to the commencement of any works on the public road network.
7. Final details of the highway improvements directly related to the development referred to in condition 2, should be agreed with the Department for Regional Development's Roads Service prior to the issue of the license, which can take 3-4 months to process.
8. Notwithstanding the terms and conditions of the Council's approval set out above, the applicant is required under the Street works (Northern Ireland) Order 1995 to be in possession of a Street Works license before any work commences which involves making any opening or placing of any apparatus in the public roadway.
9. Traffic management arrangements to facilitate the construction of the development and associated road works hereby approved shall comply with the requirements of the Safety at Street Works and Road Works Code of Practice issued by the Department for Regional Development (Northern Ireland) under Article 25 of the Street works (Northern Ireland) Order 1995. Detailed proposals shall be agreed with Traffic Section, Rathkeltair House in advance of the commencement of any works that may affect the public road network and, where appropriate, shall be subject to the approval of the PSNI Road Policing Unit.

Signature(s)

Date:

ANNEX

Date Valid

8th February 2012

Date First Advertised

22nd February 2012

Date Last Advertised

Details of Neighbour Notification (all addresses)

The Owner/Occupier,
11 Main Street Ballaghbeg Newcastle

The Owner/Occupier,
11 Main Street Ballaghbeg Newcastle
P Clarke
135D Main Street Dundrum Down
obo Mrs Anne Callan
14 Killynure Avenue, Carryduff, Down, Northern Ireland, BT8 8ED
C O'Boyle
16 Rowley Meadows Ballaghbeg Newcastle
S McKibbin
24 Eliza Close Tollymore Newcastle

The Owner/Occupier,
3 Bryansford Avenue Ballaghbeg Newcastle

The Owner/Occupier,
30 Railway Street Ballaghbeg Newcastle

The Owner/Occupier,
31 Main Street Ballaghbeg Newcastle
A Callan
4 Park Lane Ballaghbeg Newcastle

The Owner/Occupier,
4 Park Lane, Newcastle, Co. Down
M Kane
44 Merrion Avenue Murlough Upper Newcastle

The Owner/Occupier,
5 Bryansford Avenue, Ballaghbeg, Newcastle, Down
A Maginn
6 Donard Street Murlough Upper Newcastle
H Corbett
6 Park Lane Ballaghbeg Newcastle

The Owner/Occupier,
6 Park Lane, Newcastle, Co. Down
S Rogers MLA

60 Main Street Castlewellan Down J Baillie 70 Tullybrannigan Road Ballaghbeg Newcastle A O'Donoghue 8 Park Lane Ballaghbeg Newcastle The Owner/Occupier, 9 Main Street Ballaghbeg Newcastle The Owner/Occupier, Donard Hotel, Main Street, Newcastle, Co. Down The Owner/Occupier, Donard Taxis, Donard Street, Newcastle, Co. Down JH Wells MLA Parliament Buildings Stormont Estate Ballymiscaw The Owner/Occupier, Presbyterian Church Hall, Bryansford Avenue, Newcastle, Co. Down P Small Unit 3 The Shopping Centre Main Street M Davey Unit 5 The Shopping Centre Main Street T Herron Unit 6 The Shopping Centre Main Street	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
Summary of Consultee Responses	
Drawing Numbers and Title	
Drawing No. Type: Status: Submitted Drawing No. Type:	

Status: Submitted
Drawing No.
Type:
Status: Submitted
Notification to Department (if relevant)
Date of Notification to Department:
Response of Department:

FAO: Planning Committee Members

I refer to Planning Application R/2013/0107/F in the name of G&M Lodge Caring Ltd for a hotel at 76 Tollymore Road, Newcastle.

I was involved with this application in the former Legacy Down Council so will be withdrawing myself from the Committee meeting at this stage.

I would however ask members to take on board the following:

Tourism is the main economic driver for this Council, as defined by our corporate plan. This is an application that has the potential to add to our tourism product in the greater Newcastle area and create much needed employment. I am aware of the demand for bed spaces in the town and would like to see Council, as a corporate body, doing all we can to support indigenous business.

The applicant has a proven track record for running very successful businesses both in our Council area and in the greater Belfast area.

This is a beautiful site which would lend itself well to a boutique type hotel. It has stunning trees which would if the proposals were realised, be incorporated into the scheme.

As you can see, the applicant has worked with Planning Service and did amend the scheme however the amendments appear to again fall short of what is now needed.

I was pleased to see that the SPPS would allow for the current proposal in the countryside and the only remaining hurdles appear to be of a roads related nature.

I attach a letter from the applicant's architect for your consideration.

On this basis, I respectfully request that this application be deferred to allow a further meeting on site with Transport NI and the applicant, to see if some common ground could be found. This applicant has paid substantial fees and the application has been in the system for quite some time. I feel that all avenues have to be explored to see if there is anyway of salvaging these plans. We as a Council need to be and as importantly, be seen to be, working with applicants who have the potential to create employment in our District.

Yours faithfully,

Cllr Laura Devlin

building design solutions**- architecture & planning -**

102

76 Main Street, Pomeroy, Co. Tyrone, BT70 2QP
Tel: 028 8775 9292 Fax: 028 8775 9393

e: info@buildingdesignsolutions.org.uk w: www.buildingdesignsolutions.org.uk

Ref:- 2110/PB/CLR-1**Date:-**18/11/15Ms Laura Devlin
SDLP
8 Railway Street,
Newcastle,
BT33 0AL**RE: PROPOSED CHANGE OF USE AND EXTENSION TO DWELLING TO FORM PROPOSED HOTEL AT 76 TOLLYMORE ROAD, NEWCASTLE:- R/2013/0107/F**

Dear Laura,

We have been informed that the above application is being presented to the planning committee on 25th November 2015 with the recommendation of refusal.

It is grossly unfair to make this presentation at this time based on the timeline history of the application. Following a meeting with the senior Planning officer and Roads Service official in November 2014 an amended submission was forwarded to planning service for consideration.

During that meeting roads service very clearly advised us on what would be acceptable in terms of access widths and footpaths links. The amended submission reflected the advice we were given and should have been acceptable to the roads official.

The submission was received by Planning on 8/12/2014 and by Roads Service on 11/02/2015 yet the response to this submission was 14/10/2015, eight months later and within 4 weeks of this response the recommendation to the council has been proposed. (See attached response for dates)

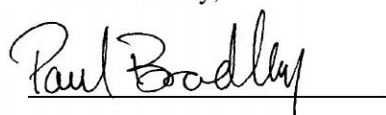
We have been actively seeking a meeting with Roads Service since the end of October 2015 to see how the agreed advice from our meeting has changed to now recommend refusal. On doing so we have established that there has been a change in personnel within Roads Service.

Unless Roads Service Policy has changed then the advice we received and subsequently revised our latest drawings to reflect should still stand to allow a much need tourism and employment boost for the area.

We would respectfully request that this application be deferred from the proposed committee meeting on the 25th November 2015 to allow us time to have a meeting with Roads Service officials to establish what has changed or what their current advice on the matter is.

Should you require any further information, please do not hesitate to contact these offices.

Yours Sincerely,

Paul Bradley M.C.I.A.T.
Chartered Architectural Technologist

Partners: Aidan Begley & Paul Bradley (M.C.I.A.T.)

**Chartered Institute of
Architectural Technologists**

transportniSouthern Division
Rathkeltair House
Market Street
DOWNPATRICK
BT30 6AJ

103

Planning Application Reference Numbers: R/2013/0107/F

Date Plans/Documents received by Planning: 8 December 2014

Date Plans/Documents received by Transportni: 11 February 2015

Drawing/Document Reference: 2110-D-013 (D).

Transport NI has considered the additional information and recommends the following opinion:

The proposal is contrary to planning policy statement 3, access, movement and parking, policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the road infrastructure to sustain this development cannot be provided within the scope of this application.

I hope you find this information helpful.

Issued on behalf of Transport NI.

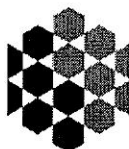
14 October 2015



An Agency within the Department for
**Regional
Development**
www.drdsn.gov.uk



INVESTOR IN PEOPLE



Department of the
Environment

www.doeni.gov.uk

Mr Liam Hannaway
Chief Executive
Newry, Mourne and Down District Council
Liam.hannaway@nmandd.org

Angus Kerr
Director
Planning Policy Division
4th Floor
Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast
BT2 7EG

Telephone: (028) 90823323

Email: Angus.kerr@doeni.gov.uk
Julie.maroadi@doeni.gov.uk

16 November 2015

Dear Liam

Re: Implementation of Planning Policy for the Retention of Zoned Land and Economic Development Uses – Planning Advice Note

I am writing to bring to your attention that the Department has today issued the above Planning Advice Note.

The purpose of this advice note is to ensure an effective and consistent approach to implementing regional planning policy when determining planning applications, and to assist with local development plan preparation, in relation to:

- a) sites zoned for economic development use in a local development plan; and,
- b) planning applications on unzoned land that is currently used (or was last used) for economic development purposes.

You can view the advice note on the planning portal at the following link:-
http://www.planningni.gov.uk/index/advice/implementation_of_planning_policy_for_the_retention_of_zoned_land_and_economic_development_uses.htm

I hope you find this information to be of assistance.

Yours sincerely

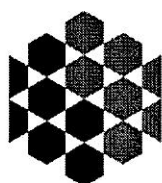
ANGUS KERR
DIRECTOR

Cc Mr Anthony McKay, Planning Manager

Implementation of Planning Policy for the Retention of Zoned Land and Economic Development Uses

Planning Advice Note

November 2015



Department of the
Environment

www.doeni.gov.uk

Introduction

1. The planning system has a key role to play in achieving a vibrant economy. It seeks to promote sustainable economic development through supportive planning policies, zoning land for development, identifying and protecting development opportunities and integrating employment generation with essential supporting provision such as housing and infrastructure.
2. The purpose of this advice note is to ensure an effective and consistent approach to implementing regional planning policy when determining planning applications, and to assist with local development plan preparation, in relation to:
 - a) sites zoned for economic development use in a local development plan; and,
 - b) planning applications on unzoned land that is currently used (or was last used) for economic development purposes
3. This advice note is an amplification of existing planning policy and supplementary planning guidance. It does not add to or change existing policy or guidance that is considered appropriate for assessing applications for economic development proposals and preparing local development plans.
4. For the purposes of this advice note economic development uses comprise industrial, business, and storage and distribution uses, as currently defined in Part B 'Industrial and Business Uses' of the Planning (Use Classes) Order (Northern Ireland) 2015.

Strategic Context

5. The wider context for the assessment of planning applications on land zoned for economic development use in a local development plan, and applications on unzoned land that is currently used (or was last used) for economic development purposes includes:
 - **The NI Executive's Programme for Government (PfG):** The PfG sets out the strategic context for the Executive's plans and priorities.
 - **The Regional Development Strategy 2035 (RDS) which is the spatial strategy of the Executive:** The RDS provides a strategic spatial planning framework for Northern Ireland and guides physical development in the Region up to 2035. It seeks to promote a balanced spread of opportunities across Northern Ireland through a Spatial Framework that enables strategic choices to be made in relation to development and infrastructural investment. In particular, RDS regional guidance (RG1) highlights the need to protect zoned land, and states that land zoned for economic development use in development plans should be protected as it provides a valuable resource for local and external investment, thereby contributing to the aims of the PfG. Protection of such zonings should ensure that a variety of suitable sites exist across Northern Ireland to facilitate economic growth.

- **The Regional Transport Strategy for Northern Ireland (RTS):** The RTS is committed to greater integration of transport with land use planning in order to support more sustainable transport choices and reduce the need to travel. Decisions on the location of economic development should take account of access to services and the overall need to reduce travel.
- **The Executive's Sustainable Development Strategy - 'Everyone's Involved' (SDS):** The SDS recognises the aim to bring viability, stability and opportunity to Northern Ireland's economic activities and programmes.
- **The Anti-Poverty and Social Inclusion Strategy for Northern Ireland - 'Lifetime Opportunities':** This strategy highlights the importance of ensuring that disadvantaged groups and communities are able to benefit from better access to employment opportunities.

Planning Policy

6. The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) was published on the 28th September 2015. The SPPS applies to the whole of Northern Ireland and its provisions must be taken into account in the preparation of local development plans, and it is material to all decisions on individual planning applications and appeals.
7. The SPPS provides the core planning principles which underpin the two-tier planning system with the aim of furthering sustainable development. It sets the strategic direction for councils to bring forward detailed operational policies tailored to their individual areas within local development plans. It also sets out subject planning policies on a range of land use planning matters.
8. A transitional period will operate from 1 April 2015 until such times as a Plan Strategy for the whole of a council area has been adopted. During this period planning authorities will apply existing policies contained within extant planning policy statements together with the SPPS.
9. Planning Policy Statement 4 (PPS 4) 'Planning and Economic Development': Policy PED 7 'Retention of Zoned Land and Economic Development Uses' is of particular relevance when considering planning applications on land zoned for economic development use in a local development plan, and applications on unzoned land that is currently used (or was last used) for economic development purposes.
10. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. However, where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy.
11. In relation to economic development the aim of the SPPS is to facilitate the economic development needs of Northern Ireland in ways consistent with the protection of the

environment and the principles of sustainable development. This aim is supported by 6 regional strategic objectives and a number of policy provisions.

12. The SPPS makes clear the importance that economic development land and buildings which are well-located and suited to such purposes are retained in order to ensure a sufficient and ongoing supply.
13. The Department is keen to support the diversity of the local economy and encourage employment generation. It is therefore necessary to retain existing sites for economic development and safeguard the supply of future economic development land to achieve this aim.
14. Only in exceptional circumstances will the loss of land zoned for economic development use in a local development plan to other uses be considered. Planning permission should therefore not normally be granted for proposals that would result in the loss of such land and buildings to other uses.
15. The retention of economic development land can not only make a substantial contribution to the renewal and revitalisation of towns and beyond but it can also provide employment opportunities accessible to large sections of the urban population and the rural hinterland. The existence of redundant business premises and derelict industrial land can be an important resource for the creation of new job opportunities in areas of high unemployment and social deprivation.
16. In the case of planning applications involving a departure from a development plan zoning, for example from light industrial use to a mixed use development, planning officers should be fully satisfied that it has been clearly demonstrated how the special circumstances of a particular case outweigh the preferred option of retaining the land for economic development use.
17. A development proposal on land or buildings not zoned in a development plan but currently in economic development use (or last used for that purpose), which will result in the loss of such land or buildings to other uses, will not normally be granted planning permission. Planning authorities may wish to retain flexibility to consider alternative proposals that offer community, environmental or other benefits that are considered to outweigh the loss of land for economic development use. Planning officers should be fully satisfied that it has been clearly demonstrated how the special circumstances of a particular case outweigh the preferred option of retaining the land or buildings for economic development use.

Local Development Plans

18. Under the two-tier planning system councils have the responsibility to prepare local development plans for their individual areas. The SPPS allows councils the flexibility to bring forward detailed operational policies through the plan process and enables them to produce their own specific policies and proposals on subjects such as economic development, which are tailored to local circumstances and reflect the needs within an area to retain zoned land for economic development use.

19. Where a decision by a council to reallocate land zoned for economic development use to another use is considered necessary, this should be carried out through the development plan process.
20. In preparing local development plans councils must take account of the SPPS, as well as the RDS 2035, the Sustainable Development Strategy, and any other policies or guidance issued by the Department such as landscape character assessments and conservation area design guides.

Other Planning Considerations

21. When making balanced judgements on the merits of a particular case or the potential loss of economic development land, planning officers should consider matters such as:
 - The views expressed by all other interested parties during the public consultation process including those of local enterprise and business representatives;
 - Accessibility to the regional transportation network and a variety of transport modes;
 - The potential to regenerate existing urban areas through economic development or as part of a mixed use development;
 - Accessibility to every member of the community, especially those in socially disadvantaged areas;
 - Why a site is no longer required or considered suitable for continued economic development use;
 - Evidence of the availability (or not) of alternative sites for economic development use (or the proposed alternative use) in the locality;
 - Compatibility with neighbouring land uses;
 - The views of relevant statutory and non-statutory consultees; and
 - The availability of adequate services and infrastructure such as water and sewerage.

Planning officers should also consider the regional and strategic framework provisions of the RDS 2035 such as RG1 'Ensure adequate supply of land to facilitate sustainable economic growth'.

22. The above list is not exhaustive. All applications for economic development must also be assessed against other general planning criteria relating to matters such as access arrangements, design, environmental and amenity impacts. Planning officers will also have regard to published supplementary planning guidance as well as any other material considerations which are relevant to the particular case.
23. The Department would stress that the flexibility allowed under current planning policy relates only to firm proposals for acceptable alternative uses which outweigh the preferred option of retaining land zoned for economic development use in a local development plan, and unzoned land that is currently used (or was last used) for economic development purposes.

Consultation with Statutory and Non-Statutory Consultees

24. Article 13(1) and Schedule 3 of The Planning (General Development Procedure) Order (NI) 2015 set out the range of statutory consultees that should be consulted where an application is to be determined by a council or as the case may be the Department. In addition to the required statutory consultees, and depending on the scale and complexity of the proposal, planning authorities may wish to consider consulting non-statutory bodies and organisations with expertise relevant to the particular case, such as The Department of Enterprise, Trade and Investment, and/or Invest NI.

Decision Taking

25. The guiding principle for planning authorities in determining planning applications, as laid down in Section 45 of the Planning Act (Northern Ireland) 2011, is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the development will cause demonstrable harm to interests of acknowledged importance.
26. The Department's planning policies are broad guidance documents intended to assist planning authorities and planning officers in the exercise of their discretion and to encourage consistency of approach to planning applications. Deciding on the relevance of and weight to be attached to the various social, economic and environmental factors influencing a planning decision, as well as any other relevant material consideration, is a matter of planning judgement and may vary on a case by case basis.

Planning Policy Team

Causeway Exchange

1-7 Bedford Street

Town Parks

Belfast

BT2 7EG

T: (028) 90 823491

E: planning.policy@doeni.gov.uk