

August 19th, 2026

Notice Of Meeting

You are requested to attend the meeting to be held on **Wednesday, 2nd September 2026** at **10:00 am** in **Mourne Room, Downshire Civic Centre**.

Committee Membership 2026-27

Councillor M Larkin **Chairperson**

Councillor M Rice **Deputy Chairperson**

Councillor W Clarke

Councillor L Devlin

Councillor V Harte

Councillor O Magennis

Councillor D McAteer

Councillor S Murphy

Councillor A Quinn

Councillor H Reilly

Councillor J Tinnelly

Councillor H Young

Agenda

****Closing of Speaking Rights****

Attachment: close of speaking rights.pdf

Page 1

- 1.0 Apologies and Chairperson's Remarks**
- 2.0 Declarations of Interest**
- 3.0 Declarations of Interest in relation to Para.25 of Planning Committee Operating Protocol**
- 4.0 Minutes of Planning Committee Meeting held**
to follow
- 5.0 Addendum list – planning applications with no representations received or requests for speaking rights**

Development Management - Planning Applications for determination

- 6.0 LA07/2024/0666/F - Lands West of Spring Meadows, Warrenpoint, BT34 3SU - Erection of 23 dwellings with associated road layouts**

APPROVAL

On agenda as a result of the Operating Protocol

Attachment: LA07-2024-0666-F.pdf

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- 7.0 LA07/2024/0583/F - Lands to rear and North East of No.21 and North of Nos.15 & 17 Bonds Road, Silverbridge, Armagh, BT35 9PE - Retention of ground works including changes to the level of the land through inert infilling and reprofiling of land; proposed levelling with topsoil and seeding with grass for the purposes of agricultural land improvement on lands to the rear and north east of No 21 and North of Nos 15 & 17 Bonds Road, Silverbridge Armagh, BT35 9PE; and creation of new vehicular access to Bonds Road**

APPROVAL

On agenda as a result of the Operating Protocol

8.0 LA07/2025/0365/F - Lands south of William Street, located between Newry River and the Newry Canal, at Albert Basin, Newry - City Park (Public Open Space) comprising**

APPROVAL

On agenda as a result of the Operating Protocol

**waterside walkway; pedestrian and cycle paths throughout site; biodiversity trail; urban sports facility (incorporating pump track and skate park); toilet building (incorporating changing places facility and ancillary office and 9 kWp PV panels to roof); play park facility (to cater for multiple age groups and levels of ability); central plaza area; boat launching slipway; floating pontoon and access ramp; watersports building (incorporating boat storage, meeting room, changing and shower facilities and 14 kWp PV panels to roof); 3No. canopy sun/rain shelters; water sports storage area; maintenance building; arboretum walk (comprising native tree and shrub species); natural play area; southern plaza area; associated car parking, overspill/temporary car parking and drop off areas; 2No. dual EV charging points; cycle stands; connection to greenway; park lighting; CCTV (pole and building mounted); quay/canal wall restorations (including in-situ preservation of existing mooring rings, stone bollards and metal posts); ancillary park infrastructure (bollards, gates, fences, railings, benches/seating, bins, interpretation boards, historical markers/feature trail locations); 315kVA electrical substation; and all associated site works, infrastructure, and landscaping.

9.0 LA07/2025/0897/O - Immediately N of 46 Forkhill Road, Cloghoge, Newry, BT35 8LZ - Infill site for two dwellings.

REFUSAL

On agenda as a result of the Call in process

Attachment: LA07-2025-0897-O.pdf

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10.0 LA07/2024/1283/O - Lands 95m N of No. 11 Lesh Road, Newry, BT35 6NF - Erection of farm dwelling and detached domestic garage, ancillary site works.

REFUSAL

On agenda as a result of the call in process

Attachment: LA07-2024-1283-O.pdf

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11.0 LA07/2024/0308/O - To the rear of 8 Hospital Road, Carnagat, Newry, BT35 8PW - Site for dwelling and carport

For Decision

REFUSAL

On agenda as a result of the call in process

Attachment: LA07-2024-0308-O.pdf

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12.0 LA07/2025/0762/O - Lands approximately 25m south of No. 58 Newtown Road, Newtowncloghoge, Newry, BT35 8RJ - Infill dwelling with detached domestic garage, site access, ancillary site works and associated landscaping

REFUSAL

On agenda as a result of the Call In Process

Attachment: LA07_2025_0762_O.pdf

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13.0 LA07/2025/1466/O - Adjacent & W of No.25 Derrywilligan Road, Newry, BT35 6JU - Dwelling & detached garage

REFUSAL

On agenda as a result of the Call In Process

Attachment: LA07_2025_1466_O.pdf

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14.0 LA07/2025/1205/F - Adjacent to No. 25 Seafin Road, Killeavy, Newry, BT35 8LA - Detached dwelling on an infill site

REFUSAL

On agenda as a result of the Call In Process

Attachment: LA07_2025_1205_F.pdf

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15.0 LA07/2022/0801/F - Lands at 58a Downpatrick Road, Crossgar - Replacement building (previously destroyed by fire) for farm diversification including all associated site works.

REFUSAL

On agenda as a result of the call in process

Attachment: LA07-2022-0801-F.pdf

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16.0 LA07/2021/1437/F - 30m north of No. 38 Ballyveaghbeg Road, Ballymartin - Erection of rural detached dwelling and detached garage, new landscaping and associated site works in compliance with planning policy PPS21-CTY6

REFUSAL

On agenda as a result of the Call In Process

Attachment: LA07-2021-1437-F.pdf

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For Discussion/Decision

17.0 Tree Protection Bill – Call for Evidence

Report to follow

18.0 Shaping Better Places - Politicians in Planning Event

For Decision

Report to follow

For Noting

19.0 Historic Action Sheet

For Information

Attachment: Planning Historic Tracking Sheet - 05-08-2026.pdf

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SPEAKING RIGHTS/WRITTEN SUBMISSIONS

PLANNING COMMITTEE MEETING

WEDNESDAY 2nd September 2026

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

**Wednesday 26th August 2026 by
5.00pm**

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

democratic.services@nmandd.org

PLEASE NOTE THAT SUBMISSIONS SHOULD BE LIMITED TO TWO A4 PAGES (AT LEAST FONT SIZE: 11 IF THE SUBMISSION IS TYPED).

**ANY ADDITIONAL INFORMATION BEYOND TWO PAGES MAY BE
DISREGARDED.**

ANYONE WISHING TO MAKE USE OF A VISUAL PRESENTATION (POWERPOINT PRESENTATION) MUST SUBMIT THE PRESENTATION WITH THE REQUEST FOR SPEAKING RIGHTS.

"Please note that the protocol applicable to the audio-recording of Planning Committee meetings has been amended following recommendation and ratification by Council. The legal basis on which audio-recording takes place no longer requires the consent of speakers at Planning Committee. Accordingly, the consent of speakers will no longer be requested. Audio-recording will continue to take place of all Planning Committee meetings subject to the exemption in Schedule 6 of the Local Government Act (NI) 2014".

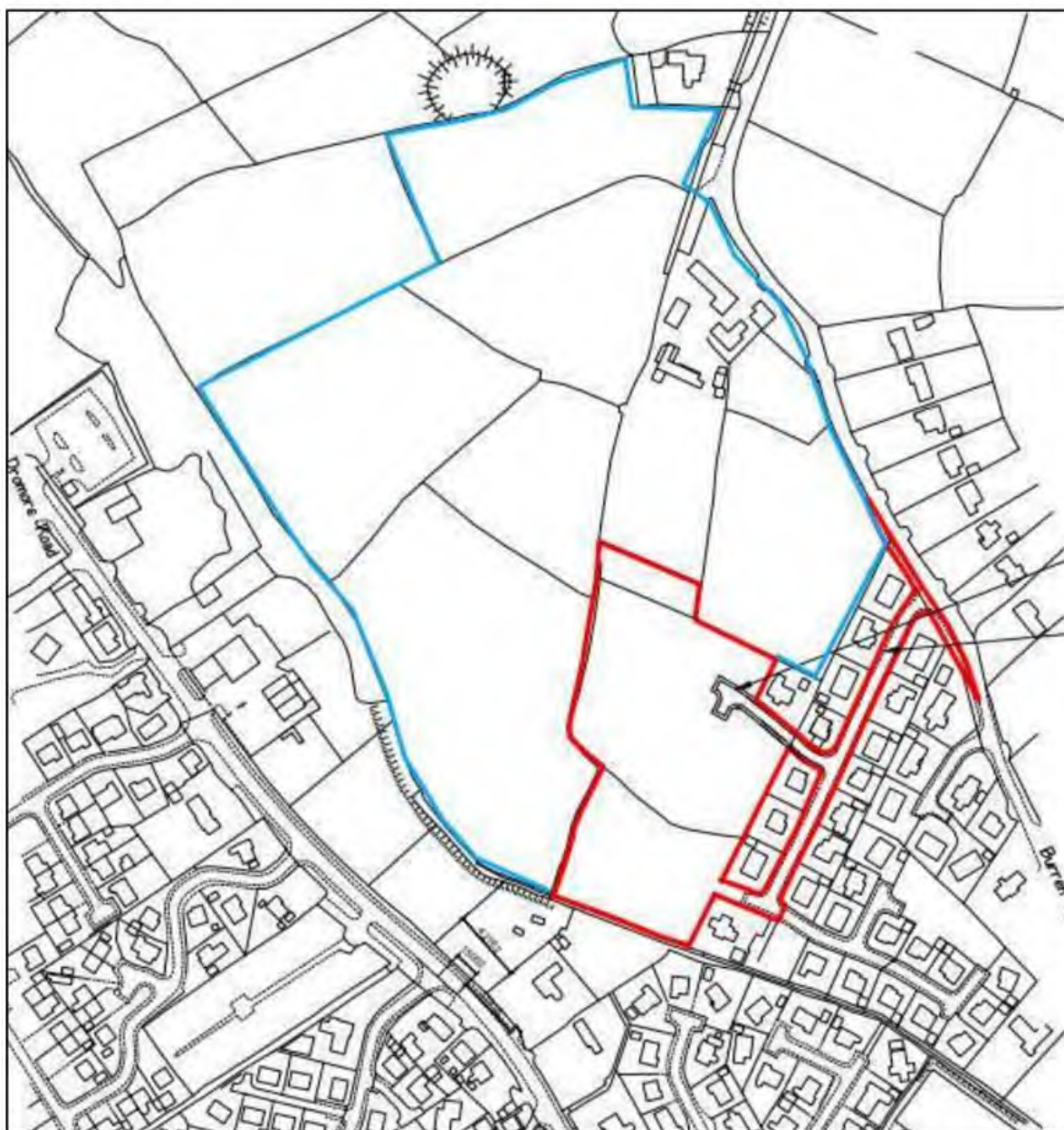
Delegated Application

Development Management Officer Report	
Case Officer: Richard McMichael	
Application ID: LA07/2024/0666/F	Target Date:
Proposal: Erection of 23 dwellings with associated road layouts	Location: Lands west of Spring Meadows, Warrenpoint, BT34 3SU (amended site location)
Applicant Name and Address: Pat Mc Kay 84 Burren Road Warrenpoint BT34 3SA	Agent Name and Address: John Cole 12A Duke Street Warrenpoint BT34 3JY
Date of last Neighbour Notification:	19 March 2025
Date of Press Advertisement:	12 March 2025
EIA Determination:	
Consultations: <u>DfI Roads (22/01/26)</u>: No objection, subject to conditions. <u>Env. Health (26/08/25)</u>: No Environmental Health objection in principle. <u>DfI Rivers (29/05/26)</u>: FLD1 – Objects. Structures and fencing found within the 1-in-100-year flood plain during a 6 May 2025 site visit; area must be reinstated as amenity space, and flood mitigation measures/finished floor levels need to be confirmed. FLD2 – Non-compliant. Fencing built along the watercourse banks breaches the required 5m (up to 10m) working strip, which must be shown on the site layout. FLD3 – Outstanding. Previously granted PDE for storm water discharge has expired; updated NI Water approval required. FLD4 – Not applicable. FLD5 – No objection; reservoir has Responsible Reservoir Manager Status. <u>HED (23/05/25)</u>: HED (Historic Monuments) has considered the impacts of the proposal. HED (Historic Monuments) is content that the proposal satisfies SPPS and PPS 6 archaeological policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6. <u>SES (17/04/25)</u>: Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. <u>NIEA (WCU) (06/03/25)</u>: Water Management Unit has considered the impacts of the proposal on the water environment and would advise the proposal has the potential to adversely affect the surface water environment (see remarks regarding sewage disposal).	

<u>NIEA (NED) (06/03/25)</u>: NED acknowledges receipt of a Biodiversity Checklist and Preliminary Ecological Assessment carried out in February 2023 and advises, due to the lapse in time clarification is sought from the Ecologist that no material changes has occurred since the original surveys took place. <u>NI Water (04/03/25)</u>: A Wastewater Impact Assessment was submitted to NIW for this proposal, ref DS85279.	
Representations: No representations received.	
Letters of Support	0
Letters of Objection	0
Petitions	0
Signatures	0
Number of Petitions of Objection and signatures	0

Site Visit Report

Site Location Plan:



Date of Site Visit: March 2025

Characteristics of the Site and Area

The application site comprises approximately 1.9ha of land to the west of the existing Spring Meadows development in Warrenpoint and is accessed via the same road that serves that development. The site lies within the settlement development limit of Warrenpoint/Burren and within the Mourne Area of Outstanding Natural Beauty and makes up the majority of the zoned housing land site WB 22. The site is also adjacent

to the WB 37 Local Landscape Policy Area to the north and the WB 24 land zoned for economic development to the west.

The site currently comprises agricultural land. It is enclosed by mature hedgerow and tree planting along the majority of its western and southern boundaries. To the north, the site is bounded by further open agricultural land, separated by a hedgerow and tree line, with Burren Road lying beyond. To the east the site directly adjoins the rear boundaries of dwellings within the established Spring Meadows residential development, with an area of hardstanding and disturbed ground evident close to the shared boundary in the north eastern corner. To the south, the site is bounded by residential development and a commercial storage yard and associated buildings further to the south west. To the west the site adjoins extensive open agricultural land forming part of the wider rural setting of the AONB.

Description of Proposal

Erection of 23 dwellings with associated road layouts

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

Application Number: P/1995/0375

Decision: Permission Granted

Decision Date: 29 September 1995

Proposal: Site for housing development

Application Number: P/1999/0140

Decision: Permission Granted

Decision Date: 09 September 1999

Proposal: Erection of 4 No Dwelling, construction of housing road and widening of Burren Road

Application Number: P/2001/1749/F

Decision: Permission Granted

Decision Date: 11 January 2002

Proposal: Erection of 2 No dwellings with detached garages

Application Number: P/2007/0874/F

Decision: Allowed

Decision Date: 11 August 2008

Proposal: Erection of 2 dwellings

Application Number: LA07/2020/0089/F

Decision: Permission Granted

Decision Date: 28 May 2020

Proposal: Erection of new dwelling and detached garage (change of house type from that previously approved under P/2007/0874/F) (amended description)

Application Number: LA07/2020/0557/PAD

Decision: PAD Concluded

Decision Date: 13 April 2021

Proposal: Proposed development of land within the development limit adjacent to Spring Meadows, Warrenpoint to provide 36 dwellings

Application Number: LA07/2022/0298/F

Decision: Permission Granted

Decision Date: 01 June 2022

Proposal: Extension and alternations to dwelling and detached domestic garage

Application Number: LA07/2023/2446/F

Decision: Application Withdrawn

Decision Date: 28 February 2024

Proposal: Proposed 5 No dwellings on sites 3,12,16 ,21 and 24 and road layout for lands to the North of Springs Meadows and Spring Meadow Close, Warrenpoint for MCK Construction

SUPPORTING DOCUMENTS

- *Design & Access Statement*, Cole Partnership (May 2024)
- *Construction Environmental Management Plan*, Cole Partnership (May 2024)
- *Concept Statement*, Cole Partnership (May 2024)
- *Biodiversity Checklist & Preliminary Ecological Assessment*, ATEC NI (February 2023)
- *Biodiversity Checklist*, MCL Consulting (October 2022)
- *Landscape Management Plan*, Beth Moore (October 2022)
- *Flood Risk & Drainage Assessment*, MCK Contracts Ltd. (July 2022)

PLANNING POLICIES & MATERIAL CONSIDERATIONS

This application will be assessed against the following planning policies:

- Regional Development Strategy 2035
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge, Newry and Mourne Area Plan 2015
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 6: Planning, Archaeology and the Built Heritage
- PPS 7: Quality Residential Environments
- Addendum to PPS 7: Safeguarding the Character of Established Residential Areas
- PPS 8: Open Space, Sport and Outdoor Recreation
- PPS 12: Housing in Settlements
- PPS 15 (Revised): Planning and Flood Risk

- DCAN 8: Housing in Existing Urban Areas
- DCAN 15: Vehicular Access Standards
- Parking Standards
- Creating Places: achieving quality in residential developments
- Living Places: An Urban Stewardship and Design Guide for Northern Ireland

CONSIDERATION AND ASSESSMENT

Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. The relevant LDP is the Banbridge, Newry and Mourne Area Plan 2015, as the Council has not yet adopted a new Local Development Plan. The site is located within the Warrenpoint/Burren settlement development limit and makes up the majority of the WB 22 housing zoning, as identified on Map No. 3/06a Warrenpoint/Burren. The site is also located within the Mourne AONB.

Zoning WB 22 identifies 2.87 hectares of land at Upper Dromore Road/west of Spring Meadows for housing. The key site requirements attached to the zoning are that housing development shall be of a maximum gross density of 30 dwellings per hectare, that access shall be taken from Upper Dromore Road, and that the existing vegetation along the western boundary shall be retained and augmented by a 3m belt of trees of native species to protect the amenities of future residential occupiers. The Plan further notes that land outside the site may be required to meet access and sight line requirements, and identifies a risk of flooding on the southern portion of the site associated with an undesignated watercourse, stating that a Flood Risk Assessment will be required at application stage to determine the full extent of the flood plain.

The site proposes two accesses from the existing Spring Meadows internal road network, rather than from Upper Dromore Road as suggested in the Plan. The submitted Design and Access Statement (DAS) has put forward a number of points in this respect, which are accepted.

While the Plan doesn't specifically state why the access is to be taken from Upper Dromore Road, it is likely this was intended to give the site better connectivity to shops and services in that location. The DAS points out that a number of changes have occurred on the Burren Road and Upper Dromore Road since publication of the Plan, and that the land identified for access on Upper Dromore Road is not within the applicant's ownership and represents less than 3% of WB 22. It also states that the section of ground indicated as the possible access point is within the flood plain, as demonstrated on the Drainage Assessment map, and that a bridge would be required over the existing stream where the section of ground outside the applicant's control overlaps the applicant's land.

The statement goes on to state that there are numerous accesses adjacent to and opposite the suggested access point on Upper Dromore Road, including those serving

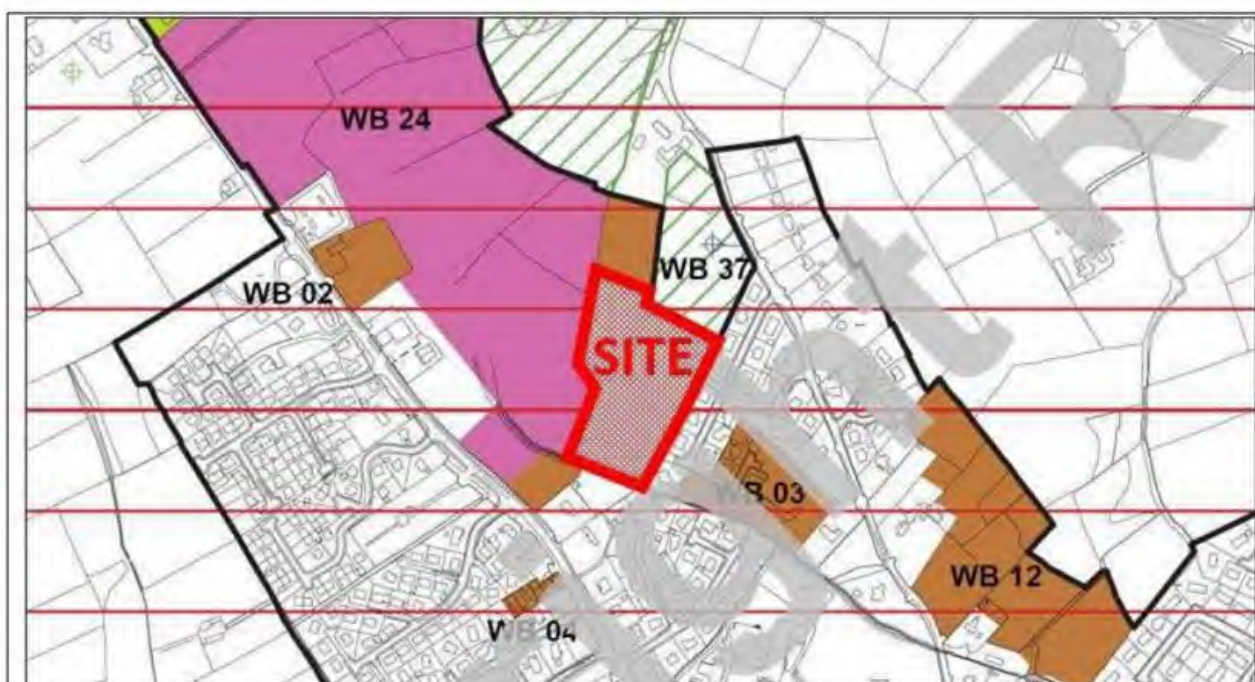
No. 57 Upper Dromore Road, Warrenpoint cemetery, Elmfield Drive, Elmfield Avenue and Elmfield Crescent, the Vivo Extra petrol station and supermarket, and No. 56 Upper Dromore Road. The statement notes that, as Upper Dromore Road is a local distributor road, a right-hand turning lane would be required at this location, and that there is insufficient spacing between the opposing and adjacent accesses to accommodate this. The statement also draws attention to WB 24, an area of ground zoned for industrial development, which is also to be accessed from Upper Dromore Road adjacent to the proposed WB 22 access, adding further pressure to this section of road.

The statement contends that, for these reasons, access to the proposed development should instead be taken through the existing Type 4A road in Spring Meadows, which was designed to facilitate a development of up to 400 houses, considerably larger than the proposed extension.

Taking these points into account, together with the fact that Roads has raised no objection to the proposed accesses from Spring Meadows, it is not considered that the Upper Dromore Road access requirement should be insisted upon. While the loss of the Upper Dromore Road connectivity is noted as a negative, it is not considered sufficient, on its own, to warrant outright refusal of the proposal.

The site plan shows existing hedgerows and trees along the western boundary to be retained and reinforced, which accords with the zoning requirement. The flood risk identified in the zoning on the southern portion of the site associated with an undesignated watercourse corresponds with the matters subsequently raised by Rivers Directorate under Policy FLD 1 of PPS 15, discussed further below, and a Flood Risk Assessment has been submitted in accordance with this requirement and built development has specifically been restricted from the affected areas.

There are no other specific policies in the Plan relating to the proposed use, and the application will otherwise be assessed against regional planning policy.



The Strategic Planning Policy Statement for Northern Ireland (SPPS)

As there is no significant change to the policy requirements for the residential development following publication of the SPPS, the retained planning policy is PPS 7: Quality Residential Environments and PPS 12: Housing in Settlements. This policy will be given substantial weight in determining the proposal in accordance with paragraph 1.12 of the SPPS.

On 11th December 2025 the Department for Infrastructure published the SPPS Edition 2 which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged.

EIA Development

The planning application was assessed to determine whether it constituted Schedule 2 development under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. The proposal was considered to fall within Category 10(b) of Schedule 2. In addition, the site is located within the Mourne Area of Outstanding Natural Beauty, which is identified in the Regulations as a 'sensitive area'.

Having regard to the nature, scale and location of the development, it is considered unlikely that the proposal would give rise to significant effects on the environment. Accordingly, the development is not considered to require an Environmental Statement.

PPS 7 – Quality Residential Environments and PPS 7 Addendum

PPS 7 sets out the planning policies for achieving quality in new residential development. Policy QD 1 is applicable to this proposal.

Policy QD 1

Policy QD 1 of PPS 7 requires all proposals for residential development to conform to the following criteria:

a) Respecting context, character and topography

The site lies to the west of, and forms a logical and natural extension to, the established Spring Meadows development. The proposed house types are two storey units of traditional form, scale and massing consistent with the surrounding and approved residential pattern at Spring Meadows and along Burren Road. The development follows the existing topography of the site, with finished floor levels shown on the site plan varying across the layout from approximately 31.5m to 35.4m AOD. The density, plot sizes, pattern of detached dwellings and house types proposed are considered in keeping and respectful of the existing character. It is noted Spring Meadows comprises a low density development of detached dwellings with a mix of house types and sizes.

b) Archaeological, built heritage and landscape features

A standing stone is in close proximity to the northern boundary of the site, ref. DOW051:065. HED were consulted and raised no objection. Existing hedgerows and trees are shown to be retained and reinforced along the site boundaries in accordance with the landscape drawing, and this should be secured by condition.

c) Public and private open space

The site area measures 1.8446ha with an open space requirement of 0.19 hectares, as required by Policy OS 2 of PPS 8. The layout shows open space provision measuring 0.203ha. The private amenity space provision for each of the dwellings far exceeds the average of 70sqm referenced in Creating Places.

d) Local neighbourhood facilities

While access from Upper Dromore Road, as required by the WB 22 zoning, would have offered improved connectivity to local services and facilities, the site is still located within the Warrenpoint/Burren settlement development limit and is located off a main arterial route into Warrenpoint town. The site benefits from proximity to existing facilities and services within Warrenpoint.

e) Movement pattern

The proposal is located off of Burren Road where there is a continuous footpath link to the town centre save for an approximately 40m stretch of Burren Road between St Patrick's Park and Smalls Road where no footpath currently exists. However, this section can be safely navigated on foot as the road is straight along this stretch, affording good visibility, and hardstanding areas set back from the carriageway allow pedestrians to avoid standing on the road itself.

Burren Road and the wider town centre network do not benefit from dedicated cycling infrastructure, however the carriageway width and prevailing traffic speeds are such that cyclists can share the carriageway safely with other road users, and the short distance to the town centre, schools and other local facilities means the site is well placed to encourage cycling as a genuine alternative to the private car for local trips. The footpath

network linking the site to the town centre is of adequate width and is dropped at crossing points to accommodate wheelchair users and those with prams or mobility aids, with gentle gradients throughout that do not present a barrier to those with impaired mobility.

There are no public rights of way crossing or adjoining the application site. There are no bus stops along Burren Road. However, there are bus stops in Warrenpoint town centre and along Upper Dromore Road that serve numerous destinations within the locality.

The utilisation of accesses to the internal road network of Spring Meadows, in itself, aids traffic calming, as it is a residential environment which naturally reduces vehicle speeds, assisting in maintaining vehicle speeds at a level appropriate to a residential environment and reinforce pedestrian priority within the scheme.

Overall, the movement pattern provided is considered to comply with the policy requirement, supporting walking and cycling, meeting the needs of those with impaired mobility, respecting existing rights of way, providing adequate access to public transport and incorporating appropriate traffic calming measures.

f) Parking

The policy requires that new residential development make adequate and appropriate provision for parking.

The proposal comprises 23 no. four bedroom detached dwellings. In accordance with the Department's parking standards, a four bedroom dwelling generates a requirement of 3.75 spaces, giving a total parking requirement for the scheme of 86.25 spaces (23 x 3.75).

Each dwelling is provided with 3 no. in-curtilage spaces, giving 69 in-curtilage spaces across the site (23 x 3). This leaves a residual requirement of 17.25 spaces to be met elsewhere within the scheme. The parking layout plan provides 17 no. on-street spaces, distributed through the estate road network, which is considered to adequately address the shortfall against the calculated standard.

The level and distribution of parking is considered acceptable and will not result in on-street parking pressure or verge/footway parking that would be detrimental to residential amenity or road safety. The parking provision is therefore considered to accord with the requirements of Policy QD1 of PPS 7.

g) Local traditions of form, materials and detailing

The design and materials palette for both house type pairings, grey concrete roof tiles, rendered finishes, PVC rainwater goods and windows, and stonework or quoin detailing is considered to draw upon materials and detailing established within the surrounding built context of Spring Meadows.

h) Relationship with adjacent land uses and amenity

The layout maintains separation from the existing dwellings along Spring Meadows, with a 1.8m high fence boundary treatment provided along this interface, and a 3m planting zone provided as a buffer to the adjacent industrial zoned land (WB 24) to the west.

A number of dwellings adjoin existing properties within Spring Meadows, whereby the respective separation distances and ground levels, together with boundary treatment are considered sufficient to prevent any unacceptable loss of residential amenity in this urban context.

Environmental Health was consulted on the relationship with this adjacent industrial zoned land and has raised no objection.

Where the original site layout showed plots orientated at 90 degrees to one another, whereby the rear elevation of one dwelling faced the side elevation of another, separation distances at these locations were increased and denoted to avoid any adverse effect on residential amenity, for example between sites 5 and 6, as well as 13 and 14/15. The separation distances and orientations between the 23 no. dwellings themselves are considered sufficient to prevent any adverse effects arising from overlooking, loss of light, overshadowing, noise or other disturbance between the proposed dwellings.

On this basis, it is considered that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance, and the proposal accords with the requirements of this part of the policy.

i) Designing out crime

The layout, with dwellings generally fronting the internal road network and open space overlooked by adjacent units, is considered to be designed to deter crime and promote personal safety so far as appropriate for a residential development of this nature.

Subject to the matters flagged above, the proposal is considered compliant with Policy QD 1 of PPS 7.

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas

Policy LC1 has not been engaged as part of this assessment, as the proposal is neither for the redevelopment of existing buildings nor the infilling of a vacant site. The site forms part of a larger zoned housing site and is considered an extension to the Spring Meadows development. The WB22 zoning has its own established density requirement, against which the proposal has been assessed, and the acceptability of the pattern of development and space standards falls to be considered under Policy QD1 in its own right, without requiring engagement of Policy LC1.

PPS 12 – Housing in Settlements

The site lies within the settlement development limit for Warrenpoint and therefore falls within the scope of PPS 12, which applies to residential development within cities, towns, villages and small settlements.

Planning Control Principle 1 – Increased Housing Density without Town Cramming

Planning Control Principle 1 seeks to promote increased housing densities in appropriate locations whilst ensuring that development does not result in town cramming or adversely affect local character, environmental quality or residential amenity.

The application proposes a gross density of approximately 12 dwellings per hectare, which is within the maximum density permitted for the WB22 housing zoning. The proposed layout has been designed to respect the character of the surrounding area, providing a low density development of detached units in keeping with the existing character, appropriate separation distances, private amenity space, landscaping and an internal road layout that integrates with the existing residential environment. The development is therefore considered to achieve an appropriate density without resulting in overdevelopment or town cramming and is consistent with the objectives of Planning Control Principle 1.

Planning Control Principle 2 – Good Design

The policy for this principle is likewise set out in PPS 1 and PPS 7 and has been addressed under the QD1 assessment above, covering layout, boundary treatment, separation distances and relationship with adjoining uses.

Planning Control Principle 3 – Sustainable Forms of Development

The site is located off a main arterial route into Warrenpoint and benefits from proximity to existing facilities and services within the town. This is considered to accord with the objective of achieving a high degree of integration with centres of employment, community services and public transport. Given the scale of the proposal, the developer is not required to make direct provision for local neighbourhood facilities, and the site's accessibility to existing services in Warrenpoint is considered sufficient to meet this principle.

Planning Control Principle 4 – Balanced Communities

Planning Control Principle 4 seeks to promote balanced communities through the provision of an appropriate mix of housing types, sizes and tenures, including social housing where appropriate. This principle is implemented through Policies HS2 and HS4 of PPS 12.

With regard to Policy HS2, the policy seeks the provision of social housing where a demonstrable need has been identified by the Northern Ireland Housing Executive (NIHE). However, Planning Control Principle 4 makes clear that social housing should be provided by developers as an integral element of larger housing developments. The current proposal comprises 23 dwellings and, as such, does not constitute a larger housing development for the purposes of the principle. Consequently, it is not considered appropriate or necessary to require the provision of social housing as part of this proposal, and no conflict with Policy HS2 arises.

In relation to Policy HS4, the application site extends to approximately 1.9 hectares and therefore falls within the scope of the policy. HS4 requires a mix of house types and sizes to assist in creating balanced communities and providing housing choice. As submitted, the scheme comprises 23 four-bedroom detached dwellings. Notwithstanding this, the application site forms an extension to the established Spring Meadows development which is exclusively made up of detached dwellings. This area along Burren Road lies on the edge of the built up area of Warrenpoint, where densities are

characteristically lower. In this context, the lack of housing mix within the scheme is considered acceptable.

DCAN 8 – Housing in Existing Urban Areas

DCAN 8 applies to housing development within existing urban areas, and section 5 sets out the specific types of proposal it covers:

- demolition and redevelopment of existing houses
- backland development
- conversion/extension of houses
- Living over the shop

The application site and proposal is not an existing urban site, but forms part of a zoned greenfield housing allocation (WB 22) at the edge of the settlement, developed as a logical extension to the existing Spring Meadows estate. DCAN 8 is therefore not considered directly engaged by this proposal, and the relevant design and layout considerations are instead addressed through Policy QD1 of PPS 7 above.

PPS 8 – Open Space, Sport and Outdoor Recreation

Policy OS 2 of PPS 8 requires public open space to be provided as an integral part of new residential development. As noted under Policy QD1(c) above, the site area of 1.8446ha generates an open space requirement of 0.19ha, and the submitted layout provides 0.203ha, exceeding this requirement in quantitative terms.

In terms of quality and usability, the site plan shows the open space provision concentrated as a single area along the southern site boundary, adjacent to units 4, 5 14 and 15, bounded by the retained hedgerows and trees along that edge. It is overlooked by the aforementioned units and by the rear of an adjoining dwelling to the south, assisting in passive surveillance and reducing the potential for antisocial use.

This space shall be conditioned to ensure that no dwellings shall be occupied until the area has been landscaped in full accordance with the approved Landscape Management Plan to ensure the ongoing management and maintenance of the open space in perpetuity in the interests of visual and residential amenity.

Subject to satisfactory management and maintenance arrangements being secured, the proposal is considered to comply with Policy OS 2 of PPS 8.

PPS 3 – Access, Movement and Parking

The proposal will be served by two internal road and footpath connections from the existing Spring Meadows residential development. DfI Roads has, following several requests for amendments, raised no objection to the proposal subject to conditions. The proposal is considered to comply with the requirements of PPS 3, subject to those conditions being attached to any approval.

The application was the subject of extended consultation with DfI Roads, who raised a series of concerns across three rounds of comments before reaching a position of no

objection. Roads initially identified a lack of sight visibility splays at internal road junctions, a possible requirement to extend the red line to meet the Burren Road on the basis that the internal road network is not yet adopted, and general deficiencies in the road layout whereby forward sight splays did not function correctly.

In response, the applicant was asked to submit an amended site location map with the red line extended to the edge of the public road, together with an amended 1:500 PSD drawing demonstrating Road 1 coloured red to the junction of Spring Meadows, the required sight visibility splays at that junction with a note confirming the sightlines are to be retained given they are not currently in situ, carriageway widths of 5.5m with a 2m footway, and forward sight distance at the bend adjacent to unit 22. Roads also raised concern that the in-curtilage parking to unit 19 was unacceptable due to its proximity to the junction, that parking at the turning head adjacent to units 20 and 17 should be located to the rear of the carriageway and footway rather than in front of the footway, and that the proposed raised tables should be removed and replaced with traffic calming features more appropriate to an adoptable road.

A further round of amendments was required to demonstrate sight visibility splays of 2m x 33m to the northern direction at the junction from Road 3 onto Road 1, and to the southwestern direction at the junction from Road 4 onto Road 1, both fully dimensioned. Roads also required all visitor parking spaces to be shaded red to enable departmental adoption and maintenance, with clarification sought as to the status of the spaces located between units 22 and 23. A minimum access width of 3.2m to unit 15 was required, together with clarification of the access arrangements to the dwelling located north of unit 23 onto Road 1.

Following submission of amended drawings addressing each of these points, DfI Roads confirmed no objection to the principle of the access point to serve the development and the associated detailed proposals, subject to conditions. The proposal is accordingly considered acceptable under PPS 3, and conditions requiring compliance with the agreed 1:500 PSD drawing, retention of visibility splays, and adoptable road specification are recommended.

DCAN 15 – Vehicular Access Standards

DCAN 15 sets out the technical standards for vehicular access, junction spacing and visibility splays against which the internal road network has been assessed by DfI Roads. The standards applied through the consultation process, including the 5.5m carriageway width with 2m footway, the 2.0m x 33m visibility splays at the Road 3/Road 1 and Road 4/Road 1 junctions, and the minimum 3.2m access width to unit 15, are drawn from DCAN 15 and have been demonstrated on the amended 1:500 PSD drawing, ref. no. 2967 PL PSD. The proposal is considered to accord with the requirements of DCAN 15, subject to the conditions recommended under PPS 3 above.

PPS 2 – Natural Heritage

PPS 2 sets out the planning policies for the conservation, protection and enhancement of our natural heritage.

Policies NH 2 and NH 5

Policies NH 2 and NH 5 of PPS 2 provide that planning permission will only be granted for development that is not likely to result in unacceptable adverse impact on, or damage to, habitats, species or features of natural heritage importance, including species protected by law. The site plan identifies existing hedgerows and trees to be retained and reinforced in accordance with the landscape drawing, a protective buffer between construction works and the adjacent stream corridor, and a local landscape policy area (WB 37) adjoining the western site boundary, indicating natural heritage features and a watercourse in proximity to the site that warranted assessment.

A Biodiversity Checklist and Preliminary Ecological Assessment was submitted in February 2023. The assessment confirms the site comprises species poor grassland of low ecological value, with internal hedgerows to be cleared and replaced on a like for like basis using species drawn from NIEA native species planting guidance, while boundary hedgerows and mature trees are to be retained and protected during construction in accordance with BS5837. The watercourses along the western and southern boundaries are hydrologically linked to Carlingford Lough ASSI, and the assessment recommends a 5m construction buffer to these corridors, together with pollution prevention measures and a SuDS based drainage strategy to protect water quality during construction and operation. Boundary hedgerows are identified as having foraging and commuting value for bats, with no direct lighting of the stream corridors or associated hedges to be secured by a lighting/lux plan, and nesting bird season restrictions (1 March to 31 August) applied to any vegetation clearance. No evidence of badgers, otters or smooth newts was recorded, and impacts on these species are assessed as low.

Given the lapse of time since the original 2023 surveys, NED sought clarification from the ecologist that no material change had occurred on site. An update was submitted in August 2025 confirming no new issues and no material change since the original surveys.

On this basis, the proposal is considered to comply with Policies NH 2 and NH 5 of PPS 2, subject to conditions securing the retention and protection of existing hedgerows and trees, the stream corridor buffer, a lighting/lux scheme avoiding direct illumination of the watercourses and hedgerows, and vegetation clearance.

Policy NH 6

The application site lies within the Warrenpoint settlement development limit but falls within the wider setting of the Mourne AONB, and the proposal has accordingly been assessed against Policy NH 6 of PPS 2. The site is accessed via the established Spring Meadows residential road network and is located off a main arterial route into Warrenpoint, in an area where the pattern of surrounding development is predominantly

residential in character. The scheme will therefore be read as a continuation of the existing built form of Warrenpoint rather than as an intrusion into the open AONB landscape itself.

The layout, comprising 23 dwellings, has been designed to integrate with the existing Spring Meadows development through its two internal road and footpath connections. Given its location within the settlement development limit, its scale and density are considered proportionate to its context and will not appear visually prominent when viewed from within the AONB. Therefore, the special character or qualities of the AONB, including its landform, landscape pattern, or scenic quality, will not be adversely affected.

Overall, the proposal is considered acceptable under Policy NH 6 of PPS 2 subject to the conditions recommended in respect of drainage, archaeology, and roads matters addressed elsewhere in this report.

Habitats Regulations Assessment

Given the hydrological connectivity identified between the watercourses bounding the site and Carlingford Lough, consideration has been given to whether the proposal is likely to have a significant effect on any European site, either alone or in combination with other plans or projects, for the purposes of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

Shared Environmental Services (SES) was consulted and, following an appropriate assessment in accordance with the Regulations, having considered the nature, scale, timing, duration and location of the project, has advised that the project would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. In reaching this conclusion, SES assessed the manner in which the project is to be carried out, including mitigation, and its conclusion is subject to the following mitigation measures being conditioned in any approval:

1. Throughout the construction phase, a clearly defined buffer of at least 10 metres to be maintained between the location of machinery refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the watercourse adjacent to the red line boundary.
2. No development to take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water.

Newry, Mourne and Down District Council, in its role as the competent authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has reviewed and adopted the appropriate assessment and conclusions prepared by Shared Environmental Service, dated 17/04/2025. This found that the project would not have an adverse effect on the integrity of any European site.

On this basis, the proposal is considered acceptable in terms of its effect on European sites, subject to the mitigation measures above being secured by condition.

PPS 15 – Planning and Flood Risk

Rivers Directorate has reviewed the Flood Risk Assessment prepared by IE Consulting and has raised objection under FLD 1. A site visit on 6th May 2025 identified multiple structures and fencing constructed within the 1 in 100 year fluvial flood plain. Rivers Directorate considers this contrary to Policy FLD 1 of Revised PPS 15 and objects to development taking place on this basis, requiring that the affected area be returned to amenity space in accordance with Drawing No. IE2530-003 Rev A.

It is not considered necessary for the applicant to provide further information in relation to the removal of these structures. The presence of unauthorised structures and fencing within the floodplain is a matter for planning enforcement to address, rather than a matter to be resolved through this application. Rivers Directorate's assessment should properly focus on the proposed development the subject of this application, namely the 23 dwellings, internal road network and associated open space, and whether that development itself accords with Policy FLD 1. On this basis the objection is not accepted as it stands, and Rivers Directorate should be asked to confirm its position in respect of the proposed development on its own merits, separate from the unauthorised structures which will be pursued through enforcement action.

Rivers Directorate has also requested that the applicant provide supporting drawings confirming which flood mitigation measures, including the finished floor levels set out in the FRA, will be incorporated into the final building design and construction. The finished floor levels of the dwellings are as follows:

- Dwellings closest to the southern boundary: **30.76m OD**
- Dwelling adjacent to the western boundary: **33.41m OD**
- Dwellings adjacent to the northern boundary: **34.76m OD**

These levels have been set at the minimum required as shown on drawing no. 2976 PL SP Rev. F, and this requirement has therefore been met.

Rivers Directorate has further raised concern under FLD 2, noting that fencing has been constructed along the banks of the watercourse bounding the site to the south and west, which does not comply with the requirement to retain a working strip of minimum 5 metres, up to 10 metres where necessary, from the top of bank to facilitate future maintenance access. The proposed site plan does not show this fencing along the boundaries in question, and it is therefore clear that it shall be removed as part of the proposed works when clearing the site. In the event that it is retained, this could be pursued via enforcement proceedings. The stream corridor can, in any event, be accessed and maintained from the opposite bank, outside the site, without obstruction, and there is accordingly no need to provide a working strip within the site itself.

On FLD 3, Rivers Directorate had queried whether an updated Pre-Development Enquiry approval was required from NI Water following the expiry of a previous PDE. It is our opinion that, as the applicant is currently progressing the proposal through the

Waste Water Impact Assessment (WwIA) process with NI Water, an updated PDE would not provide any information beyond that which will be established through the WwIA process. This matter is therefore not considered outstanding. Suitably worded pre-commencement and pre-occupation conditions shall be attached to any permission granted, to ensure that a method of sewage disposal has been agreed in writing prior to the commencement and occupation of the development.

On FLD 5, the site lies within the potential inundation area of Donaghaguy Reservoir (Fishing stands). Rivers Directorate has confirmed that this reservoir holds Responsible Reservoir Manager status and has accordingly raised no objection on reservoir flood risk grounds.

Having regard to the above, the matters raised by Rivers Directorate relate either to unauthorised structures and fencing which fall to be addressed through enforcement action rather than through this application, or to information which has already been adequately demonstrated or which can be secured by appropriately worded planning conditions. No substantive matter has been identified which relates to the proposed development itself that cannot be resolved in this manner. The proposal is therefore considered to meet the requirements of PPS 15, subject to conditions securing the sewage disposal arrangements.

PPS 6 – Planning, Archaeology and the Built Heritage

The application site lies in close proximity to DOW 051:065, a Neolithic standing stone and scheduled monument of regional archaeological significance protected under Policy BH1 of PPS 6. The proposed development bounds the Local Landscape Policy Area WB 45, designated in the Banbridge, Newry and Mourne Area Plan 2015 to protect the monument, its associated views and its setting. The siting of the monument in a prominent hilltop location was of significance to its Neolithic builders, intended to be visible within the surrounding landscape with the backdrop of the Cooley Mountains forming part of its setting.

An assessment of site topography has determined that the proposed development would not significantly impact on the setting of DOW 051:065, given that the development site lies at a lower elevation than the monument and the hill on which it is located, and that a buffer zone will be retained in accordance with WB 45. Any further encroachment into that buffer would not be acceptable under Policy BH1.

The recorded presence of nearby archaeological sites and monuments indicates a high potential for further, previously unrecorded archaeological remains within the application site, both upstanding and below ground, which may be encountered during construction. HED (Historic Monuments) has considered the proposal and is content that it satisfies the archaeological policy requirements of the SPPS and PPS 6, subject to conditions L15A, L15B and L15C securing a developer-funded programme of archaeological work. These conditions require, respectively, that no site works take place until a programme of archaeological work has been prepared, submitted and approved in writing by the Council in consultation with HED; that all works proceed only in accordance with that

approved programme; and that post-excavation analysis, reporting and archive preparation be completed and submitted within 12 months of completion of the archaeological site works. The Planning Dept has reviewed this zoning and response and agree with the position of HED. On this basis, and subject to conditions L15A, L15B and L15C being attached to any approval, the proposal is considered to comply with Policy BH1 and BH4 of PPS 6 and the archaeological policy requirements of the SPPS.	
Neighbour Notification Checked	Yes
Summary of Recommendation Approve, subject to conditions	
Drawing Numbers: 2976 PL road, 2976 PL fencing, 2976 PL PSD Rev. C, 2976 PL SP Rev. G, 2976 PL Drainage, 2976 PL type C and D, 2976 PL FP House A & B, road sections 2 road 2 and road 4, sections A, LO-01 Rev. B, LO-02 Conditions: The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 2976 PL PSD Rev. C. Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing 2976 PL PSD Rev. C prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter. Reason: To ensure that the access is constructed to an appropriate standard and that adequate visibility is provided at the point of access to ensure the safety of road users.	

4. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.

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

5. A dwelling shall not be occupied until provision has been made and permanently retained within the curtilage of that site for the parking and turning of private cars as shown on the approved plan.

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

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

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

7. No dwelling shall be occupied until the on-street visitor parking spaces shown on the approved parking layout plan have been constructed, surfaced and marked out in accordance with that plan, and those spaces shall thereafter be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate provision of visitor parking in the interests of road safety and residential amenity.

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

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

9. No part of the development hereby permitted shall be occupied until the drainage arrangements, agreed by NI Water and as required by Planning Condition No. 8, have been fully constructed and implemented by the developer. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

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

- 10.** Throughout the construction phase, a clearly defined buffer of at least 10 metres must be maintained between the location of machinery refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil, etc. and the watercourse adjacent to the western and southern boundaries of the site.

Reason: To prevent adversely affecting the integrity of any European site.

- 11.** No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry, Mourne and Down District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for the identification and evaluation of archaeological remains within the site; mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and preparation of the digital, documentary and material archive for deposition.

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

- 12.** No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 11.

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

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

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

- 14.** The landscaping of the site shall be carried out in full accordance with the approved Landscape Management Plan prepared by Beth Moore, dated 3 October 2022, including Drawing No. LO-01B 'Landscape Proposals' and Drawing LO-02 'Landscape Management and Maintenance Plan'. All planting, seeding, and associated works shall be completed within the first planting season

following the occupation of the first dwelling, or within such extended period as may be agreed in writing with the Council. Any trees, shrubs or hedges which within a period of five years of planting die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site in the interests of visual amenity and the integration of the development into its surroundings.

- 15.** Prior to the occupation of the first dwelling within the development, a legal agreement transferring ownership and responsibility for all communal landscape areas to a management company shall be put in place, and a copy of that agreement shall be submitted to the Council within 7 days of execution. The communal landscape areas shall thereafter be managed and maintained in perpetuity in accordance with the approved Landscape Management Plan.

Reason: To ensure the long-term maintenance and management of communal landscape areas within the development in the interests of visual amenity and residential amenity.

- 16.** The close boarded fencing associated with each dwelling, as indicated on the drawing no. 2976 PL fencing, shall be erected prior to the occupation of that dwelling and shall thereafter be retained.

Reason: To ensure the provision of adequate boundary treatment in the interests of visual and residential amenity.

- 17.** No development shall take place, including any site clearance, until protective fencing has been erected around all hedgerows and trees to be retained, in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction." The fencing shall be retained throughout the course of construction and no work, storage of materials, parking of vehicles, excavation or changes in ground level shall take place within the fenced area without the prior written agreement of the Council.

Reason: To protect existing hedgerows and trees to be retained in the interests of visual amenity and biodiversity.

- 18.** No external lighting shall be installed within the development until a lighting/lux scheme has been submitted to and approved in writing by the Council. The scheme shall demonstrate that the retained stream corridors and boundary hedgerows will not be subject to direct illumination. Development shall thereafter be carried out and maintained in accordance with the approved scheme.

Reason: To protect the foraging and commuting value of the site for bats.

19.No clearance of vegetation shall take place between 1 March and 31 August inclusive in any year, unless a survey for nesting birds has first been carried out by a suitably qualified ecologist and a report submitted to and approved in writing by the Council confirming no active nests will be affected. Where active nests are identified, no clearance shall take place within any buffer recommended by the ecologist until the young have fledged. Reason: To protect nesting birds in accordance with the Wildlife (Northern Ireland) Order 1985.
Case Officer Signature: R. McMichael
Date: 30 July 2026
Appointed Officer Signature: M Keane
Date: 30-07-26

Date _____

Committee Application

Development Management Officer Report	
Application ID: LA07/2024/0583/F	Target Date:
Proposal: Retention of ground works including changes to the level of the land through inert infilling and reprofiling of land; proposed levelling with topsoil and seeding with grass for the purposes of agricultural land improvement on lands to the rear and north east of No 21 and North of Nos 15 & 17 Bonds Road, Silverbridge Armagh, BT35 9PE; and creation of new vehicular access to Bonds Road. (Amended Description)	Location: Lands to rear and North East of No.21 and North of Nos.15 & 17 Bonds Road, Silverbridge, Armagh, BT35 9PE
Applicant Name and Address: Oliver Hearty 24 Drumalt Road Dorsey Silverbridge BT35 9LQ	Agent Name and Address: Michael Graham 1 Locksley Business Park Montgomery Road Belfast BT69UP
Date of last Neighbour Notification:	4 September 2025 (re-neighbour notification)
Date of Press Advertisement:	17 September 2025 (re-advertisement)
EIA Determination: ES not requested. See details further below in the report.	
1.0 Consultations: HED Monuments (11.06.26) - HM consider that the information provided by the visual assessment and the result of the archaeological evaluation is sufficient to satisfy concerns regarding compliance with Policy CVN 2 (Area of Significant Archaeological Interest) of the Banbridge, Newry and Mourne Area Plan 2015 and acceptability under Policy BH 1 of PPS 6. NIEA Marine and Fisheries Division (23.10.25) - Assuming NIEA is content with the CEMP provided, Inland Fisheries is content for the application to proceed. Informatives provided. NIEA Water Management Unit (23.10.25) - Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal subject to conditions. NIEA Natural Environment Division (23.10.25) - NIEA Natural Environment Division (NED) has considered the impacts of the proposal on designated sites and other	

natural heritage interests and, on the basis of the information provided, has no concerns subject to recommended conditions.

DfI Roads (05.09.25) - No objection

DfI Rivers (24.10.24)

FLD1 (Development in Fluvial and Coastal Flood Plains) –

Rivers Directorate notes that Drawing No. 006 Rev P01 proposes the removal of the existing fill at this location and regrading of the land within the 1 in 100 year strategic fluvial flood plain to pre-existing levels as determined by the 10m DTM. Provided that all this work occurs and the ground levels within the strategic fluvial flood plain are reinstated to pre-existing levels, Rivers Directorate would have no objection to the revised fill retention proposed at the above site.

Rivers Directorate would request that a new topographical survey be carried out once the removal of the fill has taken place to ensure that the new levels match the topographical survey presented in Appendix D as Drawing No. 006 Rev P01 within the applicant's own Flood Risk Assessment which was carried out by Tetra Tech dated 10th April 2024.

FLD2 (Protection of Flood Defence and Drainage Infrastructure) -

The site is bounded at the NE and E by a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973, and is known to Rivers Directorate as: 'Ummeracam'. The site may be affected by undesignated watercourses of which we have no record.

Under 6.32 of the Revised Policy PPS 15 FLD 2, it is essential that an adjacent working strip is retained to facilitate future maintenance by Rivers Directorate, other statutory undertaker or the riparian landowners. The working strip should have a minimum width of 5 metres, but up to 10 metres were considered necessary, and be provided with clear access and egress at all times.

FLD3 (Development and Surface Water) -

Rivers Directorate, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with these statements and therefore has no further comment to make regarding this proposal.

FLD4 (Artificial Modification of Watercourses) and FLD 5 (Development in Proximity to Reservoirs) – Not applicable to this site.

Flood Risk in the Climate Change Scenario

Rivers Directorate advises the Planning Authority that, based on the most up to date modelling information on predicted flood risk available to the Department, the climate change flood maps, indicate that an area at north-east of the site lies within the 1 in 100-year strategic fluvial climate change flood plain (Q100CC).

The Planning Authority is advised to consider this as a material consideration.

Environmental Health (05.08.24) - No Environmental Health objections based on the submitted information

DAERA (Armagh) consulted 09.07.24

Last consultation response dated 22.07.24 – the application site is not on land for which payments are currently being claimed by the farm business.

SES (05.07.24) – No likely significant impact.

2.0 Representations:

As required by The Planning (General Development Procedure) Order (NI) 2015, several occupiers of adjacent buildings were notified of the proposed development on 5th June 2024 and the application was advertised in the local press on 12th June 2024. Following receipt of an amended proposal description and drawings to include the creation of a new vehicular access to Bonds Road, the occupiers of adjacent buildings were re-notified on 4th September 2025. The proposal development was also re-advertised in the local press on 17th September 2025.

Representations from two different addresses have been received to the proposed development and are considered further below in the report. The occupiers of such addresses (7 and 17 Legmoylin Road Silverbridge BT35 9LL) were also re-notified on 4 September 2025 to inform them of the revised proposal description and drawings.

Letters of Support	0
Letters of Objection	6

Summary of Issues:

Summary of Key Points of Objection

The objection raises concerns under several broad themes:

1. Significant Harm to Archaeological Heritage

- The site is located within The Dorsey Area of Significant Archaeological Interest (ASAI), within an Area of Outstanding Natural Beauty (AONB), and adjacent to the Scheduled Monument known as The Dorsey Entrenchment. The objector raises concerns that unauthorised works were carried out on one of Northern Ireland's few confirmed Iron Age landscapes without appropriate archaeological assessment or protection:
 - Archaeological remains may have been damaged or destroyed.
 - No archaeological assessment or monitoring was undertaken before works commenced.
 - Archaeological mitigation measures required by planning policy were not followed.
 - No qualified archaeologist was engaged before works commenced.
 - No archaeological programme of works was approved prior to development.
 - Potential heritage assets and artefacts may have been lost permanently.
 - Validity of archaeological assessments carried out after the works were completed
 - Concerns are raised regarding the timing of archaeological reporting, with a report reportedly prepared after the works had already been completed
- Historic Environment Division (HED) consultation responses are cited as concluding that the works:
 - Impacted surviving archaeological remains.
 - Damaged the character and significance of the ASAI.
 - Harmed the setting of the Scheduled Monument.

These concerns have been carefully considered in conjunction with the advice received from HED Historic Monuments dated 29th May 2026, the submitted Archaeological Impact Assessment, the archaeological evaluation and the accompanying visual assessment.

HED Historic Monuments initially expressed concerns regarding the potential impact of the development on the archaeological resource. However, following review of the additional information submitted, including the Impact Assessment uploaded to the planning portal on 11th May 2026, HED confirmed in its consultation response dated 29th May 2026 that its concerns had been satisfactorily addressed.

In reviewing the archaeological evaluation, HED noted that the test trenching identified that no archaeological deposits were identified within the exposed subsoil areas. The archaeological report further concluded that disturbance to the underlying subsoil had been minimal and that, should archaeological remains be present within the site, they would have been preserved in situ beneath the deposited fill material. HED advised that the test trench layout provided sufficient coverage to adequately assess the archaeological potential and survival across the site. A site inspection was also undertaken by HED to verify the findings of the archaeological evaluation.

With regard to concerns that archaeological assessment was undertaken after the works had been completed, HED reviewed the archaeological evaluation and associated evidence and ultimately accepted the findings and conclusions reached. While the objector questions the timing of the archaeological investigations, the statutory archaeological consultee has confirmed that the information submitted is sufficient to assess the archaeological impact of the works and to inform the planning assessment.

HED also reviewed the visual assessment information contained within the Impact Assessment and agreed with the conclusion that the overall ground level within the site had not been significantly reduced during topsoil stripping nor significantly raised through the deposition of fill material. On this basis, HED concluded that the groundworks had not resulted in an adverse impact upon The Dorsey ASAI.

Having considered the archaeological evaluation findings, the visual assessment, and the consultation response from HED Historic Monuments, there is no substantive evidence before the Planning Department to demonstrate that archaeological remains have been damaged or destroyed as a consequence of the development. Furthermore, the statutory consultee with responsibility for archaeological matters is satisfied that any archaeological resource within the site has not been adversely affected and that the works have not resulted in harm to the significance or integrity of the ASAI.

Accordingly, HED Historic Monuments has confirmed that the information provided is sufficient to satisfy its concerns regarding compliance with Policy CVN 2 (Area of Significant Archaeological Interest) of the Banbridge, Newry and Mourne Area Plan 2015 and the acceptability of the development under Policy BH 1 of PPS 6. In light of this advice, it is considered that the archaeological objections have been adequately addressed and no refusal reason could be sustained on archaeological grounds.

Further assessment of this is contained below within the planning report.

2. Breach of the Local Development Plan

- The objection claims the development directly conflicts with policies in the Banbridge, Newry and Mourne Area Plan.
- The Local Development Plan contains a presumption against large-scale developments within an ASAI due to their potential impact on archaeological and landscape character.

The principle of the development is considered acceptable within the context of the BNMAP 2015. The detailed environmental, archaeological and heritage considerations have been assessed against the relevant regional planning policies and consultee responses, and these matters are addressed elsewhere within this report. Accordingly, it is not considered that the proposal gives rise to a conflict with the operational development plan.

3. Unauthorised Development and Retrospective Planning

- Substantial works were completed before planning permission was sought.
- The objection argues that retrospective applications should not legitimise developments that bypassed the planning process.
- It is alleged that approximately three hectares were altered through extensive earthworks without planning approval, archaeological monitoring, or consultation with HED.
- Newry, Mourne and Down Council and statutory consultees were aware of the works.
- Enforcement action was not taken effectively or promptly.
- The objection claims that statutory authorities failed to prevent or remedy the alleged unauthorised development.

The Planning Department acknowledges that works were undertaken on the site without the benefit of planning permission. Following receipt of a complaint in August 2022, an enforcement case was opened and investigated (which remains active).

It was concluded that the works constituted development requiring planning permission and, consequently, the applicant in regularising this position submitted a planning application.

The current application has therefore been submitted on a retrospective basis. While the retrospective nature of the proposal is recognised, and such retrospective applications are provided for within the planning system. These are nevertheless assessed on their planning merits, having regard to the Development Plan, relevant planning policy, consultation responses and all other material considerations.

The application has been subject to an extensive consultation process, including consultation with HED and other relevant statutory consultees. Concerns raised during the as-

assessment process have been considered and additional information sought from the applicant where necessary. Notably, HED, in correspondence dated 29th May 2026, confirmed that having reviewed the further information submitted, was satisfied that its original concerns had been appropriately addressed and raised no objection to the proposal.

While objectors' express dissatisfaction regarding the timing and effectiveness of enforcement action, enforcement matters are separate from the determination of the planning application. The role of the Planning Department in assessing the current application is to consider whether the development is acceptable in planning terms based on the information before it, the relevant planning policy framework and the professional advice received from statutory consultees.

Accordingly, it is considered that the concerns relating to the retrospective nature of the application and the alleged failures of enforcement have been appropriately addressed through the planning and consultation process.

4. Failure of Enforcement by Public Authorities

- The objector alleges that:
 - Newry, Mourne and Down District Council,
 - HED,
 - DAERA,
 - NIEA, and
 - DFI were aware of the works but failed to stop them.
- Concerns are raised about the lack of enforcement action and whether statutory duties were fulfilled.
- The objection calls for an independent investigation into the handling of the case.

An enforcement investigation was commenced by the Enforcement Team in relation to the matters raised. That investigation was opened and remains ongoing. As such, it would be inappropriate for the Planning Department to comment on the details, progress, findings, or any potential outcomes of that investigation, or on any actions that may be considered by the Enforcement Team or other statutory bodies in the exercise of their respective powers and responsibilities.

The Planning Department has dealt with the application in a transparent manner throughout the assessment process. Relevant information submitted in support of the application, together with consultation responses and other documentation, has been made available through the Planning Department's public planning portal in accordance with normal procedures and statutory requirements.

The objector has also questioned whether statutory duties have been fulfilled by the relevant authorities. In this regard, the Planning Department is satisfied that the application has been processed and assessed in accordance with the relevant legislative requirements, established procedures, and planning policy framework. Appropriate consultations have been undertaken, representations have been considered, and all material planning considerations have been assessed as part of the determination process.

While the concerns regarding enforcement and the actions of public authorities are acknowledged, these matters are separate from the assessment of the application on its planning merits. Furthermore, concerns regarding the conduct of the Planning Department or the discharge of its statutory functions may be pursued through the Council's established complaints procedures should any party consider that the Department has failed to meet its responsibilities.

5. Lack of Transparency in the Public Consultation Process

- The objector argues that the public consultation did not accurately describe:
 - The extent of the unauthorised works.
 - The archaeological impacts.
 - The concerns raised by consultees.
- It is suggested that maps and consultation material may not have fully represented the scale of development.
- Concerns are expressed that the public were not given sufficient information to properly assess the proposal.

The concerns raised regarding the transparency and adequacy of the public consultation process are noted. Whilst it is recognised that the Planning Department was not directly involved in the Pre-Application Community Consultation (PACC) process undertaken by the applicant. However, the findings of that consultation were submitted as part of the planning application in the form of a PACC Report and have been taken into account as part of the assessment of the proposal.

The Planning Departments role is to assess the information submitted with the application and determine whether sufficient information has been provided to enable a full and informed assessment.

In this regard, the application submission, accompanying plans and supporting documentation reflect the extent of the works undertaken on site and the restoration works proposed. Following consultation responses and issues raised during the assessment process, additional information was submitted by the applicant, including archaeological information and visual impact assessments, to further inform consideration of the proposal and its potential impacts.

The Planning Department is satisfied that the plans, maps and supporting information submitted accurately represent both the development undertaken and the restoration works proposed. Furthermore, all application documentation, consultee responses and additional supporting information were made publicly available through the Planning Portal, allowing interested parties to review the proposal and submit representations throughout the application process.

While the objector contends that information presented during the consultation process was incomplete or misleading, the Planning Department is satisfied that sufficient information has been provided to enable a full and informed assessment of the proposal.

Matters relating to archaeological impacts and heritage considerations have been subject to consultation with the relevant statutory consultees and are addressed elsewhere within this report.

Accordingly, whilst the concerns regarding transparency are acknowledged, no evidence has been presented to demonstrate that any deficiency in the consultation process has prejudiced the assessment of the application or prevented meaningful public participation in the determination process.

6. Contravention of Planning Policies

The objection alleges conflict with several planning policies, including:

PPS 2: Natural Heritage

- Failure to conserve, enhance and restore natural heritage.
- Damage to landscape character, biodiversity, hedgerows and habitat.

PPS 6: Planning, Archaeology and the Built Heritage

- No archaeological programme was undertaken before development started.
- No archaeological monitoring or excavation conditions were implemented.
- Works allegedly proceeded contrary to established archaeological safeguards.

PPS 16: Tourism

- Harm to The Dorsey Ramparts and associated tourism assets.
- Potential negative impact on heritage tourism within the area.

PPS 21: Sustainable Development in the Countryside

- Development is said to be out of character with the rural landscape.
- Incompatible with the objectives of protecting countryside character and environmental quality.

The matters raised by objectors in respect of alleged conflict with planning policy have been fully considered as part of the assessment of the application and are addressed in detail under the relevant policy considerations below.

These include the provisions of the Banbridge, Newry and Mourne Area Plan, PPS 2: Natural Heritage, PPS 6: Planning, Archaeology and the Built Heritage, PPS 16: Tourism, SPPS AMENITY- Safeguarding Residential Environs and PPS 21: Sustainable Development in the Countryside.

In assessing the proposal, consultation was undertaken with the relevant statutory consultees, including those responsible for natural heritage, archaeology and the historic environment. No objections have been raised by consultees in respect of the proposal, subject to recommended conditions and mitigation measures.

Having regard to the consultation responses received and the policy assessment set out within this report, it is considered that the proposal complies with the relevant planning policies. The development is therefore not considered to be in conflict with policy for the reasons outlined under the policy considerations section of this report.

7. Environmental and Biodiversity Concerns

- Allegations that:
 - Hedgerows/ trees removed.
 - Works occurred during bird nesting season.
 - Biodiversity and habitats were negatively affected.
 - Impacts on the Ummercam River.
 - Air quality
 - Noise levels.
 - Waste management.
- Questions are raised regarding:
 - Environmental permission/ licences.
 - Ecological assessments.
 - Compliance with environmental legislation.
 - No adequate environmental assessment was carried out

These matters have been considered as part of the assessment of the application, with particular regard to the potential impacts on the environment and biodiversity. Furthermore, biodiversity and environmental interests were considered as part of the Environmental Impact Assessment (EIA) Screening process, which concluded that the proposal was not likely to give rise to significant environmental effects and as such an Environmental Statement was not required.

Where it is alleged that trees and hedgerows have been removed, it is noted that the vegetation in question was not subject to any statutory protection and therefore did not

require planning permission for its removal. Any works carried out prior to the submission of the application are separate from the determination of the current planning proposal and do not alter the assessment of the planning merits of the development now under consideration.

Notwithstanding this, the proposed development includes restoration and landscaping measures, including the retention of existing vegetation where possible and the provision of additional tree and hedgerow planting. These measures are considered capable of enhancing the site and assisting in mitigating any potential impacts on the local landscape character and biodiversity.

In relation to concerns regarding works undertaken during the bird nesting season, compliance with wildlife legislation is the responsibility of the developer. Any alleged breaches of legislation relating to nesting birds, protected species or habitat protection are matters for the relevant regulatory bodies and may be investigated under separate legislative controls. Such matters are not determining in the assessment of the planning application before the Planning Department.

Concerns regarding environmental licences, permits and consents are also noted. However, these matters fall outside the remit of the Planning Department and are regulated under separate statutory requirements. As such, the Planning Department cannot comment on, nor determine, the requirement for any environmental licence, permit or consent which may be necessary.

The Northern Ireland Environment Agency (NIEA) and Shared Environmental Services (SES) were consulted as part of the application process and offered no objection to the proposal. The consultation responses received did not identify any unacceptable impacts on biodiversity, protected habitats, water quality, ecological interests, or the nearby Ummercam River.

Having regard to the EIA Screening determination, the information submitted, the consultation responses received, and the proposed restoration and planting measures, it is considered that the development would not result in unacceptable adverse impacts on the environment, biodiversity, or the wider ecological interests of the area.

8. Infrastructure and Amenity Impacts

- Bonds Road is described as unsuitable for the scale of construction traffic involved.
- Concerns are raised regarding:

- Traffic congestion.
- Road Safety
- Commercial vehicle movements.
- Noise pollution.
- Dust and air quality impacts.
- Health and safety issues.
- Impact to amenity

These matters have been fully considered in the assessment of the application. In particular, impacts relating to noise, dust, air quality and residential amenity were assessed by Environmental Health, which raised no objection to the proposal in its consultation response dated 23rd September 2025.

Furthermore, Dfl Roads was consulted and, in its response dated 5th September 2025, raised no objection to the proposal in respect of the local road network, traffic generation, road safety or access arrangements.

Having regard to the advice received from these technical consultees, it is considered that the proposal would not result in an unacceptable impact on residential amenity, public health, road safety or the operation of the surrounding road network.

9. Infrastructure and Traffic Impacts

- Bonds Road is described as unsuitable for the scale of construction traffic.
- Complaints include road blockages, heavy machinery movements, noise, dust and disruption

Dfl Roads was consulted and, in its response dated 5th September 2025, raised no objection to the proposal.

10. Concerns Regarding an Unauthorised Roadway

- An internal roadway is alleged to have been constructed across the site.
- The objection states that this roadway was not properly addressed within the planning application or public consultation documents.

The Planning Department acknowledges the presence of areas of hardstanding within the site. However, officers have not identified the construction of any formalised internal roadway, other than an existing agricultural access. The current application includes proposals for field gates associated with this access.

The access arrangements and site layout have been subject to consultation with Dfl Roads on several occasions throughout the processing of the application. Dfl Roads has raised no concerns regarding the existing access arrangements, the proposed development, or refer to an alleged roadway referred to in the representation.

Furthermore, any concerns relating to unauthorised works would constitute a separate planning enforcement matter and must be considered independently from the assessment of the current application. The application before the Planning Department has been assessed on the basis of the submitted plans and supporting information, together with all relevant consultation responses.

Having regard to the information submitted and the consultation responses received, including those from DfI Roads, the Planning Department is satisfied that there are no road safety, access, or transportation issues arising from the development.

11. Loss of Landscape Character

- The objector states that agricultural land has been transformed through extensive land raising and earth moving.
- The works are described as visually intrusive and harmful to the character of the AONB and historic landscape.
- Alleges conflict with PPS 2 (Natural Heritage).

The potential impacts on landscape character, the Area of Outstanding Natural Beauty (AONB), and the significance of the designated historic environment have been fully considered within the planning report below.

This assessment has taken account of the full extent of the works already undertaken on the site, together with the proposed restoration and remediation measures. The restoration strategy was developed through engagement with the relevant statutory consultees and informed by environmental, landscape and heritage assessments. Accordingly, the effects of both the existing works and the proposed restoration have been comprehensively evaluated, including consideration of landscape character, visual amenity, natural heritage interests, the special qualities of the AONB, and the significance and setting of the designated heritage asset.

The conclusions of these assessments indicate that, subject to the implementation of the proposed restoration measures, the development will not result in unacceptable long-term harm to landscape character, the AONB designation, or the significance of the historic environment.

12. Piecemeal and Prejudicial Development

- The objection argues the development prejudices future planning of the site.
- There are concerns that archaeological evidence may have been permanently lost, making future investigation impossible.

Whilst acknowledged that works have been undertaken without the benefit of planning permission; however, the retrospective application has now been submitted to regularise the development and assess its acceptability against current planning policy.

In considering the proposal, it is noted that the lawful and historic use of the land is agricultural in nature. Notwithstanding the unauthorised works, the proposal does not introduce a new or incompatible land use at this location. Rather, the development facilitates the continuation of an agricultural use on the site, which is consistent with and reflective of the rural character of the surrounding area. As such, the proposal does not prejudice the objectives of the Area Plan, nor does it undermine the future planning potential of the wider area. The development remains compatible with the established land use pattern and rural setting.

Concerns have also been raised regarding the potential loss of archaeological remains. These matters have been extensively considered through the assessment of the application. The Historic Environment Division (HED) initially raised concerns; however, following further investigation and the submission of additional information, those concerns have been satisfactorily addressed. HED has confirmed that it has no outstanding objections to the proposal. In the absence of any objection from the relevant specialist consultee, there is insufficient evidence to conclude that unacceptable archaeological harm has occurred.

Accordingly, it is considered that the development neither constitutes unacceptable piecemeal development nor prejudices the proper planning of the area, while archaeological matters have been appropriately examined and resolved through the application process.

13. Dangerous Precedent

- A major concern is that approval would set a precedent that unauthorised works can take place on protected archaeological and heritage sites and subsequently be regularised through retrospective planning.
- The objector argues this would undermine confidence in the planning system and weaken protections for designated heritage assets.
- This is presented as undermining confidence in planning controls and heritage protection.

While these concerns are noted, each planning application, including retrospective applications, must be determined on its own individual merits and assessed against the relevant provisions of the development plan and other material planning considerations.

The existence of unauthorised works does not alter the statutory requirement to assess the acceptability of the development in planning terms. The determination of this application would not remove or diminish the protections afforded to archaeological and heritage assets, nor would it create an automatic precedent for similar developments elsewhere. Future proposals would continue to be subject to full assessment having regard to their specific circumstances, impacts and policy context.

Accordingly, while the objector's concerns regarding precedent and public confidence are acknowledged, these matters are not considered to provide sufficient grounds, in themselves, to warrant refusal where the proposal is otherwise found to comply with relevant planning policy and heritage protection requirements.

14. Land Ownership and Legal Dispute

- The objector asserts a beneficial interest in the land.
- The ownership of the land is reportedly subject to ongoing High Court proceedings.
- It is argued that determining the planning application before the court case concludes could prejudice those proceedings.

Consideration has been given to the claims regarding land ownership. As part of the assessment of the application, the matter was reviewed by both the Planning Enforcement Team and the Case Officer in August 2024. This included a review of Land Registry records, and the applicant confirmed ownership of the application land through the submission of the requisite Certificate P2 (completing certificate a – noting full ownership and control of lands for this development).

Matters relating to land ownership, beneficial interests, and title disputes are private civil matters that fall outside the remit of the Planning Department. The planning system is concerned with the use and development of land and does not determine ownership rights or adjudicate on competing claims to ownership.

Whilst the ongoing court proceedings are noted by the objector, the determination of the planning application is not considered prejudicial to those proceedings. The issues before the Court are separate from the planning merits of the proposal and the Planning Departments assessment of the current application. Furthermore, the granting of planning permission does not convey any ownership rights nor override the legal rights of any party with an interest in the land.

Accordingly, the matters raised in relation to land ownership and the ongoing High Court proceedings are afforded limited weight in the assessment of the planning application and do not provide a basis for delaying or withholding a planning decision.

15. Calls for Investigation

The objection repeatedly calls for:

- Investigation into how the works were allowed to proceed.
- Examination of the actions of planning and environmental authorities.
- Review of enforcement decisions.
- Calls for investigation into the actions of the Council, DAERA, NIEA, HED, HED Planning and DFI.
- A full investigation into the handling of the site.
- Greater transparency regarding decisions made.
- Consideration of referral to the Northern Ireland Audit Office or other oversight bodies.
- Examination of potential governance and enforcement failures.

The Planning Department is aware that works were undertaken without the benefit of planning permission. These matters are the subject of a separate enforcement investigation, which remains active. No decision has been made at this stage in relation to any enforcement action, and it would therefore be inappropriate to comment further on those ongoing proceedings.

The current application is being assessed on its own merits as a retrospective planning application. In determining the application, the Planning Department has had regard to the relevant planning policy framework, consultation responses from statutory consultees, representations received from interested parties, and all information submitted in support of the application.

In relation to calls for investigations into the actions of DAERA, NIEA, HED, and DFI, these are matters for those respective organisations. The Planning Department cannot comment on or speculate regarding any investigations, reviews or internal processes being undertaken by other authorities.

The Planning Department is satisfied that the assessment of the application has been conducted in a fair, transparent and impartial manner. Relevant documentation, consultation responses and associated information have been made available on the publicly accessed Planning Portal in accordance with normal procedures.

Accordingly, the Planning Department does not accept the allegations of governance failures, lack of transparency or procedural impropriety in the handling of the application.

Should any individual consider that there has been a failure in process or service delivery by the Planning Department, established complaints procedures are available through which such concerns may be raised and considered.

The request for referral of the matter to the Northern Ireland Audit Office or other oversight bodies is noted. However, the Planning Department does not consider such referral necessary, as the application has been processed in accordance with the

statutory planning process. Any concerns regarding the conduct of the Council can be pursued through the appropriate complaints and governance mechanisms. As such, these matters are not material planning considerations and carry no weight in the determination of the application.

16. Potential Breaches of Environmental and Other Legislation

The objector asks whether the works complied with various legislative requirements, including:

- Planning Act (Northern Ireland) 2011.
- Environmental Impact Assessment Regulations.
- Waste and Contaminated Land legislation.
- Historical Monuments and Archaeological Objects legislation.
- Environmental protection requirements.
- Wildlife and habitat protections.

The objection questions whether adequate assessments were undertaken before works commenced.

The Planning Department's assessment of this application has taken account of all relevant planning policy and legislative requirements that fall within the remit of the planning system. The proposal has been considered against the provisions of the Planning Act (Northern Ireland) 2011, relevant planning policy and all other material planning considerations.

Whilst the objector refers to a wider legislative framework, many of the matters raised fall under separate regulatory regimes and are the responsibility of other statutory bodies to administer and enforce. Compliance with legislation relating to environmental protection, waste management, contaminated land, archaeology, protected species and habitats is primarily a matter for the relevant regulatory authorities exercising their own statutory powers and duties.

As part of the assessment process, consultation was undertaken with the appropriate statutory consultees. These consultees were provided with the information before the Planning Department and given opportunity to assess the proposal within their respective areas of expertise. Having considered the submitted information, no statutory consultee has raised any objection or identified issues of concern that would warrant refusal of planning permission.

Accordingly, while the concerns raised by the objector are noted, the Planning Department is satisfied that all relevant planning policy and legislative considerations within the planning remit have been properly assessed and as considered within the planning report.

17. Countryside Policy Concerns

- Argues the development conflicts with **PPS 21 (Sustainable Development in the Countryside)**.
- States that the works are inappropriate within the rural landscape and have damaged the character of the countryside.

The proposal was considered against the relevant provisions of PPS 21, having regard to its nature, scale, siting and relationship with the use of the site. The assessment concluded that the development does not give rise to unacceptable harm to rural character, landscape quality or visual amenity.

The works are contained within an established site and must be viewed in the context of the existing development and activities already present. The Planning Officer's Report found that the visual and landscape impacts are limited and localised and that the development would not materially alter the character or appearance of the surrounding countryside.

Accordingly, this matter has been fully considered as part of the assessment process, and it was concluded that the development is acceptable having regard to the provisions and objectives of PPS 21.

18. Alleged Inconsistency and Unfair Treatment

- Alleges that the Council has treated this application differently from other planning applications.
- States that their own planning application on the same folio was not progressed despite complying with requirements such as biodiversity assessments.
- Questions the fairness and consistency of the Council's decision-making.

Each planning application is considered on its own merits, having regard to the specific site circumstances, the nature of the proposal, the information submitted, relevant planning policy, and all other material planning considerations. As such, applications cannot be directly compared solely because they relate to the same folio or geographic area.

The planning process operates in an open and transparent manner. All planning applications and supporting documentation are made available for public inspection through the Planning Departments online Planning Portal, enabling interested parties to review proposals and participate in the planning process. Applications are assessed in accordance with the relevant legislative and policy framework, consultation responses, and the evidence presented in each individual case.

While reference has been made to another application on the same folio, the progression and determination of any application depend on its own circumstances and planning merits. The submission of biodiversity assessments or other supporting

information does not mean that different applications are directly comparable or should reach the same outcome.

No evidence has been provided to demonstrate that this application has received preferential treatment or that the Planning Department has departed from its standard assessment procedures. Accordingly, the claim of inconsistency or unfairness is not substantiated, and the application has been considered through the same open, transparent and policy-led process applied to all planning applications.

19. Tourism Impacts

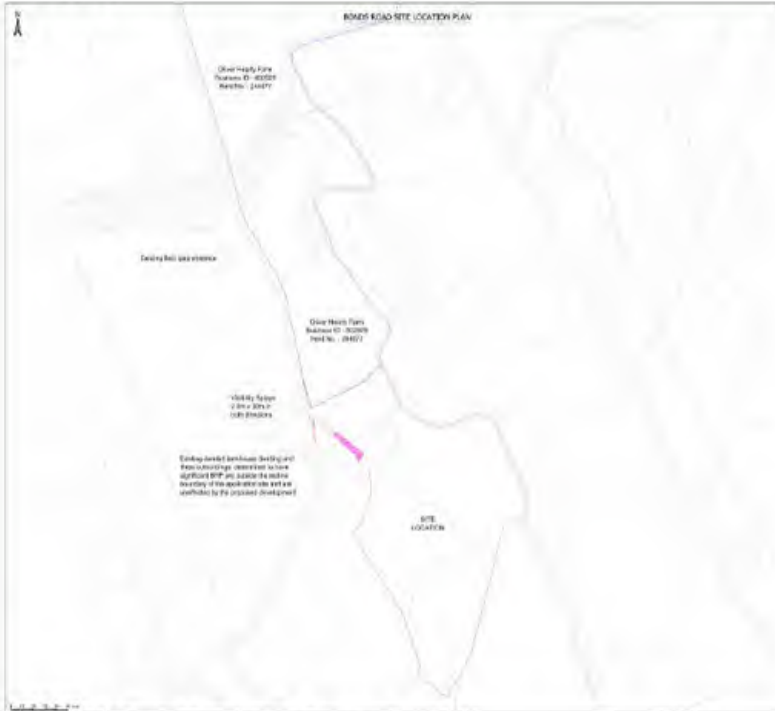
- Concerns are raised that damage to The Dorsey landscape may undermine its value as a tourism and heritage destination.
- Reference is made to The Dorsey Ramparts being listed online as closed/ The objector notes references to the monument being closed to the public and questions the implications for future tourism initiatives.
- Concerns are raised that damage to the site may diminish its archaeological, educational and tourism significance.
- Particular concern is expressed regarding the future of the Dorsey Ramparts as a heritage attraction.

In assessing these concerns, regard has been had to the nature, scale and location of the proposed development and its relationship with tourism and heritage assets in the area. HED was consulted and has offered no objection to the proposal, advising that the development would not adversely affect the significance, setting or character of any heritage asset within its remit.

While the concerns of the objector are acknowledged, no substantive evidence has been provided to demonstrate that the proposal would result in harm to the archaeological, educational or tourism value of the Dorsey Ramparts or any associated heritage asset. The reference to the monument being closed to the public appears to relate to existing site management arrangements and does not indicate that the proposed development would prejudice future public access, interpretation or tourism opportunities associated with the site.

Having regard to HED's advice, it is not considered that the proposal would adversely affect the attractiveness, appreciation, setting or visitor experience of the Dorsey Ramparts or any other tourism asset in the locality. Furthermore, there is no evidence that the development, either individually or cumulatively with other existing or approved development, would significantly diminish the tourism value or heritage appeal of the area.

The proposal is therefore considered to comply with the relevant tourism policy requirements. Consideration is set out below within the planning report.

Site Visit Report	
3.0 Site Location Plan:	
	
4.0 Characteristics of the Site and Area: The application site comprises approximately 3.6 hectares of land situated to the rear and NE of No. 21 Bonds Road and to the N of Nos. 15 and 17 Bonds Road, Silverbridge. The site is located outside the defined Settlement Development Limits of the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) and is therefore designated as countryside. The site adjoins the Cullywater Site of Local Nature Conservation Importance (SLNCI) although outside the designated boundary. The site is within The Dorsey Area of Significant Archaeological Interest (ASAI) and the Ring of Gullion Area of Outstanding Natural Beauty (AONB). The surrounding area is predominantly rural in nature, characterised by agricultural land interspersed with farm holdings and individual residential properties. The site is bounded to the N and E by the Ummeracam River and adjoining agricultural lands. Existing residential dwellings and agricultural fields lie to the south, while Bonds Road and further agricultural lands form the western boundary. The topography of the site has been influenced by previous infilling works, resulting in variations in ground levels across the site, with the land generally sloping towards the Ummeracam River along the south-eastern edge of the site.	

5.0 Description of Proposal:

Retention of ground works including changes to the level of the land through inert infilling and reprofiling of land; proposed levelling with topsoil and seeding with grass for the purposes of agricultural land improvement

6.0 Planning Assessment of Policy and Other Material Considerations

Planning Policies & Material Considerations:

- The Strategic Planning Policy Statement for Northern Ireland (SPPS 2nd Edition)
- The Banbridge/ Newry and Mourne Area Plan 2015 (BNMAP)
- PPS2 - Natural Heritage
- PPS3 - Access, Movement and Parking
- PPS6 - Planning, Archaeology and the Built Heritage
- PPS11 - Planning and Waste Management
- PPS15 (Revised) - Planning and Flood Risk
- PPS 16 - Tourism
- PPS 21 - Sustainable Development in the Countryside
- DCAN 10 (Revised) Environmental Impact Assessment
- DCAN 15 - Vehicular Access Standards

7.0 PLANNING HISTORY

LA07/2023/3128/PAN - Retention of ground works including changes to the levels of the land through inert infilling and reprofiling of land and proposed levelling with topsoil and seeding with grass for the purposes of agricultural land improvement. (PAN Acceptable)

LA07/2022/0257/CA - Alleged unauthorised groundworks and infilling (Application site)

LA07/2022/1369/F - Replacement dwelling and detached garage. Refused 24.04.26 (Adj and NW of site)

8.0 Consideration and Assessment:

The applicant seeks retrospective planning permission for groundworks involving the infilling, reprofiling and regrading of agricultural land, together with the proposed placement of topsoil and seeding of the site with grass to facilitate improved agricultural use.

The application site has historically been used as agricultural land and will remain in agricultural use following completion of the works.

The applicant advises that the land was previously of poor agricultural quality, characterised by uneven topography, low-lying areas and rocky outcrops, which limited its suitability for grazing, silage production and crop cultivation. The works are intended to create a more level and productive field capable of supporting more efficient farming practices. The proposal does not therefore result in a change of land use but instead seeks to improve the quality, productivity and management of the existing agricultural holding.

The applicant further states that the uneven nature of the site created operational and safety difficulties for agricultural machinery, including tractors and equipment used for fertiliser spreading and harvesting. It is argued that the reprofiling works will provide a safer and more manageable landform, reducing the risk of machinery overturning and improving operational efficiency.

It is stated that no waste material has been imported to the site. The material used for the infilling works comprises quarried stone, rock fill, drainage stone and crusher run, sourced from established local quarries. The applicant advises that approximately 225 tonnes of material were purchased from Swan Rock Quarries, approximately 300 tonnes from TH Moore Quarries, and approximately 120 tonnes from Loughran Quarries, giving a total of approximately 645 tonnes of imported quarry material.

In addition to the material already deposited, the proposal includes the placement of a further 250mm layer of inert clay fill and 150mm layer of topsoil across the site as part of the restoration works. The applicant indicates that this will comprise approximately 13,600m³ of material, which is considered necessary to achieve a suitable land level and provide a good quality agricultural field capable of supporting grazing, silage production and crop growing.

The applicant contends that the quantity of material imported and proposed is the minimum required to facilitate the agricultural improvement of the land and that the final restoration levels will broadly reflect the existing topography and landform of the surrounding area.

The development has not adversely affected the character of the surrounding countryside and that the change in ground levels has not resulted in the site becoming visually prominent. Native species hedgerow planting is also proposed along site boundaries, along with retention of existing vegetation, stock proof fencing and new field access gate.

8.1 HRA Screening

Newry, Mourne and Down District Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 05/07/2024. This found that the project would not be likely to have a significant effect on any European site. However, this is subject to condition relating to use of inert materials only for infilling of land.

8.2 EIA Determination

Application has been screened under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 concluding matters relating to environmental effects can be adequately dealt with through the normal application process and regulated through the imposition of conditions were necessary.

8.3 Development Management Regulations:

The development has been considered under the Planning (Development Management) Regulations (Northern Ireland) 2015 within Part 9 (All other development) of the regulations as the area of the site exceeds 1 hectare (3.6 ha) and therefore requires the submission of a Proposal of Application Notice (PAN) which was submitted under (LA07/2023/3128/PAN).

The regulation also requires a pre-application community event to be undertaken prior to the submission of the formal submission of the major application with the requirement of hold a public event.

The agent submitted Pre-Application Notice to the Planning Department on the 2nd August 2023 which was subsequently agreed in writing on the 22nd January 2024. A 'Public Consultation Event' was undertaken in the locality, at Silverbridge Football Club, Silverbridge on Tuesday 29th August 2023, with physical information display remaining at the site from 30th August 2023 to the 15th September 2023, the agent carried out public consultation by way of corresponding with Cllrs/ MLAs and elected representatives, notification of neighbours as well as a public notice in both locally circulating newspapers the Newry Report and Newry Democrat.

Supporting evidence of this process was submitted as part of this application to demonstrate that this has been carried out in accordance with legislative requirements at that time (See Pre Application Consultation Report dated 16th April 2024 and appendices).

8.4 Planning Act:

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.

8.5 Banbridge/ Newry and Mourne Area Plan 2015:

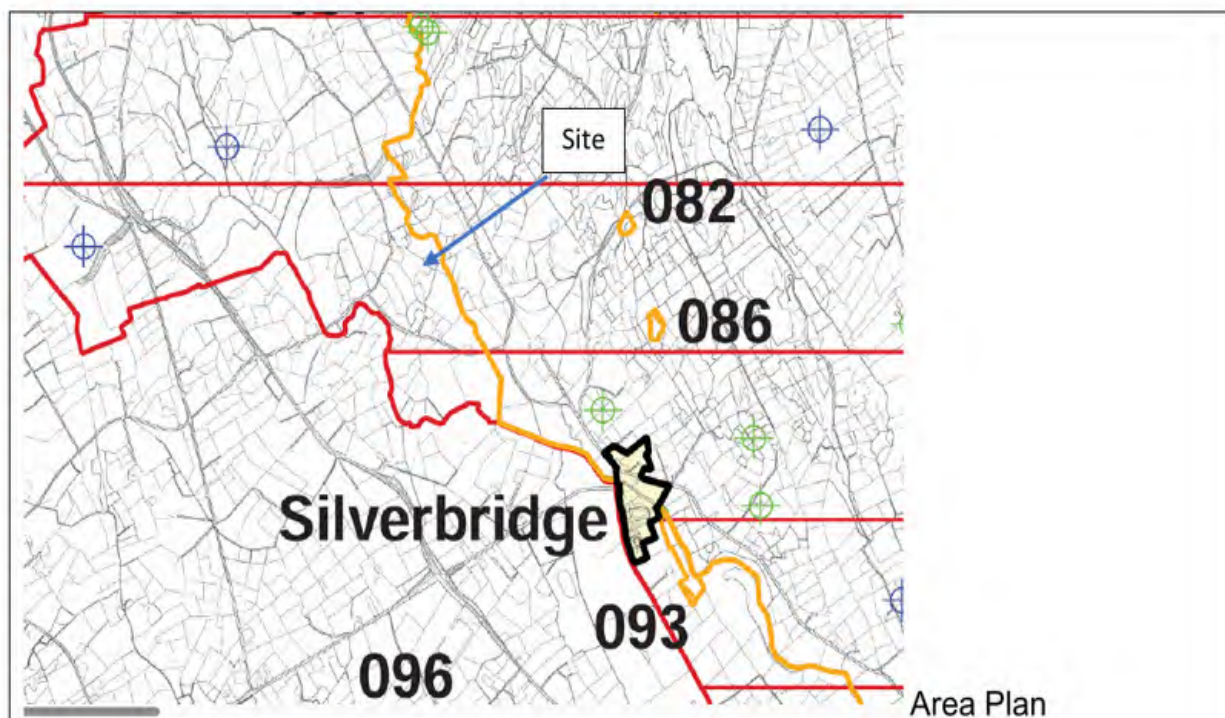
The Banbridge/ Newry and Mourne Area Plan 2015 (BNMAP) is the operational Local Plan for this site, which identifies the site as being within the open countryside within the AONB. The site abuts and is immediately W of the Site of Local Nature Conservation Importance (SLNCI).

With regard to the adjacent Cullywater SLNCI, Policy CVN 1 (Sites of Local Nature Conservation Importance) of the BNMAP states that planning permission will not be granted for development that would be liable to have an adverse effect on the nature conservation interests of a designated SLNCI.

The Cullywater SLNCI designation relates solely to the Cullywater/Ummeracam River and does not encompass the application site, which lies outside the designated area.

The remaining works required to complete the restoration of the site are not considered likely to give rise to any adverse effects on the nature conservation interests of the SLNCI (See also consultation responses from NIEA). Accordingly, the proposal is not considered to conflict with Policy CVN 1 of the BNMAP.

Notwithstanding this, due regard is given to the protection of natural heritage interests and the water environment, and these matters are considered further below in the context of Planning Policy Statement 2 (PPS 2): Natural Heritage.



Site Location Plan

The proposal is acceptable in principle to the BNMAP 2015 however the detailed scheme must also meet prevailing policy requirements as considered below.

8.6 SPPS (2nd Ed.) and PPS2 - Natural Heritage (NH2 - Species Protected by Law, NH 4 - Sites of Nature Conservation Importance – Local, NH 5 - Habitats, Species or Features of Natural Heritage Importance and NH 6 - Areas of Outstanding Natural Beauty)

NED in comments dated 23rd October 2025 having considered the impacts of the proposal on designated sites and other natural heritage interests have no issues of concern.

Policy NH 2 - Species Protected by Law

Planning permission will only be granted where it is demonstrated that a development proposal is not likely to harm European Protected Species, nationally protected species, or their habitats.

A Retrospective Preliminary Ecological Appraisal (PEA) and Bat Roost Potential (BRP) Report were submitted with assessment of the ecological implications of the unauthorised works.

The PEA concludes that, although there was potential for the works undertaken to date to have affected protected species, no evidence of any impacts has been identified. Furthermore, the remaining restoration works, comprising minor levelling, placement of topsoil and grass seeding, are not considered likely to result in adverse effects on any European or nationally protected species.

The BRP Report identifies two trees (Trees 14 and 15) as having moderate bat roost potential. Should their removal be proposed in the future, further bat emergence and re-entry surveys would be required. However, no removal of these trees is proposed as part of the development, and they will be retained as part of the restoration works.

In consultation comments dated 23rd October 2025, NIEA Natural Heritage raised no objection to the proposal and offered no concerns regarding the submitted ecological information, subject to the implementation of recommended conditions.

Having regard to the findings of the submitted ecological assessments and the consultation response from NIEA Natural Heritage, the proposal is not considered likely to adversely affect any protected species or their habitats and therefore complies with Policy NH 2 of PPS 2: Natural Heritage.

Policy NH 4 - Sites of Nature Conservation Importance – Local

Policy NH4 seeks to ensure that development proposals do not result in a significant adverse impact on sites of local nature conservation importance, including Local Nature Reserves and Wildlife Refuges.

Where a proposal could give rise to a significant adverse impact on a site of local importance, planning permission will only be granted where the benefits of the development outweigh the value of the site, and appropriate mitigation and/or compensatory measures are secured.

In this instance, the development site lies outside the boundary of the designated Site of Local Nature Conservation Importance (SLNCI), which relates to the Cully-water/Ummeracam River. Having regard to the nature, scale and location of the development, and the separation from the designated site, no significant adverse impact on the ecological interest, integrity or conservation value of the SLNCI is anticipated.

This conclusion is supported by the consultation response received from the Northern Ireland Environment Agency (NIEA), dated 23rd October 2025, which raised no objections or issues of concern, subject to the imposition of conditions.

Accordingly, the proposal is considered to comply with the requirements of Policy NH4 of PPS 2: Natural Heritage.

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

Policy NH 5 of PPS 2 states that planning permission will only be granted where a proposal is not likely to result in an unacceptable adverse impact on, or damage to, priority habitats, priority species, wetlands (including river corridors), or other natural heritage features worthy of protection. Where adverse impacts are identified, development may only be permitted where the benefits of the proposal outweigh the value of the habitat, species or feature affected, and appropriate mitigation and/or compensatory measures are secured.

In assessing the proposal against Policy NH 5, regard has been given to the submitted Preliminary Ecological Appraisal (PEA dated 16.04.24), which concludes that the habitats affected by the unauthorised works do not comprise Northern Ireland Priority Habitats. The assessment identifies the Ummeracam River as the only Priority Habitat in the vicinity and concludes that this habitat was protected from sediment mobilisation through the presence of a continuous embankment along the river edge.

The PEA further concludes that the completion of the development would not result in an unacceptable adverse impact on, or damage to, habitats, species or features of natural heritage importance. To address habitat loss arising from the works undertaken, the report recommends restoration measures including the use of low-fertility topsoil and the establishment of a more ecologically valuable grassland sward through an ap-

appropriate seed mix. These measures are intended to compensate for the loss of species-poor gorse scrub identified within the assessment and provide an ecological enhancement of the restored area.

In addition, NIEA Natural Environment Division, in consultation comments dated 23rd October 2025, raised no objection to the proposal subject to the imposition of planning conditions to secure the recommended mitigation and habitat restoration measures.

Having regard to the findings of the PEA, the proposed mitigation and compensatory measures, and the consultation response from NIEA, it is considered that the development would not result in an unacceptable adverse impact on habitats, species or features of natural heritage importance. Subject to the recommended conditions, the proposal is therefore considered to comply with Policy NH 5 of PPS 2 – Natural Heritage.

Policy NH 6 - Areas of Outstanding Natural Beauty

The proposal has been assessed against Policy NH 6 of PPS 2. The policy requires that development within an AONB is of an appropriate design, size and scale for the locality and that it is sympathetic to the special character of the area, conserves feature important to the landscape, and respects local character and traditional boundary treatments.

The application seeks retrospective permission for groundworks associated with agricultural land improvement, comprising inert infilling, reprofiling and levelling of the land, followed by the placement of topsoil and seeding with grass. The site has historically been in agricultural use and will remain as such following completion of the restoration works. The proposal does not introduce a new or incompatible land use into the AONB but rather facilitates the continued agricultural use.

In relation to criterion (a) of Policy NH 6, the works are limited to the improvement of an existing agricultural field and are sympathetic to the rural character of the locality. The completed landform integrates with the surrounding agricultural landscape and does not appear visually intrusive within the wider AONB. The changes in land levels have not altered the essential character of the site or resulted in any significant landscape or visual impacts.

The findings of the submitted visual assessment (Impact Assessment 11.05.26) support this conclusion and demonstrate that the development can be accommodated within the landscape without causing unacceptable harm to the character or appearance of the AONB.

With regard to criterion (b), having regard to the visual assessment, the proposal does not adversely affect any features of landscape, or visual importance. Impact to heritage features contributing to the character or appearance of the AONB have been considered by HED (Monuments).

Furthermore, restoration measures proposed will enhance the site's integration within the surrounding landscape.

NIEA Natural Environment Division, in consultation comments dated 23rd October 2025, raise no objection subject to conditions, indicating that the proposal would not have an unacceptable impact on the landscape qualities of the AONB.

In respect of criterion (c), native species hedgerow planting is proposed along the northern boundary and through the site to reinforce traditional field patterns and boundary treatments characteristic of the local countryside. These measures will strengthen the landscape structure, provide biodiversity benefits and enhance the site's visual integration within the AONB, thereby respecting local landscape character and traditional boundary features.

The proposal has also been assessed in relation to the historic environment. Historic Environment Division (HED) Monuments, in consultation comments dated 29th May 2026, advised that the information submitted, including the Impact Assessment and the results of the archaeological evaluation, was sufficient to address its concerns. HED raised no outstanding archaeological objections, confirming that the proposal would not result in unacceptable impacts on archaeological interests or heritage assets.

Overall, the development respects the special character and appearance of the Ring of Gullion AONB, retains the site's agricultural use, preserves the landscape and heritage interests of the area, and incorporates appropriate restoration and enhancement measures. Having regard to the consultation responses from NIEA and HED, it is considered that the proposal satisfies the requirements of Policy NH 6 of PPS 2 and will not result in any significant adverse impact on the AONB, its landscape setting, or the historic environment.

Subject to the implementation of planning conditions and on the basis of information provided NED are content with the proposals against PPS2 requirements. Proposals meet the requirements of the SPPS and PPS2 for the reasons set out above.

8.7 SPPS (2nd Ed.) and PPS3 – Access, Movement and Parking, Parking Standards and DCAN 15 – Vehicular Access Standards

The application relates solely to the provision of a field gate for agricultural access. While a stone hardstanding area has been established within the field, a site inspection did not identify any evidence of a new road being formed, notwithstanding the claims raised by the objector.

DfI Roads were consulted taking account relevant planning policy. In their consultation response dated 5th September 2025, confirmed that they have no concerns regarding the proposal and offer no objection.

Proposals meet the SPPS and PPS3.

8.8 SPPS (2nd Ed.) and PPS6 – Planning, Archaeology and the Built Heirtage (Policy BH 1 - The Preservation of Archaeological Remains of Regional Importance and their Settings) and Policy CVN 2 (Area of Significant Archaeological Interest) of the Banbridge, Newry and Mourne Area Plan 2015

Policy BH 1 of PPS 6 and Policy CVN 2 of the Banbridge, Newry and Mourne Area Plan 2015 seek to safeguard archaeological remains and the historic landscape.

Policy BH 1 establishes a presumption in favour of the physical preservation *in situ* of archaeological remains of regional importance and their settings, including scheduled monuments, monuments in State Care and other important archaeological sites which would merit scheduling.

Policy CVN 2 states that within Areas of Significant Archaeological Interest, planning permission will not be granted for large-scale development unless it can be demonstrated that there would be no significant impact upon the character and appearance of the distinctive historic landscape.

Therefore, in assessing the proposal, it is necessary to consider whether the unauthorised works have adversely affected any archaeological remains of regional importance or their setting, and whether they have resulted in any significant impact on the character and appearance of the Dorsey Area of Significant Archaeological Interest.

HED Historic Monuments, in its consultation response dated 29th May 2026, refers to its previous responses issued on 23rd June 2025, 9th October 2025, 18th October 2025 and 9th December 2025, wherein concerns were raised regarding the archaeological implications of the unauthorised works and the potential impact on the Dorsey Area of Significant Archaeological Interest (ASAI).

In response to these concerns, an Impact Assessment was submitted and uploaded to the Planning Portal on 11th May 2026. HED reviewed the archaeological evaluation and visual assessment contained therein. The archaeological evaluation identified relic topsoil within Trenches 1 and 9-12 and subsoil with occasional patches of relic topsoil within Trenches 2-8 and 13. No archaeological deposits were identified within the exposed subsoil areas. The report concludes that disturbance to the subsoil has been minimal and that any archaeological remains that may be present within the site are likely to have been preserved *in situ* beneath the imported fill material.

HED confirmed that the test trench layout provided sufficient coverage to adequately assess the archaeological potential and survival of remains within the site. Further-

more, a site inspection was undertaken by HED to verify the results of the archaeological evaluation and, having considered the findings of the evaluation, visual assessment and site inspection, advised that the matters raised within its previous consultation responses had been satisfactorily addressed.

HED agreed with its conclusion of the visual assessment that the overall ground levels within the site had not been significantly reduced through the removal of topsoil nor significantly raised through the deposition of infill material. As such, HED accepted that the groundworks had not resulted in an adverse impact upon the Dorsey ASAI.

Having regard to the results of the archaeological evaluation, the visual assessment, the verification site inspection undertaken by HED and the absence of evidence demonstrating adverse impacts on archaeological remains or the Dorsey ASAI, it is considered that any potential archaeological artefact has been preserved in situ and that the works have not adversely affected archaeological remains of regional importance or the integrity of their setting. The concerns previously identified by HED have therefore been satisfactorily addressed through the submission of further information.

Accordingly, HED concluded that the information submitted is sufficient to demonstrate compliance with Policy CVN 2 (Area of Significant Archaeological Interest) of the Banbridge, Newry and Mourne Area Plan 2015 and Policy BH 1 of PPS 6. In its consultation response dated 11th June 2026, advised that it has no further objection to the proposal on archaeological grounds. Proposals meet the requirement of the BH1 and CVN 2 for the reasons set out above.

8.9 SPPS (2nd Ed.) and PPS11 (WM 4 - Land Improvement)

The disposal of inert waste by deposition on land will only be permitted where it is demonstrated that it will result in land improvement and where a number of criteria is met.

It is noted that the Planning Statement dated 5th June 2024 states that the development seeks the retention of groundworks, including changes to land levels through infilling and reprofiling, together with the proposed levelling of the site with topsoil and seeding with grass for the purposes of agricultural land improvement to facilitate the applicant's farming activities.

The Planning Statement further advises that no waste material has been used in the infilling of the site. It states that material used comprised stone/rock and blinding materials (fine crusher run, drainage stone and rock fill) purchased from Swan Rock Quarries (circa 225 tonnes), TH Moore Quarries (circa 300 tonnes) and Loughran Quarries (circa 120 tonnes).

Whilst the policy allows for land improvement proposals to which the applicant adheres, approval will only be granted where the proposal also meets the criteria of WM4 as set out below:

- it will not result in an unacceptable adverse environmental impact that cannot be prevented or appropriately controlled by mitigating measures

Environmental impacts have been considered through consultation with NIEA Water Management Unit (29.02.24), NIEA Regulation Unit (29.02.24), NIEA Natural Environment Division (06.02.25) and Shared Environmental Service (23.04.24). No objections or issues of concern were raised by consultees, subject to the imposition of appropriate planning conditions and informatives. Furthermore, NIEA, in its final consultation response dated 23rd October 2025, confirmed that it had no objection to the proposal and raised no further concerns regarding the works undertaken at the site. This response is afforded significant weight in the assessment of the environmental impacts associated with the development

- there is a local need for the development and it can be demonstrated that it is the BPEO;

There is a clear and demonstrable local need for the proposed development. The applicant has demonstrated that the imported material is required to improve an area of low-lying agricultural land that is currently of poor quality and limited agricultural productivity (4.3 Planning Statement).

The development will facilitate the restoration and improvement of the land, enabling more efficient and sustainable farming practices as part of the overall farm business. Furthermore, it has been demonstrated that the proposal represents the Best Practicable Environmental Option (BPEO), as it provides a beneficial use for suitable inert material while delivering a tangible agricultural improvement at a local level. Accordingly, the proposal accords with the requirements of Policy WM4 in that it addresses an identified local need and adheres to BPEO

- only the minimum quantity of fill necessary to achieve the proposed improvement shall be deposited;

The Planning Statement further advises that no waste material has been used in the infilling of the site. Instead, the deposited material comprises stone, rock and blinding materials, including fine crusher run, drainage stone and rock fill, sourced from commercial quarry operators. Specifically, approximately 225 tonnes were obtained from Swan Rock Quarries, approximately 300 tonnes from TH Moore Quarries and approximately 120 tonnes from Loughran Quarries. The Planning Statement (4.7) states that the quantity of material deposited to date, together with that required to complete the development, including final levelling with topsoil, represents the minimum quantity of

fill necessary to improve the land to a level suitable for grazing, silage production and crop cultivation. On this basis, it is contended that the proposal satisfies this criterion, which requires that only the minimum quantity of fill necessary to achieve the proposed land improvement is deposited.

- detailed measures are included for the appropriate restoration and aftercare of sites that will help to enhance biodiversity

In respect of the restoration of the site, the proposed approach, as recommended within the Preliminary Ecological Appraisal (PEA), will facilitate the restoration of the area which will be seeded with an appropriate grassland mix designed to establish a more ecologically valuable grassland.

Given the site's long-established use as agricultural land, the proposal does not result in any discernible change in land use and remains wholly appropriate within the AONB. Following levelling and seeding, the site will continue to be used for agricultural purposes, providing an improved farm field suitable for grazing, silage production and crop cultivation. The change in site levels arising from the infilling operations has not rendered the site any more visually intrusive than the pre-existing situation.

Furthermore, native species hedgerows are proposed along the northern boundary and through the centre of the site. These will reinstate traditional field boundaries as part of the restoration scheme while delivering enhanced biodiversity benefits. Consequently, it is considered that the development has not resulted in, and will not result in, any significant adverse effects on the landscape character or special qualities of the AONB.

Having regard to the information submitted, including the Planning Statement dated 29th May 2024, and the consultation responses received, including NIEA's final response dated 23rd October 2025 confirming no objection. The proposal complies with Policy WM4 of PPS 11 and the relevant provisions of the SPPS and, subject to appropriate planning conditions, is acceptable in principle.

9.0 SPPS (2nd Ed.) and PPS15 – Planning and Flood Risk

FLD1 (Development in Fluvial and Coastal Flood Plains)

Policy FLD1 states that development will not be permitted within the 1 in 100-year fluvial floodplain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Where development is accepted under the Exceptions Test, a Flood Risk Assessment (FRA) must demonstrate that all sources of flood risk to and from the development have been identified and that adequate measures are in place to manage and mitigate any increase in flood risk arising from the proposal.

It is acknowledged by the applicant within paragraph 5.47 of the Planning Statement that the proposal does not meet any of the Exceptions Tests set out under Policy FLD1. The applicant has therefore proposed the removal of all fill material deposited within the area of the site that lies within the 1 in 100-year floodplain, thereby restoring the floodplain to its former condition and ensuring that Policy FLD1 is not offended.

In light of this, Tetra Tech submitted a Flood Risk Assessment which Rivers Agency have now reviewed and notes that Drawing No. 006 Rev P01 proposes the removal of the existing infill and the regrading of land within the 1 in 100-year strategic fluvial floodplain to pre-existing levels.

Rivers Directorate in their consultation response dated 24th October 2025 that, provided all infill within the strategic fluvial floodplain is removed and ground levels are reinstated to their original levels, it would have no objection to the proposed development. Rivers Directorate has also requested that a post-remediation topographical survey be undertaken to confirm that the reinstated levels accord with those shown on Drawing No. 006 Rev P01 (Appendix D of the Flood Risk Assessment dated 10 April 2024). This can be dealt with by way of a planning condition.

Having regard to the submitted Flood Risk Assessment, the comments of Rivers Directorate, and the applicant's commitment to remove the deposited fill and reinstate the land to its original levels, it is considered that the proposal would not result in the loss of floodplain storage capacity, increase flood risk on or off the site, and would accord with the objectives of Policy FLD1, this subject to verification of the reinstated levels through the submission of a satisfactory topographical survey which will be conditional in the event that planning permission is permitted. FLD 1 is satisfied – subject to condition.

FLD2 (Protection of Flood Defence and Drainage Infrastructure)

Policy FLD 2 states that planning permission will not be granted for development that would adversely affect the functioning of such infrastructure or restrict access to enable its maintenance.

Paragraph 6.32 of PPS 15 further requires the retention of an adjacent working strip to facilitate maintenance by Rivers Directorate, other statutory undertakers, or riparian landowners. A minimum unobstructed working strip of 5 metres from the top of the bank must be retained, with provision for up to 10 metres where considered necessary, together with clear access and egress at all times.

Having regard to the above, and subject to the retention and safeguarding of the required maintenance strip, the proposal is considered to comply with the requirements of Policy FLD 2 – Protection of Flood Defence and Drainage Infrastructure.

FLD3 (Development and Surface Water)

Policy FLD 3 requires the submission of a Drainage Assessment (DA) for development proposals that meets relevant thresholds.

As the application site exceeds 1 hectare, a Drainage Assessment is required to demonstrate compliance with Policy FLD 3. A combined Flood Risk Assessment (FRA) and Drainage Assessment (DA), prepared by Tetra Tech, has been submitted in support of the application.

Rivers Directorate has reviewed the Drainage Assessment and notes the findings contained within Section 4.4.6, which state that the site is currently a greenfield site that is 100% permeable and that, following development, the permeable area and associated runoff rates will remain unchanged. Consequently, surface water runoff will continue to discharge to the Ummeracam River at the natural greenfield runoff rate.

The Drainage Assessment further confirms that the existing surface water drainage arrangements will be retained, including the pre-existing formal stormwater drainage network, which discharges to existing NI Water infrastructure adjacent to the site. As no increase in impermeable area or runoff rates is proposed, and existing drainage systems are to be maintained, the development is not expected to increase pluvial flood risk either within the site or elsewhere.

While Rivers Directorate have advised that whilst they are not responsible for the preparation of the Drainage Assessment, it accepts the assessment's methodology and conclusions and has raised no objections to the proposal.

Having regard to the submitted FRA/DA and the consultation response from Rivers Directorate, it is considered that the proposed development will not cause an increase in surface water flood risk on or off site. The proposal therefore complies with the requirements of Policy FLD 3.

FLD4 (Artificial Modification of Watercourses) and FLD5 (Development in Proximity to Reservoirs)

Not applicable to this site.

Flood Risk in the Climate Change Scenario

The Rivers Directorate has advised the Planning Department that, based on the most up-to-date flood modelling available, the Department's climate change flood maps indicate that an area within the north-eastern part of the site lies within the 1 in 100 year strategic fluvial climate change floodplain (Q100CC).

Applying the precautionary principle, the Rivers Directorate considers that part of the proposed development may be susceptible to flooding under the climate change scenario. It advises that, unless the proposal satisfies the exception test set out in Policy FLD 1, the development would be contrary to the aims of regional strategic planning policy, which seeks to prevent inappropriate development in areas at risk of flooding and to avoid increasing flood risk elsewhere. The Planning Department is advised to regard this matter as a material consideration in the assessment of the application.

While it is acknowledged that the proposal would not ordinarily meet the exceptions test contained within Policy FLD 1, significant weight has been given to the applicant's commitment to restore the affected area to its pre-existing ground levels (this is supported by the Rivers Agency position in relation to FLD1 in their consultation response dated 24th October 2024). As a result, the development would not introduce built development, raise ground levels, displace floodwater storage, or increase flood risk either within the site or elsewhere.

In these circumstances, it is considered that the proposal accords with the objectives and requirements of Policy FLD 1. Given the nature of the development and the proposed mitigation measures, the development would not be vulnerable to flooding nor would it adversely affect flood risk. Consequently, the application can be considered acceptable under Policy FLD 1, and it is not necessary to rely upon or apply the exception test in this case.

10.0 SPSS (2nd Ed.) and Policy 16 – Tourism (TSM 8 -Safeguarding of Tourism Assets)

The policy seeks to safeguard tourism assets from development which, either individually or cumulatively with existing and approved development in the locality, would have an adverse impact that would significantly compromise their tourism value.

In this case, the site is located within the Area of Significant Archaeological Interest (ASAI) as designated.

As a recognised archaeological resource and tourism asset, careful consideration has been given to the potential impact of the proposal on the significance, setting and tourism value of this designation.

Consultation was undertaken with relevant statutory consultees, including the Historic Environment Division (HED). While concerns were initially raised regarding the original proposal, following assessment of revised details and the submission of additional information, HED confirmed in its consultation response dated 29th May 2026 that it had no further concerns.

The proposal relates to restoration works and does not introduce development that would adversely affect the character, setting, enjoyment or appreciation of designated area. On the contrary, the works will facilitate the restoration of the site and improve an area that currently detracts from the visual amenity of the locality. The proposal is therefore considered to enhance the appearance of the site rather than diminish its archaeological or tourism value.

Having regard to the nature and scale of the development, and taking account of the consultation responses received, it is not considered that the proposal would, either by itself or in combination with existing or approved development in the locality, have an adverse impact on the designated area such as to significantly compromise its tourism value. The proposal is therefore considered to comply with Policy TOU.

10.0 SPPS (2nd Ed.) and PPS21 (CTY1 – Development in the Countryside and CTY 12- Agricultural and Forestry Development)

CTY1 – Development in the Countryside

Whilst the proposal is not one of the listed types of non-residential development set out within CTY1. The policy nevertheless sets out a range of other types of non-residential development that may be acceptable in principle however this must be in accord with existing published planning policies which is further considered below.

CTY 12- Agricultural and Forestry Development

Policy CTY 12 of PPS 21 supports development on an active and established agricultural or forestry holding where it can be demonstrated that a number of criteria is met, this is considered further below. The policy further advises that an active and established agricultural business is one that has been operational for a minimum of six years, in accordance with the criteria set out under Policy CTY 10.

The application site forms part of the applicant's wider agricultural holding. The applicant holds a valid farm business number and herd number, and the farm business has been established and operating for in excess of six years (See section 1.7-1.9, 5.59, Appendix 1, Appendix 2 and Appendix 3). Although the lands subject to this application are currently being formally incorporated into the farm business holding, they are already farmed by the applicant and form part of the overall agricultural unit. Accordingly,

the proposal satisfies the requirement for development to be located on an active and established agricultural holding.

Necessity for the Efficient Use of the Holding

The proposal seeks retention of land reprofiling works undertaken through inert infilling, together with the completion of restoration works involving topsoiling and grass seeding. The objective of these works is to improve the agricultural quality and usability of the land.

Prior to the works, the site comprised low-quality agricultural land with uneven topography and rocky outcrops, limiting its suitability for grazing, silage production and crop cultivation. The completed and proposed land improvement works will provide a more productive and manageable agricultural field capable of supporting a wider range of farming activities.

The works also deliver health and safety benefits by creating a more even surface for agricultural machinery, thereby reducing operational risks associated with working on uneven ground. The proposal is therefore considered necessary for the efficient and safe operation of the agricultural holding.

Character and Scale

The volume of imported inert material, together with the proposed final layer of clay and topsoil, represents the minimum works required to achieve a usable agricultural field. The restoration levels broadly reflect the surrounding landform and are consistent with the character of the area.

The proposal is therefore considered appropriate in both scale and character for its rural setting.

Landscaping

The site has historically been used for agricultural purposes and will remain in agricultural use following completion of the restoration works. The change in ground levels has not resulted in any unacceptable visual impact and the restored field will integrate with the surrounding agricultural landscape.

Additional landscaping is proposed through the planting of native species hedgerows along the northern boundary and within the site, further enhancing integration and biodiversity. The proposal is therefore considered to integrate satisfactorily into the local landscape.

Impact on Natural and Built Heritage

The Preliminary Ecological Appraisal concludes that there is no evidence that the works undertaken have adversely affected protected species or habitats and that the completion of the development will not result in significant ecological impacts and comments from NIEA (23rd October 2025) support this position.

The Archaeological Impact Assessment concludes that the works have not adversely affected archaeological remains or heritage assets. Any potential sub-surface archaeological deposits remain preserved beneath the deposited material and the proposed topsoiling and grass seeding will not disturb such features. The assessment further confirms that there will be no significant impact on the character or setting of nearby heritage assets.

The proposal is therefore not considered to have any adverse impact on natural or built heritage interests.

Residential Amenity (Also considered under SPPS 2nd edition 4.11 and 4.12)

The proposal relates to agricultural land improvement and once completed, the site will operate as a normal agricultural field. All major infilling works have already been undertaken, and the remaining works are limited to the spreading of topsoil and grass seeding.

The development will not give rise to significant noise, odour, dust or pollution beyond that typically associated with normal agricultural practices in a rural area. EH Have raised no issues of concern in comments dated 23rd September 2024. There are no unacceptable impacts on the amenity of neighbouring residential properties are anticipated.

Having regard to the above assessment, the proposal is considered to satisfy all of the requirements of Policy CTY 12. The development facilitates the efficient operation of an established agricultural holding, is appropriate in scale and character, integrates successfully into the rural landscape, protects heritage and environmental interests, and does not adversely affect residential amenity. The proposal is therefore consistent with the provisions of PPS 21.

11.0 Recommendation: Approval

12.0 Neighbour Notification Checked	Yes
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13.0 Summary of Recommendation

The proposal has been considered under the SPPS, BNMAP 2015 and all relevant planning policies, it is concluded that the retrospective agricultural land improvement works are acceptable in principle and in detail, subject to appropriate planning conditions.

In reaching this recommendation, full consideration has been given to all representations received. The matters raised by objectors, including concerns relating to the nature and extent of the works, environmental impacts, flood risk, archaeology, landscape effects, road access, tourism, the source and deposition of materials, have been carefully examined as part of the assessment process.

These issues have been considered taking account of the submitted supporting information and consultation responses from the relevant statutory consultees. Following this detailed assessment, it is not considered that the objections identify any material planning concerns that would justify refusal of planning permission.

The proposal has been comprehensively assessed in respect of natural heritage, archaeology, landscape impact, tourism, flood risk, access arrangements and agricultural use. Statutory consultees, including NIEA Natural Environment Division, DfI Roads, Rivers Directorate, Environmental Health and HED Historic Monuments, have raised no objections subject to conditions.

The submitted ecological assessments, Flood Risk Assessment and Drainage Assessment, Impact Assessment, Planning Statement and Archaeological Evaluation satisfactorily demonstrate that the development will not result in unacceptable adverse impacts on protected species, habitats, the Ring of Gullion AONB, the Dorsey Area of Significant Archaeological Interest, archaeological remains, residential amenity, road safety, drainage infrastructure or flood risk.

The proposal represents an agricultural land improvement scheme on an active and established farm holding, facilitating the more efficient and productive use of the land while retaining its agricultural function. Restoration measures, including habitat enhancement, grassland establishment, native hedgerow planting and the reinstatement of floodplain areas to original levels, will ensure appropriate environmental mitigation and deliver biodiversity and landscape benefits.

It is therefore considered that the development complies with the requirements of the SPPS, PPS2, PPS3, PPS6, PPS11, PPS15, PPS 16 and PPS21, together with the relevant requirements of the Banbridge, Newry and Mourne Area Plan 2015. Furthermore, it has been demonstrated that the proposal would not result in any unacceptable

adverse environmental, archaeological, landscape, flooding, amenity or road safety impacts.

Having taken full account of all representations received, the application is recommended for approval subject to conditions.

14.0 Draft Conditions

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

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

2. The vehicular access, including visibility splays of 2.0m x 33m and any forward sight distance, shall be provided in accordance with Drawing No. 011 REV P)1 (Site Layout) published 29th August 2025, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be clearer to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. A working strip with a minimum width of 5m shall be provided along the watercourse, this shall provide clear access and egress at all times.

Reason: To facilitate future maintenance by Rivers Agency or relevant personnel.

5. Within 28 days following the removal of the approved infill material, a detailed topographical survey of the site shall be undertaken. The survey shall demonstrate that the post-removal ground levels across the site accord with those shown on Drawing No. 006 Rev P01 contained within Appendix D the Flood Risk Assessment prepared by Tetra Tech and dated 10 April 2024. Any discrepancies identified shall

be rectified and a verification report by a suitably qualified person shall be submitted to and agreed in writing by the Planning Department to the satisfaction of Rivers Agency prior to the development becoming operational and shall be retained thereafter.

Reason: To ensure that site levels are restored in accordance with the approved Flood Risk Assessment and to safeguard against unacceptable flood risk.

6. Only inert materials shall be used for the infilling of the land.

Reason: To ensure the project is not likely to have a significant effect on any European site by ensuring it proceeds as assessed.

7. Within 6 months of the completion of the works as indicated on the approved plans, 250mm clay and 150mm of, topsoil shall be placed on the site, the land sown in grass seed and reinstated as agricultural land.

Reason: In the interests of visual amenity and to ensure the restoration of the site.

8. Prior to works commencing on site, all existing trees as shown on drawing No. 010 REV P02 (Proposed Landscaping Plan published 29.08.25) as being retained and shall be protected by appropriate fencing in accordance with British Standard 5937:2012 Trees in relation to design, demolition and construction – recommendations. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spreads nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval from the Planning Department.

Reason: To protect the biodiversity value of the site, including protected species.

9. During the first available planting season after the operational use, or as otherwise agreed in writing by the Local Planning Authority, landscaping shall be carried out in accordance with the Proposed Landscaping Plan (Drawing No L0-01 Rev D date stamp received 19th May 2021) and maintained thereafter.

Reason: In the interest of visual and residential amenity.

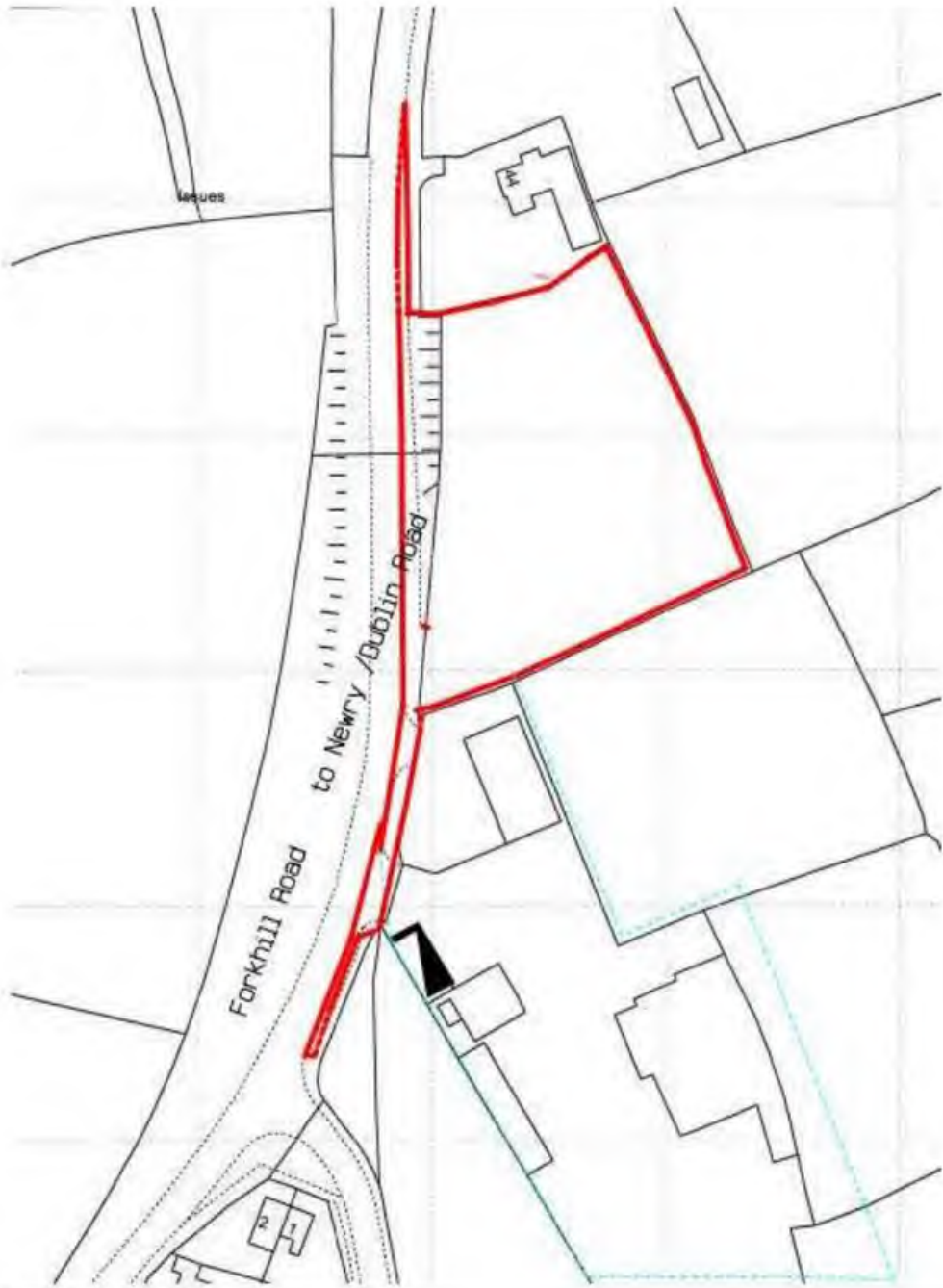
10. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that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

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

standard of landscape.

Delegated Application

Development Management Officer Report	
Case Officer: Joseph McKee	
Application ID: LA07/2025/0897/O	Target Date:
Proposal: Infill site for two dwellings.	Location: Immediately north of 46 Forkhill Road, Cloghoge, Newry, BT35 8LZ
Applicant Name and Address: Patrick Tinnelly 46 Forkhill Road Newry BT34 8LZ	Agent Name and Address: John Cole 12A Duke Street Warrenpoint
Date of last Neighbour Notification:	22 January 2026
Date of Press Advertisement:	24 September 2025
EIA Determination: Screening undertaken, EIA not required	
Consultations: DfI Roads (10.02.26): Stated no objections in principle subject to submission of detailed plans at reserved matters stage. Environmental Health (23.01.26): No objection subject to conditions and informatives. NI Water (24.02.26): No objection subject to appropriate conditions and informatives.	
Representations: No representations either in support of or in objection to the application received.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: The extent to which the application is in accordance with the relevant policy framework.	

Site Visit Report	
Site Location Plan:	
 A site location plan map. A red line outlines a plot of land. To the left of the plot is a road labeled 'Forkhill Road'. Further left, a road is labeled 'to Newry / Dublin Road'. The map shows various buildings, some with numbers (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100). A dashed line indicates a boundary or path. A north arrow is present in the bottom right corner of the map area.	
Date of Site Visit: 16.01.26	
Characteristics of the Site and Area	
The application site is an undeveloped field fronting the eastern side of Forkhill Road.	

The application site shares a common frontage; on the eastern side of Forkhill Road with no. 44 Forkhill Road; an existing dwelling as well as no. 46 Forkhill Road; south of the application site which hosts a commercial enterprise, comprising a three-storey office building along with an associated yard. Further south is the junction between Forkhill Road and Park View; with no's 1 and 2 Park View fronting the junction and Forkhill Road.

The application site is located outside of any defined settlement boundary within the countryside however, at its south-western corner, the site boundary abuts the boundary of the settlement limit of Newtowncloghoge. The site is located within the designated Ring of Gullion AONB.

Description of Proposal

Infill site for two dwellings.

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

Application Number: P/2004/0404/LDE Decision: Permission Granted Decision Date: 21 September 2004

Proposal: Use of land at Forkhill Road Newry for: (1) recycling (2) Storage of scrap (3) resale of material from demolition (4) offices and base for demolition business (5) asbestos transfer station (6) sale of gas products (7) light engineering.

Application Number: P/2007/1463/F Decision: Permission Granted Decision Date: 19 June 2008

Proposal: Construction of new training facility, stores and offices.

Application Number: P/2008/1087/F Decision: Permission Granted Decision Date: 28 May 2009

Proposal: Construction of new Training Facility, Stores and Offices (amended design to planning approval ref: P/2007/1463/F).

Application Number: P/2009/0747/F Decision: Permission Granted Decision Date: 28 May 2010

Proposal: Erection of 22 No dwellings

Application Number: P/2009/0348/F Decision: Permission Granted Decision Date: 19 August 2010

Proposal: Proposed stores and workshop for storage of equipment and repair of equipment and plant.

EVALUATION

Planning Policies & Material Considerations

- Regional Development Strategy 2035 (RDS)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- The Banbridge/ Newry and Mourne Area Plan 2015 (BNMAP)
- PPS 2 - Natural Heritage
- PPS 3 - Access, Movement and Parking
- PPS 7 – Quality Residential Environments
- PPS15 (Revised) - Planning and Flood Risk
- PPS 21 – Sustainable Development in the Countryside
- DCAN 10 (Revised) - Environmental Impact Assessment
- DCAN15 - Vehicular Access Standard
- DOE Parking Standards

Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is the Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. At its south-western corner, the site boundary abuts the boundary of the settlement limit of Newtowncloghoge however the site is located outside of any defined settlement boundary within the countryside.

Strategic Planning Policy Statement for Northern Ireland

Paragraph 1.12 of the SPPS states where the SPPS introduces a change of policy direction and/or provides a policy clarification; that would be in conflict with the retained policy, the SPPS should be afforded greater weight in the assessment of individual planning applications. However, the SPPS does not introduce a change of policy direction nor provide a policy clarification in respect of proposals for residential development in the countryside. Consequently, the relevant policy context is provided primarily by the retained Planning Policy Statement 21, Sustainable Development in the Countryside.

Principle of Development

Policy CTY 1 (Development in the Countryside) of PPS 21 sets out a range of types of development, including housing development, which are in principle acceptable in the countryside and that will contribute to sustainable development.

CTY 8 (Ribbon Development) of PPS 21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will be permitted for the development of a small gap site sufficient only to accommodate up to

a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of the size, scale, siting and plot size etc.

The application site shares a common frontage; on the eastern side of Forkhill Road with no. 44 Forkhill Road; an existing dwelling as well as no. 46 Forkhill Road; south of the application site which hosts a commercial enterprise, comprising a three-storey office building along with an associated yard. Further south is the junction between Forkhill Road and Park View; with no's 1 and 2 Park View fronting the junction and Forkhill Road. Continuing along Forkhill Road, the road bends and a continuous frontage extends in a linear pattern particularly along the south-east side of the road; the same side of the road as the application site.

The context of the application site is that despite the site is wholly within the countryside, outside of any defined settlement limit; part of the site's southern boundary abuts the settlement limit. Noting the existing dwelling further north; no.44 and indeed piecemeal development both residential and commercial further north, the site somewhat reads as within the settlement limit.

The preamble to PPS 21 makes clear that development proposals within settlements and development proposals in the countryside are subject to separate policy considerations. The policy tests applicable to development within settlement limits cannot be relied upon to justify development in the countryside. Consequently, when assessing the proposal, only those buildings and land located within the countryside and relevant to the countryside policy context can be taken into account.

Policy CTY 1 of PPS 21 sets out the types of development that may be considered acceptable in principle in the countryside. Having assessed the proposal against the categories of development listed under Policy CTY 1, it is considered that the proposal does not fall within any of the identified circumstances where development in the countryside would be considered acceptable in principle. As such, the proposal fails to satisfy Policy CTY 1.

The applicant has sought to rely on development located within the adjacent settlement limit in an attempt to demonstrate compliance with Policy CTY 8 relating to ribbon development. However, the site lies outside the settlement limit and must be assessed within its countryside context. The preamble to PPS 21 is clear that settlement and countryside policy areas should not be conflated. Buildings located within the settlement limit form part of the urban area and cannot reasonably be relied upon as frontage development for the purposes of demonstrating compliance with a countryside policy test.

In assessing Policy CTY 8, only those buildings that are located within the countryside and which legitimately form part of the existing roadside frontage can be considered. When development within the settlement limit is excluded from the assessment, there are not a sufficient number of qualifying buildings to establish a substantial and

continuously built-up frontage as required by Policy CTY 8. On this basis, no.46, or buildings fronting the road within the settlement boundary; south of the application site, cannot be included in the application of Policy CTY 8.

Accordingly, the proposal would create or contribute to ribbon development and fails to satisfy the requirements of Policy CTY 8.

For reasons outlined, the principle of the development for this application, is not acceptable and is contrary to Policies CTY 1 and CTY 8 of PPS 21.

CTY 15 – The Setting of Settlements

In addition to the above policy concerns, regard has been had to Policy CTY 15 of PPS 21, which seeks to safeguard the character of the countryside and prevent the erosion of the distinction between built-up areas and the rural area beyond settlement limits.

While the application site immediately adjoins the settlement limit, it remains located within the countryside for planning purposes. The settlement limit represents a deliberate policy boundary separating land considered suitable for urban development from land where development is subject to countryside policies. The proximity of the site to development within the settlement does not alter its countryside status.

The applicant has sought to rely upon buildings located within the settlement limit to demonstrate compliance with Policy CTY 8. However, to do so would undermine the clear distinction between settlement and countryside areas that PPS 21 seeks to maintain. Accepting buildings within the settlement as qualifying frontage development for the purposes of a countryside policy assessment would effectively blur the settlement boundary and diminish its planning purpose.

Policy CTY 15 recognises the importance of retaining the rural character of land beyond settlement limits and resisting forms of development that erode the transition between settlements and the countryside. In this case, the proposal would extend built development beyond the defined settlement limit in a manner that would weaken the visual and policy distinction between the settlement and the surrounding rural area.

Accordingly, the proposal not only fails to satisfy Policies CTY 1 and CTY 8 but is also contrary to the objectives of Policy CTY 15 insofar as it would erode the distinction between the settlement and the countryside and undermine the established settlement boundary.

Access and Parking

This application would result in the formation of new accesses within the central part of the site to serve the proposed dwellings. DfL Roads were consulted on this application and stated no objection subject to conditions and informatives; requiring the reserved matters application to be accompanied by additional detail. Detailed drawings will need

to demonstrate acceptable parking levels in accordance with policy however the principle of proposed new access has been accepted and the development of the site would accord with PPS 3; subject to detail required within the reserved matters application.

PPS15 - Planning and Flood Risk

The application site is not located within a fluvial (river) flood plain nor does the site does not have any surface water flood risk constraints. To this end, the development of the site, accords with PPS 15.

PPS 2 – Natural Heritage

This application is located within the designated Ring of Gullion AONB. Due to this sensitive location, this application was accompanied by a Biodiversity Checklist and an Ecological Statement both completed by ATEC Environmental Consultancy; dated February 2026. This application will result in the removal of some scrub; to ensure the ability to deliver adequate sight lines/visibility splays. The submitted Ecological Statement sets out both a desktop exercise as well as a field study. The Statement concludes that none of the vegetation within the hedges (along site boundaries) were assessed as having significant bat roosting potential and that no evidence of badger activity was identified during the site survey.

The development will involve the removal of species poor, improved grassland assessed as having 'Low' conservation value. An area of scrub along the roadside boundary is stated to likely require removal to accommodate the new access. The removal of this vegetation will be compensated for with new planting with native hedgerow species - the location of new planting will have to be detailed within detailed plans at a reserved matters stage.

It is concluded the proposed development is unlikely to have an impact on foraging, commuting or roosting bats, badgers or smooth newts. However, the scrub along the roadside could be suitable for smaller species of nesting birds. Therefore, in order to avoid potential offences through killing/injury of nesting birds and/or their young and/or the destruction/damage of their active nests, any necessary clearance of vegetation should be undertaken outside the bird nesting season, which runs from 1st March to 31st August inclusive. A condition should be secured to any permission ensuring compliance.

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

CTY 16 – Development Relying on Non-Mains Sewerage

On discussion between the applicant and NI Water, the development would be reliant on septic tank(s) for on-site treatment of foul waste. NI Water were reconsulted and withdrew their original stated objection and recommend the securing of appropriate conditions and informative. Subject to design detail in the subsequent reserved matters application and conditions, the proposed development would accord with this policy. A condition should be included to ensure a copy of a consent to discharge be submitted prior to commencement of the development, this is required to address the treatment plant proposed.

Neighbour Notification Checked

Yes

Summary of Recommendation

The proposal fails Policy CTY 1 as it does not represent a form of development acceptable in principle in the countryside, fails Policy CTY 8 due to the absence of a qualifying ribbon frontage, and is contrary to the objectives of Policy CTY 15 because it would erode the distinction between the settlement and the countryside. Refusal is therefore recommended

Reasons for Refusal

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 Development in the Countryside, of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 Ribbon Development of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not represent a small gap site sufficient only to accommodate up to a maximum of two houses, is dependent on development inside the settlement limits of Newtownclogue and would, if permitted, result in a ribbon of development along Forkhill Road.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY15 The Settling of Settlements of Planning Policy Statement 21, Sustainable Development in the Countryside in that the development would result in the marring of the distinction between the settlement and the surrounding countryside resulting in urban sprawl.

Case Officer Signature:



Date: [REDACTED]
Appointed Officer Signature: [REDACTED]
Date: [REDACTED]

Delegated Application

Development Management Officer Report	
Case Officer: Karen Reid	
Application ID: LA07/2024/1283/O	Target Date:
Proposal: Proposed Erection of Farm Dwelling House and Detached Domestic Garage, Ancillary Site Works	Location: Lands 95 Metres North of No. 11 Lesh Road, Newry, Co. Armagh, Northern Ireland, BT35 6NF.
Applicant Name and Address: G & G Rafferty No. 24 Cullentragh Road Lissummon Newry BT356SD	Agent Name and Address: Barney Mc Kevitt Mourne House 3 Downshire Close Newry BT34 1FD
Date of last Neighbour Notification:	29 March 2025
Date of Press Advertisement:	
EIA Determination: N/A	
Consultations: - DAERA – Confirm the business has been in existence more than 6 years, claims payments and that the proposed site is located on lands for which payments are currently being claimed by the farm business. - NIEA – Refer the Planning Authority to the new DAERA Standing Advice – NED – Single dwellings - DFI Roads – No objections in principle to the application subject to planning conditions. - Environmental Health – No objections in principle to the proposal, informatives provided.	
Representations: No objections or representations have been submitted for consideration.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report	
Site Location Plan:	
	
Date of Site Visit:	
Site Characteristics & Area Characteristics: The application site is located within the rural countryside outside any settlement development limits as defined within the Banbridge, Newry and Mourne Area Plan 2015. The application site is approx. 0.27 hectares in size and comprises part of an existing agricultural field. The site can be access directly from the Lesh Road, and the entrance is defined by a metal farm gate. The existing field entrance is narrow and gradually widens as it open into the larger agricultural field. The western boundary of the site which is the existing field boundary consists of matured vegetation and hedging whilst the northern and eastern boundaries of the site undefined. Two structures are located along the eastern boundary of the wider agricultural field.	
Description of Proposal Proposed Erection of Farm Dwelling House and Detached Domestic Garage, Ancillary Site Works	
Planning Policy & Material Considerations - Banbridge, Newry and Mourne Area Plan 2015 - Strategic Panning Policy Statement for Northern Ireland (SPPS) - Planning Policy Statement 21 - Planning Policy Statement 3 / DCAN 15 - Planning Policy Statement 2 - Building on Tradition	
Planning History: No relevant planning history.	

Objections & Representations:

Two neighbours were notified of the proposal on the 14th of March 2025. The proposal was advertised in the local press on the 25th of February 2026. No objections or representations have been submitted for consideration.

Planning History:

No relevant planning history for the application site.

Consultations:

- *DAERA – Confirm the business has been in existence more than 6 years, claims payments and that the proposed site is located on lands for which payments are currently being claimed by the farm business.*
- *NIEA – Refer the Planning Authority to the new DAERA Standing Advice – NED – Single dwellings*
- *DFI Roads – No objections in principle to the application subject to planning conditions.*
- *Environmental Health – No objections in principle to the proposal, informatives provided.*

Correspondence with Agent / Applicant

Following a site inspection and internal discussion of the application the previous case officer contacted the agent to advise that the department were concerned with the 'buildings' shown on the site location plan in that the department did not consider the structures on site to constitute buildings for the purpose of policy and therefore the proposal is considered contrary to criterion (c) of Policy CTY 10 (PPS 2). A substantive response was received from the Agent on the 27th of August 2025 and this has been considered by the department. and will be assessed within the assessment section of this report.

Consideration and Assessment:

Proposal:

The proposal is an outline application for the erection of a farm dwelling and detached domestic garage with ancillary site works. No floor plans or elevations have been submitted with this application; these would be required at reserved matters stage.

The Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The application site lies outside any settlement limits, as designated within this Plan.

Strategic Planning Policy Statement (SPPS)

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual applications. The SPPS retains policies within existing planning policy documents until such time as a Plan Strategy for the whole of the Council Area has been adopted. It sets out the transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangement must be resolved in favour of the provisions of the SPPS.

As there is no significant change to the policy requirements for the proposal following the publication of the SPPS and it is arguably less prescriptive the retained policies of PPS 2, PPS

3 and PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

PPS 21: Sustainable Development in the Countryside

Policy CTY 1 states a range of types of development which in principle are considered to be acceptable in the countryside. This includes dwellings on a farm if it is in accordance and meets the policy requirements of CTY 10.

Policy CTY 10 – Dwellings on Farms

Policy CTY 10 states planning permission will be granted for a dwelling on a farm where all of the following criteria are met;

(a) the farm business is currently active and has been established for at least 6 years;

The Farm Business ID was allocated in 2004, is a Category 1 Farm, has been in existence for more than 6 years, single farm payments are claimed and the site is under the control of the farm business. It is considered the farm business is both active and established for the requisite period. Criterion A has been met.

(b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and;

The planning history has been investigated throughout the past 10 years using the farm maps supplied by the applicant and online search engines. The information submitted in support of the application is also noted. It is considered no dwellings or development opportunities out-with the settlement limits have been sold off from the farm holding within 10 years and therefore this criterion is met.

(c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:

- demonstrable health and safety reasons; or*
- verifiable plans to expand the farm business at the existing building group(s).*

Following a site inspection, the 'buildings' shown on the site location plan appear to be structures comprising of corrugated metal sheets fixed to a basic timber post framework, one of the buildings is open fronted on the front elevation. The second structure has a gated entrance at one end. These structures are located within the same agricultural field as the proposed site. The department have carefully considered the information submitted by the agent in there supporting statement, however, do not consider that these structures constitute buildings for purposes of policy and as such they cannot be regarded as forming an established group of farm buildings for the purposes of Criterion (c) of Policy CTY 10.

A relevant PAC decision 2019/A0105 considered a similar case with reference to what constituted a building. The PAC decision stated in paragraph 5.7 and 5.8; *(A Copy of this PAC decision has been published on the documents tab)*

'The structure is a corrugated metal arrangement and its structural element comprises timber posts. Whilst the posts have been embedded in concrete, it has no typical foundations or accompanying hard standing...The absence of a formal hard-standing curtilage or typical foundations or indeed any base which links it to the ground in a permanent manner indicates that it is not of a typically permanent construction. The metal cladding, once used for providing shelter is badly weathered and, in several places, warped and worn away. Whilst the structure has been present at the site over a reasonable timescale, it is currently in a ruinous state'

'While the structure is fixed to the ground by fence posts, none of the external or internal walls are attached to the ground or are load bearing. Therefore, the only elements of the structure which make contact with the ground are the posts themselves. These are grounded in concrete to provide support to the structure providing a degree of physical attachment, but it could be dismantled easily. As alluded to above, the mere fact that something has been on land over time with a degree of physical attachment does not necessarily make it a building and for reasons given, the subject structure cannot be regarded as a building under the policy'



Figure 1 Images of structures taken during site visit 06/06/2025

Policy CTY 10 further states that, in exceptional circumstances, consideration may be given to an alternative site on the farm where there are no other suitable locations available at an existing group of buildings on the farm or an out-farm, provided one of two additional criteria is satisfied (relating to health and safety reasons or verifiable plans to expand the farm business). No substantive evidence has been submitted to engage this element of the policy. It has not been demonstrated that the proposed dwelling would be visually linked to or cluster with an established group of buildings on the farm, and the proposal does not qualify as an exceptional case. Accordingly, it is considered that Criterion (c) of Policy CTY 10 is not met, as the proposed dwelling would not suitably cluster with an established group of farm buildings. The proposal therefore fails to comply with Policy CTY 10.

Building on Tradition Design Guide

The development of a farm dwelling must also satisfy the integration policies of CTY 13 and CTY 14 as well as ribboning Policy CTY 8. Para 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' a Sustainable Design Guide for the Northern Ireland Countryside is taken into account in assessing all development proposals in the countryside. Supplementary guidance on the assessment of farm dwellings advises that new buildings should be positioned sensitively so as to form an integral part of that building group, or

when viewed from surrounding vantage points, the new building reads as being visually interlinked with those buildings.

CTY 8: Ribbon Development

Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Para 5.32 set out that 'ribbon development' is detrimental to the character, appearance and amenity of the countryside. It creates and reinforces a built-up appearance to roads, footpaths and private laneways and can sterilise back-land development. The application site sits adjacent and west of Lissummon GFC which includes a Club House and pitch which have frontage onto the Lesh Road. The proposed dwelling and garage would, if approved, add to this existing ribbon of development which is contrary to Policy CTY 8.

CTY 13 – Integration and Design of Buildings in the Countryside

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

- (a) it is a prominent feature in the landscape; or
- (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
- (c) it relies primarily on the use of new landscaping for integration; or
- (d) ancillary works do not integrate with their surroundings; or
- (e) the design of the building is inappropriate for the site and its locality; or
- (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
- (g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

In assessing the above, it is considered that a suitably designed dwelling could not integrate into the site and would become a prominent feature within the existing landscape. The site forms part of an agricultural field and while the site has some established natural boundaries to the west, the northern and eastern boundaries are undefined. The proposal would therefore rely primarily on the use of new landscaping for integration. As this is an outline application ancillary works and the design of the building would be assessed at Reserved Matters stage. The proposal fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop. As the application relates to a proposed dwelling on a farm criterion (g) is also triggered. As set out above, the department considers that there are no existing established buildings on or adjacent to the site to enable such clustering. Consequently, the proposed dwelling would appear as an isolated structure, visually detached from any building group. The lack of integration would result in the dwelling appearing as a standalone and prominent feature within the landscape, failing to blend with its surroundings and thereby detracting from the rural character of the area. The proposal is therefore considered contrary to Criterion A, B,C,F and G of CTY 13.

CTY 14 – Rural Character

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

- (a) it is unduly prominent in the landscape; or
- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
- (c) it does not respect the traditional pattern of settlement exhibited in that area; or

- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

As noted above the application site is located within a larger open agricultural field resulting in limited enclosure and a lack of established natural boundaries. This would cause the development to appear unduly prominent in the landscape and prevent it from interrogating successfully into its rural surroundings. The application site is adjacent and west of Lissummon GFC, this includes a Club House and pitch which have frontage onto the Lesh Road. The proposed dwelling and garage if approved would result in a suburban style build-up of development. The traditional pattern of development in the vicinity are detached dwellings, neighbouring properties are set back from the public road, the proposal would respect the traditional pattern of development exhibited in the area. As previously set out in this report, the proposed dwelling and garage would, if approved, add to an existing ribbon of development. As previously set out, the proposed ancillary works would be assessed at reserved matters stage. The proposal is therefor considered contrary to Criterion A, B and D of CTY 14.

CTY 16: Development Relying on non-mains sewerage

Following consultation with NIEA the Planning Authority are referred to DAERA Standing Advice – Single Dwellings. The application complies with Policy CTY 16. A condition should be included to ensure a copy of a consent to discharge be submitted prior to commencement of the development.

Residential Amenity

The nearest neighbouring residential property is No 11 Lesh Road located south of the application on the opposite side of the public road. It is considered that there is ample curtilage space for a dwelling to be sites on without impacting on neighbouring amenity, and case officers are satisfied that plans could be submitted at any subsequent RM stage which would achieve an acceptable separation distance between the proposed site and neighbouring properties, which would avoid unacceptable overlooking, overshadowing or loss of light.

Environmental Health were also consulted as part of this application as the proposed dwelling is located in close proximity to an existing GAA club facility, Lissummon GFC, which operates with floodlighting. As such, future residents may be exposed to noise from club activities and to obtrusive light from the floodlights. Environmental Health have no objection in principle to the proposal, however, at the subsequent planning stage Environmental Health requests that the applicant submits a Lighting Impact Assessment prepared by a suitably qualified lighting professional. The assessment must quantify likely light levels at the proposed dwelling (including vertical illuminance at façades and within private amenity areas, and potential glare) and demonstrate compliance with the Institution of Lighting Professionals. The applicant may wish to consider screening and/or design features to the rear of the property, to minimise potential loss of amenity to this property from the neighbouring GAA playing field. Advice should be sought from an acoustic consultant with respect to suitable glazing and if necessary acoustic ventilation to ensure suitable internal acoustic design targets are met.

PPS 3: Access, Movement and Parking

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

A consultation response from DFI Roads indicates no objections to the proposal subject to conditions.

PPS 2: Natural Heritage

Policy NH 5 - Habitats, Species or Features of Natural Heritage Importance Policy NH 5 of PPS 2 provides the planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impacts or damage to known, priority habitats, species or other features of natural heritage importance. This includes species protected by law. Following a site visit, there is no evidence of any impact on species protected by law or Habitats, Species or Features of Natural Heritage Importance and therefore the proposal is considered consistent with policy NH2 and NH5.

Summary: All information submitted has been duly considered throughout the assessment and processing of this application. On the basis of this assessment, refusal is recommended.

Neighbour Notification Checked

Yes/No

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 Development in the Countryside, of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside in that, the building is not visually linked or sited to cluster with an established group of buildings on the farm.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, add to a ribbon of development along the Lesh Road and does not represent an exception to policy.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 13 Integration and Design of Buildings in the Countryside, of Planning Policy Statement 21 Sustainable Development in the Countryside, in that:
 - the proposed development would be a prominent feature in the landscape,
 - the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape
 - the proposal relies primarily on the use of new landscaping for integration

- it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop - it is not visually linked or sited to cluster with an established group of buildings on a farm. 5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14, Rural Character of Planning Policy Statement 21 Sustainable Development in the Countryside, in that: - The new dwelling will unduly prominent in the landscape - it results in a suburban style build-up of development when viewed with existing and approved buildings - It adds to a ribbon of development
Case Officer Signature: K. Reid Date: 07/05/2026 Appointed Officer Signature:A Loughan Date:08/05/2026

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

Group decision:

D.M. Group Signatures

Date _____

Committee Application

Development Management Officer Report	
Case Officer: Karen Reid	
Application ID: LA07/2024/0308/O	Target Date:
Proposal: Proposed 2 storey dwelling house with half basement to rear of 8 Hospital Road.	Location: TO THE REAR OF 8 HOSPITAL ROAD CARNAGAT NEWRY BT35 8PW
Applicant Name and Address: Joann O'Hanlon 20 Slievenagarragh Hilltown BT34 5BF	Agent Name and Address: Michael J Delahunt 4 Elmgrove Rathfriland Road Newry BT34 1GZ
Date of last Neighbour Notification:	18 December 2024
Date of Press Advertisement:	9 October 2024
ES Requested: No	
Consultations: - DFI Roads – No objection subject to planning condition - NI Water – Approved with standard planning condition - Historic Environment Division (HED) - (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. - Environmental Health (Newry, Mourne and Down district council) – Have no objections to this proposal - NIEA – WMU – Refer the Planning Authority to DAERA – Standing Advice – Single Dwellings.	
Representations: No objections or representations have been submitted for consideration.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report

Site Location Plan:



Date of Site Visit: 19/02/2025

Site Characteristics & Area Characteristics:

The application site is located in an urban area within the settlement development limits of Newry. The site is also located directly adjacent to land zoned for housing (NY 30) as set out within the Banbridge, Newry and Mourne Area Plan 2015.

The site itself is a vacant area of land to the rear of No 8 Hospital Road, Newry. Access to the site is currently afforded through the curtilage of No 8. The application is set on a sloping site which rises sharply from east to west. The surrounding location is characterised by semi-detached and detached dwellings fronting onto the Hospital Road, with Daisy Hill Hospital located within close proximity.



Images taken during site inspection 19/02/2025

Description of Proposal

Proposed 2 storey dwelling house with half basement to rear of 8 Hospital Road.

Planning Policies & Material Considerations:

- Banbridge, Newry and Mourne Area Plan (2015)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- PPS2 – Natural Heritage
- PPS 3 – Access, Movement and Parking
- DCAN 5 – Vehicular Access Standards.
- Parking Standards
- PPS 6 – Planning, Archaeology and Built Heritage
- PPS 7: Quality Residential Environments
- Addendum to PPS 7: Safeguarding the Character of Established Residential Areas
- Planning Policy Statement 12 – Housing in Settlements
- Creating Places

Planning History:

Planning Reference: P/1974/0791

Proposal: Proposed Improvements to Dwelling House

Decision: Approved

Planning Reference: P/1977/0352

Proposal: Proposed Site of Confectionary Shop

Decision: Refusal

Consultations:

- DFI Roads – No objection subject to planning condition
- NI Water – Approved with standard planning condition
- Historic Environment Division (HED) - (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.
- Environmental Health (Newry, Mourne and Down district council) – Have no objections to this proposal
- NIEA – WMU – Refer the Planning Authority to DAERA – Standing Advice – Single Dwellings.

Objections & Representations:

Four neighbours were initially notified of the proposal on the 27th of September 2024. These four neighbours were there re-notified on the 4th of December 2024. A further eight neighbours were also initially notified on the 4th of December 2024. The proposal was also initially advertised in the local press on the 30th of April 2024 and the 1st of May 2024 and then re-advertised on the 8th and 9th of October 2024. No objections or representations have been submitted for consideration.

Consideration and Assessment:

Correspondence with Agent / Applicant:

Following a site inspection, review of the case and internal group discussion an email was issued to the Agent on the 20th of March 2025 setting out that the proposal was considered contrary to

PPS 7 and the Addendum to PPS 7. No additional information has been submitted by the Agent for consideration.

Proposal:

The proposal is an outline application for the erection of a detached two-storey dwelling with a half basement to the rear. The Agent / Applicant has indicated on the P1 Form that the External Appearance and Landscaping is to be reserved for subsequent approval and more details plans would be required at reserved matters stage.

The proposed layout is shown below;



Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP) so far as material to the application and to any other material considerations. The application site is currently within the settlement limits of Newry as designated within the Banbridge, Newry and Mourne Area Plan 2015. The site is un-zoned. There are no specific policies in the Plan that are relevant to this proposal therefore this application will be assessed against regional planning policy.

Strategic Planning Policy Statement for Northern Ireland (SPPS)

As there are no significant change to the policy requirements for residential development following publication of the SPPS, the retained planning policy is PPS 7, PPS 7 (Addendum), PPS 3, PPS 12 and other relevant guidance. This Policy will be given substantial weight in determining the proposal in accordance with paragraph 1.12 of the SPPS.

Planning Policy Statement 7 – Quality Residential Environments:

Decisions regarding planning applications within settlement limits are assessed against PPS 7. Planning Permission will only be granted for a new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

All proposals for residential development must conform to the criteria noted within Policy QD1 – Quality in New Residential Development:

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

The proposal while outline has submitted a site layout with floor plans and elevations to demonstrate how a dwelling at this location could be accommodated. The plans show a detached two storey split-level building orientated towards the public road and the rear of No 8 Hospital Road. It is noted that there is a mix of development exhibited along the Hospital Road with the immediate area being two-story detached and semi-detached dwellings. As shown in the site location plan these neighbouring properties are set in modest plot sizes. The area is highly residential with houses to the north and south and the 'Stoney Hill' housing development located to the rear of the site which includes semi-detached dwellings and apartment blocks. The proposal seeks to erect a two-storey split level dwelling to the rear of No 8 Hospital Road, the construction will involve the creation of a new driveway to the side and rear of No 8. In order to accommodate the steep slopes on site retaining walls are also proposed to be provided to the new driveway and dwelling house.

It is considered that the proposed dwelling at this location would be inappropriate to the character and topography of the site in terms of plot size, layout, scale and proportions. The siting of the proposed dwelling to the rear of No 8 would appear out of place with the pattern of development exhibited along the Hospital Road. Further, the scale of the proposed two-story dwelling is not considered appropriate for the site. In order to accommodate this on the site extensive land reshaping and the use of prominent retaining structures would be required given the topography of the sloping site. These are considered unacceptable as they would be visually intrusive and inappropriate to the character of the area.

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

The application site is located within an archaeological site and monument consultation zone. Following consultation with HED, it has been confirmed that the proposal is satisfactory to SPSS and PPS 6 Archaeological policy requirements.

- (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;*

Creating Places provides a figure that private amenity space for family sized homes should be around 70 sq/m or greater for back garden provision. The site layout plan indicates a level of private open space which exceeds the minimum requirements. Given the scale of the proposed development, there is no requirement for the provision of public open space.

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

Given the nature, location and scale of the proposal, there is no requirement for the applicant to provide local neighbourhood facilities nor will any existing facilities be impacted upon as a result of this 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;*

The site is located within the settlement limit, there are no issues with regards to walking and cycling and provision for public transport is already in place within close proximity, this development will not impact on the existing arrangements.

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

The requirement for adequate provision for parking is also set out in Policy AMP 7 of PPS 3. The site layout plans provided show an attached garage on the ground floor of the proposed dwelling which would provide in curtilage parking for one vehicle. An additional vehicle could also be parked to the front of the property, where there is a level area with sufficient space for access and turning arrangements, this is considered acceptable.

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

As this is an outline application, the design and external appearance of the dwelling would be assessed at Reserved Matters stage.

- (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*

The site does not create conflict with adjacent residential land uses. It is considered that the proposed dwelling on this site would have an unacceptable and adverse effect on the amenity of the existing dwelling No 8 Hospital Road. Given the topography of the site with the land sloping gradually from east to west, any new dwelling located within the application site will sit at a higher level than No 8 and would result in some level of overlooking, particularly over the rear amenity area of No 8. Further, there is the potential for overshadowing/ loss of light from the prominent retaining structures that are required to accommodate a dwelling on the site. The proposed layout would also result in potential traffic disturbance to the neighbouring dwelling No 8, given the shared entrance and how close the proposed driveway is to the rear elevation.

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

The proposal is for a dwelling within a built-up urban area with passive surveillance surrounding the area.

The proposal is considered unacceptable in that it does not comply with all of the criteria outlined above.

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

Policy LC 1 - Protecting Local Character, Environmental Quality and Residential Amenity

Policy LC 1 is an amplification of Policy QD 1 and is intended to strengthen existing policy criteria to ensure that the quality of these areas is maintained, if not enhanced. This approach, together with existing policy in PPS 7, is supplemented by the provisions of PPS 12 'Housing in Settlements' (published July 2005). Planning Control Principle 1 'Increased Housing Density without Town Cramming' advises that: *'When considering an increase in housing density in established residential areas, great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents'*.

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

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

It is not considered that the proposed density would be significantly higher than that found in the surrounding area. However, it is considered that the proposal would appear out of place with the pattern of development exhibited along the Hospital Road. The scale of the proposed two-story dwelling is not considered appropriate for the site and the extensive land reshaping and use of prominent retaining structures are considered to be visually intrusive and out of keeping with the overall character and environmental quality of the established residential area.

The proposal is considered unacceptable in that it does not comply with all of the criteria outlined above.

PPS 3 – Access, Movement and Parking

Policy AMP 2 - Access to Public Roads

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

The proposal involves the alteration of an existing access on the Hospital Road. DfI Roads were consulted on this application and have no objections in principle to the proposal subject to conditions and the submission of detailed plans at Reserved Matters stage.

Policy AMP 7 - Car Parking and Servicing Arrangements

Policy AMP 7 of PPS 3 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the Department's published standards. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic.

Parking Standards (2005) sets the required amount of parking to be provided for each type of development. In accordance with Table 8 of Parking Standards, a minimum of 2.5 in curtilage parking spaces would be required to serve a 3-bedroom detached dwelling. The indicative plan shows a driveway to the front of the property and an internal garage on the ground floor which would provide in curtilage car parking space along with sufficient access and turning arrangements, this is considered acceptable. DfI Roads were consulted on this application and have no objections.

Provision of services

As indicated on the P1 application form, the proposal seeks to make use of the mains sewage network to treat foul waste. NI Water were consulted on the application and offered no objections subject to standard planning conditions.

Planning Policy Statement 6 – Planning, Archaeology and Built Heritage

The application site is within an Archaeological site and monument consultation zone. A consultation was issued to Historic Environment Division (HED) who advised Historic Environment Division (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

PPS 2 – Natural Heritage

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

A completed Biodiversity Checklist was submitted as part of the application. The checklist found that the proposed development would likely have no adverse effect on any biodiversity and natural heritage interests and that no further ecological assessments or surveys were required. Having reviewed the Biodiversity Checklist and undertaken a site inspection the department are satisfied that no further natural heritage assessment is required.

Neighbour Notification Checked	Yes
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Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposed development is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality

Residential Environments' part (a) in that the proposed dwelling fails to respect the surrounding context and is inappropriate to the character and topography of the site in terms of plot size, layout, scale and proportions.

2. The proposed development is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality Residential Environments' part (h) in that the proposal would, if permitted result in an unacceptable adverse effect on the existing property No 8 Hospital Road in terms of overlooking, loss of light and overshadowing.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy LC1 of the Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, part (b) as the pattern of development is not in keeping with the overall character and environmental quality of the established residential area.

Case Officer Signature: K. Reid

Date: 21/10/2025

Appointed Officer Signature: Annamarie Loughan

Date: 21/10/2025

Addendum:

This Addendum is supplementary to the above Case Officers Report signed 21st of October 2025. The report for application LA07/2024/0308/O appeared on the weekly list dated the 27th of October 2025 recommended as a refusal. The application was subsequently discussed at call in panel on the 25th of November 2025. The application was deferred to allow for the amendment of the application description to remove the 2-storey element, with subsequent neighbour notifications to be issued to allow for a valid application. With regard to this application, despite having appeared on a weekly list and been recommended, it remains a live application and the Planning Department can assess further.

On the 18th of February 2026 the Agent submitted an amended P1 application form changing the description of the proposal to 'Proposed site for dwelling and carport.'. The Agent also submitted a supporting statement and concept plan for information purposes only.

Objections & Representations:

Twelve neighbours were re-notified of the proposal on the 18th of February 2026 following the submission of new material including an amended description. The proposal was also re-advertised in the local press on the 3rd and 4th of March 2026. No objections or representations have been submitted for consideration.

Consultations:

No further consultations were required.

Consideration and Assessment:

The proposal is an outline application for the erection of a dwelling and carport. The applicant's agent submitted a supporting statement and concept plans for consideration on the 18th of February 2026 which appear to show a dwelling that is split level in design.

Following consideration of the new material submitted the departments opinion remains that a proposed dwelling at this location would be inappropriate to the character and topography of the site in terms of plot size, layout, scale and proportions. The siting of the proposed dwelling to the rear of No 8 would appear out of place with the pattern of development exhibited along the Hospital Road. Further, whilst the agent has set out in the supporting statement that *'Constructing a car port essentially masks the retaining structure that would otherwise have been required along the western part of the parking area'* the department consider that in order to accommodate any dwelling on the proposed site extensive land reshaping and the use of prominent retaining structures would still be required given the topography of the sloping site. These are considered unacceptable as they would be visually intrusive and inappropriate to the character of the area.

The departments concerns also remain in that it is considered that a proposed dwelling on this site would have an unacceptable and adverse effect on the amenity of the existing dwelling No 8 Hospital Road. Given the topography of the site with the land sloping gradually from east to west, any new dwelling located within the application site will sit at a higher level than No 8 and would result in some level of overlooking, particularly over the rear amenity area of No 8. Further, whilst this is an outline application the most recent indicative plans submitted include a car port located close to the rear of No 8 which has the potential for overshadowing/ loss of light. The indicative layout would also result in potential traffic disturbance to the neighbouring dwelling No 8, given the shared entrance and proximity of the driveway and carport to the rear elevation.

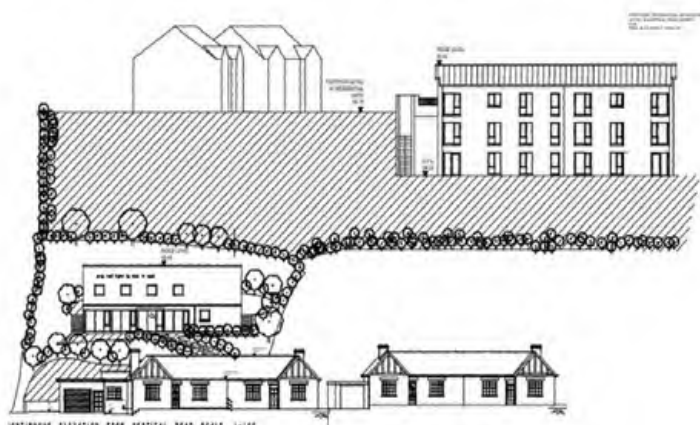


Figure 1 Contiguous Elevation from Hospital Road

Having assessed the amendments to the proposal against relevant policy I am satisfied that the recommendation of a refusal remains unchanged. The proposal remains contrary to Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality Residential Environments' part (a) & (h) and Policy LC1 of the Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, part (b).

Reasons for Refusal:

- 1.The proposed development is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality Residential Environments' part (a) in that the proposed dwelling fails to respect the surrounding context and is inappropriate to the character and topography of the site in terms of plot size, layout, scale and proportions.
- 2.The proposed development is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality Residential Environments' part (h) in that the proposal would, if permitted result in an unacceptable adverse effect on the existing property No 8 Hospital Road in terms of overlooking, loss of light and overshadowing.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy LC1 of the Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, part (b) as the pattern of development is not in keeping with the overall character and environmental quality of the established residential area.

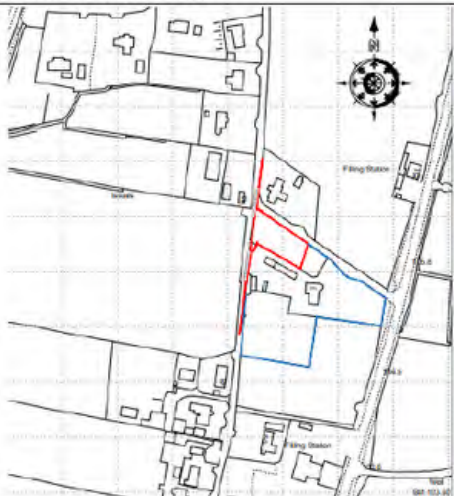
Case Officer Signature: K Reid

Date: 18/03/2026

Appointed Officer Signature: Annamarie Loughan

Date:19/03/2026

Development Management Officer Report	
Case Officer: Sorcha O'Beirne	
Application ID: LA07/2025/0762/O	Target Date: 04/11/2025
Proposal: Erection of an infill dwelling with detached domestic garage, site access, ancillary site works and associated landscaping.	Location: Lands Approximately 25m South of No. 58 Newtown Road, Newtowncloghoge, Newry, Co. Armagh, BT35 8RJ
Applicant Name and Address: Gabriel McEvoy 255 Dublin Road Killeen Newry BT35 8RL	Agent Name and Address: Barney Mc Kevitt Mourne House 3 Downshire Close Newry BT34 1FD
Date of last Neighbour Notification:	01/09/2025 & 26/03/2026
Date of Press Advertisement:	05/08/2025 & 06/08/2025 12/04/2026 & 13/04/2026
ES Requested: No	
Consultations: DFI Roads – DFI Roads has no objections in principle to this proposal subject to submission of detailed plans at reserved matters stage.	
Representations: Neighbours were notified on 01/09/2025 and re-neighbour notify on 26/03/2026. The application was published 05/08/2025 & 06/08/2025 and re-advertised 12/04/2026 & 13/04/2026. 1 objection was received on 10/09/2025.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: The objection stated the following concerns: - Privacy and overlooking - Light pollution - The increase of development in the surrounding area	

Site Visit Report	
Site Location Plan:	
 	
Date of Site Visit: 05/09/2025	
Characteristics of the Site and Area The proposed site consists of a paddock field along the Newtown Road. It is located within the ward of Fathom, outside any settlement limits as defined within the Banbridge / Newry and Mourne Area Plan 2015 and designated as an AONB. The surrounding area contains a mixture of rural housing and agricultural fields. The area has become increasingly built up in the recent years. The character of surrounding area is predominantly 1 and half or single storey detached houses with traditional design elements found in the countryside dispersed along Newtown Road. The site has a Road and residential dwellings located towards the North, dwelling houses are located beyond the Northern boundary, an agricultural field is located to the West and outbuildings are situated to the South. The Newtown Road is found along the Western boundary. The site has a block wall along the Southern boundary and mature vegetation or post and wire fencing along the remaining curtilage boundaries.	
Description of Proposal Erection of an infill dwelling with detached domestic garage, site access, ancillary site works and associated landscaping.	
Planning Assessment of Policy and Other Material Considerations Planning Policy Banbridge / Newry and Mourne Area Plan 2015 Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning Policy Statement 21 – Sustainable Development in the Countryside Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15 Planning Policy Statement 2 – Natural Heritage Building on Tradition Planning History No on site planning history	

Consideration and Assessment:

Banbridge/ Newry & Mourne Area Plan 2015

Section 45(1) of the Planning Act (Northern Ireland) 2011 requires all planning applications to take the Local Development Plan into regard, so far as material to the application, and to any other material consideration. 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 proposed development is located outside the settlement limit, situated in the countryside.

Strategic Planning Policy Statement (SPPS)

As there is no significant change to the policy requirements for the proposal following the publication of the SPPS and it is arguably less prescriptive; the retained policies of PPS 8 and PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

Principle of Development

Policy CTY 1 of PPS 21 is titled 'Development in the Countryside'. It states that there are a range of development types considered acceptable in principle in the countryside, and that will contribute to the aims of sustainable development. One of these is for the development of a small gap site within an otherwise substantial and continuously built-up frontage in accordance with Policy CTY 8.

Policy CTY 8 of PPS 21 is titled 'Ribbon Development'. It states that planning permission will be refused for a building which creates or adds to a ribbon of development. It continues to say that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and, provided these respects the existing development pattern along the frontage in terms of size, scale, siting, and plot size and meets other planning and environmental requirements. For the purpose of this policy, the definition of a substantial and continuously built-up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear.

The first step in determining whether the proposal constitutes an exception in accordance with Policy CTY 8 is to determine whether there is a substantial and continuously built-up frontage (SCBUF).

In the context of the site working from North to South; there is No. 58 Newtown Road (a two storey dwelling and domestic garage to the rear). The dwelling itself has dual frontage onto both Newtown Road along No 58's Western boundary and the Southern Boundary. To the South of the site, there are a couple of outbuildings fronting onto the Newtown road, these are in front of the residential dwelling of Kilean house, 255 Dublin Road. This is followed by a site consisting of hardstanding and a container unit. For the purposes of this initial test, whilst there are 2 or more existing buildings along this road frontage, the frontage is broken by Newtown Road, which lies between the site and No 58 Newtown Road. As such, the proposal is relying on two separate road frontages to meet the exception to ribbon development. This does not equate to a "*substantial and continuously built up frontage*" as required by policy.

The Planning Authority sent an email on 19/03/2026 notifying the agent of the recommended refusal on the basis of a break in road frontage, a rebutal was submitted on the 01/07/2026. A supporting statement referenced a number of similar applications:

- LA07/2022/2171/F – This application does not exist however, I found LA07/2023/2171/F, I believe this is the application the agent reviewed with a minor typo. This application was

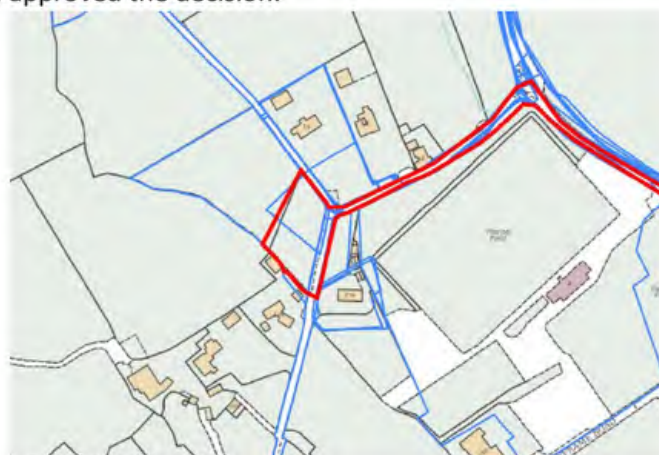
processed as a refusal by the case officer due to the frontage required for the application was broken by Mountain Road and that the applicant was relying on two separate roads to create a gap site. Council approved the decision.



- LA07/2020/1103/O – This application was refused by the case officer due to “the Drumill Road (a two lane public road) breaks the frontage between Carrig Place and the proposed site”. This application differs to the proposed application as the this specific site is not directly linked to 2 road frontages. Council approved the decision.



- LA07/2022/0243/F – This application was a refusal by the case officer due to the private laneway not creating a continuous frontage and would be reliant on buildings along two frontages. Council approved the decision.



These applications have been thoroughly reviewed and reflected on by the case officer. Each application will be considered on its own merits and facts to this site.

In regards to this particular site, an objection from a neighbouring site has been raised with concerns with the substantial development that has occurred within the locality of this site. A site visit demonstrated that road is not a private laneway but a public road that visually creates a substantial gap separating the 2 road frontages. This creates a concern that not only will the road provide a visual break from the transients views along the North/ South direction but the site will also be prominent when travelling along the Eastern/Western direction.



Figure 1 : Image to demonstrate the road gap between the site and building, this image was taken 2009 as to most likely demonstrate the gap, the vegetation will mostly likely need to be removed along the road in order to incorporate splays.

The first test of CTY 8 has not been met. CTY 8 also requires proposals to respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. In assessment of this Officers note that the building to building gap between No 58 and the closest outbuilding to the South is approx 50m. In assessment of the frontages typical along this section of Newtown Road, Officers note that there is an average of approx. 35.6m between the 3 neighbouring frontages. While assessment of infill is a visual test and not a mathematical exercise, such measurements do inform the assessment. The proposed site has a frontage of approx 30m. This is slightly smaller than the average, however visually it would not be an unduly size difference. The sqm of the 2 neighbouring sites is approx 2509sqm (No.58) 1565 (Outbuildings to South), the sites measures at approx 1411 sqm. When considering the surrounding area a variety of house types are present, all of which are detached dwellings with slightly larger plot sizes, however, it would not be a drastic size difference and therefore in terms of the scale and size of the plot, the department consider that a small single storey detached dwelling would respect the existing development pattern. However due to the gap in the frontage it is deemed that the overall proposal does not meet CTY 8 of PPS 21.

It is established that the application site does not sit within a substantial and continuously built up frontage and therefore does not qualify as an exception to CTY8, rather its development as proposed, would result in the addition of ribbon development along this road frontage. The site provides a visual break in the developed appearance of this locality, which is evidently already eroded by ribbon development. As the site does not merit a small gap within an otherwise substantial and continuous frontage, with infilling of this site should not be permitted, in accordance with para 5.34 CTY8.

Policy CTY8 also requires that infill dwellings meet other planning and environmental requirements. Paragraph 6.70 of the SPPS confirms that "All development in the countryside must integrate into its

setting, respect rural character and be appropriately designed." These considerations must be assessed under policies CTY13 and CTY14 of PPS21.

Impact on the Character of the Surrounding Area

The application site has a low stone wall and mature vegetation surrounding the curtilage of the site which will aid in development on the site to be integrated and not visible from the Newtown Road. It would be required to retain the mature vegetation or trees to meet policy CTY 13. The design aspect would be decided on at the reserved matters stage. It is considered that due to the application site not having a continuous frontage that development on the site would accumulate to the suburban style build-up of development when viewed with existing buildings, therefore, due to the gap in the frontage it would add to ribbon development.

It is therefore considered that the proposal would have a negative impact on the character and appearance of the surrounding location, contrary to the requirements of policy CTY 13 and 14 of PPS 21 and is not acceptable in this instance.

Amenity

The closest dwellings to the application site are 255 Dublin Road and 58 Newtown Road. However, as outlined above, the proposal does not comply with the requirements of Policy CTY8, and therefore the principle of development cannot be supported on this site. One objection was received from a neighbouring resident. In terms of residential amenity, they had concerns regarding privacy and overlooking and light pollution. A site visit demonstrated that the Northern boundary has mature vegetation and hedgerow, which should be conditioned to remain in order to aid integration and privacy of neighbouring dwellings. A condition for a ridge height restriction would also be added to aid in retaining the character of the surrounding buildings and to avoid overlooking. Design elements will be considered during the RM stage. In terms of light pollution, due to the proposed scale of development it is considered that a single residential dwelling would not have an undue on light pollution in the surrounding area.

Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15

AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to a new access onto a public road. The proposal involves the adaption of the existing access onto Newtown Road of No 255. DFI Roads have been consulted and are content with the proposal with conditions attached.

Planning Policy Statement 2 NH5 - Habitats, Species or Features of Natural Heritage

Following a site inspection, an email was sent to the agent on the 05/11/25 requesting the submission of a Biodiversity checklist and an ecologist survey was received on 08/12/2025. It stated that there would be no adverse effect on ecology or habitats.

On this basis it has not been demonstrated that the proposal safeguards the protection of any European or National protected species or that the exception clause has been engaged or suitable mitigation has been proposed as required by policy NH 2 of PPS 2.

Policy NH 5 of PPS 2 sets out planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known priority habitats. Similarly, in the absence of the necessary ecological information, it has not been demonstrated that priority species or habitats that may be associated with the site are safeguarded from any adverse impact or damage caused by the proposal. Mitigation or compensatory measures have also not been provided rendering the application contrary to policy NH 5 of PPS 2.
Neighbour Notification Checked - Yes
Summary of Recommendation:
Refusal
Reasons: For the reasons stated above, the principle of development for an infill opportunity on the application site has not been established and therefore it is recommended to refuse outline planning permission. 1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement. 2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the addition to ribbon development along Newtown Road and is not considered to represent an exception to the policy. 3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: - the development would result in a suburban style build-up of development when viewed with existing and approved buildings; - the development adds to a ribbon of development
Case Officer Signature: Sorcha O'Beirne
Date: 26/06/2026
Appointed Officer Signature: A Loughan
Date: 16 July 2026

Development Management Officer Report	
Case Officer: Sorcha O’Beirne	
Application ID: LA07/2025/1466/O	Target Date: 10/03/2026
Proposal: Dwelling & detached garage.	Location: Adjacent & W of No.25 Derrywilligan Road, Newry, BT35 6JU
Applicant Name and Address: Alan Milne 245 Armagh Road Newry BT35 6NL	Agent Name and Address: Brendan Starkey 1st Floor - River House 48-60 High Street Belfast BT1 2BE
Date of last Neighbour Notification:	21/04/2026
Date of Press Advertisement:	10/12/2025
ES Requested: No	
Consultations: DFI Roads – DFI Roads has no objections in principle to this proposal subject to submission of detailed plans at reserved matters stage.	
Representations: Neighbours were notified on 21/04/2026. The application was published 10/12/2025. No objections were received.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report	
Site Location Plan:	
	
Date of Site Visit: 21/05/2026	

Characteristics of the Site and Area

The proposed site consists of an agricultural field along the Derrywilligan Road. It is located within the ward of Whitecross, outside any settlement limits as defined within the Banbridge / Newry and Mourne Area Plan 2015.

The surrounding area contains a mixture of rural housing and agricultural fields. Adjacent to the site is a commercial business unit. The character of surrounding area is predominantly 2 storey detached houses with traditional design elements found in the countryside dispersed along Derrywilligan Road. The Derrywilligan Road is found along the Southern boundary, to the East is a residential dwelling and beyond the Northern and Western boundary are agricultural fields. The sites boundaries includes a mixture of mature vegetation or post and wire fencing along the curtilage boundaries.

Description of Proposal

Dwelling & detached garage.

Planning Assessment of Policy and Other Material Considerations

Planning Policy

Banbridge / Newry and Mourne Area Plan 2015

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Planning Policy Statement 21 – Sustainable Development in the Countryside

Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15

Planning Policy Statement 2 – Natural Heritage

Building on Tradition

Planning History

No site specific planning history.

Consideration and Assessment:

Banbridge/ Newry & Mourne Area Plan 2015

Section 45(1) of the Planning Act (Northern Ireland) 2011 requires all planning applications to take the Local Development Plan into regard, so far as material to the application, and to any other material consideration. The site is currently within the remit of the Ards and Down Area Plan 2015 as the new council has not yet adopted a Local Development Plan. The proposed development is located outside the settlement limit, situated in the countryside.

Strategic Planning Policy Statement (SPPS)

As there is no significant change to the policy requirements for the proposal following the publication of the SPPS and it is arguably less prescriptive; the retained policies PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

Principle of Development

Policy CTY 1 of PPS 21 is titled 'Development in the Countryside'. It states that there are a range of development types considered acceptable in principle in the countryside, and that will contribute to the aims of sustainable development. One of these is for the development of a new dwelling in an existing cluster site in accordance with Policy CTY 2a.

Policy CTY 2a of PPS 21 is titled ‘New dwelling in existing cluster’. It states that planning permission will be granted for a dwelling at an existing cluster of development provided the proposed development meets the necessary planning criteria and environmental requirements.

This policy contains 6 criteria, all of which need to be met in order to qualify for this planning policy. The proposed development will only be granted provided all of the following criteria are met:

- the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings;
- the cluster appears as a visual entity in the local landscape;
- the cluster is associated with a focal point such as a social / community building/facility, or is located at a cross-roads,
- the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;
- development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside; and
- development would not adversely impact on residential amenity.



OS map – site outlined in red

A cluster of development is not defined by the Policy. The starting point is whether there is an existing cluster of development at the proposed site. As shown by the OS map above, the proposed site is located approximately 114m from a crossroads. Surrounding this crossroads are multiple detached residential dwellings and on the opposite side of Derrywilligan road, adjacent to the site, is a commercial business unit.

When approaching the site from the East at the crossroads, there are 2 detached residential dwellings on either side of the road (No 22 and 23), further towards the site are another 2 detached residential dwellings on either side of Derrywilligan Road (No 24 and 25). Adjacent to the site is a commercial premises and west of this premise is an approved dwelling under construction. The first criteria is met

due to the cluster of development is outside of a farm and consists of four or more buildings which exculdes ancillary and domestic garages.

The second criterion indicates that the cluster should appear as a visual entity in the local landscape. The third criterion indicates the cluster is to be associated with a focal point such as a social/community building/facility, or is located at a crossroads. A site visit indicated that although the area does not contain a social or community facility such as a school or community facility, the crossroads are located in close proximity to the site and that there is a small cluster of development which appears as a visual entity surrounding this crossroads.

The criteria states that the identified site is required to provide a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster. A site visit and desktop survey of drawing and maps demonstrates that the site is bound on 1 side. The Eastern boundary is adjacent to a residential development of No 25. The Northen and Western side is bound by fields and the South is bound by Derrywilligan Road. A site visit demonstrated that the proposal intends to use part of a larger agricultural field and the drawings submitted indicate a post and wire fence and hedgerow to be planted, this create 2 new boundaries. A study of 'building on tradition' illustrates the siting principles of CTY 2a and provides various sites that would not comly with CTY 2a. An example can be seen below in figure 1, this demonstrates that a road is not seen to provide a boundary of development, Therefore the application site does not provide a suitable degree of enclosure. The proposal fails this criterion.



Figure 1 : purple sites indicate sites not likely to comply with CTY 2a

The next criteria requires development of the site to be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside. The development of this site would not consolidate the existing cluster and instead would extend it and as such would alter the existing character. Due to the site being positoned on the outskirts of the cluster this would visually intrude into the open countryside and would add to ribbon development. The proposal fails this criterion.

The final requirement of this policy is that the proposed development will not adversely impact on residential amenity. Whilst this is an outline application the agent has provided an indicative site layout drawing. The Planning Department considers that a dwelling could be appropriately sited without harm to the amenity of the existing dwelling of No 25 Derrywilligan Road. Provided the boundary treatment along the East is retained. An acceptable proportion of provide amenity space will be provided. This would be assessed in further detail at reserved matters stage.

Policy CTY2a also requires that infill dwellings meet other planning and environmental requirements. Paragraph 6.70 of the SPPS confirms that "All development in the countryside must integrate into its setting, respect rural character and be appropriately designed." These considerations must be assessed under policies CTY 8, CTY13 and CTY14 of PPS21.

Impact on the Character of the Surrounding Area

The application site has mature vegetation along the Eastern boundary, the other boundary curtilage of the site will be altered for splays or created with new fencing and hedgerow. Currently the site which is relatively flat in topography lacks natural boundaries and therefore the site will rely on new boundary treatments in order to be integrated. The site will be predominantly visible along the Derrywilligan Road and have transient views travelling along the road from the West and East. The design aspect would be decided on at the reserved matters stage. It is considered that due to the application site visually intruding into the open countryside, it would accumulate to the suburban style build-up of development when viewed with existing buildings, therefore, it would add to ribbon development.

It is therefore considered that the proposal would have a negative impact on the character and appearance of the surrounding location, contrary to the requirements of policy CTY 14 of PPS 21 and is not acceptable in this instance.

CTY 8 – Ribbon development

Policy CTY8 of PPS21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of the size, scale, siting and plot size etc.

In assessment of this application, it is noted that the site would be accessed off an agricultural access. The site is not considered a gap site within a continuous built up frontage due to the lack of development on the boundaries of the site along the road frontage. Officers therefore consider that the site does not comprise a small gap site within a substantial and continuously built up frontage. It is therefore considered that the proposal fails to comply with Policy CTY8 of PPS21.

CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Due to the site encroaching on the open countryside it is considered that the proposed development would add to ribbon development in the area.

Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15

AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to a new access onto a public road. The proposal involves the adaption of the agricultural access onto Derrywilligan Road. DFI Roads have been consulted and are content with the proposal with conditions attached.

Planning Policy Statement 2 - Natural Heritage

PPS2 is applicable for new development in the Countryside. The site is not within an AONB, a biodiversity was therefore not required to be submitted. A desktop survey demonstrated that the site is not within range of protected sites and planning are content that the site visit and further desktop investigation did not demonstrate any protected species that would be affected by development. The siting and scale of the proposal is considered sympathetic to the natural heritage in the area and the proposal will not compromise features of importance to the character, appearance or heritage of the landscape. Following a site visit I am content that there are no protected habitats or species compromised by the proposal. The proposal will not have an impact on habitats or species. Proposal is compliant with policies NH2 and NH5 of PPS 2.

Neighbour Notification Checked - Yes

Summary of Recommendation:

Refusal

Reasons:

For the reasons stated above, the principle of development for an infill opportunity on the application site has not been established and therefore it is recommended to refuse outline planning permission.

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 - Development in the Countryside of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY2a - New Dwellings in Existing Clusters of Planning Policy Statement 21, Sustainable Development in the Countryside in that
 - The identified site does not provide suitable enclosure.
 - Is not bound on at least 2 sides with other development.
 - The development will visually intrude into the open countryside.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8- Ribbon development of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the addition to ribbon development along Derrywilligan Road and is not considered to represent an exception to the policy.
4. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY14- Rural Character of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
 - The development would result in a suburban style build-up of development when viewed with existing and approved buildings;
 - The development adds to a ribbon of development

Case Officer Signature: Sorcha O'Beirne

Date: 21/07/2026
Appointed Officer Signature: A Loughan
Date: 22/07/2026

Application

Development Management Officer Report	
Case Officer: Karen Reid	
Application ID: LA07/2025/1205/F	Target Date:
Proposal: Detached dwelling on an infill site	Location: Adjacent to No. 25 Seafin Road, Killeavy, Newry, BT35 8LA
Applicant Name and Address: Ruairi Quinn 5 Wellington Park Belfast BT9 6DJ	Agent Name and Address: Ruairi Quinn 5 Wellington Park Belfast BT9 6DJ
Date of last Neighbour Notification:	16 March 2026
Date of Press Advertisement:	5 November 2025
EIA Determination:	
Consultations: - DFI Roads – No objections subject to Planning Conditions.	
Representations: No objections or representations have been submitted for consideration.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report

Site Location Plan:



Date of Site Visit: 03/03/2026

Characteristics of the Site and Area:

The application site is located in the rural countryside outside any settlement development limits designated under the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP 2015). The site is also located within the 'Ring of Gullion' Area of Outstanding Natural Beauty.

The application site consists of part of an existing agricultural field (approx. 0.29ha) and is located adjacent and south of No 25 Seafin Road. Access to the site is granted via an agricultural gateway along the western roadside boundary. The northern and southern boundaries of the site remain undefined whilst the eastern and western roadside boundaries consist of matured hedgerow.



Figure 1 Application Site



Figure 2 No 29 Seafin Road & Agricultural Field

Description of Proposal

Detached dwelling on an infill site

Planning Policies & Material Considerations:

- Banbridge, Newry and Mourne Area Plan (2015)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- PPS 21: Sustainable Development in the Countryside
- PPS 3: Access, Movement and Car Parking
- PPS 2: Natural Heritage

Planning History:

Planning Reference: LA07/2020/1193/O
Proposal: Dwelling with domestic garage on gap site.
Decision: Refusal

Objections & Representations:

Four neighbours were notified of the proposal on the 3rd of March 2026. The proposal was also advertised in the local press on the 4th and 5th of November 2025. No objections or representations have been received.

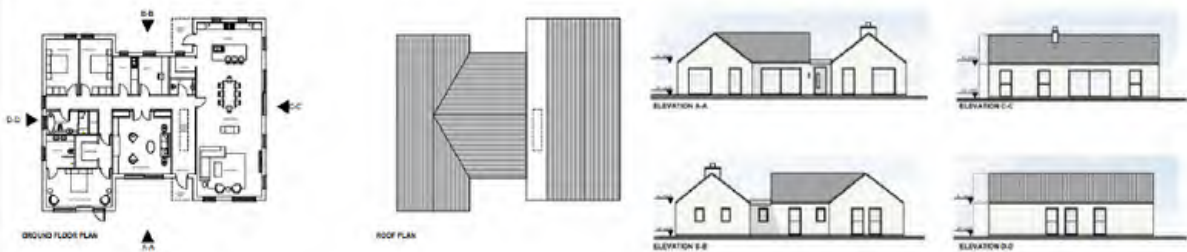
Correspondence with Applicant:

Following a site inspection and discussion of the application and an internal meeting and email was issued to the applicant on the 11th of May 2026 advising that the proposal is considered contrary to Policy CTY 8 and CTY 14 of PPS 21. The department also set out concerns with the design of the proposed dwelling. A response was received from the applicant on the 29th of May 2026. All information submitted has been considered by the department and will be assessed within the assessment section of this report.

Consideration & Assessment:

Proposal:

The proposal is a full application for a detached dwelling house under Policy CTY 8 of PPS 21. The proposal is for a single storey dwelling with a ridge height of approx. 6m. The dwelling consists of two linear blocks connected by a flat roof element. The proposed floor plans and elevations are shown below;



The Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge, Newry and Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan. The site is located outside any settlement limits on the above Plan and is un-zoned. There are no specific policies in the Plan that are relevant to the determination of the application, and it directs the decision-maker to the operational policies of the SPPS and the retained PPS 21.

Strategic Planning Policies Statement for Northern Ireland

Para 1.12 of the SPPS states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of an individual planning application. However, the SPPS does not introduce a change of policy direction nor provide a policy clarification in respect of proposals for residential development in the countryside. Consequently, the relevant policy context is provided by the retained Planning Policy Statement 21, Sustainable Development in the Countryside.

Planning Policy Statement 21: Sustainable Development in the Countryside

Policy CTY 1 refers to a range of development which in principle are acceptable in the countryside. This development includes infill dwellings if they meet the criteria set out in CTY 8.

Policy CTY 8: Ribbon Development

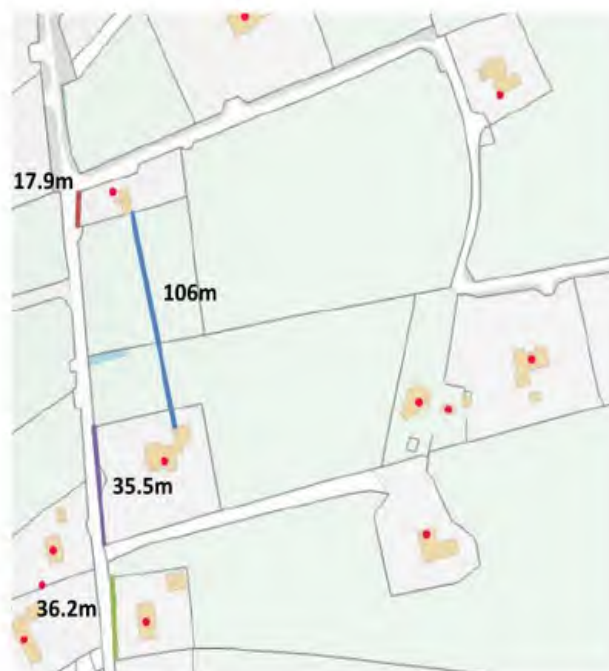
As the proposed development is for the infill of a site, the relevant policy is Policy CTY 8 – Ribbon Development. This policy outlines the criteria that must be met in order to grant planning permission for an infill site. Policy CTY 8 is a restrictive policy. It states that *'Planning permission will be refused for a building which creates or adds to a ribbon of development.'* It also states that *'An exception will be permitted for development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided these respects the existing development pattern along the frontage in terms of size, siting and plot size and meets other planning and environmental requirements.'*

For the purposes of this policy, the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear. For the purposes of this policy a road frontage includes a footpath or private laneway.

The Planning Department do not consider that the application is an exception to Policy. Directly adjacent and north of the application site is No 25 Seafin Road, a detached dwelling which has recently been constructed, this dwelling is considered to have frontage onto the Seafin Road. South of the site is the remainder of the agricultural field and second field. Further south is No 23 Seafin Road another detached dwelling with frontage onto Seafin Road. Beyond No 23 Seafin Road to the south is a private laneway (serving No 29 Seafin Road) and an agricultural field. The presence of this agricultural field interrupts any continuous frontage. A photo of this arrangement is included in Figure 2 above. The application site is not an exception to policy in that it does not sit within a substantial and continuously built up frontage of 3 or more buildings without development to the rear.

In assessing whether the site constitutes an exception to the policy, the second step is to determine if there is a small gap site sufficient only to accommodate up to a maximum of two

houses within the otherwise substantial and continuously built-up frontage. The gap being assessed must be that between existing buildings along the frontage. In this instance the gap is taken from the dwelling at No 25 Seafin Road to the dwelling at No 23 Seafin Road and measures approx. 106m. The average plot size of the existing frontages is approx. 30m, and therefore the gap in this instance is considered too large to accommodate a maximum of two dwellings, when considering the surrounding context. This has been shown in Figure 3 below. This large gap site serves to provide relief and a visual break in the developed appearance of the locality along Seafin Road and helps maintain rural character. The proposal does not meet policy requirements in that it does not respect the existing development pattern along the frontage in terms of plot size.



The proposal is contrary to CTY 8. The Planning Department sent an email to the applicant on 11/05/2026 outlining the above concerns and offered an opportunity to provide any additional comments they wished the Department to consider within 21 days of the date of this email. Further information was submitted to the Department on the 29/05/2026 and this has been considered in the assessment of the above. Policy CTY 8 also require that the proposal meets with other planning and environmental requirements; this is examined below.

Building on Tradition

Para 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' s Sustainable Design Guide for the NI Countryside is taken into account in assessing all development proposals in the countryside. Para 4.4.0 of this document advises that new development under CTY 8 *"will require care in terms of how well it fits in with its neighbouring buildings in terms of scale, form proportions and overall character"* Appropriate gap sites follow the established grain of the neighbouring buildings. It is considered that the proposal does not follow the established grain of the neighbouring buildings and does not fit in well with its neighbouring buildings.

Policy CTY 13: Integration and Design of Buildings in the Countryside

Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design.

Siting / Layout

The proposal is for a single storey detached dwelling. The application site is a relatively flat portion of land. The dwelling is to be positioned centrally within the site and will face forwards onto Seafin Road. The access arrangements are located at the front boundary of the site along the Seafin Road. The dwelling blends sufficiently with the surrounding landscape and it is not considered that the proposed dwelling would be a prominent feature in the landscape. The proposal blends with the landform, topography, existing trees, buildings and slopes and other natural features which provide a backdrop.

Design / External Appearance

The proposal is for a single storey detached dwelling with a maximum ridge height of approx. 6m made up of two linear blocks. The first block the north of the site is connected to the second block by a single storey flat roof element, set down with a ridge height of approx. 3m. The proposed building includes some traditional elements of rural design and a linear form which is in keeping with the guidance outlined within the Building on Tradition Design Guide. These features include window openings with a vertical emphasis on the front, rear and side elevations, a good solid to void ratio and the positioning of the chimney.

The department raised concerns with the applicant regarding elements of the proposed design, these included the complexity of the roof design, particularly the flat roof element and the front projections/ extensions relative to the main house form. The applicant did not submit any changes to the design of the proposed dwelling. If all other elements of the proposal were deemed acceptable then planning department would seek amendments for a design more appropriate to the rural setting to be in keeping with the local distinctiveness of the area.

Landscaping

The site can provide a suitable degree of enclosure for the building to integrate into the landscape. The dwelling will read with the surrounding development and does not rely primarily on the use of new landscaping for integration; however additional native planting is proposed along the north, east and southern boundaries. The existing vegetation has therefore been retained where practicable and supplemented with new planting around the site to help aid integration and offer a sense of enclosure. Case Officers are therefore content with the landscaping arrangements are acceptable for the rural landscape.

Impact on Residential Amenity

No 25 and No 23 Seafin Road are located north and south of the site respectively. Consideration has been given to the separation distance between the proposal and these existing dwellings and it is considered sufficient. There is also existing matured boundary hedging and trees along the northern and southern boundaries of the site and these are indicated to be retained and supplemented with additional planting. Thus, it is considered that the proposal would result in minimal impacts on the amenity of No 25 and No 23 Seafin Road.

CTY 14 – Rural Character

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

The proposed new dwelling is not considered to be unduly prominent in the landscape. It is deemed that the application site would result in the creation of ribbon development. The proposal does not respect the traditional pattern of settlement exhibited in the area, as the gap site is large enough to accommodate more than two dwellings. As the site does not qualify as an exception to the presumption against ribbon development, it fails in terms of Policy CTY 8. Where

no infill opportunity exists, the approval of another dwelling would result in a sub-urban style build up of development when viewed with existing buildings. This would result in a detrimental change in the rural character of the area contrary to Policy CTY 14.

As the Department consider that the erection of a dwelling in the application site would not respect the existing development pattern along the existing frontage in terms of siting and plot size, the principle of development cannot be established at this site. The erection of a dwelling on this site would result in a suburban style build-up of development which is unacceptable in the countryside.

CTY 16 – Development Relying on Non-mains sewage

The P1 Form indicates that foul sewage will be disposed off via a septic tank. The application complies with Policy CTY 16. A condition should be included to ensure a copy of a consent to discharge be submitted prior to commencement of the development.

PPS 3 – Access, Movement and Parking

Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to both new access and intensified use of an existing access onto existing public roads.

DFI Roads were consulted on this application and have no objections in principle to the proposal subject to conditions.

PPS 2: Natural Heritage

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

A completed NI Biodiversity Checklist and Ecological Statement were submitted as part of the application. A site survey was undertaken on the 4th of March 2026 in order to identify any major ecological constraints to the proposed development on NI Protected Species including badgers, bats, nesting birds etc.

Following receipt of these surveys NIEA refers Case Officers to the new DAERA Standing Advice – NED – Single Dwellings. Case Officers have observed the results of the survey work undertaken on the 4th of March 2026 and are satisfied that no further survey work is required, and it is not necessary to consult with NED. The proposal is not considered to harm any protected/ priority species of priority habitats.

Having reviewed the NI Biodiversity Checklist and survey submitted by the Applicant the report states that no further survey work is required. Therefore, on the basis of the report no further surveys, conditions or informatives are required.

NH 6 – Areas of Outstanding Natural Beauty

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

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

The proposal is contrary to Policy NH 6 in that the siting of the proposal is not sympathetic to the special character of the AONB and of the particular locality. Given that the siting fails to meet the policy criteria for infill development this would result in build-up and add to a ribbon of development detrimental to the character of that area. The proposal also does not respect local architectural styles and patterns. As detailed previously in this report, the desing of the proposal is inappropriate for the local area.

The proposal is contrary to a) and c) of Policy NH 6 of PPS 2.

EIA Screening:

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

On the basis of this assessment, refusal is recommended. All information submitted has been duly considered throughout the assessment and processing of this application.

Neighbour Notification Checked

Yes/No

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1, Development in the Countryside of Planning Policy Statement 21 Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8, Ribbon Development of Planning Policy Statement 21 Sustainable Development in the Countryside, in that;
 - the application site does not constitute a small gap site within an otherwise substantial and continuously built-up frontage and would, if permitted, add to a ribbon development along Seafin Road;
 - the proposal does not respect the existing development pattern along the road frontage in terms of plot size;
 - the proposal does not meet other planning and environmental requirements; and does not represent an exception to policy.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14, Rural Character of Planning Policy Statement 21 Sustainable Development in the Countryside, in that:
 - The proposal does not respect the traditional pattern of settlement exhibited in the area;
 - The proposal would result in a suburban style build-up of development when viewed with existing and approved buildings; and
 - The proposal would add to a ribbon of development along Seafin Road.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH 6, Areas of Outstanding Natural Beauty of Planning Policy Statement 2, Natural Heritage in that;
 - the siting of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality.
 - The proposal does not respect local architectural styles, patterns or design.

Case Officer Signature: K. Reid

Date: 21/07/2026

Appointed Officer Signature: A Loughan

Date: 22/07/2026

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures

Date

Delegated Application

Development Management Officer Report	
Case Officer: Catherine Moane	
Application ID: LA07/2022/0801/F	Target Date:
Proposal: Replacement building (previously destroyed by fire) for farm diversification including all associated site works	Location: Lands at 58a Downpatrick Road Crossgar
Applicant Name and Address: GB Poultry Ltd 17 Mary Street Crossgar BT30 9DG	Agent Name and Address: Saba Park 14 Balloo Avenue Bangor BT19 7QT
Date of last Neighbour Notification:	8 July 2022
Date of Press Advertisement:	26 May 2022
EIA Determination: N/A	
Consultations: See Report	
Representations: None	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	

Site Visit Report	
Site Location Plan: The site is located at lands at 58a Downpatrick Road Crossgar.	
	
Date of Site Visit: 17th June 2022	
Characteristics of the Site and Area The site is located on the SE side of Crossgar off the Downpatrick Road. The site is set back off the main road down an existing tarmac laneway defined by ranch style wood fencing and has a number of buildings on the site including stables. The building was demolished at the time of the site visit and there is a large area of hardstanding. The site is set back approx. 240m from the roadside.	
Description of Proposal Replacement building (previously destroyed by fire) for farm diversification including all associated site works	
Planning Assessment of Policy and Other Material Considerations The application site is located approximately 400m southeast of Crossgar on the south eastern side of Downpatrick Road in the rural area outwith the Settlement Development Limits of Crossgar as indicated on Map No. 3/001a of the Ards and Down Area Plan (ADAP) 2015. The following planning policies have been taken into account: - Regional Development Strategy - Strategic Planning Policy Statement for Northern Ireland (SPPS) (ed 2) - Planning Policy Statement 2 Natural Heritage	

Planning Policy Statement 3 Access, Movement and Parking

Planning Policy Statement 21 Sustainable Development in the Countryside;

Policy CTY 1 Development in the Countryside

Policy CTY 11 Farm Diversification

Policy CTY 12 Agricultural and Forestry Development.

Policy CTY 13 Integration and Design of Buildings in the Countryside

Policy CTY 14 Rural Character

Ards and Down Area Plan 2015

Published guidance documents will also be considered such as:-
DCAN 15

PLANNING HISTORY

Planning

Application Number: R/1990/0994

Decision: Permission Granted

Decision Date: 22 January 1991

Proposal: 11kv overhead line

Application Number: R/1990/0998

Decision: Permission Granted

Decision Date: 22 January 1991

Proposal: Extension to dwelling and new conservatory

Application Number: R/1991/1096

Decision: Permission Refused

Decision Date: 07 January 1993

Proposal: Retirement Farm Dwelling

Application Number: R/1997/0810

Decision: Permission Granted

Decision Date: 20 February 1998

Proposal: Replacement and enlargement of existing stable

Application Number: LA07/2019/1628/F Decision: Permission Refused Decision

Date: 23 June 2020

Proposal: Conversion of vacant barn buildings for residential use as a single dwelling

R/1991/1096 Refused

Retirement Farm Dwelling Adj to 58 Downpatrick Road, Crossgar

R/1997/0810 GRANTED

Replacement and enlargement of existing stable

Adj to 58 Downpatrick Road, Crossgar

Consultations:

Environmental Health – No objections

DFI Roads – No objections provided there is no intensification of the access.

NI Water – No objections

DAERA – Cat 1 but 5 year dormant

Has the farm business claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years? – No

Is the application site on land for which payments are currently being claimed by the farm business? – 'No

The proposed site is on an unmapped area beside FSN 3/111/156 field 2E. This field has not been claimed for FSTP in 2025 but was claimed for BPS in 2024 by another farm business.

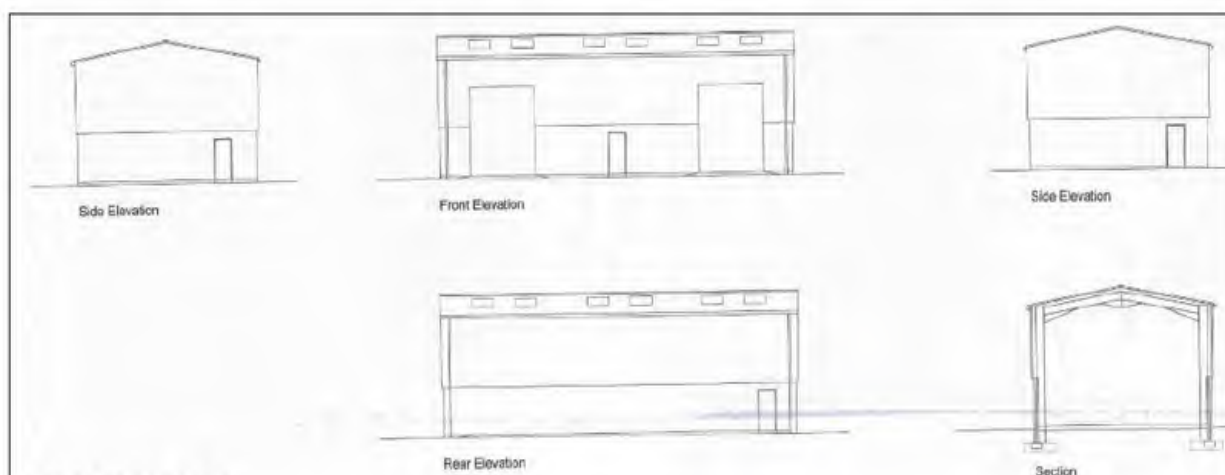
Objections & Representations

In line with statutory requirements neighbours have been notified on 24/06/2022. The application was advertised in the Down Recorder on 08-06-2022. No letters of objection have been received in relation to the proposal.

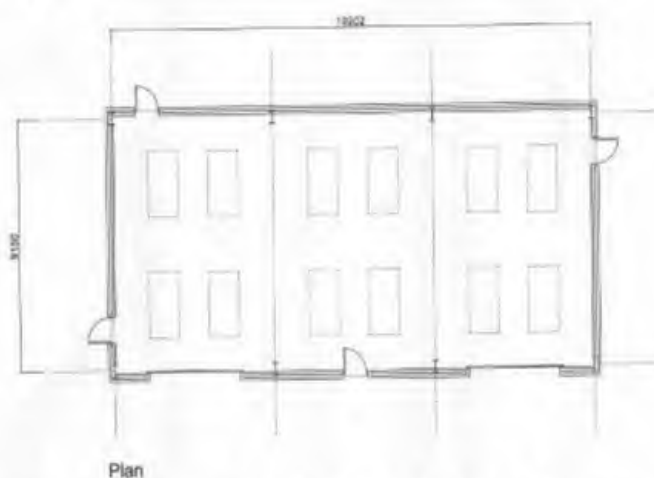
Proposal

Planning permission is sought for a replacement building (previously destroyed by fire) for farm diversification including all associated site works. The shed measures 19.2m long, 9.1m wide with a height to the eaves of 6.1m to FFL and an overall height of 7.1m to FFL with a low-pitched roof.

Shed elevations



Shed floorplan



Two roller shutter doors are proposed to the front elevation approximately 4.5m high along with 4 pedestrian doors on all elevations. The materials and finishes include Kingspan corrugated panels (olive green translucent panels) to the roof, Kingspan corrugated panels olive green rendered wall panels, dark green roller shutter doors and square profile aluminium olive green RWG.

The agent states in his supporting statement that the building will be used in conjunction with the farming enterprise, however, while clarification was sought no further information was received. As an enforcement case LA07/2019/0361/CA was opened for the alleged unauthorised shed and mobile unit and subsequently closed (Nov 2021), The agent claims that on that basis the only lawful use of the previous building was agriculture. However, there is no building on the site and in the absence of any formal certificates of lawful development on the site, then little weight can be attached to this. The agent indicates that the building will be used in conjunction with the farming enterprise and GB Poultry is an agri-foods business based in Crossgar on a physically restricted and constrained site.

Consideration and Assessment:

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

The Strategic Planning Policy Statement for NI Ireland (SPPS) is material to all decisions on individual applications. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council Area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS.

The main considerations in the determination of this application relate to; principle of development, integration and rural character, residential amenity, access.

SPPS

The SPPS outlines provision should be made for agricultural development on an 'active and established' (for a minimum of 6 years) agricultural holding where the proposal is necessary for the efficient operation of the holding. New buildings must be sited beside existing buildings on the farm holding. An alternative site away from existing buildings will only be acceptable in exceptional circumstances. The SPPS also recognises that there are occasions where new buildings in the countryside are acceptable. Where this is the case, the policy approach is to cluster, consolidate, and group new development with existing established buildings, and promote the re-use of previously used buildings. In addition, all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed.

PPS 21

With regard to non-residential development, CTY 1 states that planning permission will be granted in the countryside in nine instances, one of which is farm diversification under CTY 11 and agricultural development in accordance with PPS 21 policy CTY 12. Both policies indicates that planning permission will be granted for development on an active and established agricultural holding/ or run in conjunction with the farm where it is demonstrated that it complies with stated criteria. Paragraph 5.56 of PPS 21 advises that "for the purposes of this policy (i.e. CTY 11 & 12) the determining criteria for an active and established business will be that set out under policy CTY 10". Criterion (a) of CTY 10 refers to a farm business being currently active and having been established

for at least 6 years. The amplification text states that an applicant will be required to provide a DARD business ID number along with other evidence to prove active farming. Policies CTY 13 and CTY 14 will also be considered.

Policy CTY10 advises that

-the farm business is currently active and has been established for at least 6 years;

The applicant will therefore be required to provide the farm's DARD business ID number along with other evidence to prove active farming over the required period.

Farm Diversification

Policy CTY 11 states that proposals for farm diversification will only be acceptable where they involve the re-use or adaptation of existing farm buildings. Exceptionally, a new building may be permitted where there is no existing building available to accommodate the proposed use, either because they are essential for the maintenance of the existing farm enterprise, are clearly unsuitable for adaptation and re-use or cannot be adapted to meeting the requirements of other statutory agencies.

Policy CTY 11 also states that farm diversification proposals must meet the following criteria:

(a) the farm or forestry business is currently active and established; DAERA have been consulted and have confirmed the farm business has been active and established for at least 6 years.

In assessing this application, the farm holding will be considered in its entirety.

In assessment of these above criteria, it is noted that the applicant has provided a DARD (DAERA) business ID. DAERA have been consulted and have confirmed that the business is a Cat 1 but 5 year dormant. The farm business has been in existence for the required 6 years however DAERA have advised that the applicant has not claimed payments in any of the last 6 years nor is the application site on land for which payments are currently being claimed by the farm business.

The most up to date DAERA response (April 2026) states:

The proposed site is on an unmapped area beside FSN 3/111/156 field 2E. This field has not been claimed for FSTP in 2025 but was claimed for BPS in 2024 by another farm business.

The agent had been requested to provide further evidence to state that the farm business was active, however, no information has been received to date (29-05-2026) to demonstrate active farming over the requisite 6 year period and furthermore the latest DAERA response indicates that the land was being claimed in 2024 by another farm

business. No further evidence was submitted following the latest DAERA response indicating that it has not been claimed for FSTP in the most recent year, namely 2025. The proposal is contrary to this element of the policy.

Notwithstanding the above and for completeness, the proposal will also be considered below under criteria (b) to (e) of policy

(b) in terms of character and scale it is appropriate to its location;

In terms of the actual physical building on the site as it is agric clad type design with olive green walls and roof cladding, it would not be out of place in this rural area. These types of agricultural sheds, while industrial in appearance are becoming more prevalent in the rural countryside.

The agent makes the case that planning permission will be granted where the proposal can be run in conjunction with the agricultural operations of the farm. The term 'run in conjunction with the agricultural operations on the farm' is not clearly defined in the policy, however, paragraph 5.47 of the Justification and Amplification provides some clarification. Paragraph 5.47 states *This policy aims to promote forms of diversification that are sustainable in the countryside, including suitable tourism or agri-tourism schemes. It is important that the countryside is not spoilt by the unfettered development of urban uses. Diversification proposals, therefore, should be of a scale and nature appropriate for the location and be capable of satisfactory integration into the rural landscape. Applications for large-scale proposals more suitable to the urban area or existing urban-based enterprises seeking relocation will not be acceptable.*

With exception to supplementing the income, the business is not tied to the applicant's farm business as active farming has not been demonstrated. Whilst the visual appearance of the development would not cause concern in respect of its impact on the character of countryside, the nature of the use in association with the GB Poultry business in Crossgar depicts a use more associated with an urban setting. The nature of which is not appropriate in the countryside. The development is an example of an unfettered urban use in this area of countryside. The proposal fails to meet the requirements of criterion (b) of Policy CTY11.

(c) it will not have an adverse impact on the natural or built heritage; and

The proposal will not have an adverse impact on the natural or built heritage.

(d) it will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.

There are no properties in close proximity to the site. Environmental Health have been consulted and have no objections to the proposal, it is therefore deemed that the proposal would not impact detrimentally on the amenity of neighbouring properties.

The proposal does not comply with CTY 11 of PPS 21.

Policy CTY12 - – Agricultural and Forestry Development

Policy CTY 12 states that planning permission will be granted for development on an active and established agricultural holding where it is demonstrated that a number of criteria are met:

- (a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;
- (b) in terms of character and scale it is appropriate to its location;
- (c) it visually integrates into the local landscape and additional landscaping is provided as necessary;
- (d) it will not have an adverse impact on the natural or built heritage; and
- (e) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

In cases where a new building is proposed applicants will also need to provide sufficient information to confirm all of the following:

- there are no suitable existing buildings on the holding or enterprise that can be used;
- the design and materials to be used are sympathetic to the locality and adjacent buildings; and
- the proposal is sited beside existing farm or forestry buildings.

In assessing this application, the farm holding will be considered in its entirety.

As mentioned under CTY 11, in assessment of these above criteria, it is noted that the applicant has provided a DARD (DAERA) business ID. DAERA have been consulted and have confirmed that the business is a Cat 1 but 5 year dormant. The farm business has been in existence for the required 6 years. However, DAERA have advised that the farm business has not claimed payments in any of the last 6 years nor is the application site on land for which payments are currently being claimed by the farm business.

The most up to date DAERA response (April 2026) states:

The proposed site is on an unmapped area beside FSN 3/111/156 field 2E. This field has not been claimed for FSTP in 2025 but was claimed for BPS in 2024 by another farm business.

The agent had been requested to provide further evidence to state that the farm business was active, however, that information was not forthcoming and the latest DAERA response indicates that the land is now being claimed by another farm business. No further evidence was submitted. The proposal is contrary to this element of the policy.

Notwithstanding the above and for completeness, the proposal will be considered below under criteria (a) to (e) of policy CTY12 which must also be met:

(a) It is necessary for the efficient use of the agricultural holding;

According to the DAERA maps the farm holding is 10.91 HA in size. The business includes lands at Crossgar and Magheracranmoney townlands. CTY 12 states that planning permission will be granted for development on an active and established agricultural holding where it is demonstrated that a number of criteria are met. DAERA do not consider the farm business to be active for the required 6 years. In the absence of any other information and confirmation from DAERA that claims have been made by another farm business in 2024, whilst the proposed facility at this location may be desirable, it cannot be considered necessary for the efficient use of the agricultural holding. The proposal does not meet this criterion.

(b) In terms of character and scale it is appropriate to its location;

As mentioned previously the proposed building comprises of olive green walls and roof cladding. In this context of other stable buildings in close proximity, officers are content that these types of buildings are now becoming more common in the rural area and is therefore considered appropriate if within agricultural or forestry holdings in the rural location. However, this will not be a farm building and will not function as such nor is it in association with an active farm business and as discussed previously its use would not be appropriate in the countryside.

(c) It visually integrates into the local landscape and additional landscaping is provided as necessary;

Due to the topography of the road and the set back down an existing laneway views of the proposed shed are limited to the frontage of the site. The shed would be well screened when travelling in both directions and would present as an acceptable level of integration that the building would not read as being prominent in the landscape.

(d) It will not have an adverse impact on the natural or built heritage;

The proposal will not have an adverse impact on the natural or built heritage.

(e) It will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

There are no properties in close proximity to the site. Environmental Health have been consulted and have no objections to the proposal, it is therefore deemed that the proposal would not impact detrimentally on the amenity of neighbouring properties.

In addition to the above criteria, policy CTY12 also requires applicants to provide sufficient information to confirm all of the following:

There are no suitable existing buildings on the holding that can be used;

The agent has not submitted any evidence to demonstrate that the proposal meets policy CTY 12. He has not indicated if there are other suitable buildings on the farm. No other details like current herd/flock numbers on the farm have been provided.

The design and materials to be used are sympathetic to the locality and adjacent buildings;

These types of buildings are now typical in the rural area. The proposed building as described above would be in keeping with the rural area would not appear out of character in this rural context.

The proposal is sited beside existing farm buildings

The agent indicates that there are other buildings sited within the red line, however no further information has been received as to why these buildings cannot be used.

Where such a proposal is justified, the building will still be required to visually integrate into the landscape and be of appropriate design and materials. It has not been satisfactorily demonstrated that the proposed farm building is essential for the efficient functioning of the business or that any argument has been put forward that there are demonstrable health and safety reasons for this site.

The proposal is therefore contrary to policy CTY1 and CTY12 as noted above.

PPS 21 - CTY 13 - Policy CTY 13 – Integration and Design of Buildings in the Countryside

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of appropriate design.

A new building will be unacceptable where:

(a) it is a prominent feature in the landscape; or

- (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
- (c) it relies primarily on the use of new landscaping for integration; or
- (d) ancillary works do not integrate with their surroundings; or
- (e) the design of the building is inappropriate for the site and its locality; or
- (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
- (g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

The views of the shed are limited given the set back from the roadside and the screening from the roadside hedging and alignment of the road and landscape topography. The shed's appearance is not untypical of these types of sheds now in the countryside. On balance and in this context the building could integrate into the landscape.

PPS 21 - CTY 14 – Rural Character

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:

- (a) it is unduly prominent in the landscape; or
- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
- (c) it does not respect the traditional pattern of settlement exhibited in that area; or
- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

The amplification text states at Paragraph 5.78 that in assessing the cumulative impact of a building on rural character the matters taken into consideration include the inter-visibility of the proposed building with existing and approved development; the vulnerability of the landscape and its capacity to absorb further development; and the siting, scale and design of the proposed development. Given the scale and nature and use of the proposal which has deemed to be unacceptable, the proposed building would cause a detrimental change to the rural character of the area.

PPS 3 - Access, Movement and Parking

Policy AMP 2

Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

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

The acceptability of access arrangements, including the number of access points onto the public road, will be assessed against the Departments published guidance. Consideration will also be given to the following factors:

- the nature and scale of the development;
- the character of existing development;
- the contribution of the proposal to the creation of a quality environment, including the potential for urban / village regeneration and environmental improvement;
- the location and number of existing accesses; and
- the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.

The site is served by an established vehicular access which provides access onto the Downpatrick Road which is a Protected Route.

PPS21 Annex 1 is a Consequential amendment to Policy AMP2 of PPS3 Access, Movement and Parking. DFI Roads has no objection to the proposal provided there is no intensification of the access and it is an exception to the Protected Routes Policy. The Consequential Amendment only permits intensification of an existing access onto a Protected Route where the development meets the criteria for development in the countryside and access cannot reasonably be obtained from an adjacent minor road. The application fails to satisfy part (d) –(Other categories of development) and therefore intensification of the existing access would be contrary to the consequential amendment to Policy AMP3.

Planning Policy Statement 2 – Natural Heritage

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

It is noted that no biodiversity checklist accompanied the application. NIEA's Biodiversity Checklist was employed as a guide to identify any potential natural heritage issues. The checklist was referred to and did not identify a scenario where survey information may reasonably be required. Therefore, it is unlikely that this proposal will adversely affect a

priority species or their habitat which is afforded protection. The proposal would comply with policies NH 2 and 5 of PPS 2.

Summary

Officers are therefore not satisfied that the proposal constitutes farm diversification to be run in conjunction with an active and established farm business. Notwithstanding that the farm business is not active and established for the required 6 years, the information submitted indicates that the building is intended to support and operate in conjunction with an existing commercial food processing business (GB Poultry) located in Crossgar. Under para 5.47 of the J & A of CTY 11 it states; 'This policy aims to promote forms of diversification that are sustainable in the countryside, including suitable tourism or agri-tourism schemes. It is important that the countryside is not spoilt by the unfettered development of urban uses'. The proposal is therefore considered to represent an extension of an existing commercial enterprise into the countryside rather than complying with a farm diversification proposal.

Planning policy directs commercial and industrial development towards settlements, established industrial locations and appropriately zoned lands. No overriding justification has presented to demonstrate why the proposed storage activities associated with the existing business in Crossgar requires a countryside location.

Conclusion

Based on careful consideration of all the relevant material planning considerations and consultee responses, it is contended that the application does not meet the planning policies as outlined above and permission should be refused based on the refusal reasons below.

Recommendation:

Refusal

Refusal Reasons:

1. The proposal is contrary to the Strategic Planning Policy Statement for NI (para 6.73), Policy CTY 1, CTY 11 and CTY 12 of Planning Policy Statement 21, Sustainable Development in the Countryside in that, there are no overriding reasons why the development is essential at this location.
2. The proposal is contrary to The Strategic Planning Policy Statement for NI (para 6.73), and Policy CTY 11 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that it has not been demonstrated that it is to be run in conjunction with the agricultural operations on the farm. Nor has it been

demonstrated that (a) the farm or forestry business is currently active and established;	
3. The proposal is contrary to The Strategic Planning Policy Statement for NI (para 6.73), and Policy CTY 12 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that: - -it has not been demonstrated that the shed is necessary for the efficient use of the agricultural holding;	
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and policies CTY 11(b) and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that character and scale of the proposal is inappropriate to its location and will result in a detrimental impact on the rural character of the area.	
5. The proposal is contrary to Planning Policy Statement 3, Access Movement and Parking Policy AMP3 Access to Protected Routes in that it would, if permitted, result in the intensification of use of an existing access onto a Main Traffic Route (Protected Route), thereby prejudicing the free flow of traffic and conditions of general safety.	
Neighbour Notification Checked	Yes
Summary of Recommendation – Approval	
Case Officer Signature: C Moane	Date: 29 May 2026
Appointed Officer Signature: B.Ferguson	Date: 18/06/2026

Delegated Application

Development Management Officer Report	
Case Officer: Mark Keane	
Application ID: LA07/2021/1437/F	Target Date:
Proposal: Proposed erection of rural detached dwelling house and detached garage, new landscaping and associated site works in compliance with planning policy PPS21-CTY6	Location: Located upon lands adjacent to and approximately 30 metres north of No. 38 Ballyveaghbeg Road Ballyveagh Beg Ballymartin Co. Down BT34 4XJ
Applicant Name and Address: Mrs Fionnuala & Megan Rooney 48A Stewarts Road Annalong Kilkeel BT34 4UE	Agent Name and Address: Mourne House 41-43 Downshire Road Newry BT34 1EE
Date of last Neighbour Notification:	7 October 2021
Date of Press Advertisement:	23 August 2021
EIA Determination: NA	
Consultations: NI Water- Generic response DfI Roads- No objections, subject to conditions NIEA- Content, subject to conditions	
Representations: nil	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report
Site Location Plan: 
Characteristics of the Site and Area The application site is located in the countryside, outside any settlement development limits as designated within Banbridge, Newry and Mourne Area Plan 2015. The site is located within an Area of Outstanding Natural Beauty (AONB). The application site is located along the Ballyveaghbeg Road and forms a rectangular shaped plot. The topography of the land is generally flat and is currently used for agricultural purposes. The boundaries of the site are defined by a mix of dry-stone and concrete walls. The site bounds No.38 to the South.
Description of Proposal Proposed erection of rural detached dwelling house and detached garage, new landscaping and associated site works in compliance with planning policy PPS21-CTY6
Planning Assessment of Policy and Other Material Considerations Strategic Planning Policy Statement (SPPS) for Northern Ireland 2015

Banbridge, Newry and Mourne Area Plan 2015
 PPS 2- Natural Heritage
 PPS 3- Access, Movement and Parking
 PPS 21- Sustainable Development in the Countryside
 Building on Tradition, a Sustainable Design Guide for the Northern Ireland Countryside

PLANNING HISTORY

Planning

Application Number: P/1979/0896 Decision: Permission Granted Decision Date: 01 October 1979

Proposal: SITE FOR DWELLING

Application Number: P/1987/1146 Decision: Permission Granted Decision Date: 12 November 1987

Proposal: Site for dwelling

Application Number: P/1990/1109 Decision: Permission Granted Decision Date: 28 January 1991

Proposal: Site for dwelling(renewal of outline planning permission

Application Number: P/1990/1146 Decision: Withdrawal Decision Date: 30 October 1991

Proposal: Site for housing development

Application Number: P/1994/0435 Decision: Permission Refused Decision Date: 19 September 1994

Proposal: Erection of dwelling

Application Number: P/2006/0062/F Decision: Permission Refused Decision Date: 06 July 2007

Proposal: Erection of storey and a half dwelling with detached garage

SUPPORTING DOCUMENTS

DAS

CONSULTATIONS

NI Water- Generic response

DfI Roads- No objections, subject to conditions

NIEA- Content, subject to conditions

REPRESENTATIONS

nil

EVALUATION

The proposal seeks full planning permission for the erection of a single storey detached dwelling house and detached garage under Policy CTY 6 of PPS21 (Personal and Domestic Circumstances).

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The site is located outside settlement limits in open countryside. There are no specific policies in the Plan that are relevant to the determination of the application and it directs the decision-maker to the operational policies of the SPPS & SPPS 2nd edition and PPS21.

Supplementary guidance on the assessment of infill sites is contained in Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside.

The SPPS is material to all decisions on individual planning applications. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. As no conflict arises between the policy provisions of the SPPS and the retained policy of PPS21, the latter applies.

Policy CTY1 of PPS21 states that there are a range of types of development which, in principle, are acceptable in the countryside and that will contribute to the aims of sustainable development. One of these is the development of a dwelling based on special personal or domestic circumstances in accordance with Policy CTY6.

The policy allows for a dwelling in the countryside for the long term needs of the applicant, where there is compelling, and site specific reasons for this related to the applicant's personal or domestic circumstances subject to two criteria.

Criterion (a) requires that the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case, and that genuine hardship would be caused if planning permission were refused.

Criterion (b) requires that there are no alternative solutions to meet the particular circumstances of the case.

The policy goes on to say that all permissions granted under this policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.

The Council has assessed all of the submitted information and consider that it does not fulfil the requirements of Policy CTY6. An opportunity was provided in January 2025 to the agent to submit further information to demonstrate how the application met the requirements of Policy CTY6. The agent stated in correspondence dated May 2025 that there had been no change in the applicant's circumstances since the original submission of information in 2021 and that the applicant still resides in rented accommodation with their parents. The agent acknowledges in correspondence received 28 February 2022 that "these personal circumstances are not site specific".

Information submitted details that the applicant suffers from a number of medical conditions, the applicant is not in receipt of a dedicated care package and requires 24/7 supervision, this is

provided for in the main by the applicant's parents as main carers. Support is also provided by the wider family unit who reside in an area approximately 0.25 mile from the application site. The current rented accommodation is located at 48a Stewarts Road is located approximately 2.2 miles or 5 minute's drive from the application site. Whilst having friends close by to help with instances where assistance is required would provide peace of mind, I am not persuaded that this represents a site-specific need for the proposed dwelling and garage. Other properties in the area would also bring the same advantages. Travel distances between all three sites are minimal and it is considered that the current accommodation allows the applicant to receive care as has been the case since 2011 and that the refusal of planning permission would not result in genuine hardship for the applicant.

The supporting information states that the applicant has resided in rented accommodation at 48a Stewarts Road since July 2011 with their parents being the primary carers. The information further states the family unit requires permanent residence to provide a more secure living arrangement. The alternatives have therefore been ruled out by the agent on this basis. I am in agreement that given the rented nature of the accommodation that an extension or annex attached to the existing dwelling; the conversion or reuse of another building within the curtilage of the property; or the use of a temporary mobile home for a limited period to deal with immediate short term circumstances would be inappropriate.

The agent states he has explored other opportunities for purchase or rental. It is not clear from the information provided in May 2025 the geographical extent of the search or the criteria applied, however a very cursory search by the Planning Department have since identified a number of 3 / 4 bed properties available for sale in the nearby settlements of Kilkeel, Ballymartin and Annalong. The agent states that no properties were found which were suitable in terms of location, size, or functionality, this is however only illustrative of one snapshot in time in May 2025, with the property market a fluid and ever-changing environment.

The policy outlines the circumstances in which there are site specific reasons for the proposed development related to the applicant's personal or domestic circumstances. The application fails to demonstrate how the proposal is site specific and the need cannot be met within a nearby settlement. While it is accepted through the agent's supporting information that the current dwelling cannot be extended or altered as it is rental accommodation, the only other supporting information submitted relating to site specific reasoning is land ownership and a letter from an estate agent stating no 3-bedroom rental accommodation was available. The Planning Department do not deem this sufficient reasoning, and given the close proximity of the applicants current rented accommodation to the application site, it is not considered that genuine hardship would be caused if planning permission was refused.

Even though the application site is in family ownership and available to the applicants, I am not persuaded that these matters demonstrate a site-specific need for the development in line with the policy requirements. To my mind, the application site represents land owned by the Applicants which would provide a more economic means of acquiring a dwelling, rather than being a necessary response to the particular circumstances of the case.

When taken as a whole, the evidence presented does not establish a compelling, site-specific need for a dwelling for the applicant in the countryside which meets Policy CTY6. The appellant has medical needs which are currently being met by both parents as carers in their current rented accommodation with the addition of family support close by. I do not consider that a further dwelling is a necessary response to the stated circumstances and that genuine

hardship would be caused if permission was refused. In addition, no verifiable evidence has been provided to demonstrate that no alternative solutions exist in terms of available properties to buy in the nearby settlements. For these reasons Policy CTY6 of PPS21 and the related provisions of the SPPS are not met.

CTY 13

Policy CTY13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. The application site comprises a roadside plot and which is adjoined by the residential property of no.38 to the south.

The proposals include a detached bungalow with detached garage to the rear and central access point. The design of the dwelling is relatively simple with well proportioned openings, subordinate returns and appropriate finishes.

It is considered that the development proposed could be accommodated within the site without appearing unduly prominent within the landscape due to the low lying nature of the site, modest size and design of the dwelling, existing built form adjacent and the existing natural dry stone boundaries that currently exist.

Any visual impact created by the proposal will largely be restricted to the immediate area and short distant views.

CTY 14

Policy CTY14 (a-e) permits a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

It is considered that approval of a dwelling on the application site would have common frontage to the Ballyveaghbeg Road and would be visually linked with the existing development at No.36 and No.38 Ballyveaghbeg Road will create ribbon development resulting in a suburban style build-up of development.

The proposal is therefore contrary to CTY14 (Rural character) and CTY8.

CTY 16

A septic tank has been outlined on the P1 form as the means of effluent disposal. A Consent to Discharge condition will be attached to any approval to ensure that CTY 16 is complied with and to protect the environment. There are sufficient lands within the red line and blue lands in the control/ownership of the applicant to achieve suitable separation distances between any such tank, soak-aways and any new or existing dwelling.

PPS 2 Natural Heritage

The site is located within the Ballymartin Moriane SLNCI and is also located in an AONB. It is also noted a watercourse runs along the rear (west) boundary.

A bio-diversity checklist and Preliminary ecological Assessment were submitted.

NIEA (NED) were consulted as part of the application who are content the proposed development is unlikely to significantly impact protected or priority species. NED also noted that in the future, should any works be required to the mature ash tree or any tree with bat roosting potential, bat survey must be carried out. This tree is out with the redline of the application site.

NED also noted that no works are shown within the 5 metre buffer of the watercourse as recommended by the ecologist. NED is content with the proposed development subject to condition.

The Planning Dept have noted the supporting information submitted and comment from NIEA. No buildings or mature trees are to be removed. No roadside hedgerow requires removal to facilitate splays. A portion of the roadside dry stone wall and grass verge will require removal to provide splays. Having account of the above, it is considered the proposed development is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance.

Accordingly the proposal is not considered to offend policies NH2-5.

PPS 3 Access, Movement and Parking

The proposal must accord with AMP2 of PPS3. DfI Roads were consulted and provided their final response on 10.12.2021 with no objections to the proposal, subject to conditions. The proposals include a new vehicular access point which will be centrally located with visibility splays of 2m by 45m to be provided. The proposal therefore meets this policy.

Impact on Amenity

No. 38 to the south is the nearest neighbouring property. It is considered there is sufficient separation distance as well as the intervening garden areas to prevent any unacceptable impact on the amenity of No. 38 in terms of overlooking, overshadowing and loss of light from the modest dwelling proposed.

Conclusion:

The Planning Department, having assessed the application against the relevant planning policies and material considerations, consider the proposal unacceptable and therefore recommend it for refusal.

Neighbour Notification Checked

Yes

Summary of Recommendation

Refusal

Reasons for Refusal:

1. The proposal is contrary to the SPPS and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the SPPS and Policy CTY6 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the applicant has not provided satisfactory long-term evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused and it has not been demonstrated that there are no alternative solutions to meet the particular circumstances of the case.

3. The proposal is contrary to the SPPS and Policy CTY14 & CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal would, if permitted further erode the character of the area due to a build-up of development and create a ribbon of development.	
Case Officer Signature: Mark Keane	Date: 10 July 2026
Appointed Officer Signature: A.McAlarney	Date: 10th July 2026

Details of Discussion:

Group decision:

Minute Ref	Subject	Decision	Lead Officer	Actions taken / progress to date	Remove from Action Sheet? Y/N
Planning Committee Meeting 20 August 2025					
LA07/2023/2331/F	66 Moss Road, Glassdrumman, Ballynahinch, BT24 8XZ, accessed via 19 Old Saintfield Road - Dwelling on a Farm (Amended drawings provided)	Withdrawn by the Planning Department	B Ferguson	Deferred for further consideration	N
Planning Committee Meeting 25 March 2026					
LA07/2022/0939/F	180m northwest of 22 Ringhaddy Road, Killinchy - Replacement boat house ancillary to existing camping tourism development to facilitate water sports	Deferred at request of planning department to allow for further consideration.	B Ferguson	Additional info to be submitted from agent	N
Planning Committee Meeting 22 April 2026					
LA07/2024/0749/O	Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR - Section 54 application for non-compliance with condition No. 9, Social Housing Provision, of Planning Approval LA07/2021/2131/F	Deferred to allow for further consideration.	P Manley		N
LA07/2024/0547/F	Lands opposite No 1 Ashgrove Avenue, Carneyhough, Newry, BT34 1PR - Proposed social residential development consisting of 20no. dwellings and 4 no. apartments with associated landscaping and car parking	Deferred to allow for further consideration.	P Manley		N

Planning Committee Meeting 1 July 2026					
LA07/2023/ 2585/F	Nos. 59-61 and Nos. 63-65 Main Street, and Nos. 2 and 4 Valentia Place, Newcastle - Demolition of existing buildings and the erection of an apart hotel comprising of 14Nos. units, a restaurant, ancillary golf storage area, and all associated site works.	Deferred at request of planning department to allow for further consideration.	B Ferguson		N
Planning Committee Meeting 5 August 2026					
LA07/2025/ 0057/O	Approx. 28m N of 51 Derryboy Road, Crossgar, BT30 9LH - Site for dwelling with access on to Holly Park Road.	Deferred to allow for a site visit	B Ferguson	Site Visit to be arranged	N