

# **Plean Forbartha Áitiúla Chomhairle Ceantair an Iúir, Mhúrn agus an Dúin 2035 Newry, Mourne and Down District Council Local Development Plan 2035**

**Dréacht-Straitéis an Phlean  
Meitheamh 2025  
Draft Plan Strategy  
June 2025**



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

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







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# Réamhrá Foreword



**An Comhairleoir Philip Campbell**  
**Cathaoirleach na Comhairle**

**Councillor Philip Campbell**  
**Chairperson of Council**



**An Comhairleoir Mickey Larkin**  
**Cathaoirleach ar an Choiste Pleanála**

**Councillor Mickey Larkin**  
**Chair of Planning Committee**



**Marie Ward**  
**Príomhfheidhmeannach**

**Marie Ward**  
**Chief Executive**



Tá áthas ar Chomhairle Ceantair an Lúir, Mhúrn agus an Dúin Dréacht-Straitéis ár bPlean Forbartha Áitiúla a fhoilsiú; rud a chuireann creat beartais pleanála ar fáil don cheantar agus a thugann tús áite do chur chuige córasach i gcinnteoireacht an rialtais áitiúil.

Is í Dréacht-Straitéis an Phlean an chéad cheann de dhá cháipéis pleanála agus forbartha a chuimseoidh ár bPlean Forbartha Áitiúla. Is é an dara ceann Plean na mBeartas Áitiúil. Nuair a ghlacfar léi, beidh Straitéis an Phlean ina cloch mhíle thábhachtach do cheantar na Comhairle. Leagann Dréacht-Straitéis an Phlean an treo straitéiseach amach d'infheistiúocht trí fhás eacnamaíoch inbhuanaithe sa cheantar. Ag an am chéanna, éascóidh sí cuspóirí sóisialta agus comhshaoil a bhaint amach. Cuir i gcás, stíleanna maireachtála agus sláintiúla a chothú, nascacht fheabhsaithe idir áiteanna a chinntiú, agus áiteanna inbhuanaithe ardchaighdeán a chur chun cinn ina bhfuiltear sásta maireachtáil, obair agus infheistiú; agus ar a mbeidh tarraingt ó thaobh na cuartaíochta de.

Aithníonn Comhairle Ceantair an Lúir, Mhúrn agus an Dúin gur eochairfheidhm dár gcuid an Phleanáil. Éascaíonn sí seachadadh tithíochta, fás eacnamaíoch, bonneagar tacúil agus cosaint ár dtírdhreacha ilchineálaigh.

Lena chinntiú gur éisteadh le tuairimí na gcónaitheoirí agus na gcomhairleoirí, bhailigh an Chomhairle fianaise ar bhonn fairsing trí rannpháirtíocht phoiblí agus trí chomhairliúchán a dhéanamh leis an phobal agus le páirtithe leasmhara. Ba chuimsitheach an comhairliúchán a rinneadh go dtí seo le comhairlithe reachtúla, leis an earnáil phríobháideach agus le pobail áitiúla. Chomh maith leis sin, baineadh tairbhe as cur chuige comhpháirtíochta a chuireann Plean Pobail na Comhairle san áireamh, chun fás inbhuanaithe a chinntiú ar fud an cheantair.

Tacaítear le Dréacht-Straitéis an Phlean trí shraith Straitéisí agus Beartas Straitéiseach i gCuid 1 den Phlean, snáithe a réitíonn an bealach do na Beartais Oibríochta a leagtar amach i gCuid 2. Pléann siad seo le réimse topaicí agus beartas lena n-áirítear tithíocht, forbairt eacnamaíoch, miondíol, bonneagar, an timpeallacht stairiúil agus an oidhreacht nádúrtha.

Beidh muid ag dul i gcomhairle lenár bpobal agus reáchtálfaidh muid roinnt imeachtaí rannpháirtíochta poiblí a chuideoidh leo sin ar mhaith leo tuilleadh eolais a bheith acu chun freagra a chur isteach sa chomhairliúchán phoiblí. Cuireann muid fáilte roimh do thuairimí ar na beartais agus na moltaí atá sainaitheanta chun cuidiú le todhchaí ár gceantair a mhúnlú.

Newry, Mourne and Down District Council is delighted to present the publication of our Local Development Plan, draft Plan Strategy which provides the planning policy framework for the district and prioritises a plan-led system in local government decision making.

The draft Plan Strategy is the first of two development plan documents which will encompass our Local Development Plan, the second being the Local Policies Plan. When adopted, the Plan Strategy will constitute a key milestone for the council area. The draft Plan Strategy sets the strategic direction for future investment through sustainable economic growth in the district whilst facilitating the achievement of social and environmental objectives, such as healthier lifestyles, improved connectivity between places, and shaping sustainable and quality places to live, work, invest and visit.

Planning is recognised as a key function for Newry, Mourne and Down District Council as it facilitates the delivery of housing, economic growth and supporting infrastructure whilst protecting our diverse landscape.

The Council has conducted extensive evidence gathering, public engagement, community and stakeholder consultation prior to publication to ensure the views of residents and members have been heard. Engagement with statutory consultees, the private sector and local communities has been comprehensive, along with a partnership approach which takes account of the Council's Community Plan, to ensure sustainable growth throughout the district.

Our draft Plan Strategy is supported by a suite of Strategies and Strategic Policies in Part 1 of the Plan, which provide the foundation for the Operational Policies set out in Part 2. These deal with the range of policy topic areas including housing, economic development, retailing, infrastructure, the historic environment and natural heritage.

We will be consulting with our community and are hosting a number of public engagement events if you need further information to help you to respond to the public consultation. We welcome your views on the policies and proposals identified to help shape our district for the future.



# How to Respond

## Formal Consultation

Newry, Mourne and Down District Council is consulting on the Newry, Mourne and Down Local Development Plan draft Plan Strategy 2035. The consultation period will be carried out over a twelve-week period, commencing on Friday 27 June 2025 and closing at 5pm on Monday 22 September 2025. Please note that representations received after the closing date will not be considered.

The draft Plan Strategy is published alongside a range of assessments which are also available for public consultation and comment over this period. These include:

- Sustainability Appraisal (incorporating a Strategic Environmental Assessment)
- Draft Habitats Regulations Assessment
- Draft Equality (Section 75) Screening Report
- Rural Needs Impact Assessment.

We welcome comments on the range of policies and proposals from everyone with an interest in Newry, Mourne and Down District Council area. In particular, we welcome comments from:

- Volunteer groups
- Residents groups
- Community groups
- Environmental groups
- Business groups
- Developers/landowners
- Professional bodies
- Academic institutions.

During the consultation period, the LDP team will hold a series of drop-in sessions/exhibitions across the Council's seven DEAs. Details of these are published on the Council's website and in local newspapers from week commencing 30 June 2025.

## Availability of the Draft Plan Strategy

A copy of the draft Plan Strategy and all supporting documentation, including the Sustainability Appraisal Report, is available on the Newry, Mourne and Down District Council website

[www.newrymournedown.org](http://www.newrymournedown.org)

The draft Plan Strategy and supporting documents are also available to view in hard copy during office hours, 9am–5pm at the following Council offices:

**Newry Office**  
**Monaghan Row**  
**Newry BT35 8DJ**

**Downpatrick Office**  
**Downshire Civic Centre**  
**Ardglass Road**  
**Downpatrick BT30 6GQ**

## Aim of the Public Consultation

The public consultation on the draft Plan Strategy aims to:

- Encourage full public participation in the Local Development Plan process and to stimulate ongoing interest and involvement in the Plan process
- Promote a sense of ownership of the Local Development Plan
- Facilitate the Independent Examination of the draft Plan Strategy to ensure its soundness
- Provide a robust foundation for work on the Local Policies Plan, the next stage in the Plan process.



## How the Council will Process Your Comments

Following the twelve-week consultation period, there will be a further eight-week period to facilitate counter representations.

All representations and counter-representations will be analysed by our Local Development Plan Team, and a Public Consultation Report will be prepared and presented to Elected Members. This may result in amendments in the draft Plan Strategy, before its formal submission to the Department for Infrastructure, in advance of Independent Examination.

It should be noted that your responses are public documents that will be made available for public inspection and Independent Examination. All responses will therefore be held on a database in accordance with the provisions of the UK GDPR.

### Online

Use our online response form at Local Development Plan [www.newrymournedown.org/local-development-plan](http://www.newrymournedown.org/local-development-plan)

### Email

Email us or download the above response form at Local Development Plan ([www.newrymournedown.org](http://www.newrymournedown.org)) and email it to us at [ldp@nmandd.org](mailto:ldp@nmandd.org)

### Post

Write to us or send in a response form available at Local Development Plan ([www.newrymournedown.org](http://www.newrymournedown.org)) and post it to the following address:

**Local Development Plan Team  
Planning Office  
Downshire Civic Centre  
Ardglass Road  
Downpatrick BT30 6GQ**





# How to Use the Plan

The Plan Strategy is set out in two parts as follows:



## **1 Introduction**

Sets out the purpose of the Local Development Plan (LDP).

## **2 District Profile**

Provides key information for the district and outlines the regional and local context.

## **3 Policy Context**

Outlines the relevant policy framework of the district.

## **4 Vision and Plan Objectives**

States our overarching Plan vision and objectives for the district.

## **5 Spatial Growth Strategy and Strategic Policies**

Identifies our spatial growth strategy for the district, including the settlement hierarchy, and outlines strategic policies for implementation of the Plan vision and social, economic and environmental objectives.



## **6 General Policy and Operational Policies**

Part 2 provides the general policy and suite of operational policies and have been grouped under three main themes of sustainable development. These are:

- **Social**  
Accommodating People, Creating Quality Places and Improving Health and Wellbeing
- **Economic**  
Creating Jobs, Promoting Prosperity and Supporting Transport and Other Infrastructure
- **Environmental**  
Protecting and Enhancing the Historic Environment and Natural Heritage.

## **7 Monitoring and Review**

Sets out how we will measure the effectiveness of the LDP.

## **Glossary**

## **Appendices**





## Using the LDP Plan Strategy

When considering development proposals, applicants should have regard to the Strategic Planning Policy Statement (SPPS) for Northern Ireland including other relevant regional and local policy and guidance.

Development proposals must consider all Strategic Policies within Part 1 of the Plan Strategy and the General Policy GP1, which sets out criteria applicable to all development. Applicants should then refer to all other operational policies relevant to the development proposal contained within Part 2 of the Plan Strategy. It is likely that multiple operational planning policies will apply to any given development proposal, and the Council will consider all the relevant policies and material considerations to make a balanced decision.

Following adoption of the Plan Strategy, the Local Policies Plan will be prepared. Upon its adoption, the applicant should consider the Local Policies Plan for any relevant zonings or designations affecting the development proposal in question.

## Supporting Documents

### Sustainability Appraisal and Other Assessments

The Plan Strategy is supplemented by a Sustainability Appraisal, Habitats Regulations Assessment, Equality Impact Screening Report and Rural Needs Impact Assessment.

### Technical Supplements

The following suite of Technical Supplements provides the evidence base for the Plan Strategy strategic and operational policy areas:

- 1 Settlement Hierarchy and Strategic Settlement Evaluation
- 2 Housing
- 3 Economic Development
- 4 Retail
- 5 Transport
- 6 Tourism
- 7 Countryside Assessment
- 8 Open Space, Sport and Outdoor Recreation
- 9 Telecommunications and Other Utilities
- 10 Minerals Development
- 11 Health, Education and Community Facilities
- 12 Historic Environment
- 13 Natural Heritage

### Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) encompasses guidance to be used in conjunction with the operational policies of the Plan Strategy.

All supporting documents are available to view on the Council's website at Local Development Plan [www.newrymouredown.org](http://www.newrymouredown.org)

### LDP Map Viewer

Newry, Mourne and Down District Council's new interactive LDP Map Viewer is available on our website at Local Development Plan [www.newrymouredown.org](http://www.newrymouredown.org)

The LDP Map Viewer combines the proposal map and existing retained designations and zonings relevant to the Plan Strategy. These include:

### Spatial Growth Strategy

Outlines key strategic designations such as housing and employment zonings and related infrastructure.

### Settlement Hierarchy

Outlines the network of settlements across the district including City, towns, villages and small settlements.



## Environmental Designations

Outlines the key environmental designations which are subject to legislative/policy protection. The district's current international, European, and national designations can also be viewed on the DAERA website<sup>1</sup>.

## New Proposals/Designations

Outlines where the Plan Strategy has brought forward new proposals/designations which replace those in the extant Development Plans.

Where changes are proposed through the Plan Strategy, these are identified in Appendix 1. In such cases, the Plan Strategy when adopted will take precedence over the extant Plans.

## Alternative formats

The Plan Strategy and supporting documents are available in different formats upon request. If you would like a document in another format, please contact the Local Development Plan Team:

Email [ldp@nmandd.org](mailto:ldp@nmandd.org)  
Telephone 03301374036

If for any reason a particular alternative format cannot be met, other possible solutions will be explored.

<sup>1</sup> NIEA Natural Environment Map Viewer.



# Policy Guide

## Spatial Growth Strategy and Strategic Policies

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# 1

# Introduction

The Local Development Plan (LDP) is part of the reformed planning system introduced by the Planning Act (Northern Ireland) 2011, following the transfer of the majority of planning powers and responsibilities from central government to councils in April 2015. The 2011 Act provides for the preparation of a Local Development Plan by a council for its district, which will, when adopted, replace current development plans produced by the former Department of the Environment. It establishes a plan-led system which gives primacy to the development plan in the determination of planning applications unless other material considerations indicate otherwise.

## PART 1: PLAN STRATEGY / 1. INTRODUCTION

# What is the Local Development Plan?

The Local Development Plan (LDP) is principally a land use planning policy document that will guide the future use of land in the district. It will allocate appropriate land for differing types of land use and set out the main planning requirements to be met in respect of particular zoned sites and designations.

The purpose of the LDP is to:

- Apply regional planning policies at the local level
- Inform the general public, communities, statutory authorities, public bodies, developers, representative organisations and other interested parties of the policy framework and land use proposals that will be used to guide development decisions and determine proposals in the district up to 2035
- Be the primary consideration in the determination of planning applications for the development or use of land.

In preparing the LDP, the Council must take account of the regional policy context set by the Northern Ireland Executive and central government departments. In applying regional policies at the local level, the LDP will be a fundamental tool in the implementation of central government policies and strategic objectives, particularly those set out in the Regional Development Strategy 2035 (RDS) and the Strategic Planning Policy Statement for Northern Ireland (SPPS).

The RDS represents the overarching regional planning framework, while the SPPS provides an overarching statement of the core planning principles and regional strategic policy which underpins the planning system.

## Role of the Local Development Plan

The LDP will provide the essential planning policy framework for planning decisions and enforcement within the district, taking account of regional policy.

The role of the LDP is to:

- Provide a 15-year plan framework to support the economic and social needs of the district in line with regional strategies and policies, while providing for the delivery of sustainable development
- Facilitate sustainable growth by co-ordinating public and private investment to encourage development where it can be of most benefit to the wellbeing of the community
- Allocate sufficient land to meet the district's needs
- Provide an opportunity for all stakeholders, including the public, to have a say about where and how development within their local area should take place

- Provide a plan-led framework for rational and consistent decision making by the public, private and community sectors and those affected by development proposals
- Deliver the spatial aspects of the Council's Community Plan.

The Local Development Plan aims to move away from a narrow land use focus towards a 'place shaping' approach. It provides an opportunity for the Council to shape sustainable places for local communities. This will enable the Council to adopt a joined-up approach, incorporating linkages to other functions such as local economic development and regeneration, taking account of the Council's objectives set out in its Community and Corporate Plans.



# Our Community Plan 'Living Well Together' 2030

The Local Government Act (Northern Ireland) 2014 introduces a statutory link between the Community Plan and the LDP, in that the preparation of the LDP must take account of the Community Plan.

It is intended that the LDP will be the spatial reflection of the Community Plan, working in tandem towards the same vision for the council area and its communities, and will set the long-term social, economic and environmental objectives for the district.

Newry, Mourne and Down Council's Community Plan 'Living Well Together' 2030 has been developed to ensure that public services work together alongside communities to facilitate positive outcomes throughout the district. The Community Plan sets out the Council's long-term vision for the district, whilst highlighting priorities during the

Community Plan period. The vision, which the LDP takes account of, is to physically facilitate and deliver the five key outcomes outlined as follows:

All people in Newry, Mourne and Down:

- Get a good start in life and fulfil their lifelong potential
- Enjoy good health and wellbeing
- Benefit from prosperous communities
- Benefit from a clean, quality and sustainable environment
- Live in respectful, safe and vibrant communities.

Our Community Plan vision is:

"Newry, Mourne and Down is a place with strong, safe and vibrant communities where everyone has a good quality of life and access to opportunities, choices and high-quality services which are sustainable, accessible and meet people's needs."



# Our Corporate Plan 2024–2027

Newry, Mourne and Down District Council's Corporate Plan 2024–2027 builds on the progress and achievements of our first eight years and aims to guide and prioritise the Council's work, and how we allocate our resources. It sets out our strategic objectives and key actions, our commitment to provide progressive civic leadership and the delivery of high-quality and best value public services for all.

## Preparation of the Local Development Plan

The LDP process consists of two development plan documents, the Plan Strategy followed by the Local Policies Plan, which will shape development within our district in the period to 2035.

**Figure 1:** The LDP



The contents of the Plan Strategy and Local Policies Plan must be read as a whole, as strategic and operational policies, zonings, and designations will be of relevance to any given development proposal. The Planning Act (NI) 2011 states that the determination of a planning application, where it is relevant to the LDP, must be made

in accordance with the Plan, unless material considerations indicate otherwise. The LDP is the primary consideration in the determination of planning applications. However, other material planning considerations may be taken into account and will be given a certain degree of weight depending on the individual circumstances of the case.



# Transitional Arrangements

Once the Plan Strategy is adopted, it will replace the relevant regional operational policies published by central government and currently retained within the various topic-based Planning Policy Statements (PPSs) and the Planning Strategy for Rural Northern Ireland (PSRNI).

These will no longer be material considerations in the determination of planning applications. On adoption, the Plan will be the Plan Strategy and any extant Development Plan<sup>2</sup>, with the Plan Strategy having priority in the event of a conflict. The LDP regulations<sup>3</sup> state that the extant Development Plans will cease to have effect on adoption of the new LDP at Local Policies Plan (LPP) stage.

The extant development plans will remain in force as the statutory development plans for the district until such

time as they are replaced by the Newry, Mourne and Down Local Development Plan in its entirety. Where changes are proposed through the Plan Strategy, these are identified in Appendix 1. In such cases, the Plan Strategy, when adopted, will take precedence over the extant Plans.

## Stages in the Local Development Plan

There are four Key Stages in the LDP process:

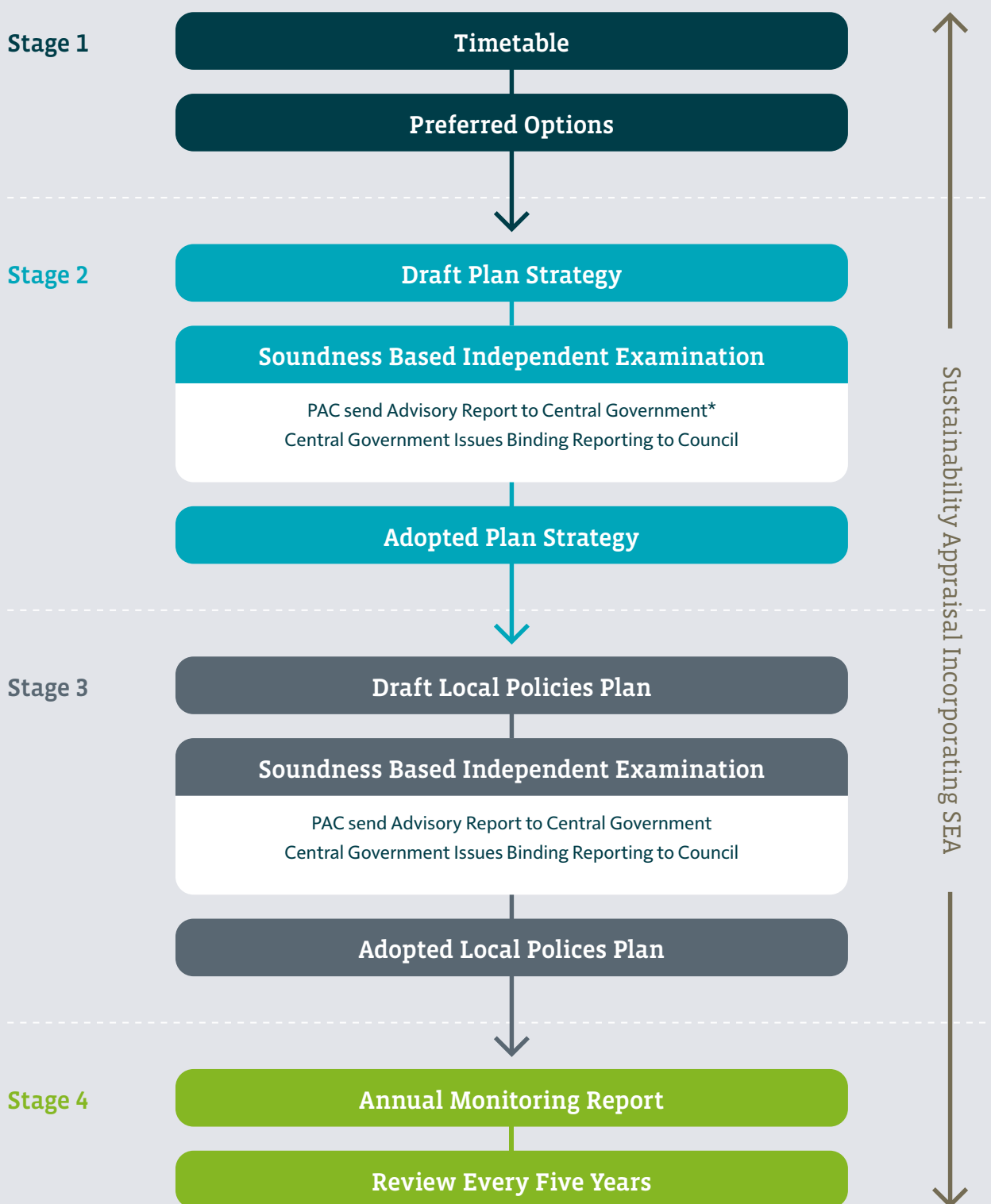
- **Stage 1**  
Initial Plan Preparation
- **Stage 2**  
Preparation and Adoption of the Plan Strategy
- **Stage 3**  
Preparation and Adoption of the Local Policies Plan
- **Stage 4**  
Monitoring and Review.

<sup>2</sup> The Banbridge, Newry and Mourne Area Plan (BNMAP) adopted October 2013 and Ards and Down Area Plan (ADAP) adopted March 2009.

<sup>3</sup> The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

PART 1: PLAN STRATEGY / 1. INTRODUCTION

**Table 2: Stages of the LDP Process**



\* Department for Infrastructure



## Stage 1: Initial Plan Preparation

This stage included the development of the evidence base, preparation of the Statement of Community Involvement (SCI), LDP Timetable and the production of the Preferred Options Paper (POP)<sup>4</sup>. The Timetable sets out the Council's programme for the production of the Plan Strategy and Local Policies Plan including key milestones and timelines from plan production through to adoption. In preparing the POP, the Council also undertook the initial stages of the Sustainability Appraisal (SA). The SA is a continual process that runs parallel with the preparation of the LDP. A SA Interim Report (consisting of SA Scoping Report and assessment of alternatives) was published with the POP.

The SCI promotes a more meaningful and effective approach to enable interested parties and the local community to engage early in the plan process and throughout its preparation. The SCI informs the public and all stakeholders of how, where and when they can become involved in the LDP preparation process and the timescale for doing so.

## Stage 2: Preparation and Adoption of Plan Strategy

This stage of the LDP preparation process consists of the preparation and publication of the draft Plan Strategy which will be subject to an Independent Examination (IE) prior to adoption. During the preparation of the Plan Strategy the LDP Timetable was kept under review and a number of revisions were published (April 2019, January 2021, September 2022 and September 2023). The Council has prepared the draft Plan Strategy based on both the information gathered and the public and stakeholders' responses to the POP. As part of this process, the Council has carried out a range of assessments including Sustainability Appraisal (SA), Habitats Regulations Assessment (HRA), Equality Impact Assessment (EQIA), and Rural Needs (RNIA). The Council has published the SA and other assessments for public consultation along with the draft Plan Strategy.

The Department for Infrastructure (DfI) will appoint the Planning Appeals Commission (PAC) or other independent examiners to hold the IE. This will examine the draft Plan Strategy against 'soundness' tests (Appendix 2) which will relate to how the Plan Strategy has been produced and how it has taken account of central government plans, policy and guidance and also its coherence, consistency and effectiveness. Following the IE, the examiner will issue a report of its findings to central government<sup>5</sup>, which will in turn consider this and issue a binding report to the Council. On this basis, the Council must incorporate any changes outlined in the binding report and subsequently adopt the Plan Strategy.

## Stage 3: Preparation and Adoption of Local Policies Plan

The Local Policies Plan must be consistent with the adopted Plan Strategy and incorporate detailed site-specific proposals for the Plan area. The Plan Strategy must be adopted before the draft Local Policies Plan is published for consultation, subjected to IE and adopted. The process for the preparation of the Local Policies Plan is similar to that of the Plan Strategy outlined above. The draft Local Policies Plan and associated assessments will also be published for public consultation with a period for representations and counter-representations on site specific issues. Following this, the process for IE and adoption of the Local Policies Plan will follow a similar route to the Plan Strategy. These two adopted documents will then comprise the LDP for the district.

## Stage 4: Monitoring and Review

The final stage in the LDP preparation process is Monitoring and Review which are essential in establishing how the objectives of the LDP are being achieved and whether any changes are required. Regular monitoring of the implementation of the LDP is required and this will include the preparation of an Annual Monitoring Report that specifies the amount of housing and economic land available, the number of housing completions and any other relevant information regarding the implementation of the LDP. The Annual Monitoring Report must also be submitted to central government following adoption of the Local Policies Plan. The Council will be required to undertake regular reviews of the LDP at least every five years from the date of adoption of the Local Policies Plan and submit its findings to central government.

<sup>4</sup> Published June 2018.

<sup>5</sup> Department for Infrastructure.

## PART 1: PLAN STRATEGY / 1. INTRODUCTION

# Engagement with LDP Consultees

The Planning Act requires councils in the exercise of their Development Plan function to consult with neighbouring councils.

Departmental guidance on soundness also requires councils to have regard to relevant plans, policies and strategies of adjoining councils (Development Plan Practice Note (DPPN) 6 Consistency Test C4) and where cross boundary issues are relevant, ensure the Development Plan Document (DPD) is not in conflict with the DPDs of neighbouring councils (DPPN 6 Coherence and Effectiveness Test CE1).

The development of the Council's LDP Plan Strategy has been informed by engagement with our five neighbouring councils. This engagement was undertaken on an individual basis throughout the LDP process culminating in grouped engagement in April 2025. Details on how we have engaged with other councils on issues of common interest are addressed in the background paper on cross boundary working.

As part of the cross-boundary engagement process, the Council has discussed its strategic policies and spatial growth strategy with its neighbouring authorities, affording them the opportunity to consider what impact these may have on their policy approaches within their LDPs. The Council has in turn considered how the growth strategies of its neighbours could impact on the proposals set out within the Plan Strategy.

A number of the Plan Strategy spatial designations adjoin the district's boundary, these include the Undeveloped Coast, Areas of Constraint on Mineral Development and Areas of High Scenic Value. In bringing these designations forward within the Plan Strategy, the Council has discussed the proposed policy approaches and spatial extent with the relevant adjoining authority and considered the extent to which there is policy variation across council boundaries.

The Council has had due regard to the published Development Plan documents of its neighbours. In terms of NI local authorities, the Council has considered the proposed policy approaches set out at POP stage and in the case of Lisburn and Castlereagh City Council, their adopted Plan Strategy. Regard has also been had to the Louth County Development Plan 2021-2027 and draft Monaghan County Development Plan 2025-2031.



# The Plan Strategy Supporting Documents

## Sustainability Appraisal

Alongside the draft Plan Strategy, the Council has undertaken a Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) in order to promote sustainable development by integrating social, environmental and economic considerations. This is a continuous process which follows through to the Local Policies Plan stage. The preparation of the SEA complies with the SEA European Directive 2001/42/EC and seeks to ensure sustainable development through the integration of environmental considerations in the formulation of plans and policies. Whilst a distinct requirement from the SA, the SEA is incorporated within the SA which also integrates wider social and economic considerations, as well as environmental considerations.

## Habitats Regulation Assessment

A Habitats Regulation Assessment has been carried out in accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and Section 102 of the Conservation of Habitats and Species Regulations (2010), which require a Habitats Regulations Appraisal (HRA) to be undertaken during the preparation of a LDP, if necessary. The regulations require an assessment of the potential adverse impacts of LDP plans and policies on the integrity of European sites including Special Protection Areas (SPAs), Special Areas of Conservation (SACs), and RAMSAR sites.

## Rural Needs Impact Assessment

A Rural Needs Impact Assessment has been carried out in accordance with the Rural Needs Act (NI) 2016. This legislation places a duty on local authorities to assess whether any major policy or strategy would have a differential impact on rural areas, and where appropriate, make adjustments within their plans to take account of particular rural circumstances.

## Equality Impact Assessment

An Equality Impact Assessment (EQIA) has been carried out to ensure that the LDP is fair to all and does not discriminate or disadvantage any people or group. It seeks to identify and address any adverse or negative impact. This has been carried out in accordance with Section 75 of the Northern Ireland Act 1998, which requires that a public authority shall, in carrying out its functions relating to Northern Ireland, have due regard to the need to promote equality of opportunity:

- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- Between men and women generally
- Between persons with a disability and persons without
- Between persons with dependants and persons without.







# 2

## District Profile

### **Spatial Characteristics**

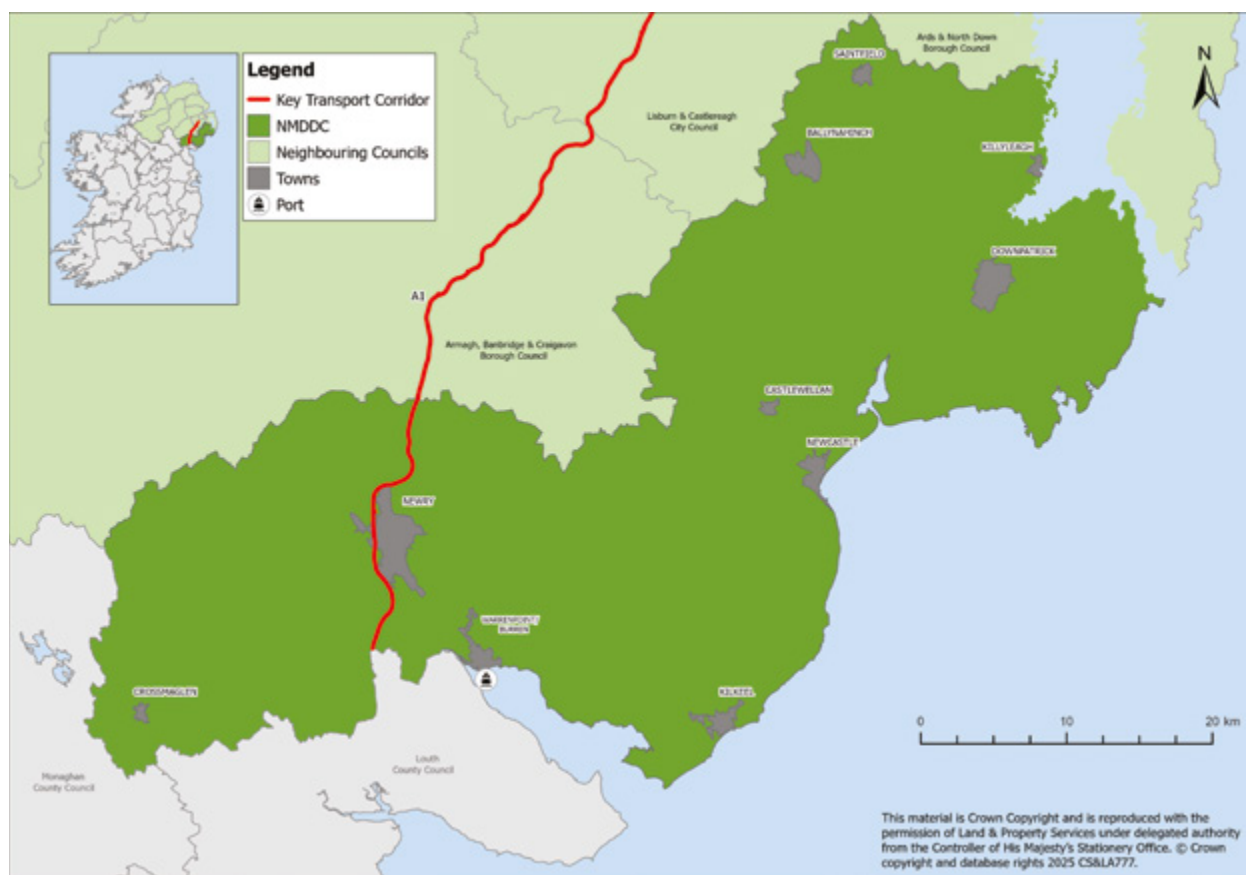
Newry, Mourne and Down is located in the southeast of Northern Ireland and covers parts of County Down and County Armagh. The north of the district borders with Armagh City, Banbridge and Craigavon Borough Council, Lisburn and Castlereagh City Council and Ards and North Down Borough Council. The south and west of the district borders Louth County Council and Monaghan County Council in the Republic of Ireland.

## PART 1: PLAN STRATEGY / 2. DISTRICT PROFILE

The district is strategically located along the key transport corridor between Belfast and Dublin (the Eastern Seaboard Corridor). The district's main settlement, Newry City, is identified by the Regional Development Strategy (RDS)<sup>6</sup> as a main hub and as the South Eastern City Gateway with the Republic of Ireland<sup>7</sup>. The district's second largest settlement, Downpatrick, is also identified as a main hub, while Warrenpoint and Newcastle are identified as local hubs. Warrenpoint port is the second busiest port in the province, whilst Kilkeel and Ardglass fishing harbours play a significant role, with the majority of Northern Ireland's fishing fleet based in these two harbours.

The district covers an area of approximately 1,700 km<sup>2</sup>, with approximately 160km of coastline taking in stretches of Strangford Lough, the Irish Sea, and Carlingford Lough. The district contains a diverse range of landscapes including the Mourne Mountains, Ring of Gullion, the drumlins and islands around Strangford Lough, Quoile Valley lowlands, coastal dunes and Newry Basin. There are three Areas of Outstanding Natural Beauty (AONB) which cover 55.7% of the district. These areas have a distinctive character that have been designated in recognition of the quality of their landscape, heritage and wildlife. Additionally, the Mourne Gullion Strangford UNESCO Global was designated in 2023 and comprises three distinct regions, each with unique characteristics significant for sustainable tourism, education and scientific research. The total area of the geopark covers 1,932 km<sup>2</sup> including 294.12 km<sup>2</sup> of marine areas.

**Map 1: Neighbouring Councils**



6 Regional Development Strategy 2035 (RDS).

7 Para 3.104 of RDS includes Warrenpoint.



## Neighbouring Councils

Newry, Mourne and Down District Council shares a common boundary with five council areas: Armagh City, Banbridge and Craigavon Borough Council, Ards and North Down Borough Council, Lisburn and Castlereagh City Council, Louth County Council and Monaghan County Council.

## Population

The 2021 Census states the total population of Newry, Mourne and Down District Council increased by 6.1% from 171,533 to 182,074 between 2011 and 2021. The total population has further increased and is estimated to be 189,000 in mid-2028<sup>8</sup>. This trend is expected to continue through the plan period with a projected increase to 193,746 by 2035<sup>9</sup>. This represents a 6.6% increase within the plan period.

The demographic of our population is also changing with the number of residents aged 65 and over expected to increase from 29,124 in 2020<sup>10</sup> to 42,988 in 2035<sup>11</sup> (an increase of approximately 47.6%). This proportion of our population is therefore expected to increase from 16.03% in 2020 to 22.2% in 2035. In addition, the number of residents aged 0-15 is expected to decrease during the plan period with this proportion of our population expected to decrease from 22.55% in 2020<sup>12</sup> to 19.3% in 2035<sup>13</sup>. These demographic changes are likely to have implications for housing needs, access to healthcare and community services and education provision in the district.

NISRA's 2021 Census identified that of the district's population, 15% reside in Newry City and 40% live in the six towns. Additionally, 10.72% of households were comprised of a single person aged 65+<sup>14</sup> and 17.55% of households did not have access to a car or van<sup>15</sup>. This has implications for housing, infrastructure and access to key services.

## Society

The Multiple Deprivation Measure 2017 for Northern Ireland reveals that Newry, Mourne and Down was ranked as the 3rd most deprived area out of the 11 Local Government Districts<sup>16</sup>. This takes into consideration indicators such as income, employment, health, education, proximity to services, crime, and living environment.

In 2021<sup>17</sup>, 41,700 (22.9%) of the district's population reported having a long-term health condition or disability that limited their day-to-day activities. Additionally, 13% of people stated that they provided unpaid care to family, friends, neighbours or others. With an ageing population, the number of people living with long-term health problems, and the level of care necessary, is set to continue to rise over the plan period. The most prevalent health issues were mobility problems, deafness, or long-term pain or discomfort. This is likely to have impacts upon factors such as the need to provide care at home, the provision and supply of suitable housing stock and access to health and community services.

<sup>8</sup> NISRA Population Projections 2021-based.

<sup>9</sup> NISRA Population Projections 2021-based.

<sup>10</sup> NISRA Population Projections 2020-based.

<sup>11</sup> NISRA Population Projections 2021-based.

<sup>12</sup> NISRA Population Projections 2020-based.

<sup>13</sup> NISRA Population Projections 2018-based.

<sup>14</sup> NINIS NMD Area Profile 2017.

<sup>15</sup> NISRA Car or Van Availability: KS405NI (administrative geographies).

<sup>16</sup> Northern Ireland Multiple Deprivation Measure 2017.

<sup>17</sup> NI Census 2021.



## PART 1: PLAN STRATEGY / 2. DISTRICT PROFILE

In 2021, 31.8% of people aged 16 and over in the district indicated that their highest level of qualification was at degree level or above, which was below the NI average of 32.1%, whilst 23.1% recorded having no qualifications which is similar to the NI average of 23.8%<sup>18</sup>. The provision of education and the level of education attainment in the district is an important factor in sustaining the local economy as skilled people are necessary to avail of opportunities in existing and emerging sectors.

## Housing

In 2021 there were a total of 68,397 households in the district. This represented an increase of 10.3% since 2011<sup>19</sup>. This figure is expected to rise to 74,498 by 2035<sup>20</sup> which is a further increase of 8.9%. This is not only caused by an increase in population but also by a decline in household size (predicted to fall from 2.71 people in 2021 to 2.60 in 2035<sup>21</sup>) and changing demographic patterns.

In 2021, 69% of households were owner occupied while the remaining 29% were rented (including shared ownership)<sup>22</sup>. The majority of dwellings in the district are detached (49%) which is a significantly higher figure than the average for detached houses in Northern Ireland (38%). This reflects the more rural nature of the district. The figure for semi-detached dwellings is similar to the NI average, whilst the number of terraced dwellings and flats is lower than the NI average<sup>23</sup>.

The housing requirement for the district, set by the Department for Infrastructure through its Housing Growth Indicators, is 10,000 units for the period 2016-2030; this has been modified to take account of the revised plan period (2020-2035) and amounts to 11,000 units<sup>24</sup>. The Council's housing monitor shows that committed sites (still to be developed) and zoned sites together with completed sites (developed since the start of 2020) amount to 10,245.

Regarding social housing, 10.8% of all households in the district reside in social housing tenure compared to the NI average of 15%<sup>25</sup>. The NIHE 2024 Housing Investment Plan update indicates a need across the district for 2,234 units over the period 2023-28 in the council area.<sup>26</sup>

Need is highest in Newry (508), Newcastle (244), Downpatrick (222), Warrenpoint (211) and Castlewellan/Drummaroad (115). However, need is also evident in pockets throughout the rural hinterland.

## Economy

In 2022 there were 62,028<sup>27</sup> employee jobs in the district, accounting for 7.8% of the NI total, equating to the district having the fourth highest number of employee jobs of the eleven councils. Of these jobs, 24.5% were in the public sector<sup>28</sup> showing a slightly less dependency on the public sector when compared to the NI average of 27.5%. Of the four headline industries, services accounted for the vast majority of employee jobs in the district with 76%, followed by 14.4% in manufacturing, 7.2% in construction and 2.4% in other<sup>29</sup>. While the number of jobs in services is significant it is lower than the NI average of 82.5%. However the district had a higher proportion of jobs in both manufacturing and construction than the NI average of 11.1% and 4.8% respectively<sup>30</sup>.

The economically active rate for those aged 16+ in the district was 62.1%, slightly above the NI average of 60.6%<sup>31</sup>. This trend was mirrored for the 16-64 age cohorts with a rate of 75.4% economically active in the district compared to the NI average of 73.7%<sup>32</sup>. In 2024 3.3% of the working age population in the district were claiming unemployment benefit. This is marginally below the NI average of 3.5%<sup>33</sup>. The median annual gross pay for full time employee jobs in the district in 2024 was £30,782<sup>34</sup>, notably lower than the NI average of £34,378.

18 Census 2021 Main Statistics Qualifications Table MS-G01.

19 NI Census 2021 Newry, Mourne and Down Area Explorer.

20 NISRA Household Projections table HHP16 LGD2024.

21 NISRA Household Projections table HHP LGD2014.

22 Census 2021 main statistics housing and accommodation tables - MS-E15.

23 Census 2021 main statistics housing and accommodation tables - MS-E06: Accommodation type - households.

24 Further detail set out in Part 1 Housing Strategy.

25 NMD Housing Investment Plan Annual Update 2023-2026 NIHE.

26 NMD Housing Investment Plan 2024 Update NIHE.

27 BRES2022-Publication-Tables-1.xlsx Table 1.1 - September 2022 (excludes agricultural jobs- 1544 in June 2022).

28 BRES2022-Publication-Tables-1.xlsx Table 1.2 - September 2022.

29 BRES2022-Publication-Tables-1.xlsx Table 3.1 September 2022.

30 BRES2022-Publication-Tables-1.xlsx Table 2.1 September 2022.

31 Labour-Market-Status-2022.XLSX Table 1.1b.

32 Labour-Market-Status-2022.XLSX Table 1.1d.

33 lmr-claimant-count-tables-december-2024.xlsx.

34 Annual Survey of Hours and Earning, NISRA, Table 7(NI)7a.





In 2024 there were 9,540 VAT and/or PAYE businesses registered in the district<sup>35</sup>. Of these businesses 8,745 (or 91.6%) employed less than 10 employees.

Of these VAT and/or PAYE registered businesses 25.7%<sup>36</sup> were in the agriculture, forestry and fishing sector compared to the NI average of 23.6%. This is representative of the district's rural nature and coastal location. Construction is also an important sector accounting for 18.8% of VAT and/or PAYE registered businesses in the district compared to the NI average of 14.2%.

The district continues to demonstrate its entrepreneurial success with 625 business births registered in 2023, second only to Belfast<sup>37</sup>. The business survival rate after one year was above the NI average with 93.5% of the districts 2022 business births remaining active in 2023 compared to 90.8% of NI's 2022 business births<sup>38</sup>.

In 2024, there were 4,144<sup>39</sup> farms located within the district with an agricultural labour force of 7,709<sup>40</sup>. Agriculture is the predominant land use across the district producing a range of livestock, dairy, cereals and crops. The predominant type of farm in the district is cattle and sheep (LFA<sup>41</sup>) accounting for 67% of all farms<sup>42</sup>. Of note is that 85% of farms in the district are categorised as very small which is higher than the NI average of 79%<sup>43</sup>.

Warrenpoint is Northern Ireland's third largest commercial port by volume accounting for 11.3%<sup>44</sup> of the total port traffic after Belfast and Larne. It provides a full range of shipping services and acts as a regional gateway to Britain and Europe. The port also offers potential for increased tourism through cruise ships.

The majority of NI's fishing fleet is based at Ardglass and Kilkeel and makes an important contribution to the district's economy. In 2022 the combined total value of the fish landed in Kilkeel and Ardglass by UK vessels was £16.1million, almost 50% of NI's total<sup>45</sup>. Kilkeel has the largest fishing fleet in Northern with 53% of all fishers in the Northern Ireland fishing industry being based in Kilkeel in 2021<sup>46</sup>.

The mining and quarrying industry makes an important contribution to the district's economy, employing 151 people in mining and quarrying<sup>47</sup> with further employment provided through the manufacture of concrete and asphalt products worth approximately £25million to the district economy<sup>48</sup>.

Tourism is a key economic driver in the local economy. In 2023 the expenditure on overnight trips by all visitors to the district was just over £79,139,615, an increase of 14.1% from 2019. This was the fourth highest expenditure of all the council areas<sup>49</sup>. In 2022 the tourism industry provided 5,949 jobs for the district which was equivalent to 8.5% of Northern Ireland total.<sup>50</sup>

35 IDBR-Publication-2024.xlsx.

36 IDBR Publication 2024 worksheet 3.2.

37 IDBR-Business-Demography-NI-2023.ods Table 1.2.

38 IDBR-Business-Demography-NI-2023.ods Table 1.10.

39 Agricultural Census in Northern Ireland 2024 - Data Tables\_0.ods Table 6.3b June 2024.

40 Agricultural Census in Northern Ireland 2024 - Data Tables\_0.ods Table 6.7b June 2024.

41 Less Favoured areas.

42 Agricultural Census in Northern Ireland 2024 - Data Tables\_0.ods Table 6.3b June 2024.

43 Agricultural Census in Northern Ireland 2024 - Data Tables\_0.ods Table 6.2b June 2024.

44 NISRA "Northern Ireland Ports Traffic 2023" Nov. 2024.

45 IDBR Section\_2\_Landings\_2022.ods.

46 UK Fisheries Statistics 2022: SN02788.pdf (parliament.uk).

47 NI Census 2021 Industry of employment by sex: MS-H06.

48 QPANI spreadsheet: Quarry Data Based on 10 Year Average Sept 2015.

49 NI Annual Tourism Statistics 2023 - Estimated Overnight Trips, Nights and Expenditure (administrative geographies).

50 Newry, Mourne and Down Local Statistics Explorer (NISRA) - NI Tourism 2023 Additional Tables - Table 12.

## PART 1: PLAN STRATEGY / 2. DISTRICT PROFILE

The district has a number of key tourist assets including the Mourne Mountains and Newcastle, the Ring of Gullion and Strangford Lough in addition to a number of country estates, forest parks, beaches, golf courses and activity centres. The district is the fourth most popular tourist destination out of the eleven council areas and received 8.86% of all visits to NI in 2023 - up from 8.62% in 2019<sup>51</sup>. In 2023, there were an estimated 482,585 overnight trips to the district resulting in 1,653,789<sup>52</sup> overnight stays, an increase of 6.1% from 2019.

## Environment

The district has a rich and diverse natural environment with a range of contrasting landscapes. This is reflected by the number of natural environment designations at local, national and international level including four RAMSAR sites, three Special Protection Areas, 11 Special Areas of Conservation, 62 Areas of Special Scientific Interest and seven Nature Reserves. There are three Areas of Outstanding Natural Beauty (AONBs) covering approximately 55.7% of the district which reflects the high-quality of the landscapes including the Mourne Mountains, Strangford Lough, and Slieve Gullion. Furthermore, there are three Special Countryside Areas (SCAs) in the district (the High Mournes, Slieve Croob and the Ring of Gullion) which have been designated for their exceptional landscapes. The quality of the landscape in the district is also demonstrated by its Geopark status centred around The Mournes, The Ring of Gullion and Strangford Lough and Coast.

The district has a strong historic environment which plays an important role in the overall appearance, character and sense of place of the area. There are 10 Conservation Areas in the district, which is the second highest number of Conservation Areas of all the NI council areas after Belfast. There are 27 Areas of Townscape Character (ATCs) and approximately 1,427 Listed Buildings in the district. There are three Areas of Significant Archaeological Interest, two candidate Areas of Significant Archaeological Interest, 29 Areas of Archaeological Potential, over 2000 archaeological sites and monuments (which include historic monuments in state care, scheduled and unscheduled monuments) and 1,536 Industrial Heritage Sites within the district. There are also 34 Historic Parks, Gardens and Demesnes. The historic environment plays a vital role in the heritage of the district and provides residents and visitors with an understanding of our past.

The district has approximately 160km of coastline which serves a vital role as a natural asset and tourist attraction, supporting the local and wider economy. Rising sea levels and climate change have the potential to significantly impact upon coastal areas as a result of coastal erosion and coastal flooding. Settlements identified as being at significant risk of flooding are Newry, Warrenpoint, Newcastle and Downpatrick. Furthermore, a large proportion of the County Down coastline is at risk of coastal erosion.

## Infrastructure

The district benefits from its position along a key transport corridor between Belfast and Dublin. This is a dual carriageway (A1) which passes through the south-west of the district, bypassing Newry, and linking with the N1 at the border. The district contains a second dual carriageway, the A2, which links Newry with Warrenpoint. There are no stretches of motorway, however the A1 and A2 provide approximately 29km of dual carriageway. The remaining routes within the council area are single carriage 'A' Roads, 'B' Roads or minor roads. While north to south road connectivity is good, the road network between the east and west is weaker.

<sup>51</sup> NI Tourism 2023 - Estimated Overnight Trips, Nights and Expenditure (administrative geographies).

<sup>52</sup> NISRA - Tourism: Estimated Overnight Trips, Nights and Expenditure (administrative geographies).



The A1 is identified as a key transport corridor within the Northern Ireland Regional Strategic Transportation Network, whilst two routes are identified as link corridors between Downpatrick and Belfast (A7), and a section of road between Newry and Armagh (A28). There are several trunk roads identified: between Newry and Warrenpoint (A2), Newry and Portadown (A27) and the A2 and A24 travelling north from Newcastle to Ballynahinch and on to Belfast.

The Newry Southern Relief Road will be a strategic road link to the south of Newry City and is one of a number of infrastructure projects across the district benefiting from the Belfast Region City Deal<sup>53</sup>. The scheme will link the A1/N1 Belfast-Dublin key transport corridor with the A2 Warrenpoint Road dual carriageway.

Public transport provision consists of a network of bus and rail services. Newry has a train station providing frequent services to Belfast and Dublin. Ulsterbus Goldline express buses provide a limited-stop service operating from Newry, Downpatrick and Newcastle to Belfast and other transport gateways. The Ulsterbus network also provides regular services to and from the district's key hubs to smaller towns and villages.

The provision of greenways plays a key role in supporting active travel options across the district. A 32km greenway connects Newry to Portadown while the Carlingford Lough Greenway runs south from Newry along the south-western side of Carlingford Lough to Omeath and Carlingford. The Carlingford Lough Greenway ends at the Albert Basin, approximately 1.5km south of the start of the Newry to Portadown Greenway.

A number of future greenway routes across the district have been identified by the Department for Infrastructure in the Strategic Plan for Greenways, 'Exercise Explore Enjoy'. These potential routes are set out in the Council's Active Travel Master Plan<sup>54</sup>.

The district benefits from a strategic location with an extensive coastline, providing several key ports and harbours including Warrenpoint, Kilkeel and Ardglass. Warrenpoint provides ferry and freight connections around the world and has potential for further growth in tourism from visiting cruise ships.

The majority of the NI fishing fleet is located at Kilkeel and Ardglass. Kilkeel is the largest fishing port in NI and accounts for almost a third of all fish landed in NI.

Most of the district's electricity is sourced from existing gas fired thermal stations at Ballylumford and Kilroot, as well as from commercial wind farms in other parts of Northern Ireland and augmented by energy imported through the interconnectors. The South-North gas pipeline runs from Gormanstown, County Meath, crosses the western part of the district near Forkhill, passing close to Newry and then passes into the Armagh City, Banbridge and Craigavon Borough Council area close to the shared small settlement of Glen.

Mobile Network Services are provided by Mobile Network Operators (MNOs) which currently include BT-EE, Virgin Media O2, Three and Vodafone. As of September 2023, their 4G networks covered 94% of the district, while their 5G services were available across 51% with 212 premises having no fixed or mobile coverage. Some pockets of no or limited telecommunications reception remain in rural areas of the district.

The district has experienced a significant improvement in the availability of faster broadband services in recent years. Ofcom analysis of operator data in 2024 indicated that 98% of the district's premises had access to superfast broadband ( $\geq 30$ mbit/s) whilst 93% of premises had a full fibre connection.

The district has 102 wastewater treatment works (WwTWs), these are run and maintained by NI Water. NI Water has identified capacity constraints for treatment works serving a number of settlements and there is an ongoing capital investment programme to upgrade and improve the treatment facilities.

NI Water has responsibility for the supply of water as well as sewerage treatment facilities in NI. The district receives treated water from five water treatment works that supply the existing water distribution networks in the district, including numerous service reservoirs which provide the necessary storage requirements.

<sup>53</sup> Belfast Region City Deal.

<sup>54</sup> [www.newrymournedown.org/media/uploads/nmd\\_active\\_travel\\_masterplan.pdf](http://www.newrymournedown.org/media/uploads/nmd_active_travel_masterplan.pdf).





Craigmore Viaduct, Newry

# 3

# Policy Context

## **Programme for Government Framework 2024–2027**

On 5 September 2024 the Executive agreed a draft Programme for Government 2024–2027 ‘Our Plan: Doing What Matters Most’ which outlines nine immediate priorities that are considered to best describe the society we wish to have. This was subsequently agreed by the Executive on 27 February 2025. These priorities are supported by proposed actions which demonstrate how each priority can be achieved. Some of these priorities have a direct link to spatial planning, such as ‘Grow a Globally Competitive and Sustainable Economy’ and ‘Provide More Social, Affordable and Sustainable Housing’. These cross-cutting priorities set out a direction of travel for the Northern Ireland Executive and provide a vision for the future of all residents.



## Regional Development Strategy 2035

The Regional Development Strategy 2035 (RDS) sets out a strategic, long-term vision on the future development of NI up to 2035. It provides an overarching strategic planning framework and influences the future distribution of development throughout NI. The RDS contains strategic regional guidance which provides policy direction in relation to economic, social and environmental matters aimed at achieving sustainable development and social cohesion. The RDS also contains spatial framework guidance which relate to five key component areas of the spatial framework, three of which relate to this district:

### Hubs and Clusters of Hubs

The RDS identifies Newry and Downpatrick as the two 'Main Hubs' in the district. Warrenpoint and Newcastle are identified as 'Local Hubs'. In the delivery of services and functions, it states that Newry has the potential to cluster with Warrenpoint, and Downpatrick has the potential to cluster with Newcastle. The RDS acknowledges Newry as a significant employment centre with a strong retail offering and an acute hospital.

The RDS acknowledges that Newry is strategically located along the key Belfast-Dublin transport corridor and identifies Newry as the South Eastern City Gateway due to its proximity to the border with the Republic of Ireland and the major port of Warrenpoint. It also recognises that Newry has the potential to cluster with Dundalk in the provision of services and functions. They are both strategically located on the Belfast-Dublin corridor which has the potential to become a significant axis of development within the wider European context. This has provided the impetus for joint working to develop their roles as regional gateways and to develop the wider eastern seaboard corridor. A joined-up approach assists in creating a critical mass to compete in the global economy and will support efforts to attract funding for wider regional infrastructure and regeneration

initiatives. Such an approach to the strategic planning of the cross-border relationship of Newry-Dundalk will enable it to collectively promote the development of a twin centre sub-region and promote sustainable development. Developing two strong sustainable centres will play a key role in regeneration strategies, transport infrastructure and connectivity, economic development and job creation and in the delivery of services.

The RDS acknowledges the Memorandum of Understanding (MOU) that exists between the Council and Louth County Council, which commits the region to increased cross-border co-operation. The MOU underpins the pivotal role of the greater Newry region. It establishes a strategic alliance between the two bodies and seeks to support and promote the economic development and competitiveness of the region<sup>55</sup>. This relationship will see both authorities work collaboratively together and share key services.

The RDS sets out guidance to identify and consolidate the roles and functions of settlements within the clusters, promote development opportunities at hubs and grow the population of hubs and cluster of hubs.

### The Rural Area

The district has a significant rural demographic. The RDS recognises that in order to sustain rural communities, new development and employment opportunities, which respect local, social and environmental circumstances, are required. This means facilitating the development of rural industries, businesses and enterprises in appropriate locations and ensuring they are integrated appropriately within the settlement or rural landscape. The RDS also states that the expansion of rural tourism and associated development that is both sustainable and environmentally sensitive should be encouraged. It recognises that accessibility to services can be difficult in rural areas and that there are wider implications for both transport services and the provision of a core set of essential services. The RDS sets out guidance to sustain rural communities living in smaller settlements and the open countryside and improve accessibility for rural communities.

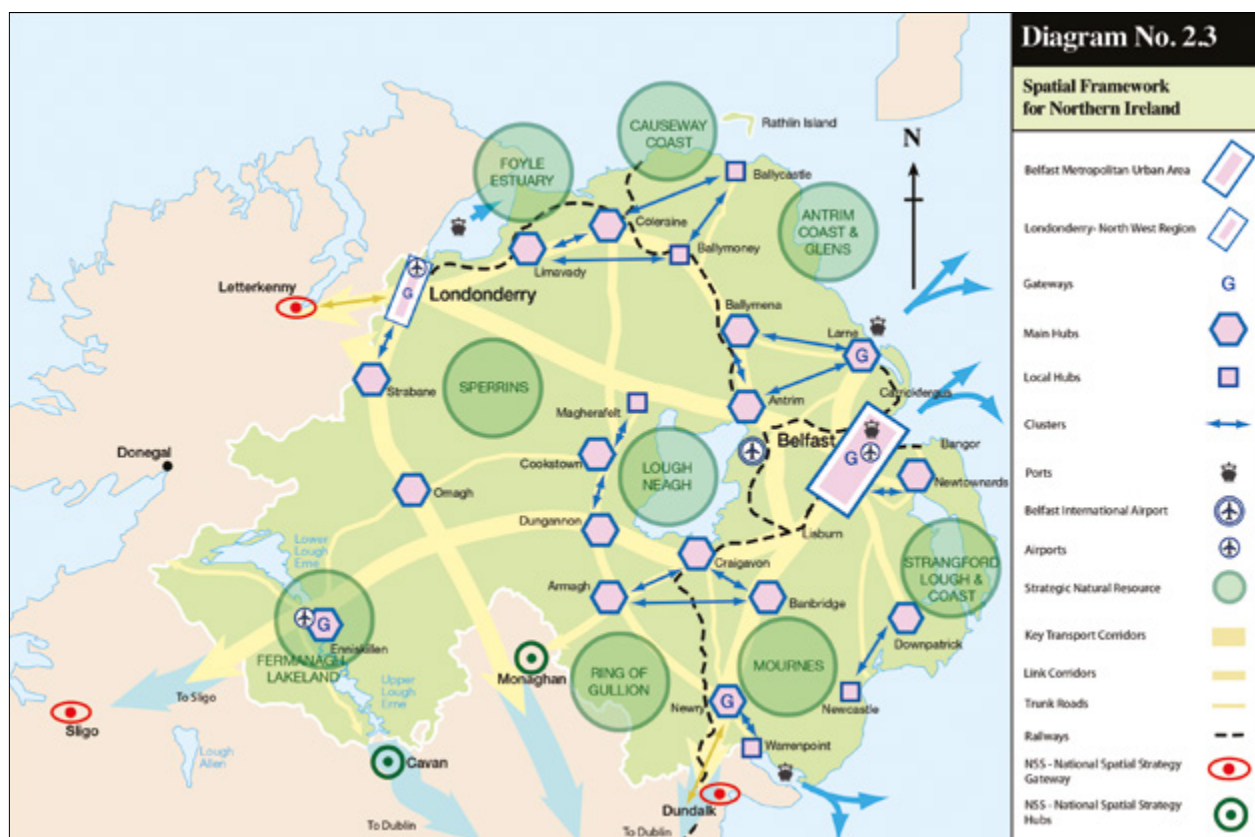
<sup>55</sup> Newry, Mourne and Down District Council and Louth County Council Strategic Alliance.



## Gateways and Corridors

Gateways are strategically important transport interchanges for economic development, freight distribution and employment generation. The quality of connection from air and seaports to the internal transport network is crucial for economic competitiveness and the convenience of the travelling public. Economic and social development depends on modern, efficient infrastructure. Placed on the Belfast-Dublin economic corridor and with its strategic transport links and seaport, Newry and Warrenpoint form the South Eastern City Gateway. The RDS sets out guidance to strengthen the gateways for regional competitiveness.

**Map 2: The Regional Development Strategy Spatial Framework for Northern Ireland**



## Sustainable Development Strategy

The Northern Ireland Executive's 'Everyone's Involved - Sustainable Development Strategy' (2010) sets out a vision of our society developing in a sustainable way, aiming to build a future characterised by economic prosperity, equality and social cohesion; strong, confident communities and a high-quality environment. It aims to put in place environmental measures to ensure that we can grow our economy, improve our society and utilise our natural resources in an environmentally sustainable manner. The delivery of the Strategy is based around six guiding principles:

- Living within environmental limits
- Ensuring a strong, healthy, just and equal society
- Achieving a sustainable economy
- Using sound science responsibly
- Promoting opportunity and innovation
- Promoting good governance.

The Planning Act (Northern Ireland) 2011 requires the Council to undertake an appraisal of the sustainability of the Local Development Plan. This has been carried out from the outset and in parallel with the LDP process. The Council has carried out a Sustainability Appraisal incorporating a Strategic Environmental Assessment (SEA) alongside the Plan Strategy and will continue this process throughout the Local Policies Plan. The key difference between the SA and the SEA is that the SA will consider economic and social effects of the LDP and its policies. This will ensure that sustainability is at the core of the Local Development Plan and its policies.

## Regional Transportation Strategy

Regional transportation is addressed through the Department for Infrastructure's<sup>56</sup> document 'Ensuring a Sustainable Transport Future - A New Approach to Regional Transportation' (2011) and the 'Regional Transportation Strategy for Northern Ireland 2002-2012'. The Strategy complements the RDS and contains high level aims and strategic objectives to support the growth of the economy, enhance the quality of life for all and reduce the environmental impact of transport. It sets out a

transportation vision to have a modern, sustainable, safe transportation system which benefits society, the economy and the environment and which actively contributes to social inclusion and everyone's quality of life. The Strategy sets out the approach to regional transportation and is used to guide strategic investment decisions.

## Strategic Planning Policy Statement for Northern Ireland – Planning for Sustainable Development

The Strategic Planning Policy Statement for Northern Ireland (SPPS) 2015 is a statement of central government's policy on important planning matters that should be addressed across NI. It provides a robust planning policy framework within which the Council will prepare the LDP and manage development. The provisions of the SPPS must be taken into account in the preparation of the LDP. The SPPS states that the preparation of LDPs and the process by which individual planning proposals are determined are key to furthering sustainable development, implementing the SPPS and realising the vision and aspirations of local communities. It highlights that when plan-making and decision-taking, planning authorities must balance and integrate a variety of complex social, economic, environmental and other matters that are in the long-term public interest.

The SPPS outlines a number of core principles underpinning the reformed planning system in NI. These are:

- Improving health and wellbeing
- Creating and enhancing shared space
- Supporting sustainable economic growth
- Supporting good design and positive place-making
- Preserving and improving the built environment and natural heritage.

The SPPS consolidates the existing suite of strategic subject planning policies into a single document. It sets out regional strategic objectives and regional strategic policies by subject area and guidance on how these are to be delivered through the LDP process.

<sup>56</sup> Published by former Department for Regional Development.

This provides the context for the Council's detailed operational policies set out in Part 2 of the LDP. These will replace the existing Planning Policy Statement (PPSs) and the remaining provisions of the Planning Strategy for Rural Northern Ireland (PSRNI) which will cease to have effect in the district when the Council adopts its Plan Strategy.

The Department for Infrastructure (DfI) launched a number of reviews of strategic planning policy contained within the SPPS. These reviews included 'Development in the Countryside', 'Renewable and Low Carbon Energy' and 'Oil and Gas Development' including development involving fracking and 'Climate Change'. Any necessary revisions of strategic planning policy contained in the SPPS as a result of these reviews, or any subsequent review, will be taken into account in the preparation of the LDP.

### **Sustainable Water – A Long-Term Water Strategy for Northern Ireland (2015-2040)**

The Department for Infrastructure published its Regional Water Strategy 'Sustainable Water – A Long-term Water Strategy for Northern Ireland' in 2016. The strategy's purpose is to set out a clear framework for action, which will facilitate implementation of a range of initiatives aimed at delivering the long-term vision to have a sustainable water sector in Northern Ireland. The strategy sets out four high level strategic aims which encourage a sustainable and integrated approach to managing all our different water needs in a way which promotes regional development, without compromising the environment or increasing flood risk.

### **UK Marine Policy Statement**

The UK Marine Policy Statement (MPS) was published in September 2011 under the Marine Coastal Access Act 2009 and provides the policy framework for the marine planning system and taking decisions affecting the marine environment. The MPS provides the high-level policy context within which marine plans will be developed and

monitored and will ensure consistency in marine planning across the UK marine area. The MPS will contribute to the achievement of sustainable development in the United Kingdom marine area. Newry, Mourne and Down covers a significant proportion of the Northern Ireland coastline, which includes tidal rivers and sea loughs, therefore, the draft Plan Strategy has had regard to the MPS.

### **Draft Marine Plan for Northern Ireland**

The draft Marine Plan for Northern Ireland has been prepared under the Marine and Coastal Access Act 2009 (MCAA) and the Marine Act (Northern Ireland) 2013 (The Marine Act) and within the framework of the UK Marine Policy Statement. Published in April 2018, it provides a framework of policies to be considered by public authorities taking decisions that affect or might affect the marine area. The Northern Ireland marine area is made up of an inshore and an offshore region. The marine area comprises all marine waters including seabed, subsoil, sea loughs and tidal rivers, so far as the tide flows at Mean High Water Spring Tide. Newry, Mourne and Down has a long and varied coastal area, therefore the draft Marine Plan for NI has been taken into consideration in the preparation of the draft Plan Strategy.

### **National Marine Planning Framework (ROI)**

The National Marine Planning Framework (NMPF) is Ireland's first comprehensive marine spatial planning framework and launched in July 2021. The NMPF brings together all marine-based human activities for the first time, outlining the Government's vision, objectives and marine planning policies for each marine activity. Carlingford Lough is shared with the Republic of Ireland and therefore the NMPF is relevant to the Council's Local Development Plan.



## Planning Policy Statements (PPSs) and a Planning Strategy for Rural Northern Ireland (PSRNI)

In accordance with the SPPS, the existing suite of PPSs, which currently provide regional operational planning policy across a range of subject areas and the remaining provisions of the PSRNI, will cease to have effect in the district when the Plan Strategy is adopted. Until that time, these policies will be retained under a transitional arrangement. Any relevant supplementary and best practice guidance will also continue to apply.

A detailed policy review has been carried out as part of the formulation of this draft Plan Strategy and the Council's new suite of Operational Policies are included in Part 2 of this draft Plan Strategy.

## Supplementary Planning Guidance

A wide range of supplementary planning guidance supports the regional policy contained in the PPSs. These include:

- Living Places – An Urban Stewardship and Design Guide for Northern Ireland (2014)
- Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside (2012)
- Creating Places – Achieving Quality in Residential Developments (2000)
- Best Practice Guidance to Planning Policy Statement 18: Renewable Energy
- Development Control Advice Notes.

Further information on retained guidance is detailed on the Department for Infrastructure's website:

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

## Other Strategies and Plans (Regional)

The LDP must take account of policy and guidance issued by the Central Government Department(s). This will include any future amendment, revision, updating or replacement of current Departmental documents.

The draft Plan Strategy has also taken account of the following documents:

- The EU Biodiversity Strategy to 2020 (May 2011)
- The Biodiversity Strategy for Northern Ireland to 2020 (July 2015)
- Northern Ireland Waste Management Strategy 'Delivering Resource Efficiency' (Oct 2013)
- 'Lifetime Opportunities – Governments Anti-Poverty and Social Inclusion Strategy for Northern Ireland' (Nov 2006)
- Thinking Rural – The essential Guide to Rural Proofing (March 2011)
- Northern Ireland Landscape Character Assessment 2000 (NILCA) (1999)
- Northern Ireland Regional Seascape Character Assessment (Jan 2014)
- Sustainability for the future 'DAERA's Plan to 2050' (2021)
- Environment Strategy for Northern Ireland – Public Discussion Document (2019)
- Securing the Future - delivering UK Sustainable Development Strategy (2005)
- Draft Green Growth Strategy for Northern Ireland (Oct 2021): Today we act. Tomorrow we thrive. Green Growth.
- NI Water Recreation and Access Policy (2013)
- Rural White Paper Action Plan (2012)
- Building a Better Future: The Investment Strategy for Northern Ireland 2011-2021 (2011)
- Infrastructure 2050 – Draft Investment Strategy for Northern Ireland (Jan 2022).

# Local Policy Context

## Existing Development Plans

The existing development plans that apply to the district are:

- Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) adopted October 2013
- Ards and Down Area Plan 2015 (ADAP) adopted March 2009.

These existing plans will remain in force as the statutory development plans for the district until such time as they are replaced by the Newry, Mourne and Down Local Development Plan 2035 in its entirety (see Transitional Arrangements, pg. 23). They provide the current local planning framework against which to assess development proposals and the starting point for the review of spatial planning options for the LDP Local Policies Plan.

## Council Strategies and Plans

The LDP will play a key role in the articulation of a number of the Council's primary plans.

### Community Plan 'Living Well Together' 2030

The Local Government Act (Northern Ireland) 2014 introduces a statutory link between the Community Plan and the LDP, in that the LDP must take account of the Community Plan for the council area and its communities and set the long-term social, economic and environmental objectives for the district. The Council, as the lead partner in the community planning process, works to create a long-term vision for the social, economic and environmental wellbeing of the district and its citizens, in partnership with the community and service providers in the area. The Council's Community Plan 'Living Well Together: A Community Plan for Newry, Mourne and Down to 2030' was published in 2017. The aim of the Community Planning Partnership is that this becomes the overarching strategic plan for the integrated planning and delivery of services for the district.

It is intended that the LDP will be the spatial reflection of the Community Plan, thereby linking public and private sector investment through the land use planning system. The LDP has ensured that it is working towards the same shared vision as the Community Plan, to address key issues and needs in the district and support the outcomes, priority areas and activities of the Community Plan. The linkages with the Community Plan will continue throughout the Local Development Plan process.

### Newry, Mourne and Down District Council Corporate Plan 2024-2027

The Council's mission as detailed in its Corporate Plan 2024-2027 is: "To deliver sustainable services and empower our communities through transparent governance and collaboration".

In being true to this mission and in realising the long-term vision for the development of the district, the Corporate Plan sets out a number of strategic objectives with key actions as its priorities, including four which the LDP will have an integral part in successfully achieving:

- Protect and enhance our environment to secure a sustainable future
- Support regenerative tourism opportunities which promote our culture, heritage and environment
- Develop and revitalise our district
- Deliver sustainable services.

The Corporate Plan acknowledges that the Local Development Plan is a key mechanism to deliver many of its strategic objectives.



## PART 1: PLAN STRATEGY / 3. POLICY CONTEXT

**Tourism Strategy for 2023-2028**

The first strategic objective of the Council's Corporate Plan is that the district becomes one of the premier tourism destinations on the island of Ireland. The Tourism Strategy recognises that the sustainable growth of tourism will require an integrated approach and that a collaborative internal local government approach is critical to the implementation of the Strategy. In delivering the Strategy, one of its three goals is ensuring that the development is undertaken sustainably and contributes to the enhancement of social, cultural and environmental values.

**Regeneration and Economic Development Strategy 2020-2025**

The Council's Regeneration and Economic Development Strategy was launched in November 2020. It states that an important element of delivering economic growth for our district will involve the economic regeneration of our city, towns and villages. The Strategy sets out six strategic aims for the district, which are to:

- 1 Achieve sustainable and inclusive economic growth
- 2 Address economic inequalities
- 3 Create more and better jobs
- 4 Stimulate productivity through new technologies and innovation
- 5 Develop the infrastructure and regeneration required to support economic growth
- 6 Become more internationally competitive through export growth and developing a more outward-looking economy open for investment.

The Strategy identifies three strategic priorities which are:

- To support entrepreneurship, business growth and innovation
- To improve employability and skills
- To invest in regeneration and modern infrastructure and connectivity.

**Arts Culture Heritage Strategy 2022-2027**

The Council's strategy seeks to set out a blueprint to guide and inform how we will work together to enhance our arts, culture and heritage sectors following the impact of the Covid pandemic, with the aim of supporting our economic growth and social outcomes. The strategy sets out the vision that "In 2027, Newry, Mourne and Down has a rich cultural life that is celebrated and protected for future generations. Our culture, arts and heritage create economic impact in our urban centres and brings benefits to all our rural communities across the district."

**Biodiversity Strategy 2024-2030**

The Council's Biodiversity Strategy and associated internal Action Plan will guide the protection and enhancement of biodiversity across Newry, Mourne and Down until 2030. The Biodiversity Strategy highlights the biodiversity duty of all public bodies, under the Wildlife and Natural Environment Act (Northern Ireland) 2011 (WANE), which states "It is the duty of every public body, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions." The aim of the duty is to raise the profile and visibility of biodiversity and to make it an integral part of policy and decision making. When undertaking their functions, public bodies have to take into account the following five areas:

- Enhancing biodiversity
- Promoting the understanding of biodiversity both within and outside the organisation
- Restoring biodiversity
- Maintaining biodiversity
- Protecting biodiversity.

The Biodiversity Strategy sets ambitious EU targets and commitments for 2030 to achieve healthy and resilient ecosystems.



LEFT: Murlough Bay and Mourne Mountains



### Active Travel Masterplan 2021

In January 2021, Newry, Mourne and Down District Council commissioned Sustrans to produce an Active Travel Masterplan for the district. This brief was to set out a 10-year vision for Newry, Mourne and Down as a district where cycling and walking are viable and attractive travel choices. The masterplan provides guidance on the development of cycling and walking infrastructure and complimentary measures over a 10-year period. It sets out a suite of recommendations that would improve conditions not only for people choosing to cycle and walk in the district, but also all residents who suffer from the negative effects of too much motor vehicle traffic. This masterplan states that it should be used to direct investment into future active travel projects that will meaningfully benefit the residents of Newry, Mourne and Down.

### Design Guides

The Design Guide published by the former DOE Dwellings in the Mournes: A Design Guide, is being retained by the Council. In addition, a number of Conservation Area Guides provide background and guidance on each of the designated Conservation Areas within the district. These design guides have been taken into account in the preparation of this draft Plan Strategy.

### Other Strategies and Plans (Local)

The LDP has to have regard to other relevant plans, policies and strategies (current and emerging) relating to the district or that of any adjoining local authority. This will include any future amendment, revision, updating or replacement of current strategy documents.

The Council has produced a number of other strategy documents. These include a Play Strategy, Sports Facility Strategy and Masterplans for Newry City Centre, Downpatrick Town Centre, Ballynahinch Town Centre and the South East Coast Masterplan.

Given the district's border with the Republic of Ireland, cross-border co-operation and the role of the greater Newry region, reference is also made to the Irish Government's strategic development framework.

### Project Ireland 2040 - National Planning Framework

Similar to the RDS, 'Project Ireland 2040 - National Planning Framework' (NPF) (2018) represents the Republic of Ireland's strategic development framework. Newry, Mourne and Down district shares a land and sea border with the Republic of Ireland. It borders both County Louth and County Monaghan. The NPF seeks to address the shared challenges it has with NI. In doing so it includes a number of specific national policy objectives outlining a collaborative approach to build and develop this relationship in the strategic planning and development of both Ireland and NI.

These are largely based around three key areas of working together for economic advantage, co-ordination of investment in infrastructure and managing our shared environment responsibly.





# 4

## Vision and Plan Objectives

The Local Government Act (Northern Ireland) 2014 introduced a statutory link between the Council's Community Plan and its Local Development Plan in that the preparation of the LDP must take account of the Community Plan. The LDP is the spatial reflection of the Community Plan, focused on land use and place making aspects of the various actions and priorities in the Community Plan. The LDP vision incorporates the Community Plan vision and builds on this to give it a spatial focus which centres on sustainable development.



**Figure 2:** Council Strategies and LDP Linkages



## LDP Vision

Newry, Mourne and Down is a place with strong, safe, and vibrant communities, where people enjoy a good quality of life and equality of opportunity for all. A sustainable, well connected and high-quality place where our environment and cultural heritage are valued and protected to make the district an attractive place to live, work, invest and visit.

The LDP will aim to deliver its vision through the Plan objectives, categorised into social, economic and environmental.



LEFT: Community Planning Partners Event

**Table 3: LDP Plan Objectives**

| LDP Plan Strategy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Community Plan                                                                                                                                                                                                                                                                                                                                                                                               | Corporate Plan                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Outcome and Indicator                                                                                                                                                                                                                                                                                                                                                                                        | Objective                                                                                                                                                                                                                                                                      |
| <b>Social: Accommodating People, Creating Quality Places and Improving Health and Wellbeing</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                |
| To further develop Newry City as a regional gateway city and Downpatrick as a main hub within the district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>All people in Newry, Mourne and Down benefit from prosperous communities:</p> <ul style="list-style-type: none"> <li>• Level of Jobs and Earnings</li> <li>• Level of income and wealth</li> <li>• Level of economic investment</li> </ul>                                                                                                                                                                | <p>Invest in and support new and growing business, job creation and employment skills.</p> <p>Support sustainable forms of tourism which value our environment and cultural heritage.</p> <p>Promote the revitalisation of our city, towns villages and rural communities.</p> |
| <p>To protect and sustain the role of local and small towns so they act as local centres for housing and community services.</p> <p>To provide for vital and vibrant rural communities in our villages and small settlements which meet the daily needs of their rural hinterland whilst protecting the countryside by accommodating sustainable growth.</p> <p>To provide for approximately 11,000 new homes by 2035 across a mix of housing type, size and tenure in accessible locations.</p> <p>To support the regeneration of disadvantaged and deprived areas.</p> <p>To recognise the need of growing families, elderly and disabled by accommodating development which allows people to remain within their communities.</p> | <p>All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment:</p> <ul style="list-style-type: none"> <li>• Level of Quality Housing</li> <li>• Level of Quality Living Environment</li> <li>• Level of Rich, Diverse, Natural Environment</li> </ul>                                                                                                                    | <p>Enhance, protect and promote our environment.</p>                                                                                                                                                                                                                           |
| <p>To facilitate the development of new community facilities at locations accessible to the communities they serve, through a variety of modes of transportation.</p> <p>To protect and enhance the provision of open space across the district to support health and wellbeing.</p> <p>To provide for quality public spaces and 'shared spaces' that are accessible to all.</p>                                                                                                                                                                                                                                                                                                                                                     | <p>All people in Newry, Mourne and Down live in respectful, safe and vibrant communities:</p> <ul style="list-style-type: none"> <li>• Level of social connections</li> <li>• Level of Civic Participation</li> </ul> <p>All people in Newry, Mourne and Down enjoy good health and wellbeing.</p> <p>All people in Newry, Mourne and Down get a good start in life and fulfil their lifelong potential.</p> | <p>Enable and support people to engage in inclusive and diverse activities in their communities.</p> <p>Enhance, protect and promote our environment.</p> <p>Continue to improve the health and wellbeing of everyone in the district and reduce health inequalities.</p>      |

## PART 1: PLAN STRATEGY / 4. PLAN VISION &amp; OBJECTIVES

| LDP Plan Strategy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Community Plan                                                                                                                                                                                                                                                                                                                                                             | Corporate Plan                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Outcome and Indicator                                                                                                                                                                                                                                                                                                                                                      | Objective                                                                                                                                                                                                                                                                                                                           |
| <b>Economic: Creating Jobs, Promoting Prosperity and Supporting Transport and Other Infrastructure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                     |
| <p>To ensure there is a generous supply of suitable land to meet economic development needs within the district over the Plan period, at a variety of locations where they are accessible to all members of the community, including those without a private car.</p> <p>To encourage and accommodate entrepreneurship and innovation for large, medium, and small firms by ensuring a variety of sites based on size, quality and choice.</p> <p>To facilitate Newry City to capitalise on its role as the South Eastern City Gateway on the Belfast-Dublin economic corridor, similarly maximising Warrenpoint/Burren as a local hub and major port, whilst ensuring Downpatrick as our main town is strengthened as a main employment centre.</p> <p>To support the district as a major leisure destination which promotes sustainable tourism initiatives underpinned by tourism infrastructure in appropriate locations.</p> <p>To achieve strong and vibrant city and town centres supported by a hierarchy of centres that sustainably meet the shopping, working and leisure needs of the district.</p> <p>To protect and sustain the role of local and small towns so they act as local centres for shops, employment and leisure of an appropriate scale and support our villages to meet the daily needs of the surrounding rural area.</p> <p>Provide for sustainable economic development in the countryside.</p> | <p>All people in Newry, Mourne and Down benefit from prosperous communities:</p> <ul style="list-style-type: none"> <li>• Level of Jobs and Earnings</li> <li>• Level of income and wealth</li> <li>• Level of economic investment</li> <li>• Level of Tourism Revenue</li> </ul>                                                                                          | <p>Invest in and support new and growing business, job creation and employment skills.</p> <p>Support sustainable forms of tourism which value our environment and cultural heritage.</p> <p>Promote the revitalisation of our city, towns villages and rural communities.</p> <p>Enhance, protect and promote our environment.</p> |
| <p>To promote integration between transportation and new development to reduce the need to travel and reduce dependency upon travel by car.</p> <p>Promote opportunities for sustainable travel including walking, cycling and public transport and reduce the need to travel by private car.</p> <p>To protect strategically important transportation routes.</p> <p>To support renewables infrastructure whilst affording protection to the environment.</p> <p>To support digital connectivity which meets the needs of business and households while reducing the need to travel.</p> <p>To accommodate appropriate investment in public utilities and sustainable waste management.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>All people in Newry, Mourne and Down get a good start in life and fulfil their lifelong potential:</p> <ul style="list-style-type: none"> <li>• Level of Connectivity</li> </ul> <p>All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment:</p> <ul style="list-style-type: none"> <li>• Level of sustainable energy</li> </ul> | <p>Provide accessible, high-quality and integrated services through continuous improvement.</p> <p>Continue to improve the health and wellbeing of everyone in the district and reduce health inequalities.</p> <p>Enhance, protect and promote our environment.</p>                                                                |



| LDP Plan Strategy                                                                                                                                                                                                   | Community Plan                                                                                                                                                                                                                                                                                                                                                                                                                                    | Corporate Plan                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective                                                                                                                                                                                                           | Outcome and Indicator                                                                                                                                                                                                                                                                                                                                                                                                                             | Objective                                                                                                                                                            |
| <b>Environmental: Protecting and Enhancing the Historic Environment and Natural Heritage</b>                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect, conserve and, where possible enhance the historic environment to achieve quality design and support economic opportunity.                                                                               | <p>All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment:</p> <ul style="list-style-type: none"> <li>• Level of Quality Living Environment</li> <li>• Level of Rich, Diverse, Natural Environment</li> </ul> <p>All people in Newry, Mourne and Down enjoy good health and wellbeing:</p> <ul style="list-style-type: none"> <li>• Level of Life Expectancy</li> <li>• Level of Health Status</li> </ul> | <p>Enhance, protect and promote our environment.</p> <p>Continue to improve the health and wellbeing of everyone in the district and reduce health inequalities.</p> |
| To protect, conserve and enhance the district's heritage assets and promote their sensitive re-use.                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect, conserve and enhance townscape character, delivering high-quality design that helps to create a sense of place.                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect, conserve, enhance and restore the district's natural heritage to support biodiversity in its habitats, species, landscapes and earth science features, and promote health and wellbeing.                |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect our sensitive landscapes from inappropriate development.                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To reduce vulnerability to climate change and prevent inappropriate new development in areas known to be at risk of flooding, coastal erosion or land instability.                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect and sustainably manage the district's natural resources by avoiding impacts on water quality and managing the extraction of mineral reserves.                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect and enhance the network of blue and green infrastructure to support opportunities for active travel, recreation, health and wellbeing and creation of wildlife habitats.                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To protect and enhance the natural character and landscape of the undeveloped coast protecting it from excessive, inappropriate or obtrusive development.                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To facilitate appropriate development in coastal settlements and other parts of the developed coast that benefits local communities, contributes to a sustainable economy and is sensitive to its coastal location. |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |
| To enable and support coastal development that is adaptive to coastal change through good design and siting.                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                      |







Part 1: Plan Strategy

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# 5

## Spatial Growth Strategy and Strategic Policies



# Overarching Strategic Policies

## Strategic Policy SP1 Sustainable Development and Climate Change

All new development should be sustainably located and mitigate against the effects of climate change in order to fulfil the Plan's overall strategic vision and objectives and meet the NI Executive's targets relating to climate change and the reduction of greenhouse gases.

Development proposals should demonstrate where possible that they:

- 1 Are sustainably located;
- 2 Involve the reuse of vacant and derelict land or buildings where appropriate as part of a low carbon sustainable development approach (Policy HE14);
- 3 Promote passive solar design and utilise renewable and low carbon energy technologies (Policies RE1-RE2); additionally, all new major development<sup>57</sup> proposals will be expected to incorporate renewable/low carbon energy technologies to provide at least 10% of predicted energy requirements;
- 4 Create and enhance opportunities for active travel and trips by public transport (Policy TRA8);
- 5 Create and enhance opportunities for the provision of green and blue infrastructure (Policy OS8);
- 6 Encourage sustainable waste management through the prevention, reuse, recycling, and recovery of materials (Policies WM1-WM5);
- 7 Reduce surface water runoff through increasing permeable surfaces and use of sustainable drainage systems (Policies FRD3 and FRD6); and
- 8 Avoid areas at an increased risk from flooding, landslip or coastal erosion (Policies FRD1-FRD5, DAR1 and CO1-CO2).

Additionally, for all new major development, the Council will require a Sustainability Statement (see Appendix 3) to be submitted, taking into account the above eight criteria, to demonstrate how the development will contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

<sup>57</sup> As defined in the Planning (Development Management) Regulations (Northern Ireland) 2015.

## Justification and Amplification

### Sustainably Located

The Plan Strategy aligns with regional policy contained in the Strategic Planning Policy Statement for Northern Ireland (SPPS) which requires consideration of the inter-relationship between the location of local housing, jobs, facilities and services and infrastructure to further sustainable development.

The Spatial Growth Strategy seeks to ensure that development occurs in the right place and in a sustainable way. The district's city, Newry, and main town, Downpatrick, will accommodate sustainable housing and economic growth with their centres supporting retail, office and mixed-use development, services and infrastructure growth. Local and small towns will provide opportunities for appropriately scaled economic development proposals, retailing, services and residential development. Villages will act as important service centres meeting daily needs of the rural community. Small settlements will offer opportunities for small scale development through infilling and rounding off.

Development proposals within settlement limits should demonstrate that they are sustainably located, taking account of such factors as access to public transport routes, pedestrian linkages and greenways as well as access to amenities including shops and services, community infrastructure and open space.

Within the open countryside, single dwellings will be managed and facilitated in a manner to strike a balance between the need to protect the countryside from unnecessary or inappropriate development while supporting rural communities.

Within rural communities, the Council will seek through its Transport Plan<sup>58</sup> to improve access to services, public transport and increase opportunities for active travel.

### Reuse of Vacant and Derelict Land or Buildings

The Council will support proposals for the reuse of vacant and derelict land or buildings where appropriate, as this can help to mitigate the carbon costs of development. Sympathetically upgrading and reusing existing buildings rather than demolishing and building new, can significantly improve a building's energy efficiency and make substantial energy savings because CO<sub>2</sub> emissions already embodied within existing buildings are not lost through demolition.

Proposals involving the reuse of historic buildings can also help to conserve the character, appearance and local distinctiveness of a place.

### Promote Passive Solar Design and Utilise Renewable/Low Carbon Energy Technologies

The Council will promote passive solar design in all new development. Developments should be designed to reduce energy demand including consideration given to energy efficiency design (insulation, high thermal mass etc) and the use of passive ventilation (openable windows, solar shading).

All new development whether residential or non-residential should seek to provide a reduction in carbon dioxide emissions through energy efficiency measures and the installation of renewable energy technologies, where feasible. Consideration should be given to the installation of solar PV and solar water heating in both new buildings and in retrofitting of buildings where there is no adverse impact to heritage significance and historic fabric.

To reduce the district's carbon emissions and secure sustainable energy solutions, all new major developments, where appropriate, should incorporate renewable/low carbon energy technologies to provide at least 10% of predicted energy requirements. For the purposes of this policy a major development is as defined in the Planning (Development Management) Regulations (Northern Ireland) 2015.<sup>59</sup> There are a range of renewable or low carbon technologies that can be considered (Policies RE1-RE2) and it will be for the applicant to explore the different types of technologies available and calculate which of these will meet the 10% minimum target for major developments. Consideration can be given to a range of technologies if they meet the requirement to deliver the 10% minimum target without impacting on design, character, noise pollution or other loss of amenity.

Where a developer proposes a level of renewable/low carbon energy supply which will deliver less than the 10% target, this will only be considered acceptable where it is demonstrated that achieving the 10% target would render a scheme unviable (excluding land purchase costs). The developer will be required to substantiate this position through the submission of a full viability appraisal. The Council may seek independent advice to review the evidence within the viability appraisal.

<sup>58</sup> The Transport Plan will be developed in conjunction with DfI.

<sup>59</sup> Residential development entails 50 or more dwellings or 2 hectares or greater site area; a major non-residential development entails the provision of a building or buildings where the floorspace to be created is 1,000m<sup>2</sup> floorspace or more, or development on sites of 1 hectare or more.

This policy requirement is intended to complement the requirement under Regulation 43B of the Building Regulations (Northern Ireland) 2012 that all new buildings should be nearly zero-energy buildings by requiring major development proposals to incorporate renewable/low carbon energy technologies into their developments.

It is acknowledged that some types of renewable/low carbon energy installation may not be appropriate for sensitive buildings or areas (e.g. Listed Buildings or Conservation Areas) and in all cases careful consideration should be given to the design of installations and their effects on the appearance of a building or area. Where the applicant considers this to be the case pre-application discussion with the Council is recommended. Where it is proven to not be appropriate or feasible for renewable or low carbon technologies to be provided, it should be demonstrated how other features of the development will make up for the shortfall in renewable energy provision and contribute to meeting targets to reduce carbon dioxide emissions e.g. reuse of existing buildings and retrofitting works.

### Active Travel and Public Transport

Active travel routes are a way to connect communities to facilities and services, as well as to areas of open and green space. Regional policy set out in the SPPS recognises the impact active travel can have on people's travel choices, local biodiversity and health and wellbeing. Urban walkways and cycle lanes can enable people to be self-reliant for their travel needs and may include paths, lanes and rights of way. Heritage assets such as disused railways, historic route-ways and canal towpaths can offer opportunities for greenway and cycle path development.

Development proposals should seek to create and enhance the opportunities for active travel and public transport through practical measures in development schemes (see Policies TRA1 and TRA8). This should include the creation of new pedestrian and cycle routes within the development and linking to existing or planned networks, provision of dedicated facilities for active travel uses within schemes and integration with the public transport network.

### Green and Blue Infrastructure

The incorporation of green and blue infrastructure should be considered at the start of the design stage alongside other grey infrastructure requirements such as roads, drainage and sewage infrastructure. Where possible, existing green and blue infrastructure should be protected, and development proposals should seek to provide new green/blue infrastructure connected to other habitats and features beyond the boundary of the development site.

Green infrastructure, for the purposes of the LDP, is defined as the network of natural and semi-natural areas, features and open spaces that lie within and between our City, towns, villages and small settlements which provide multiple social, economic and environmental benefits. Green features include parks, woodlands, street trees, wildlife habitats and allotments. They assist in water absorption and improving air quality. Linked open spaces should be integrated into development proposals, to create walkways, opportunities for exercise, public sitting areas and wildlife corridors.

Blue infrastructure, for the purposes of the LDP, refers to the planned handling of water and drainage on site. This may include swales, drainage ditches, balancing ponds and the other components of a sustainable drainage scheme, contributing to the absorption and slow release of surface water. The design of new blue infrastructure should incorporate, protect and enhance any existing watercourses.

Climate change is expected to impact on local biodiversity, as changing climatic factors will cause habitats to alter and species to move. Local biodiversity will therefore need green/blue infrastructure to help aid future movement.

### Sustainable Waste Management

The waste hierarchy is a core principle of the Northern Ireland Waste Management Strategy and is the foundation of the LDP waste management policies (see WM1-WM5) with the focus on the development of a circular waste economy which promotes a shift to a more sustainable economic model that values and extends the lifecycle of products, components and materials to minimise waste disposal and energy use.



All new developments should encourage the hierarchy's preference for prevention, reduction, reuse, recycling and energy recovery over waste disposal. It is important that the layout and design of residential development should provide for the collection and storage of waste and recycling materials in a way that is sensitive to the development and the environment. Non-residential buildings should be designed, constructed and managed in a way that facilitates increased recycling of waste and reduction of waste to landfill.

When new developments are under construction consideration must be given to how waste from the construction operations will be managed. Developers have a responsibility to re-use and recover as much material as possible on-site and minimise off-site disposal.

Waste management licensing and regulation is the responsibility of the Department of Environment and Rural Affairs (DAERA) and further information on waste disposal is available on the DAERA website.<sup>60</sup>

Proposals for waste management facilities should avoid or minimise any detrimental effects on people, the environment and amenity.

### Reduce Surface Water Runoff

The Council's policy approach to surface water drainage is that the management of surface water and consideration of drainage impacts in new development should be considered at an early stage. The preparation of a Drainage Assessment will generally be appropriate practice and must be submitted where development proposals meet the thresholds set out in accordance with Policy FRD3.

Surface water drainage should be managed in a manner that protects the water environment, avoids unacceptable flood risk and secures benefits in terms of biodiversity and amenity.

Sustainable Drainage Systems (SuDS) describes an approach to surface water management that means managing rainwater with the aim of:

- Reducing surface water runoff and associated flooding;
- Improving water quality;
- Protecting and improving the environment; and
- Ensuring the stability and durability of drainage systems

The SuDS approach can include a variety of different methods used to reduce the amount of rainwater that is discharged from a site and slow down the discharge of water. The removal of pollution within runoff is integral part of a SuDS scheme and such schemes are generally more resilient in dealing with severe rainfall events than traditional piped drainage.

Development proposals should incorporate SuDS measures where feasible in accordance with Policy FRD6.

### Flooding, Landslip and Coastal Erosion

Flooding can seriously impact on people, businesses and the environment. The Council will, as a first principle, seek to prevent development which would have a significant probability of being affected by flooding or would increase the probability of giving rise to flooding.

When considering proposals for development, the Council will adopt a precautionary approach to the flood risk from all sources, including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted impacts of climate change (see Policies FRD1-FRD5).

Natural coastal processes involve coastal erosion, sediment transfer and deposition. Climate change is increasing the rate at which erosion is taking place in some locations due to sea level rise and the increased frequency of storm events. In order to minimise the risk and help maintain its natural function it is necessary to avoid development on coastal land, especially in areas known to be at risk from the impacts of land instability or coastal change (Policy DAR1).

The extensive use of shoreline protection along many parts of the Council's coastline has been a contributing factor to shoreline erosion and instability to date. Development proposals for new or replacement coastal defences will be required to demonstrate that they work with natural processes and that there will be no significant adverse impact on the coast or habitats and the development will not result in increased erosion elsewhere on the coast (see Policies CO1-CO2).

<sup>60</sup> Disposal | Department of Agriculture, Environment and Rural Affairs

## Strategic Policy SP2

### Enhancing Design and Place Shaping

All new development will be expected to be of high-quality design to integrate into its surroundings.

Development proposals should demonstrate that they:

- 1 Create a sense of place, based on a clear understanding of the site context, designed in sympathy with local architectural styles which may include appropriate contemporary and/or innovative design;
- 2 Are of a scale, massing, form, proportions, height and density appropriate to their surroundings and the character of the locality, and, in the case of an extension/alteration or ancillary works, appropriate to the existing building;
- 3 Provide, where possible, active frontages onto streets and spaces to enhance the local character and provide natural surveillance;
- 4 Support internal permeability and connectivity with existing street patterns through the design and layout of proposed buildings;
- 5 Are finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, in the case of an extension/alteration or ancillary works, the existing building;
- 6 Are compatible with surrounding uses and will not detract from the visual amenity and landscape quality; and
- 7 Provide landscaping and boundary treatments which enhance local character through the use of native species planting and create attractive edges to the development that will help to integrate it with its surroundings.



## Justification and Amplification

### Site Context

Development proposals should take account of local characteristics that help to create a sense of place.

Whether urban or rural, all development proposals should relate to and respect the local context. Whilst not exhaustive, this includes how buildings are arranged within their plot, their relationship to the street, building lines and depths, street pattern, form, roof pitches, materials used, boundary features, and landscaping. Design should be based on an analysis and detailed understanding of the site and its surroundings. The surrounding townscape or local character and built form, the particular qualities, characteristics and constraints of the site and its wider setting all contribute to a locally distinctive built form. The sensitive design of shopfronts and signage will be an important consideration in any proposal affecting townscape or local character (see the LDP Supplementary Planning Guidance).

Modern interpretations can add variety and interest, and the Council will support high-quality modern design that demonstrates an appreciation of local context. Innovative design and layout can also achieve greater energy efficiency through passive design and the use of renewable technologies (Strategic Policy SP1 Sustainable Development and Climate Change and Policy RE2 Renewable Energy and Energy Efficiency Measures in all Development).

The Council would encourage developers to refer to the Council's Landscape Character Assessment (Technical Supplement 7 - Countryside Assessment) and DAERA's Regional Seascape Character Assessment<sup>61</sup> at the outset of the design process. The Landscape Character Assessment contains an overview of the landscape sensitivity of the district's character areas together with planning guidelines for the maintenance or enhancement of key landscape characteristics. Development proposals should demonstrate how they have taken account of relevant design guidance including: Building on Tradition: A Sustainable Design for the Northern Ireland Countryside; and Living Places-An Urban Stewardship and Design Guide.

### Built Form

The principles of scale, massing, form and proportion are important aspects of development. Some new buildings can look out of place and inappropriate, even though they use materials and architectural features based on traditional buildings within the area. Often the reason for this is because their basic form and proportions are out of keeping with their location. Neighbouring development is important in establishing the scale and massing of development, and architectural details such as the relationship of windows and roof pitches. This will help new development to blend into the urban or rural setting.

The height of new development should be relative to its site and surrounding buildings. In order to integrate new developments with existing buildings and spaces, new buildings that are clearly higher than their neighbours should be avoided. This will help to protect the visual character of areas where there are uniform building heights and will also help to prevent overlooking or overshadowing.

The density of housing should be reflective of its location. In established residential areas any increase in housing density needs to be handled sensitively, particularly the redevelopment of existing houses and infilling of vacant sites (Policy HOU1 Quality in Residential Development). The demolition of an existing property will not create a presumption that permission for more intensive and higher density development will be granted.

### Active Frontages

The Council will place more emphasis on the layout of houses and other buildings than on road layout in order to achieve an improved design quality. All buildings should be located and orientated to front onto existing and proposed roads to present an attractive outlook. Particular care will be required in the treatment of corner sites which provide ideal opportunities for the use of a landmark building.

The design and layout of an urban area also contributes to how safe it feels. Public areas such as open spaces, pedestrian routes and cycle linkages should be overlooked by the windows of adjacent buildings to maximise surveillance (GP1 General Policy, criteria 3 relating to safety and safeguarding of human health, wellbeing and the environment). Mixed-

LEFT: Killyleagh

61 Seascape Character Areas | Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk).



## PART 1: PLAN STRATEGY / 5. SPATIAL GROWTH STRATEGY AND STRATEGIC POLICIES

use development can help to maintain activity levels both during the day and the evening and subsequently can act as a deterrent to anti-social behaviour.

### Internal Permeability

Development proposals should deliver internal permeability and be designed to connect with existing street patterns and active travel networks to reduce walking distances and enhance safety (see GP1 General Policy, criteria 2 relating to access, movement and parking). Successful development depends upon movement network that makes connections to destinations, places and communities, both within the site and beyond its boundaries.

### Materials

The materials used for a building affect how well it functions and lasts over time. They also influence how it relates to what is around it and how it is experienced. The scale, form and appearance of a building influence what materials may be appropriate for its construction. Choosing the right materials can greatly help new development to fit harmoniously with its surroundings. In successful developments materials respect and complement the character, scale, texture and colour of existing materials used in the local area. In order to reinforce this character, it is important to identify the local materials palette that exists, then establish how the proposed development can reflect this in the design. For sites with a weak context, materials can also help to introduce a stronger sense of identity.

In assessing proposals in Areas of Outstanding Natural Beauty, Conservation Areas and Areas of Townscape Character, the Council will have particular regard to published design guidance<sup>62</sup>.

### Visual Amenity and Landscape Quality

Understanding the landform and topography of an area is essential to ensuring the development can fit into the wider context. On sloping sites topographical surveys may be required to provide an accurate plan of the site and so ensure the design process takes account of the changing levels. Spot levels along with existing and finished floor levels should be included within the site analysis of any site which has a change in levels. The site analysis should also clearly demonstrate if earthworks are proposed to change the topography of the site.

Few sites will be perfectly flat; slopes, ridges and rocky outcrops all have implications for layout and design, as they will influence the orientation of development, steepness of streets and the extent of engineering solutions such as retaining walls. The use of high retaining structures can be unsightly and expansive, building on artificial mounds or platforms can make a development unduly prominent and under-building can create extensive areas of blank walls increasing the visible mass of a building. New developments should therefore seek to complement the natural contours of the site in order to aid visual amenity.

As settlements expand, the edge is often the setting for new housing development and is often the most visible part of the settlement in surrounding views as the transition between urban and rural. The treatment of this edge is essential to how a settlement sits in the landscape. Generally buffer planting of indigenous planting (around 8-10 metres in depth) will be required to help enhance the landscape quality and assimilate and soften its impact on the countryside. Further detail on landscape and boundary treatment will be set out in Key Site Requirements for zoned sites at LPP stage.

It should be demonstrated fully that the design for new development on or near the settlement edge considers the overall visual composition of the settlement boundary (buildings, rooflines, boundary treatments and 'framing' elements such as landscape structure planting) as of equal importance to other elevational views.

<sup>62</sup> 'Dwellings in The Mournes: A Design Guide' is being retained by the Council and can be viewed on the Council website. Conservation Area Guides can be viewed on the DfI Website - [www.infrastructure-ni.gov.uk/articles/conservation-area-guides-z-list](http://www.infrastructure-ni.gov.uk/articles/conservation-area-guides-z-list).

Impact on views in approaching a settlement/site must be understood. New development, particularly in edge-of-settlement sites, should positively define the point of arrival into a settlement as the 'first impression' of a place. The sense of approach and arrival is heightened by development that fronts onto approach routes, incorporating attractive boundaries that frame and contain views.

Development of a building in the countryside has sensitivities due to the potential visual impact and the need to integrate into the rural landscape (Policy COU9 Design and Integration of Buildings in the Countryside and Policy COU10 Rural Character). Careful consideration is required of the wider visual impact of the development and the incorporation of an appropriate building style and boundary treatment.

Sites should have well established natural hedge boundaries which are sufficiently dense to provide reasonable enclosure to a new building. Ideally new sites have three existing established boundaries. Where raised stone or earth ditches are a distinctive element in the area these should be retained or reinstated and incorporated with indigenous hedging.

### **Landscaping and Boundary Treatments**

Landscaping whilst important for integration purposes can also play an important role in the character of the area. The 'Greening' of residential areas enhances their quality and assists in promoting biodiversity. Likewise blue infrastructure, such as sustainable drainage schemes, referred to as SuDS (Policy FRD6) can enhance the appearance of a site whilst contributing to the absorption and slow release of surface water. Landscaping can help to soften the appearance of development and create a healthier and more attractive environment.

The Council will require greater use of vegetation within developments including hierarchy of different types of planting such as street trees, garden trees and hedge planting, specimen trees and amenity planting in open spaces. It is important to select native species that are typically found growing in semi-natural habitats in the area. This will not only help to reinforce the character of the local landscape but enhance biodiversity. Guidance on native species planting is available from the Northern Ireland Environment Agency and can be viewed on the DAERA website<sup>63</sup>.

Developers will be required to carry out all landscape works associated with their schemes and must provide established maintenance and ongoing long-term management, unless this responsibility is transferred to another appropriate body in a manner formally agreed with the Council (Policy OS2 Public Open Space in New Residential Development).

All hard landscape design features, including paving areas, walls or other means of enclosure, and street furniture should be carefully considered so as to integrate and reflect the character of the area and the use of high-quality materials will be required.

<sup>63</sup> [www.daera-ni.gov.uk/publications/native-species-planting-guidance](http://www.daera-ni.gov.uk/publications/native-species-planting-guidance).

## Strategic Policy SP3

### Developer Contributions and Planning Agreements

All new development may be subject to developer contributions where proposals either individually or in combination result in a need for new, extended, or improved public services, community facilities and infrastructure or where mitigation is required.

Contributions may be financial or in-kind and will be proportionate in scale to the proposed development. Contributions may be sought for the following:

- Open space, recreation and play provision including sports facilities;
- Biodiversity net gain and enhancement;
- Green and blue infrastructure, including infrastructure relating flood management;
- Restoration of former waste and minerals sites;
- Transport infrastructure (including active travel networks);
- Affordable housing;
- Conservation of the historic environment;
- Community facilities; and
- Decommissioning of renewable energy infrastructure and site restoration.

This is not an exhaustive list as there may be a requirement for developer contributions on a wider range of development proposals.

### Justification and Amplification

Developer contributions will be required to facilitate the provision of infrastructure that is needed to support the development<sup>64</sup>; or to manage the environmental effects of development to an acceptable level. These may be financial or in-kind and directly related to the development. If a developer is required to provide a financial contribution to the Council or a Government Department this will then be used to deliver the infrastructure or environmental mitigation. Where the contribution is in-kind the developer will be required to directly provide the infrastructure to an agreed design standard or provide environmental mitigation themselves.

Although applicants will be expected to provide, pay for, or contribute towards infrastructure provision where the need arises as a result of a development proposal, there may be occasions where schemes are unable to provide all the necessary developer contributions upfront whilst still remaining viable. The Council will take into account the viability of the development in determining the amount and timing of such contributions. Staged payments in line with the construction programme may be considered to help avoid prejudicing the overall project viability. Applicants will be expected to factor in the costs of a planning policy compliant scheme, including the requirement to deliver developer contributions, at the land purchase stage.

Where a need is identified for decommissioning, restoration, aftercare or mitigation measures to be put in place in relation to specific developments, such as minerals workings or renewable energy schemes, the Council may require developers to agree a financial guarantee or bond to ensure that necessary works are undertaken in the future to complete the development to the required standard.

The Plan Strategy identifies particular instances where the Council will seek to ensure provision and maintenance of necessary infrastructure and where appropriate implementation of a site restoration scheme. This will be achieved through planning conditions or a Section 76 Planning Agreement, these are set out within the relevant operational policies chapter and include:

<sup>64</sup> Where it is needed, ie. a planning permission which cannot be granted without some restriction.



**Minerals Development***Policy MIN7 Restoration and Aftercare*

The Council will secure restoration proposals through the requirement for a management plan, underpinned by conditions and/or a Section 76 Planning Agreement, and where appropriate, a site restoration bond.

**Waste Management***Policy WM1 Waste Management Development*

If considered appropriate a Section 76 Planning Agreement may need to be put in place in advance of planning permission being granted to ensure that adequate site restoration takes place in a timely manner.

**Flood Risk and Drainage***Policy FRD6 Sustainable Drainage Systems (SuDS)*

An appropriate maintenance and management plan for SuDS will be required to be agreed with the Council and may involve a Section 76 Planning Agreement where necessary to ensure ongoing maintenance.

**Open Space***Strategic Policy OSS1 Protecting and Enhancing Open Space*

Provision of open space or outdoor recreational facility in an alternative location to substitute for loss of existing open space will be secured through use of planning conditions or where appropriate a Section 76 Planning Agreement.

**Open Space***Policy OS2 Public Open Space in New Residential Development*

In order to ensure that maintenance of public open space is carried out in perpetuity a Section 76 Planning Agreement with the Council may be required before planning permission is granted.

**Transportation***Policy TRA6 Transport Assessment*

Developers will be required to bear the costs of transport infrastructure necessitated by their development. Contributions from developers will be based around securing improved accessibility to sites by all modes, with an emphasis on maximising access by public transport, walking and cycling, secured through use of planning conditions or where appropriate a Section 76 Planning Agreement.

**Housing***Policy HOU5 Affordable Housing*

Delivery of affordable housing will normally be secured through a Section 76 Planning Agreement.

**Historic Environment***Policy HE15 Enabling Development*

In some instances, planning conditions attached to a permission will be sufficient to ensure public benefits are delivered. In other more complex cases, and where there is a need to secure the long-term management arrangements, a Section 76 Planning Agreement will be required.

**Health, Education and Community Facilities***Policy CF1 Community Facilities*

Where appropriate the Council may request developers provide or contribute towards community facilities which are required as a result of the development. A developer contribution may be secured by way of a Section 76 Planning Agreement.

**Renewable Energy***Policy RE1 Renewable and Low Carbon Energy*

In relation to renewable energy developments which become redundant, such as wind farms and solar farms, applicants will be required to provide details on future decommissioning including site restoration. In such cases the Council will use planning conditions or a Section 76 Planning Agreement.

It should be noted that the above list is not exhaustive, and developers are encouraged to consider other commitments which may make their application acceptable in planning terms.

In some instances, community benefits may be offered voluntarily by developers to communities likely to be affected by a development. Community benefits can take a variety of forms including payments to the community; in-kind benefits; and shared ownership arrangements. Such community benefits cannot be considered material considerations in decision making and are distinct from developer contributions and Planning Agreements.

# Spatial Growth Strategy and Settlement Hierarchy

A key aim of the LDP is to define a spatial growth strategy that supports the development and regeneration of the area socially, economically and environmentally.

Our proposed Spatial Growth Strategy, having regard to the LDP vision and objectives, will help achieve the RDS objectives of promoting growth and economic development opportunities in the 'hubs and cluster of hubs' provided for through its spatial framework. Equally, the role of rural communities living in smaller settlements and the open countryside is recognised allowing them to maximise their potential.

Our Corporate Plan 2024-2027 has identified as a corporate priority to, "Promote the revitalisation of our city, towns, villages and rural communities." There are eight strategic objectives linked to the five themes/outcomes of the Community Plan, one of which is to "Develop and Revitalise our district", which focuses on regeneration initiatives across the district in line with the Local Development Plan.

Our Community Plan recognises in addition to Newry City, the principal towns within the district are Ballynahinch, Crossmaglen, Downpatrick, Kilkeel, Newcastle and Warrenpoint. The five outcomes relate to the entire council area, and are of relevance to the Spatial Growth Strategy, these being:

- All people in Newry, Mourne and Down get a good start in life and fulfil their lifelong potential;
- All people in Newry, Mourne and Down enjoy good health and wellbeing;
- All People in Newry, Mourne and Down benefit from prosperous communities;
- All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment; and
- All people in Newry, Mourne and Down live in respectful, safe and vibrant communities.

## Regional Development Strategy 2035 (RDS)

The RDS identifies a hierarchy of settlements (see Figure 3) based on main and local hubs coupled with a strong rural community living in either small towns, villages, small settlements or the open countryside. At a district level, the RDS recognises Newry and Downpatrick as hubs while also acknowledging that these settlements have the potential to cluster with Warrenpoint and Newcastle respectively. Newry is also identified as a gateway due to its strategic location along the Belfast-Dublin corridor.

The RDS provides a hierarchy of settlements and related infrastructure wheel, which outlines the patterns of service provision that are likely to be appropriate at different spatial levels including villages, smaller towns, regional towns and principal cities. The model also recognises the strong relationship between settlement size and the level of service that can be supported, which is a key consideration in establishing a settlement hierarchy.

**Figure 3: RDS Hierarchy of Settlements and Related Infrastructure Wheel**



## Strategic Planning Policy Statement (SPPS)

The SPPS recognised the role of LDPs in guiding the future use of land in their respective areas to inform developers, members of the general public, communities, government, public bodies, representative organisations, and other interests of the policy framework that is used to determine development proposals.

Within the wider context of spatial planning, LDPs should allocate appropriate land for differing types of land use and set out the main planning requirements to be met in respect of particular zoned sites. They also show particular designations, for example, Conservation Areas and Areas of Outstanding Natural Beauty.

It acknowledges that the LDP is a fundamental tool in the implementation of central government policies and strategic objectives particularly those set out in the RDS 2035.

The overarching purpose of the Plan Strategy is to provide the strategic policy framework for the Plan area as a whole, and to bring forward a local growth strategy. In preparing a Plan Strategy, councils will address the range of policy matters set out within the SPPS (including the topic areas set out as operational planning policies).

## Local Context

The focus of growth in Newry City and the main town of Downpatrick, recognises the critical mass they sustain in relation to population, housing and jobs. This will also maximise on the benefits arising from the efficient use of existing services, community and other infrastructure, given their strategic location on key transport corridors, including the gateway status of Newry City and Warrenpoint Port.



## PART 1: PLAN STRATEGY / 5. SPATIAL GROWTH STRATEGY AND STRATEGIC POLICIES

Our local and small towns will support the city and main town by providing opportunities for economic development, housing, retail, community and leisure development in keeping with the location, scale, function and character of the settlement. This means protecting existing economic development zonings to maintain a generous supply of economic development land (see Economic Development Strategy). Similarly, housing zonings will ensure land availability over the Plan period to meet housing needs (see Housing Strategy and Strategic Housing Allocation).

It is anticipated that our town centres will be reinforced by retail, office and mixed-use development and a town centre first approach will be adopted for retailing, administration and commercial leisure, to help maintain their vitality and viability (see Retail Strategy).

Our villages will be sustained, consolidated and revitalised and they will continue to perform a role as local service centres to meet the daily needs of the rural area and accommodate rural businesses and appropriately scaled residential development.

Small settlements will act as a focal point for the rural community, particularly in the more isolated parts of the district. The level of development should be proportionate to the location, size and scale of the settlement.

Within the open countryside (see Countryside Strategy) outside of designated Special Countryside Areas, single dwellings and appropriate types of economic development, such as farm diversification, agriculture and forestry development and sustainable tourism and minerals proposals will also be facilitated to sustain vibrant rural communities. Proposals should respect the historic environment and natural heritage (see Historic Environment and Natural Heritage Strategy).

## LDP Objectives

The LDP strategic approach to the Spatial Growth Strategy is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to the Spatial Growth Strategy are as follows:

- To further develop Newry City as a regional gateway city and Downpatrick as a main hub within the district;
- To protect and sustain the role of local and small towns so they act as local centres for housing and community services
- To protect and sustain the role of local and small towns so they act as local centres for shops, employment and leisure of an appropriate scale and support our villages to meet the daily needs of the surrounding rural area;
- To provide for vital and vibrant rural communities in our villages and small settlements which meet the daily needs of their rural hinterland, whilst protecting the countryside by accommodating sustainable growth;
- To provide for approximately 11,000 new homes by 2035 across a mix of housing type, size and tenure in accessible locations;
- To support the regeneration of disadvantaged and deprived areas;
- To achieve strong and vibrant city and town centres supported by a hierarchy of centres that sustainably meet the shopping, working and leisure needs of the district;
- To ensure there is a generous supply of suitable land to meet economic development needs within the district over the Plan period, at a variety of locations where they are accessible to all members of the community, including those without a private car; and
- To facilitate Newry City to capitalise on its role as the South Eastern City Gateway on the Belfast-Dublin economic corridor, similarly maximising Warrenpoint/Burren as a local hub and major port, whilst ensuring Downpatrick as our main town is strengthened as a main employment centre.

# SGS1

## Spatial Growth Strategy

The Spatial Growth Strategy for the district will provide the strategic framework for realising our vision and LDP objectives. It comprises the following:

- Manage growth to secure sustainable patterns of development;
- Support the role of the settlement hierarchy in providing the appropriate level of growth in the right places, taking account of environmental and infrastructure constraints;
- Focus major population, housing, economic, retail and leisure growth in the two principal hubs, Newry City and Downpatrick;
- Facilitate appropriate housing, commercial, retail and leisure to our local and small towns (Warrenpoint/Burren, Newcastle, Kilkeel, Ballynahinch, Saintfield, Killyleagh, Castlewellan and Crossmaglen);
- Sustain rural communities in our villages and small settlements recognising their role in supporting the rural hinterland; and
- Facilitate appropriate sustainable development in the countryside, balancing the need to protect the environment and rural character whilst sustaining a strong and vibrant rural community.

Our Spatial Growth Strategy will guide the allocation of land for housing, economic, retail and leisure growth at the Local Policies Plan stage.

### Settlement Hierarchy

At the heart of the Spatial Growth Strategy is a Settlement Hierarchy which supports and sustains local communities, in line with the RDS Regional Spatial Framework. The Settlement Hierarchy provides the physical framework of the Spatial Growth Strategy to ensure it is delivered in the most sustainable way, by guiding development to the most suitable locations and ensuring that the scale of development is appropriate to the capacity and constraints of the relevant settlement.

Our Corporate Plan 2024-2027 has identified a priority to, "Promote the revitalisation of our city, towns, villages and rural communities". There are eight strategic objectives linked to the five themes/outcomes of the Community Plan, one of which is to, "Develop and Revitalise our district", which focuses on regeneration initiatives across the district in line with the Local Development Plan.

### Justification and Amplification

Our Spatial Growth Strategy will help support the realisation of our LDP objectives by broadly setting out where growth should be directed, in terms of housing, employment and commercial development, including retail and leisure, over the Plan period.

The strategy acknowledges the role of our settlements within the district, the significance of our city, main town; the important role of our local and small towns; and the need to sustain rural communities through a network of villages and small settlements and the open countryside.

The Spatial Growth Strategy will primarily be delivered through the Strategic Policies and proposals set out in Part 1 of the Plan. It has also informed the Operational Policies in Part 2 of the Plan Strategy. These policies will ultimately influence the allocation of land for development in the Local Policies Plan.

Our Community Plan recognises in addition to Newry City, the principal towns within the district are Ballynahinch, Crossmaglen, Downpatrick, Kilkeel, Newcastle and Warrenpoint. The five outcomes relate to the entire council area, and are of relevance to the Spatial Growth Strategy, these being:

- All people in Newry, Mourne and Down get a good start in life and fulfil their lifelong potential;
- All people in Newry, Mourne and Down enjoy good health and wellbeing;
- All People in Newry, Mourne and Down benefit from prosperous communities;
- All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment; and
- All people in Newry, Mourne and Down live in respectful, safe and vibrant communities.

## Regional Development Strategy 2035

As outlined in our Spatial Growth Strategy, the RDS provides a hierarchy of settlements and related infrastructure wheel which outlines the patterns of service provision that are likely to be appropriate at different spatial levels including villages, smaller towns, regional towns and principal cities.

The settlement hierarchy has been assessed against the following infrastructure provision highlighted in the RDS infrastructure wheel across the range of settlements, as detailed in Table 4.

**Table 4: Settlement Hierarchy Tiers**

| Infrastructure Group | Tier 1                                                                                                                                       | Tier 2                                                             | Tier 3                                                                      | Tier 4                                                                                                                                                                                                                                                   |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                      | Principal City/Main Town<br>(Newry Downpatrick)                                                                                              | Local and<br>Small Towns                                           | Villages                                                                    | Small<br>Settlements                                                                                                                                                                                                                                     |
| <b>Skills</b>        | University, Further Education,<br>Special Schools                                                                                            | Library,<br>Post Primary                                           | Nursery,<br>Primary School                                                  | Small Settlements<br>will act as a focal<br>point for the rural<br>community where<br>consolidation of<br>the built form<br>can provide<br>opportunity<br>for individual<br>dwellings and/or<br>small groups of<br>houses and small<br>rural businesses. |
| <b>Health</b>        | Acute Hospital, A&E, Maternity,<br>A&E Hospital, Children's Home,<br>Minor Injuries, Outpatient                                              | Pharmacy,<br>Health Centre,<br>Social Services,<br>Day Care Centre | Doctor,<br>Ambulance,<br>Outreach<br>Services                               |                                                                                                                                                                                                                                                          |
| <b>Social</b>        | Museum, Galleries, Conference/<br>Concert arena, Leisure Centre<br>(Pool), Visitor Centre, Advice<br>Centres, Arts & Culture Centre          | Community<br>Centre,<br>Sport Facilities,<br>Welfare Services      | Local Hall,<br>Play Areas                                                   |                                                                                                                                                                                                                                                          |
| <b>Environment</b>   | Power Generation/AONB/ASSI,<br>Water & Sewage Treatment<br>Plants, Waste-Landfill, Waste-<br>Recycling                                       | Recycling,<br>Renewables,<br>Water & Sewer<br>Supply               | Access to Clean<br>Water, Sewage<br>Disposal                                |                                                                                                                                                                                                                                                          |
| <b>Commercial</b>    | Department Store, Specialist<br>Shops, Arts & Cultural<br>Facilities, Shopping Centres,<br>Retail Warehousing, Range of<br>Restaurants       | Supermarkets,<br>Restaurants,<br>Mix of Retail<br>Facilities       | Shop, Pub,<br>Post Office,<br>Petrol Station                                |                                                                                                                                                                                                                                                          |
| <b>Justice</b>       | Police HQ, High Court, Prison<br>Forensic Science, Police District,<br>County Court, Probation Service                                       | Police Station                                                     | Neighbourhood<br>Watch                                                      |                                                                                                                                                                                                                                                          |
| <b>Productive</b>    | Tourism Signature Projects,<br>Major Industrial Parks,<br>Strategic Development Zones,<br>Science Centre, Industrial Park,<br>Tourism Office | Enterprise<br>Centre,<br>Information<br>Office                     | Workshop/<br>Business Unit                                                  |                                                                                                                                                                                                                                                          |
| <b>Networks</b>      | Ports & Airports, Interconnector,<br>Key Transport Nodes, Bus/Rail,<br>Energy Generation, Major Roads,<br>Park & Ride, Cycle Network         | Link Corridors,<br>Trunk Roads,<br>Bus/Rail to<br>Larger Centres   | Local Roads,<br>Broadband,<br>Urban Street<br>Lighting, Cycle,<br>Local Bus |                                                                                                                                                                                                                                                          |

Source: Derived from RDS Hierarchy of Settlements and Related Infrastructure Wheel



The settlement hierarchy takes account of a wide range of factors. To establish each settlement's position in the hierarchy, a full evaluation of existing and potential new settlements has been carried out (Technical Supplement 1 - Settlement Hierarchy and Strategic Settlement Evaluation), which takes into account the RDS Regional Spatial Framework, including the six tests of the Housing Evaluation Framework (Resources, Environmental Capacity, Transport, Economic Development, Urban/Rural Character, Community Services), the Hierarchy of Settlements and Related Infrastructure Wheel, census data, the existing development plans, together with the information detailed within the NISRA document 'Classification and Delineation of Settlements'.

## Strategic Planning Policy Statement (SPPS)

The SPPS identifies the broad types of development that is considered acceptable within settlements, with the focus largely on housing and economic development. It states under paragraph 6.142 under Housing that Local Development Plans should provide the following:

- Set development limits for all identified settlements;
- Zone sites for housing in larger settlements to meet the full range of identified need;

- Identify sites or areas within settlements where the site (or part thereof) is required to meet one or more category of need and clearly state the proportion required; and
- Identify settlements where the Housing Needs Assessment (HNA) has found there to be an affordability pressure;

In relation to economic development (paragraph 6.84), it recognises within larger settlements such as cities and towns, that planning decisions must, to a large extent, be informed by the provisions made for economic development through the LDP process.

The LDP Settlement Hierarchy (Map 3) has been informed by this regional policy context and identifies 84 settlements and classifies each within one of the following classifications:

- City/Main town (Tier 1);
- Local and Small Towns (Tier 2);
- Villages (Tier 3); and
- Small Settlements (Tier 4).

The area which falls outside of these settlements will be classed as open countryside (see Countryside Strategy and Strategic Policy CS1 Development in the Countryside).

**Map 3: The Settlement Hierarchy**



## PART 1: PLAN STRATEGY / 5. SPATIAL GROWTH STRATEGY AND STRATEGIC POLICIES

## LDP Objectives

The LDP strategic approach to the settlement hierarchy and settlement development limits are set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to the settlement hierarchy are as follows:

- To further develop Newry City as a regional gateway city and Downpatrick as a main hub within the district;
- To protect and sustain the role of local and small towns so they act as local centres for housing and community services;
- To protect and sustain the role of local and small towns so they act as local centres for shops, employment and leisure of an appropriate scale and support our villages to meet the needs of the surrounding rural area;
- To provide for vital and vibrant rural communities in our villages and small settlements which meet the daily needs of their rural hinterland, whilst protecting the countryside by accommodating sustainable growth;
- To provide for approximately 11,000 new homes by 2035 across a mix of housing type, size and tenure in accessible locations;
- To support the regeneration of disadvantaged and deprived areas;
- To facilitate the development of new community facilities at locations accessible to the communities they serve, through a variety of modes of transportation;
- To achieve strong and vibrant city and town centres supported by a hierarchy of centres that sustainably meet the shopping, working and leisure needs of the district;
- To ensure there is a generous supply of suitable land to meet economic development needs within the district over the Plan period, at a variety of locations where they are accessible to all members of the community, including those without a private car; and
- To facilitate Newry City to capitalise on its role as the South Eastern City Gateway on the Belfast-Dublin economic corridor, similarly maximising Warrenpoint/Burren as a local hub and major port, whilst ensuring Downpatrick as our main town is strengthened as a main employment centre.

These objectives are supported by Strategic Policies SETT1 Settlement Hierarchy and SETT2 Settlement Development Limits and the operational policies set out in Part 2 of the Plan Strategy.



LEFT: Warrenpoint

## Strategic Designation SETT1 Settlement Hierarchy

The Plan will support the revised settlement hierarchy which is designated as part of the Council's Spatial Growth Strategy and set out in Table 5.

**Table 5: SETT1 Settlement Hierarchy**

| Settlement Classification | Scale and Level of Existing Services                                                                                    | Settlements                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                 |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City/Main Town (2)        | Main hubs will be the focus of development for housing, employment, retail, leisure and community facilities.           | Newry<br>Downpatrick                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                 |
| Local and Small Towns (8) | Smaller towns providing a range of retail, services, leisure and community facilities.                                  | Newcastle<br>Warrenpoint/Burren<br>Kilkeel<br>Ballynahinch                                                                                                                                                                            | Saintfield<br>Killyleagh<br>Castlewellan<br>Crossmaglen                                                                                                                                                                                            |                                                                                                                                                                                                                                                 |
| Villages (23)             | Local service centres providing goods, services and facilities to meet the daily needs of the rural area.               | Rostrevor<br>Bessbrook<br>Crossgar<br>Annalong<br>Hilltown<br>Ardglass<br>Dundrum<br>Drumaness                                                                                                                                        | Camlough<br>Mayobridge<br>Killough<br>Newtownhamilton<br>Meigh<br>Annsborough<br>Ballyholland                                                                                                                                                      | Mullaghbane<br>Ballymartin<br>Forkhill<br>Strangford<br>Jonesborough<br>Ballykinler<br>Cullyhanna<br>Clough                                                                                                                                     |
| Small Settlements (51)    | A focal point for the rural community which usually contain a limited level of goods, services, or community resources. | The Spa<br>Darragh Cross<br>Newtowncloghoge<br>Shrigley<br>Ballyhornan<br>Belleek<br>Whitecross<br>Drumintee<br>Kilcoo<br>Sheeptown<br>Annacloy<br>Raholp<br>Kilmore<br>Bryansford<br>Lurganare<br>Seaforde<br>Cullaville<br>Killowen | Creggan<br>Loughinisland<br>Maghera<br>Burrenbridge<br>Kilclief<br>Clonvaraghan<br>Drumaroad<br>Lislea<br>Attical<br>Ballynoe<br>Glassdrumman<br>(Co Armagh)<br>Dunnaval/Ballyardle<br>Glen<br>Longstone<br>Barnmeen<br>Ballyalton<br>Mullaghglass | Leitrim<br>Silverbridge<br>Glassdrumman/<br>Mullartown<br>Killeen<br>Saul<br>Ballymadeerphy<br>Coney Island<br>Altnamacken/<br>Cortamlet<br>Ballymoyer<br>Ballyward<br>Chapeltown<br>Dechomet<br>Dorsey<br>Finnis<br>Greencastle<br>Jerretspass |



## Justification and Amplification

### City/Main Town

Newry City and Downpatrick are classed within Tier 1 to reflect their position as main hubs within the district, taking into account their level of service provision, potential for growth and population size. The main hubs will be the focus of development within the district and will be supported by the local and small towns, villages and small settlements, which are identified as local centres serving the needs of the rural hinterland.

Newry City is the larger of the two main hubs with over twice the population of the next largest town, Downpatrick. Newry has city status and occupies a strategic position to the south of the district between Belfast and Dublin. Newry City serves as a gateway with the Republic of Ireland due to its proximity to the border and has a high level of service provision serving a wide catchment area. Its proximity to the Port of Warrenpoint further enhances Newry City's position within Tier 1 and provides excellent opportunities for further economic and tourism growth within the district. The proposed Southern Relief Road will improve the city's accessibility.

Downpatrick is the district's second main hub and is the main town located to the east of the district. Downpatrick has a strong service provision and serves a wide catchment area and rural hinterland.

As the district's main settlements, Newry City and Downpatrick will be the focus of the population, housing, economic, retail and leisure, throughout the Plan period in accordance with the Spatial Growth Strategy.

### Local and Small Towns

The second tier of the hierarchy is local and small towns which take account of the locally important larger settlements within the district. Population size alone does not dictate the position of a settlement in the hierarchy, it is also assessed alongside the range of facilities provided within a settlement and the ability to serve the surrounding hinterland.

There are eight local and small towns within this tier of the settlement hierarchy. This includes the new designations of Saintfield, Killyleagh and Castlewellan which have been

uplifted from villages to local and small towns. These settlements have larger populations than most of the legacy villages and also serve a wider hinterland with a strong level of service provision including employment, retail and community facilities. Whilst Bessbrook was previously considered for reclassification as a small town within the Preferred Options Paper, after further assessment of the level of resources and service provision available and its proximity to, and reliance upon, Newry City, it was determined that it should remain within Tier 3 (village).

The Preferred Option Paper proposed separating Warrenpoint and Burren, however after further consideration it will be retained within one settlement development limit to ensure the retention of zoned economic lands along Upper Dromore Road.

Crossmaglen was considered for reclassification into Tier 3 (villages), however after further assessment, Crossmaglen appears to be performing well as a small town despite having a lower population than other settlements in Tier 2. Crossmaglen has a strong service provision and serves a wide population over a large rural area. Crossmaglen has been retained as a Tier 2 local and small town. Its central square remains a vibrant town centre and focal point to the settlement.

### Villages

The third tier of the settlement hierarchy is the villages. Within this tier the majority of villages from the legacy Area Plans will remain as villages. There are 23 settlements within this tier. This is a reduction from 28 from the legacy Area Plans as a result of settlements being reclassified to and from Tier 2 (local and small towns) and to Tier 4 (Small Settlements).

Newtownhamilton is reclassified from a small town to a village following an evaluation of its service provision and population. Whilst historically Newtownhamilton had a strong service provision serving a relatively small population along with its wider hinterland, this is no longer the case. The service provision is comparable to many of the smaller villages and residents are reliant upon neighbouring larger settlements for the majority of their goods and service provision.



### Small Settlements

The fourth tier on the proposed settlement hierarchy is defined as small settlements. These act as a focal point for the rural community and take the form of a rural cluster or cross roads development where consolidation of the built form can provide opportunity for individual dwellings and/or small groups of houses and small rural businesses.

Some of the district's small settlements have higher populations but lack sufficient service provision or resources to qualify as a village which are often more self-sufficient.

There are 51 small settlements designated with the majority of these being carried forward without any change in the hierarchy tier. Within this small settlement grouping, 14 are identified as multi-nodal with services and populations separated across of number of clusters of development, while nine of the existing small settlements have populations of less than 50 with a number appearing to have very limited service provision included within them.

Following an evaluation of the settlements, The Spa, Shrigley and Attical have been reclassified from villages to small settlements. This reclassification has been made following an evaluation of service provision and population size, which found on balance these settlements were better suited in Tier 4, small settlements.

These small settlements will allow for small scale development which is appropriate to the scale and capacity of the settlement while acting as a local focal point serving a small community.

### New Small Settlements

There were 22 candidate settlements identified and appraised as part of the settlement hierarchy. These candidate settlements were assessed against the same criteria as existing small settlements and should meet at least three of the following criteria:

1. A number of individual dwellings and/or small groups of houses;
2. Social facilities and services;
3. Commercial facilities;
4. The focus of an active community.

However, none of the candidates appraised were considered to meet the threshold for designation as a small settlement. Therefore, no new small settlements have been brought forward.

### De-designated Settlements

As a result of changing circumstances in some rural areas, including the closure of local schools or businesses, some settlements which previously met the criteria for designation as small settlements can no longer justify this designation. Following a full review of existing settlements, Carrickinab, Derryboye, Drumaghlis and Tullyherron have been declassified from small settlements to open countryside. Following an evaluation, it was not considered that these settlements exhibited a sufficient level of service provision or population to justify carrying them forward as small settlements. Upon the adoption of the Plan Strategy these clusters will be considered as open countryside.

## Strategic Designation SETT2 Settlement Development Limits

The Plan will support development proposals within the designated settlement development limits including zoned sites provided that the proposal is sensitive to the size and character of the settlement, and it is in accordance with GP1 General Policy and other relevant provisions of the LDP.

### Justification and Amplification

Settlement development limits are designated to maintain a clear distinction between built-up areas and the surrounding countryside and to prevent coalescence between adjacent built-up areas. They seek to prevent urban sprawl into the open countryside and contain appropriately scaled new development within its limit.

With the exception of the de-designated settlements, which are shown on the LDP Map Viewer under new proposals/ designations, the current Settlement Development Limits within the BNMAP 2015 and ADAP 2015 will remain in place until such time as they are reviewed and adopted in the Local Policies Plan. This review will involve a detailed analysis of the settlement roles and functions, environmental issues, availability of services, community facilities, infrastructure and spare capacity, taking into account current development pressures and constraints.









# Social:

## Accommodating People, Creating Quality Places and Improving Health and Wellbeing



# Housing Strategy

The LDP Housing Strategy is a fundamental part of our Spatial Growth Strategy and sets out how much land is needed for housing and where it is to be located.

There are a number of strategic objectives in our Corporate Plan 2024-2027 which aim to assist in building better communities, including to develop and revitalise our district; protect and enhance our environment to secure a sustainable future and represent the voice of the district with our partners to improve health and wellbeing.

A key outcome of our Community Plan is that all people in the district benefit from a clean, quality and sustainable environment. A key indicator of this is the level of quality housing. Having adequate accommodation is at the top of the hierarchy of human material needs. Housing is the largest component of many households' expenditure and is central to people's ability to meet basic needs. In addition, poor housing conditions can affect people's health status (both mental and physical), family functioning (e.g. relations between household members and the development of children) and the conduct of basic social activities such as inviting people home. Four measures are specifically identified:

- Quality of social housing;
- Housing need;
- Level of mixed tenure developments; and
- Level of affordable housing.

The LDP has a key role to play in promoting and facilitating sustainable housing through the zoning of land and the provision of planning policy to support the provision of quality living environments and affordable housing.

## Regional Development Strategy 2035 (RDS)

At a regional level the RDS emphasises a sustainable approach to housing, directing housing growth to larger urban centres whilst ensuring an appropriate level of growth to support rural communities. It sets a regional target of 60% of new housing to be located in appropriate 'brownfield' sites of settlements greater than 5,000 population. Based on the 2021 census data the Newry, Mourne and Down district has six settlements with a population greater than 5,000 – Newry City (28,026), Downpatrick (11,541), Warrenpoint/Burren (8,821), Newcastle (8,293), Kilkeel (6,633) and Ballynahinch (6,335).

The RDS sets down Housing Growth Indicators (HGI) for each council district in NI over an extended period as part of a plan, monitor and manage mechanism to ensure the timely release of development land. The HGIs provide an estimate of the new dwelling requirement and provide a guide for allocating housing distribution across the Plan area.

The latest HGIs use 2016 based household projections, calculated for the time period 2016-2030<sup>65</sup> and are set at 10,000 units for our district. This equates to approximately 667 dwellings per year. The HGIs are intended to be used for guidance and are not considered as a cap or a target on development.



## Strategic Planning Policy Statement (SPPS)

The SPPS states that housing allocations in Development Plans should be informed by a range of components, these being:

- RDS Housing Growth Indicators (HGI);
- Use of the RDS housing evaluation framework;
- Allowance for existing housing commitments;
- Urban capacity studies;
- Allowance for Windfall housing;
- Application of a sequential approach and identification of suitable sites for settlements of over 5,000 population;
- Housing Needs Assessment/Housing Market Analysis (HNA/HMA); and
- Transport Assessments.

Its regional strategic objectives for housing in settlements are to:

- Manage housing growth to achieve sustainable patterns of residential development;
- Support urban and rural renaissance; and
- Strengthen community cohesion.

## Local Context

The Department for Communities Housing Statistics indicate that the district's total housing stock at April 2024 stood at 74,443 units. This consisted of 35,767 detached dwellings, 18,403 semi-detached, 15,327 terrace properties and 5,036 apartments. Housing stock are properties in the Land and Property Valuation list which are used (or will be used) for the purpose of a private dwelling.<sup>66</sup>

The Northern Ireland Statistics and Research Agency (NISRA) census data highlights that the number of households in the district has increased from 62,000 in 2011 to 68,397 in 2021 (a 10.3% increase against a NI average increase of 9.3%). At the time of the 2021 Census the district had a slightly higher level of owner occupation

68.7% (46,569) than the NI average at 65.2%.<sup>67</sup> In terms of the social rented sector the district had 7,356 (10.8%) social rented properties at the time of the 2021 census, compared to the NI average of 15.3%. The district also has a slightly higher proportion of privately rented properties 12,333 (18.03%) compared to the NI average 17.22%.<sup>68</sup>

NISRA household projections indicate that by 2035 small households (single households and two adults no children) will make up 55.6% of all households within the district.<sup>69</sup> Over the Plan period the district's housing need is therefore likely to be focused on smaller size, new build housing across all tenures.

The Ulster University (UU), in partnership with the NIHE and Progressive Building Society, publish the NI House Price Index, a quarterly report into NI house prices. The Ulster University reports show the average house price in the district at the end of 2023 was £235,102 against a Northern Ireland average of £207,010.<sup>70</sup> The district's house prices currently therefore sit above the NI average and this represents a challenge in meeting the district's housing needs.

## Strategic Housing Allocation

The future housing need and allocation of housing growth across the district has been informed by the SPPS indicators detailed as follows:

### 1. RDS Housing Growth Indicators

HGIs are produced by the Department for Infrastructure as a guide to help Councils in their assessment of housing need within their Local Development Plans. The figures are based on current population/household formation trends making the assumption that these trends will continue in the future. They represent a guide rather than a cap on development or a target to be achieved. In September 2019 the Department for Infrastructure published a revised HGI figure of 10,000 dwellings for Newry, Mourne and Down covering a 15-year period 2016-2030.

<sup>66</sup> DfC Northern Ireland Housing Statistics 2023-24.

<sup>67</sup> NISRA 2021 Census Statistical Bulletin - Housing December 2022.

<sup>68</sup> NISRA 2021 Census Housing & Accommodation Tables.

<sup>69</sup> NISRA 2016 Based Household Projections.

<sup>70</sup> Ulster University House Price Index 2023.

The Council commissioned a review of its housing evidence base in 2024<sup>71</sup> and this incorporated an assessment of the 2016 based HGIs and their application to the Plan period 2020-2035.

The 2024 Housing Review identified a need/requirement for an additional 9,965 dwellings between 2020 and 2035. Given that baseline HGIs are rounded to the nearest hundred, the identified requirement was rounded to 10,000 and so aligned with the HGI figure.

The Council is required to demonstrate that it will be able to meet the identified housing need. In Northern Ireland regional planning policy does not explicitly require a flexibility margin however this mechanism is widely used elsewhere in the UK to ensure that the housing requirement can be met even if some sites do not come forward at the expected rate. The review of the LDP housing evidence base recommended that a 10% flexibility allowance be applied to the identified requirement, this resulted in the overall requirement being uplifted to 11,000 (overall strategic housing need figure).

## 2. Use of the RDS Housing Evaluation Framework

The next stage in the housing allocation process involved applying the RDS Housing Evaluation Framework (HEF). The RDS states that “the broad evaluation framework is to be used to assist judgements on the allocation of housing growth”. The six tests within the HEF are based on the capacity of a settlement to accommodate additional housing growth, with the overall aim of ensuring that the concept of sustainable development is built into the housing allocation process. The existing settlements in the district have been assessed against the RDS Housing Evaluation Framework.

The assessment reaffirmed the position of the majority of settlements within the hierarchy. Newry City sits at the top of the hierarchy along with the main town of Downpatrick. In addition, there are eight towns, 23 villages and 51 small settlements.

The application of the HEF tests to the settlement hierarchy is set out in the Strategic Settlement Appraisal which forms part of Technical Supplement 7 - Countryside Assessment.

## 3. Allowance for Existing Housing Commitments

As part of the annual urban housing monitor exercise, those sites that have live planning permission (committed sites) are distinguished from those that are zoned with no permission or sites where permission has expired (uncommitted sites). As part of the housing allocation process, in line with the SPPS requirement, account has been taken of the level of housing commitment across the district.

The overall total for committed sites and uncommitted zoned sites within the district’s city and towns is 5,606 excluding Phase 2 sites or 6,444 including Phase 2 sites.

The level of committed sites within the district’s villages and small settlements must also be taken into account. When these figures are included the overall level of commitments rises to 7,678 (8,516 including Phase 2 sites).

The SPPS states that Councils must take account of dwellings already constructed in the consideration of housing commitments. Within the district’s settlements, the number of dwellings completed between April 2020 and March 2023 is 1,339, while 390 dwellings have been built in the countryside (see Table 7.13, Technical Supplement 2 – Housing).

## 4. Urban Capacity Studies

The SPPS states that Councils should assess the potential for future housing growth within the urban footprint. An urban capacity exercise<sup>72</sup> has been undertaken to inform the Plan Strategy Housing Strategy. The study included the urban footprint of Newry, Downpatrick, Warrenpoint/Burren, Newcastle, Kilkeel and Ballynahinch (settlements over 5,000 population).

The RDS requirement is to locate 60% of future housing growth within the urban footprints of settlements in excess of 5,000. A significant proportion of the larger urban capacity sites that were zoned in the ADAP 2015 and BNMAP 2015 have been developed. As a consequence the majority of remaining capacity on zoned sites is located within the urban fringe (75%). Figures of urban fringe and urban footprint sites are set out in Technical Supplement 2 – Housing.

<sup>71</sup> Review of Housing Strategy by Lichfields.

<sup>72</sup> Technical Supplement 2 – Housing Growth Appendix E.

In line with regional policy, the settlements over 5,000 population are the focus of the district's future housing growth. Across these settlements committed sites (sites with a live planning approval) and uncommitted zoned phase 1 sites (sites with no planning approval) could potentially deliver 5,168 (see Technical Supplement 2 – Housing).

A significant proportion of uncommitted zoned housing land in the urban fringe is associated with the Ballynahinch bypass and Downpatrick distributor road. These lands are identified as zoned Phase 2 sites in Table 7.13 within Technical Supplement 2 – Housing and have the potential to deliver 411 units in Downpatrick and 427 units in Ballynahinch.

The urban capacity study, based on the 2020 Housing Monitor, estimated that urban capacity sites over 0.1 ha could provide approximately an additional 681 units on unzoned land. The majority of this capacity (425/62%) is located within Newry and Downpatrick.

The review of the Council's evidence base suggested that a non-implementation allowance of 10% should be applied to the housing figures for the uncommitted zoned sites and the urban capacity sites (see Table 7.14 in Technical Supplement 2 – Housing).

### 5. Allowance for Windfall Housing

An analysis of past housing delivery outside of housing zonings and within the urban footprint of the main city and towns (proposed hierarchy) between 2010 and 2023<sup>73</sup>, has informed the consideration of windfall potential.

Within this timeframe, 3,635 were built within the district's city and towns and 1,767 of these dwellings (approximately 50%) were on unzoned land. Across these settlements approximately 176 dwellings were delivered per year outside of housing zonings.

Historically larger areas of white land will have produced higher levels of windfall than would be expected with the new plan, monitor and manage approach of the Local Development Plans.

The total windfall for the district's settlements is estimated at 641 between 2023 and 2035 (approximately 53 dwellings per year).

Housing delivery is also expected to come forward in the open countryside. The calculation of future supply from the countryside is based on a review of past trends between 2015 and 2023. A figure of 867 dwellings for the period 2015 and 2023 was calculated equating to an average of 108 dwellings per year. Details of this exercise are set out in Technical Supplement 2 – Housing.

### 6. Application of a Sequential Approach and Identification of Suitable Sites for Settlements of Over 5,000 Population

The Plan Strategy has identified there is currently a sufficient supply of housing land across the district over the Plan period.

In line with the RDS and the Spatial Growth Strategy housing growth will be focused in the district's main hubs of Newry City and Downpatrick (>5,000 population). Within the revised Settlement Hierarchy, the second tier (towns) contains four local towns (>5,000 population) and four small towns (<5,000 population), these settlements will also see growth but to a lesser degree than the main hubs.

Three of the small towns have been newly uplifted from villages. Whilst these are under the 5,000 population, the intention is to support the growth of these new towns in accordance with their uplifted designation. It is acknowledged that two of the newly uplifted towns, Saintfield and Castlewellan, have a smaller level of housing supply. Further consideration will be given to their growth requirements at LPP stage.

Sustainable growth will be delivered across the district's villages reflecting their size, function and physical capacity to grow. A limited portion is allocated to small settlements with opportunities largely focused on infill development.

73 Details of windfall analysis set out in Urban Capacity Study, see Technical Supplement 2 Housing Growth Appendix E.



A proportion of new housing development is also allocated to the open countryside in order to sustain our rural communities in accordance with the existing policy approach. The calculation of future supply from the countryside is based on past trends between 2015 and 2023, as detailed in Technical Supplement 2 – Housing.

7. Housing Needs Assessment/  
Housing Market Analysis

The NIHE are responsible for carrying out a Housing Needs Assessment. The NIHE Housing Investment Plan (HIP) Update 2024 contains a five-year assessment for 2023-28 and shows a social housing need for 2,234 units in the district. The projected need is concentrated in Newry, Newcastle, Downpatrick, Warrenpoint, Castlewellan and Bessbrook. The NIHE HIP also sets out the level of demand for intermediate housing aimed at low-income households in the district, this is estimated at 1,570 units between 2020 and 2035 (approximately 100 units per year).

The NIHE Strategic Housing Market Analysis (SHMA) summary report, published in June 2022, sets out new dwelling requirements across 11 Housing Market Areas (HMAs) for the period 2020-2035. The SHMA reports provide housing requirement projections both in total and by tenure i.e. private, intermediate and social need. The Newry, Mourne and Down District Council area entails all of the Newry HMA with the remaining part of the district (36%) covered by part of the Belfast Metropolitan HMA.

The SHMAs set out a medium growth requirement for the district (10,630) alongside a high growth requirement (11,420). The NIHE SHMA also provides a breakdown of the overall need into market, intermediate and social over the Plan period (see Table 6). Unlike the HGIs, the new dwelling requirement set out in the SHMAs includes a backlog component. This is the level of existing unmet need and is the shortfall between current provision and the accommodation needs of existing households or families not yet formed as separate households.

Table 6: New Dwelling Requirement by Tenure (with backlog)

| Market                |             | Affordable   |             | Total Affordable | All    |
|-----------------------|-------------|--------------|-------------|------------------|--------|
|                       |             | Intermediate | Social      |                  |        |
| Medium Growth 2020-35 | 6,540 (69%) | 1,570 (17%)  | 2,520 (14%) | 4,090 (31%)      | 10,630 |
| Medium Growth Annual  | 440         | 100          | 170         | 270              | 710    |

Source: NIHE Strategic Housing Market Analysis

In establishing the level of need across the district over the Plan period the Council has taken account of the NIHE HMA housing need figures. With the application of a 10% flexibility allowance, the subsequent identification of a requirement for 11,000 new homes over the LDP period (733 per year) would contribute to meeting the NIHE overall medium growth requirement.

It is acknowledged that the level of affordable housing need, identified in the NIHE SHMA, is high set against overall need. This is not a position unique to the council area and is a challenge for planning authorities across Northern Ireland. The deliverability of affordable housing will depend to a large degree on zoned sites still to be developed, alongside windfall sites outside of these zonings and the extent to which these come forward over the Plan period. The Council will monitor the position and any identified shortfall may be addressed at LPP stage through the zoning of land for affordable housing.

### 8. Transport Assessment

The LDP seeks to focus new development where it is most accessible, directed through the provisions within the strategic policy on Sustainability and Climate Change and a range of operational policies. As part of the assessment of development proposals, the Council may require the developer to submit a Transport Assessment to assist in the assessment of transport impacts. Further detail on the transport measures to be considered in the LDP are outlined in the Transport Strategy and in the accompanying Local Transport Study, see Technical Supplement 5 - Transport.

Further detail on commitments, urban capacity and windfall is set out in Table 7.13, Technical Supplement 2 – Housing.

## LDP Objectives

The LDP strategic approach to housing is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to housing are as follows:

- To provide for approximately 11,000 new homes by 2035 across a mix of housing type, size and tenure in accessible locations;
- To support the regeneration of disadvantaged and deprived areas;
- To recognise the need of growing families, elderly and disabled by accommodating development which allows people to remain within their communities;
- To promote integration between transportation and new development to reduce the need to travel and reduce dependency upon travel by car;
- Promote opportunities for sustainable travel including walking, cycling and public transport and reduce the need to travel by private car; and
- To reduce vulnerability to climate change and prevent inappropriate new development in areas known to be at risk of flooding, coastal erosion or land instability.

These objectives are supported by Strategic Policy HS1 Housing Land Allocation; Strategic Policy HS2 Protection of Zoned Housing Land; Strategic Policy HS3 Management of Housing Supply and the operational policies set out in Part 2 of the Plan Strategy.

# Strategic Policy HS1

## Housing Land Allocation

The Plan will support the development of land for housing in accordance with its Housing Land Allocation, as set out in Table 7.

The Council has identified a requirement for 11,000 new homes over the LDP period 2020-2035. Further information on the process followed to establish this need is set out in Technical Supplement 2 – Housing and the supporting Housing Review.

The majority of new strategic growth in the settlements will be delivered through existing housing sites under construction, sites with current planning permission where development has not commenced or zoned housing land with no current planning permission.

Approximately 39% of the total housing supply for the LDP period has already been completed or benefits from planning permission<sup>74</sup>. This has influenced the distribution of housing growth. Table 7 shows that approximately 65% of the total expected housing delivery over the LDP period is in the city and towns. This reflects the sustainability of these locations and their ability to accommodate future growth.

The strategic housing allocation set out in Table 7 is an indicative allocation for the district's settlements.

**Table 7: HS1 Indicative Strategic Housing Land Allocation 2020-2035**

| Tier                         | Settlement                                                                                                                                                                                                                                                                                                     | Indicative Housing Allocation                                                                                                             |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| <b>City/Main Town</b>        | Newry<br>Downpatrick                                                                                                                                                                                                                                                                                           | 2,688<br>1,824 (2,235*)                                                                                                                   |
| Total 38%*                   |                                                                                                                                                                                                                                                                                                                | <b>4,512 (4,923*)</b>                                                                                                                     |
| <b>Local and Small Towns</b> | Newcastle<br>Warrenpoint/Burren<br>Kilkeel<br>Ballynahinch<br>Saintfield<br>Killyleagh<br>Castlewellan<br>Crossmaglen                                                                                                                                                                                          | 468<br>665<br>720<br>676 (1,103*)<br>55<br>179<br>44<br>263                                                                               |
| Total 27%*                   |                                                                                                                                                                                                                                                                                                                | <b>3,070 (3,497*)</b>                                                                                                                     |
| <b>Villages</b>              | Bessbrook<br>Rostrevor<br>Annalong<br>Crossgar<br>Ardglass<br>Dundrum<br>Hilltown<br>Drumaness<br>Camlough<br>Mayobridge<br>Killough<br>Newtownhamilton<br>Meigh<br>Annsborough<br>Ballyholland<br>Mullaghbane<br>Ballymartin<br>Forkhill<br>Strangford<br>Jonesborough<br>Ballykinler<br>Cullyhanna<br>Clough | 301<br>119<br>171<br>123<br>348<br>7<br>74<br>87<br>80<br>39<br>75<br>65<br>11<br>41<br>46<br>12<br>9<br>57<br>60<br>53<br>25<br>40<br>15 |
| Total 16%*                   |                                                                                                                                                                                                                                                                                                                | <b>2,032**</b>                                                                                                                            |
| <b>Small Settlements 6%*</b> |                                                                                                                                                                                                                                                                                                                | 725                                                                                                                                       |
| Total (all Settlements)      |                                                                                                                                                                                                                                                                                                                | <b>10,339 (11,177*)</b>                                                                                                                   |
| <b>Countryside 13%*</b>      |                                                                                                                                                                                                                                                                                                                | 1,686                                                                                                                                     |
| <b>Total (inc Phase 2)</b>   |                                                                                                                                                                                                                                                                                                                | <b>12,025 (12,863*)</b>                                                                                                                   |

<sup>74</sup> 2023 Housing Monitor.

\* Includes Phase 2.

\*\* 174 windfall units added to village tier based on historic trends.



## Justification and Amplification

The Council consider that the assessment of the district's housing need is based on a sound analysis of the likely housing need over the Plan period. The distribution as set out in Table 7, meets regional policy requirements to manage growth to achieve sustainable patterns of residential development. It will seek to deliver approximately 61% of the district's housing within its city and towns over 5,000 population.

Table 7 sets out an allocation of between 12,025 and 12,863 over the period 2020-2035. The range reflects the potential for the delivery of Phase 2 zoned sites at Downpatrick and Ballynahinch<sup>75</sup>. A further detailed review will be carried out at the LPP stage.

The 2024 Housing Review of the Council's evidence base suggested that a non-implementation allowance be applied to the strategic housing allocation (see Technical Supplement 2 – Housing). This has resulted in an adjusted provision of between 11,373 and 12,127 dwellings between 2020 and 2035 (see Table 7.14, Technical Supplement 2 – Housing).

The Strategic Housing Allocation for Newry and the district's towns will be delivered by protecting zoned housing land in accordance with Strategic Policy HS2 and managing the housing supply through the use of phasing as set out in Strategic Policy HS3. The same approach cannot however be taken with regard to the district's villages and small settlements as land is generally not zoned within these settlement tiers to allow for flexibility in meeting local development needs.

In bringing forward a Strategic Housing Allocation for the whole district, it is acknowledged that there is a degree of uncertainty associated with residential development in the countryside. The operational policies for residential development in the countryside have been designed to provide opportunities for sustainable residential development but it should be noted that it is not possible to control the exact number of applications that will come forward over the Plan period, however an average figure based on past approvals has been applied. Whilst rural approval rates can give an indication of what previous rural policy has delivered there is no cap on numbers of applications the Council may receive, these will continue to be driven by local need.

<sup>75</sup> Further detail is contained in Technical Supplement 2 – Housing.

## Strategic Policy HS2

### Protection of Zoned Housing Land

The Plan will support the development of non-residential uses on land zoned for housing where the proposed use forms part of a major housing development and is both ancillary and integral to that development.

Acceptable uses include:

- i a community facility such as health, education or cultural use (in accordance with Policy CF1);
- ii a neighbourhood shop outside a City or Town Centre (in accordance with Policy RET4);
- iii a recreational use serving a local need.

Proposals for the development of Phase 2 housing land must also comply with Policy HS3.

### Justification and Amplification

Regional policy, as set out in the SPPS, requires the Council to ensure an adequate and available supply of quality housing to meet the needs of everyone. Zoned housing sites are a key mechanism for delivering housing in the district's city and towns and meeting the housing need over the lifetime of the plan. It is therefore important to ensure that zoned housing sites are suitably protected and not lost to competing land uses.

It is also important however to ensure that community infrastructure needs arising from major housing developments can be met. The Council will therefore apply a degree of flexibility in the consideration of proposals for non-residential use on zoned sites where these are ancillary to and an integral part of the major housing scheme. This could include a new community facility, neighbourhood shop or recreational use to serve the residents of the new development. Where this need is clearly demonstrated, and the proposal is ancillary to the major housing development the loss of part of a housing zoning will normally be acceptable.

## Strategic Policy HS3 Management of Housing Supply

The Plan will support the management of housing supply over the Plan period, through zoned housing land within Newry City and the district's towns which will be released in two phases.

### Newry City and Towns

#### Phase 1 Sites

The strategic housing allocation will generally be met through Phase 1 sites which consist of committed housing sites (extant planning permission or sites which are under development), uncommitted zoned sites, urban capacity sites and the consideration of windfall potential. Where this is considered insufficient to meet the strategic housing allocation or affordable housing need, additional land may be included. The identification of this land will follow a sequential approach where land at the urban fringe is considered before expansion of the settlement limit.

A criteria-based approach to selecting sites for each phase will be undertaken. The selection criteria will take account of a number of factors including an urban capacity study, accessibility analysis, topography, flooding and any other constraints on development. Sites will be identified at LPP stage and will only be allocated where they are 0.1 hectares or above and capable of delivering 5 dwellings or more.

#### Phase 2 Sites

Phase 2 housing sites<sup>76</sup> will only be released within the Plan period where it is evident that through monitoring or re-appraisal of future housing need that these housing sites will be required. The mechanism and any associated criteria for how these sites will be released will be outlined within the LPP.





## Villages and Small Settlements

Within the district's villages and small settlements Housing Policy Areas (HPAs) may be identified in the LPP. These will indicate areas which are considered particularly suitable for housing development.

## Justification and Amplification

### Newry City and Towns

In managing the supply of housing land across the district, the Council has carried forward the phased approach to the release of housing lands as set out in the legacy ADAP 2015.

At the LPP stage of the LDP, consideration will be given to the level of commitment made by landowners to the release of zoned housing land and progressing the delivery of Phase 1 housing land. Where there appears to be no demonstrable progress, consideration will be given to re-designating these lands to Phase 2 lands.

Phase 2 lands will be held as a land bank to meet future need. This provides a long-term reserve for those settlements that have the potential to meet their strategic housing allocation figure through existing commitments, urban capacity sites and windfall potential.

Where it is demonstrated that there is insufficient Phase 1 housing land to meet affordable housing needs, and where this is supported by the NIHE, consideration will be given to the release of Phase 2 lands.

The identification of Phase 2 sites and their reclassification to Phase 1 will follow a sequential approach whereby priority is given to those sites with greater accessibility to the city and town centres and where necessary infrastructure is in place.

## Villages and Small Settlements

It is not the Council's practice to zone lands for specific purposes within villages and small settlements. Zoning creates a degree of inflexibility in the development of those lands which can frustrate the orderly development of smaller settlements if the lands are not made available for the intended use, or the zoning prevents an alternative suitable use of the land.

Housing Policy Areas (HPAs) may however be identified within villages or small settlements where they will make a key contribution to the amount of housing growth allocated to a village or small settlement.

Where they are considered necessary HPAs will be identified at the LPP stage following a detailed analysis and character appraisal of the settlement and will focus on providing housing in locations where it is most likely to integrate into the character of the settlement.

# Countryside Strategy



The LDP Countryside Strategy seeks to facilitate sustainable development in the countryside whilst balancing this against the need to protect and conserve the countryside, recognising it as a unique and valuable resource.

The Council is a predominantly rural area, being home to approximately 35% of the district's population. Additionally, it is recognised as an important economic resource, with agriculture being the largest single employer in the district. There is also a significant level of tourism accommodation and facilities present.

The district has a landscape<sup>77</sup> that is globally renowned, in particular the Mourne Mountains and the sea loughs of Carlingford and Strangford, both of which form an intrinsic environmental resource within the district. In addition to these, the Ring of Gullion is another highly distinctive landscape rich in geology, biodiversity and heritage and home to significant tourism related development.

Our countryside is also of significant social and community value, offering opportunities for a range of outdoor activities such as hill walking, cycling, sea water swimming and many other types of outdoor recreation and leisure activities.

Our Corporate Plan 2024-2027 identifies a Corporate Priority to, "Promote the revitalisation of our City, towns, villages and rural communities". One of the strategic objectives is to protect and enhance our environment to secure a sustainable future, with a key action identified to contribute to the delivery of the Area of Outstanding Natural Beauty (AONB) Management Action Plans and the Marine Protected Area Management Plans.

A key outcome of our Community Plan is that "All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment". It recognises that a healthy, rich, diverse and natural environment leads to healthy communities.

The LDP has a key role to play in achieving a sustainable approach to development in the countryside.

## Regional Development Strategy 2035 (RDS)

The rural area is recognised under the Spatial Framework Guidance of the RDS, in particular SFG13 'Sustain rural communities living in smaller settlements and the countryside'. It states this can be done through the following measures:

- Establish the role of multi-functional town centres
- Connect rural and urban areas
- Revitalise small towns and villages
- Facilitate the development of rural industries, businesses and enterprises in appropriate locations
- Encourage sustainable and sensitive development.

## Strategic Planning Policy Statement (SPPS)

The SPPS recognises the countryside as one of our greatest assets with its highly valued landscapes, an outstanding coastline, a complex variety of wildlife, rich built and cultural heritage, for the ecosystem services it provides, and for its sense of place and history.

<sup>77</sup> Refer to Natural Heritage Section of LDP for Landscape Assets and Designations.

Its regional strategic objectives in relation to development in the countryside are to:

- Manage growth to achieve appropriate and sustainable patterns of development which supports a vibrant rural community;
- Conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development and from the actual or potential effects of pollution;
- Facilitate development which contributes to a sustainable rural economy; and
- Promote high standards in the design, siting and landscaping of development.

## LDP Objectives

The LDP strategic approach to the countryside is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to the countryside are as follows:

- To provide for vital and vibrant rural communities in our villages and small settlements which meet the daily needs of their rural hinterland, whilst protecting the countryside by accommodating sustainable growth;
- Provide for sustainable economic development in the countryside; and
- To protect our sensitive landscapes from inappropriate development.

These objectives are supported by Strategic Policy CS1 Development in the Countryside and the operational policies set out in Part 2 of the Plan Strategy.



# Strategic Policy CS1

## Development in the Countryside

The Plan will support a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development as follows:

### Residential Development

- A dwelling sited within an existing cluster of buildings in accordance with Policy COU1
- A replacement dwelling in accordance with Policy COU2
- A development of affordable housing in accordance with Policy COU3
- A dwelling to facilitate the personal and domestic circumstances of a person in accordance with Policy COU4
- A dwelling to meet the essential requirements of a non-agricultural rural business in accordance with Policy COU5
- A dwelling on a small gap site within an otherwise substantial and continuously built-up frontage in accordance with Policy COU6
- A residential caravan or mobile home for a temporary period in accordance with Policy COU7
- A dwelling on a farm in accordance with Policy COU8
- The conversion of a non-listed or locally important vernacular building in accordance with Policy HE14.

### Non-Residential Development

- Open space, sport and outdoor recreation facilities in accordance with Policies OS3-OS10
- Economic development proposals in accordance with Policies ED2-ED7
- Tourism development in accordance with Policies TOU2-TOU7
- Minerals development in accordance with Policies MIN1, MIN3 and MIN7
- Telecommunications and other utilities development in accordance with Policies TCU1-TCU3
- Waste management proposals in accordance with Policies WM1-WM5
- Renewable energy development in accordance with Policies RE1-RE2.

There are a range of other types of non-residential development that may be acceptable in principle in the countryside, for example, certain infrastructure or community development. Proposals for such development will be considered in accordance with the relevant strategic and operational policies.

All development in the countryside will be expected to fully design and integrate with its surroundings (Policy COU9), respect rural character (Policy COU10) and not mar the setting of settlements (Policy COU11).

Supplementary Planning Guidance contained within Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside must be taken into account in assessing all development proposals in the countryside and any Supplementary Planning Guidance that may be produced by the Council.

### Justification and Amplification

The aim of the LDP, in line with the SPSS, is to “manage development in a manner which strikes a sustainable balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities, consistent with the RDS”.

There is a clear need to allow for appropriate developments to meet the future needs of the rural population in terms of housing and economic development, however this must not be at the expense of the quality of the rural environment which would impact its ability to meet the needs of current and future generations.

This strategic policy sets out the various types of development which will be acceptable in principle in the countryside. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. These policies aim to strike a balance between the need to protect the countryside from unnecessary or inappropriate development, whilst supporting rural communities.

# Open Space Strategy

The LDP Open Space Strategy<sup>78</sup> sets out the Council's approach to the protection, enhancement and management of open space in the district.

Our Corporate Plan 2024-2027 identifies a strategic objective to "Improve the health and wellbeing of everyone in the district", with a key action associated with this objective being to establish an Open Spaces Strategy for the council area. The Corporate Plan also identifies the strategic objective to "Protect and enhance our environment to secure a sustainable future", recognising the key role of good quality open space across the district.

One of the main outcomes of our Community Plan is that "All people in Newry, Mourne and Down enjoy good health and wellbeing." The Council recognises that the provision of open space plays an important role in contributing to the wellbeing, physical and mental health and quality of life of our population. Another outcome of the Community Plan is "All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment."

The Council's commitment to meeting the child's right to play<sup>79</sup> was demonstrated in 2017 through the development of its Play Strategy 2017-2022. The Play Strategy Review 2024-2029 provides an impact review of the strategy and includes a review of current population needs against fixed play park provision and the progress towards the development of non-fixed play opportunities across the district.

The provision of sports facilities across the district was considered and need was identified through its Sports Facility Strategy 2017. The subsequent review in June 2022<sup>80</sup> provided strategic recommendations for projects in each of the seven DEAs to meet identified need.

The Council's Be Active: A Sport and Physical Activity Strategy 2024-2029 recognises that participation in physical activity and sport leads to significant health and wellbeing benefits. The strategy highlights that the Council is the biggest provider of facilities and services in the district for sport and physical activity, both indoor and outdoor, some of which include: leisure centres each offering a range of facilities, be active for life programme, be active for health initiative, summer sports camps, minor and major capital grants, annual sports awards, generic training programme and elite athlete scheme.

The LDP can play an important role in promoting healthy living and contributing to mental and physical wellbeing through the protection of existing open space and the provision of new, quality open space within or close to settlements.

## Regional Development Strategy 2035 (RDS)

One of the key aims of the RDS is to "protect and enhance the environment for its own sake". It acknowledges that Northern Ireland's environment is one of its greatest assets and states that protecting it is essential for enhancing the quality of life of current and future generations.

It also seeks to promote development which improves the health and wellbeing of communities by facilitating access to a range of services and facilities.

<sup>78</sup> For the purposes of the LDP, open space is defined as all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation, and can also act as a visual amenity.

<sup>79</sup> As enshrined within article 31 of the United Nations Convention on the Rights of the Child (UNCRC).

<sup>80</sup> NMDDC Sports Facilities Strategy- Multi Sports Hub Review Strategic Recommendations multi\_sports\_hub\_review\_-\_strategic\_recommendations.pdf.

Regional Guidance (RG7) highlights the importance of recreational space within cities, towns and neighbourhoods and states new developments or plans should make provision for adequate green and blue infrastructure.

## Strategic Planning Policy Statement (SPPS)

The SPPS recognises that open space, sport and outdoor recreation support many cultural, social, economic, health and environmental benefits. The document contains three Core Planning Principles which refer directly to open space and recreation within their supporting texts. These are: Improving Health and Wellbeing; Creating and Enhancing Shared Space; and Supporting Good Design and Positive Place Making.

Its regional objectives for open space, sport and outdoor recreation are to:

- Safeguard existing open space and sites identified for future such provision
- Ensure that areas of open space are provided as an integral part of new residential development and that appropriate arrangements are made for their management and maintenance in perpetuity
- Facilitate appropriate outdoor recreational activities in the countryside that do not negatively impact on the amenity of existing residents
- Ensure that new open space areas and sporting facilities are convenient and accessible for all sections of society, particularly children, older people and those with disabilities
- Achieve high standards of siting, design and landscaping for all new open space areas and sporting facilities; and
- Ensure that the provision of new open space areas and sporting facilities is in keeping with the principles of environmental conservation and helps sustain and enhance biodiversity.

The SPPS also requires the Council to bring forward an Open Space Strategy that reflects the aim, objectives and policy approach of the SPPS, tailored to the specific circumstances of the Plan area.

## Local Context

The Council recognises that good quality and easily accessible open space can contribute to a better quality of life. Open spaces also contribute to a range of national and local commitments and policies, such as sustainable development, climate change adaptation, carbon management, outdoor learning, healthy living, sustainable transport, biodiversity and social equity.

The district has a wide-ranging provision of open space. It benefits from several country estates, forest parks, walking trails, greenways, beaches and activity centres, all of which provide a range of outdoor recreational opportunities and attract large numbers of visitors every day. The Council owns and maintains a variety of open space, including parks, sports facilities, children's play areas, woodlands and amenity green space in housing developments. There are also many areas of open space and sports facilities within private ownership and school sites across the district that





help to serve the need of sports clubs (including soccer, rugby, cricket, Gaelic games and golf).

A partnership approach between the Council, other statutory authorities and private owners to provide facilities that are of sufficient quality, that support recreation for all age groups, and have a high degree of accessibility is considered an important element in achieving high-quality and accessible open space and recreation facilities across the district.

Open space, particularly those based on the natural resources in the district, are important contributors to the character and appearance of the district. They encourage people to visit, live, work and invest in the district. The provision of open space also has important benefits in terms of the environment. It provides for various habitats and species and includes many of our natural features that make our landscape so distinctive. Within the urban areas it also provides green lungs, visual breaks, buffers between land uses, recreational opportunities and wildlife habitats.

The LDP seeks to support the creation of additional opportunities for green and blue infrastructure<sup>81</sup>, recognising in particular the importance of greenways across the district in providing multiple benefits for amenity, recreation, health and wellbeing.

The Department for Infrastructure published their Strategic Plan for Greenways<sup>82</sup> in 2016. This set out a vision for a network of high-quality, interconnected traffic-free greenways traversing all districts of Northern Ireland. Four of these are partially or entirely in the district (along with various spurs), and a fifth (Newry to Dundalk) which falls out of scope, as a significant section of the route is within the Republic of Ireland.

The NMD Active Travel Masterplan 2021 refers to an additional two potential greenways that follow the routes of decommissioned tramways into Newry. These are Newry to Bessbrook and Newry to Warrenpoint. It also proposed exploratory optioneering for a greenway linking Newcastle and Newry.

One of the first Greenways to be completed was the Newry to Portadown Greenway that uses the Newry Canal Towpath. A number of other projects have been proposed for the district: the Newry to Dundalk Greenway is currently under construction, with the Newry to Victoria Lock section now open. There is a proposal for an additional Greenway from Newry to Armagh, utilising the Lisummon Tunnel<sup>83</sup>. Funding has also been approved<sup>84</sup> to develop plans for Greenways from Downpatrick to Newcastle, Ardglass and Comber along former railway lines. Where necessary, the Local Policies Plan will incorporate these projects in order to ensure their implementation.

The Council commissioned a review of existing open space as part of preparing the Plan Strategy. The review not only identifies existing facilities but highlights future needs in terms of the provision of quality open space, sport and outdoor recreational facilities in the council area. This review includes an audit of existing open space and provides a draft Open Space Strategy, which will require further consideration by the Council. Further detail is provided in Technical Supplement 8 Open Space, Sport and Outdoor Recreation.

## LDP Objectives

The LDP strategic approach to open space is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to open space are as follows:

- To protect and enhance the provision of open space across the district to support health and wellbeing; and
- To provide for quality public spaces and 'shared spaces' that are accessible to all.

These objectives are supported by Strategic Policy OSS1 Protecting and Enhancing Open Space and the operational policies set out in Part 2 of the Plan Strategy.

<sup>81</sup> See glossary for definition of green and blue infrastructure.

<sup>82</sup> *Exercise - Explore - Enjoy: A Strategic Plan for Greenways*, Department for Infrastructure, 2016.

<sup>83</sup> *Armagh to Newry Greenway NI Greenways website*.

<sup>84</sup> £200,000 investment for eight new Greenway designs | Department for Infrastructure.

# Strategic Policy OSS1

## Protecting and Enhancing Open Space

The Plan will support development proposals that:

- Protect and safeguard existing areas of public open space;
- Meet requirements for new open space and recreation facilities identified by the Council as well as facilitating the upgrading of existing facilities, in order to ensure that they are accessible by members of the public of all ages and abilities;
- Provide adequate and well-designed open space in new residential developments as an integral part of the development;
- Promote outdoor recreational activities in the countryside which are appropriate and sustainable and do not conflict with the need to preserve and where possible enhance our environment, which contribute positively to the rural economy;
- Facilitate intensive sports facilities within settlement limits to meet an identified need or, by exception for a sports stadium, close to the edge of the settlement, and the redevelopment and expansion of existing facilities;
- Protect green and blue infrastructure, for example parks, gardens and linear open space such as pedestrian and cycle routes/walkways and river corridors that have open space value, as well as the protection of disused transport assets to enable their future use as Greenways;
- Provide community growing spaces and allotments in accessible locations, particularly with active travel accessibility; and
- Deliver new cemeteries and burial spaces, or extensions to such sites, to meet an identified need whilst also avoiding adverse impact on the environment.

### Justification and Amplification

Open space is an increasingly important factor in the creation of new places and in the regeneration of existing areas. It is not simply regarded in its traditional form of public parks and playing fields set within discrete locations but can also include public squares and other features that help to establish successful places. It can include areas such as river corridors and lakes which provide opportunities for both formal and informal recreation, as well as providing opportunities for wildlife. The successful incorporation of open space as part of place-making can result in attractive locations that encourage communities and businesses to utilise and further revitalise these areas. Open spaces can also provide “green lungs” within built-up areas that serve as important visual breaks and provide habitat for wildlife and biodiversity.

Lands currently utilised for or identified in a Local Development Plan for open space or recreation uses will be protected from other uses, subject to exceptions specified in Policy OS1.

With the changing demographic profile of the district, there is recognition of the value for a greater range of opportunities for open space and recreation, such as walking and cycling rather than the traditional facilities that mostly catered for sports-based activities. The district is well served by a number of public parks as well as forest and country parks that provide such opportunities. There are also a number of historic parks, gardens and demesnes, the settings of which are integral to their character. The preservation of these gardens and other features provides for recreation opportunities and preserves the historic environment.

All proposals for residential development will be required to demonstrate how they incorporate sufficient areas of open space as an integral part of their layouts and that these spaces are accessible by the public (Policy OS2). Lands zoned for such schemes in the Local Policies Plan will be accompanied by Key Site Requirements which may identify features of important local interest to be incorporated into the development scheme as well as specifying the provision of play areas or facilities where this is considered necessary. Where appropriate developers may be required to enter into a Section 76 Planning Agreement with the Council in relation to such provision.

The countryside lends itself to accommodating a wide range of recreational activities. Proposals for outdoor recreation in the countryside should have regard to a range of issues including visual and residential amenity, impacts on nature conservation, biodiversity, landscape character, archaeology or historic environment and compatibility with neighbouring uses (Policy OS3).

Intensive sports facilities provide for a wide range of activities and often serve as a focus for the community. They are therefore best located in sustainable locations in settlements where they can be easily accessed by the catchment population. However, their precise location can be contentious due to their nature and scale which requires careful consideration in the determination of such proposals (Policy OS4).

The LDP will seek to safeguard designated and potential sites and corridors that form part of the network of green and blue infrastructure across the district (Policy OS8). Disused Transport links such as former railways will be protected from development in order to enable their reuse for the creation of additional Greenways for hiking and cycling (Policy TRA5 Disused Transport Routes). The creation of such links can help to provide a network of recreational facilities across the district and into adjoining authorities.

The LDP will also support the delivery of community growing spaces and allotments in locations that encourage and support active travel as part of our commitment to sustainable development (Policy OS9).

The provision and maintenance of cemeteries is a statutory responsibility of the Council. The LDP will protect existing cemeteries and burial spaces and proposals, for new or extensions to existing sites, must take account of their impact on the environment (Policy OS10). The process of assessing future cemetery provision falls to each individual Council, however the Council is currently exploring options in relation to identifying future need requirements. If a need is identified for the requirement of additional cemetery/ burial space provision, the LDP will take account of this, zoning sufficient lands where appropriate, at the Local Policies Plan stage.





# Economic: Creating Jobs, Promoting Prosperity and Supporting Transport and Other Infrastructure



Buttercrane Shopping Centre, Newry

# Economic Development Strategy

The LDP Economic Development Strategy is a fundamental part of our Spatial Growth Strategy and sets out how much land is needed for economic development and where it is to be located.

One of the strategic objectives of our Corporate Plan 2024-2027<sup>85</sup> is to support the continued growth and development of our local economy. In doing so it seeks to support the growth of new and existing businesses and maximise the district's location through the Belfast-Dublin economic corridor<sup>86</sup> and as a cross-border gateway to Great Britain, EU, Ireland and international markets.

Our Regeneration and Economic Development Strategy 2020-2025<sup>87</sup> seeks to fulfil and advance the objectives of our Corporate Plan. It recognises the need for a flexible approach to deliver its vision, strategic aims and priorities to regenerate and revitalise our district, support business growth and boost our economic performance, thereby improving the standard of living for all our residents. The strategic aims of the Regeneration and Economic Development Strategy include the achievement of sustainable and inclusive economic growth, addressing economic inequalities, creating more and better jobs and becoming more internationally competitive through export growth and developing a more outward-looking economy open for investment.

A key outcome of our Community Plan is that all people in the district benefit from prosperous communities.

The LDP has a key role to play in achieving a vibrant economy and facilitating employment through the zoning of land and the provision of planning policy to support business development and job growth.

## Regional Development Strategy 2035 (RDS)

The RDS seeks to promote a balanced spread of economic development opportunities across Northern Ireland through its Spatial Framework. Whilst this framework promotes further economic growth in the Belfast Metropolitan Area and Derry/Londonderry it also aims to exploit the economic

potential at a sub-regional level through its identification of hubs and clusters of hubs, the rural area and gateways and corridors. The RDS acknowledges Newry City as one of the key locations for new jobs and as a significant employment centre with a strong retail offering and an acute hospital. It is well connected to both Belfast and Dublin being on the main road and rail links. It identifies Newry City and Warrenpoint as the South Eastern City Gateway with a Harbour and strategic links to Dundalk and on to Dublin. The RDS acknowledges the role of Downpatrick and notes that it performs a higher order role than might be expected by its size. It also has potential to cluster with Newcastle, with each of the towns acting as important centres for retailing, commerce and business and serving a substantial number of dispersed smaller settlements.

SFG10 seeks to identify and consolidate the roles and functions of settlements within clusters. SFG11 seeks to promote economic development opportunities at hubs and states that hubs and clusters of hubs should be considered first in the decision-making process for new development. SFG13 seeks to sustain rural communities living in smaller settlements and the open countryside and facilitate the development of rural industries, businesses and enterprises in appropriate locations. SFG15 seeks to strengthen the gateways for regional competitiveness by providing high-quality connections to and from the air and seaports. The RDS guidance is generally reinforced through the regional strategic objectives set out in the SPPS which include a focus on sustainable development.

The RDS provides Regional Guidance (RG1) which seeks to ensure an adequate supply of land to facilitate sustainable economic growth. It sets out a three-stage methodology and framework for LDPs to achieve this under the Employment Land Evaluation Framework (ELEF) as outlined in Table 8. The ELEF provides the framework for the LDP Economic Development Strategy.

<sup>85</sup> NMD Corporate Plan 2024-2027.

<sup>86</sup> Also referred to as Dublin Belfast Economic Corridor (DBEC).

<sup>87</sup> Regeneration and Economic Development Strategy ([newrymournedown.org](http://newrymournedown.org)).

**Table 8: RDS Employment Land Evaluation Framework (ELEF)**

|                |                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Stage 1</b> | <b>Taking Stock of the Existing Situation</b> | An initial assessment of the 'fitness for purpose' including the environmental implications of the existing employment land portfolio. This is principally in order to identify the 'best' employment sites to be retained and protected and identifying sites that should clearly be released for other uses.                                                                                                                                                                                                                           |
| <b>Stage 2</b> | <b>Understanding Future Requirements</b>      | Quantify the amount of employment land required across the main business sectors during the development plan period. This is achieved by assessing both demand and supply elements and assessing how they can be met in aggregate by the existing stock of business premises and by allocated sites. Account should also be taken of turnover of existing sites due to relocation or closures. Both short/medium term and strategic provision need to be considered in this process.                                                     |
| <b>Stage 3</b> | <b>Identifying a 'New' portfolio of sites</b> | Devise qualitative site appraisal criteria to determine which sites meet the occupier or developer needs. Confirm the existing sites to be retained, replaced or released, and any gaps in the portfolio. In this allocation, consideration should be given to previously used sites, and in the reallocation, the environmental impact of one site relative to others should be included. The results of Stage 2, together with this site-appraisal should provide a robust justification for altering allocations for employment land. |

Stage 1 requires the LDP to take stock of the existing situation in regard to the supply of the existing employment land portfolio. Stage 2 requires an understanding of future requirements in regard to the quantity of employment land required across the main business sectors over the Plan period. Stage 3 requires identifying a new portfolio of sites.

The Council commissioned two studies to assist with Stages 1 and 2. These studies were undertaken by CBRE and University of Ulster Economic Policy Centre (UUEPC) and are included within Technical Supplement 3 - Economic Development. The findings of these reports are summarised below and further site identification (Stage 3) will be undertaken at Local Policies Plan stage.

To inform Stage 1 of the ELEF, the Council identified and calculated the total supply of zoned economic land in the district not yet developed in our Economic Land Monitor (see Technical Supplement 3 – Economic Development).

This included both existing economic development lands and those sites proposed for economic development purposes in the two extant area plans for the district.

To support this, CBRE were commissioned to complete an audit of existing workspace availability in Newry, Downpatrick and those towns and villages identified as existing and proposed Local and Small Towns in our Preferred Options Paper's proposed Settlement Hierarchy<sup>88</sup>. This included looking at the location, type, rental levels, ownership, availability and quality of office space. The report also looked at the Enterprise Centres in the district in terms of their size, tenancy and availability with a focus on availability of start-up and grown-on space.

CBRE also reviewed the current industrial stock in the same settlements, with the inclusion of Burren given its connection to Warrenpoint in the previous Plan. In doing so it considered the current availability, vacancy levels,

<sup>88</sup> Newcastle, Warrenpoint, Kilkeel, Ballynahinch, Saintfield, Killyleagh, Castlewellan, Bessbrook and Crossmaglen.



demand, location and quality of accommodation. It also commented on the suitability of the industrial land that remained undeveloped, as identified by the LDP's 2020 Economic Land Monitor.

CBRE updated this evidence in April 2025 to ensure it accounted for the amended Plan period to 2035 and also to provide a more current position on the Enterprise Centres and the availability of existing workspace and industrial stock in Newry, Downpatrick and those settlements identified as Local and Small Towns in the draft Plan Strategy Settlement Hierarchy<sup>89</sup>.

The 2020 Economic Land Monitor has been used as the basis of our allocation of economic land over the Plan period. This baseline evidence was primarily completed in December 2020. This identified 182ha of economic land<sup>90</sup> remaining to be developed across the district with the majority of undeveloped land being available in Newry City and Downpatrick. The district's towns of Warrenpoint/Burren, Kilkeel, Ballynahinch and Crossmaglen all have remaining undeveloped economic lands while Newcastle has no lands remaining. A number of the district's villages and two small settlements have remaining lands.

Evidence relating to the uptake of zoned economic land in 2020 suggested there was a generous supply remaining which would be sufficient to provide the anticipated amount of employment floorspace and jobs over the Plan period. In 2023, 160ha of economic land remained undeveloped indicating an increase in the uptake of zoned land. The Council commissioned a review of its employment evidence base in 2024<sup>91</sup>. A recommendation of this and the 2025 CBRE report suggests that a further review be undertaken at Local Policies Plan stage to consider whether there is a need for additional employment land in certain locations.

To inform Stage 2 of the ELEF the Ulster University Economic Policy Centre (UUEPC) provided an overview of employment changes and some projections of future employment space requirements based on the current Newry, Mourne and Down employment growth forecasts to 2035. It reported that in 2022, 74,420<sup>92</sup> people were

employed in the district. This was an historic high and represented almost 8.5% of all people employed in NI. According to the UUEPC the district has gained an additional 14,652 jobs since 2001, representing an average of 700 jobs per year.

The report presented a baseline and an upper scenario, both of which incorporate different potential outcomes based on NI, UK and global economic trends and events. The baseline scenario assumes a policy neutral position and predicts an increase of 7,740 jobs in the Council area by 2035. In the upper scenario growth rates improve due to a series of public investments and private sector productivity improvements leading to the employment rate converging with the UK rate with an increase of 9,440 jobs being forecast.

The 2024 review of the employment evidence base included a labour force assessment. Using a review of population projections for the district and applying its rates of economic activity, unemployment and the total net-out commuting to the working population, it suggested there would be between 1,930 and 8,619 additional workers depending on whether the rates were applied to the 16-64 and 65+ age cohorts or a single set of rates for those aged 16+. The review found there was not a linear relationship between population increase and employment creation. This was considered to indicate that the strong employment trend has been driven by factors other than local population growth and that the future employment growth will follow a similar pattern in this regard. It noted that, if replicated over the LDP period, the past employment growth would equate to an additional 11,635 jobs while the increase in the number of employee jobs between 2020 and 2022 suggests the growth in the first few years of the LDP period is above average. As a result it concluded it would not recommend reducing the projected level of employment growth forecast by UUEPC.

The UUEPC forecast some level of positive growth in each of the business use class categories for both the baseline and upper scenarios with the largest growth being anticipated in general office, light industrial, small business workspace and research and development.

<sup>89</sup> Newcastle, Warrenpoint/Burren, Kilkeel, Ballynahinch, Saintfield, Killyleagh, Castlewellan and Crossmaglen.

<sup>90</sup> For the purposes of the 2020 Economic Land Monitor existing and proposed economic lands as identified by the two extant plans were monitored along with a mixed-use site with key site requirements for economic development identified by BNMAP and the Industrial Policy Areas identified by ADAP 2015.

<sup>91</sup> Review of Employment strategy by Lichfields, see Technical Supplement 3 Economic Development.

<sup>92</sup> UUEPC forecast based on BRES 2021 workplace jobs in addition to self-employed and those on training scheme and apprenticeships that are workplace based.

Under the baseline scenario the total employment space demand in the district to 2035 is estimated to be 281,400 square metres (sqm). It is recognised that not all future demand will require new land or buildings as some employment growth is likely to be absorbed by the current provision of space. To take account of this and a likely change in working environments and work structure, UUEPC incorporated a sensitivity analysis. The estimated baseline scenario employment space demand, at a 20% capacity absorption, is 225,120 sqm.

Based on the analysis of the UUEPC Report, the 2024 Employment Review estimated there is a need for between 161,300 sqm and 187,100 sqm of B Class employment floorspace in the Council area between 2022 and 2035. Using assumptions on the gross area required to develop city/town centre uses and non-town centre uses it estimated that between 41.0ha and 46.1ha of B Class employment land is required to accommodate the quantum of floorspace identified by UUEPC as being likely to come forward. Applying a flexibility margin and a capacity absorption it suggested that between 50.4ha and 56.7ha of employment land will be required between 2022 and 2035. Given that 160 ha of employment land remained undeveloped in 2023, this projection supports the evidence base that there is adequate employment land over the remaining Plan period.

Stage 3 of the ELEF requires the identification of a new portfolio of sites for economic development. Given the findings of the above reports, two sites in Newry and Downpatrick were identified as being 'strategic' in terms of their siting and locations. An assessment of their suitability as Strategic Employment Locations (SELs) was carried out (see Technical Supplement 3- Economic Development). Further detail is provided in Strategic Policy EDS1 Employment Land Allocation. A further review of our economic land portfolio will be carried out at Local Policies Plan (LPP) stage and will confirm the existing sites to be retained, replaced, released and any gaps in the portfolio. Additionally, this will be monitored as part of our Economic Land Monitor, to ensure that the right amount of land is provided for

employment in terms of quantity, quality and location, to inform the LPP economic land allocation. New sites for economic development therefore may come forward at the LPP stage of the process to ensure a range and choice of sites are available. Mixed-use sites can also contribute to the provision of economic development uses. The mixed-use sites identified in BNMAP will therefore also be reviewed at LPP and consideration given to the identification of suitable new mixed-use sites across the district.

Whilst the LDP Economic Development Strategy is influenced by local supply and demand consideration, it must also take account of the regional direction, particularly in regard to the geographical distribution of employment growth.

## Strategic Planning Policy Statement (SPPS)

The SPPS recognises that support for sustainable economic growth is a core planning principle.

Its regional strategic objectives in relation to facilitating economic development are to:

- Promote sustainable economic development in an environmentally sensitive manner;
- Tackle disadvantage and facilitate job creation by ensuring the provision of a generous supply of land suitable for economic development and a choice and range in terms of quality;
- Sustain a vibrant rural community by supporting rural economic development of an appropriate nature and scale;
- Support the re-use of previously developed economic development sites and buildings where they meet the needs of particular economic sectors;
- Promote mixed-use development and improve integration between transport, economic development and other land uses, including housing; and
- Ensure a high standard of quality and design for new economic development.

## Local Context

The district is strategically located on the Belfast to Dublin Economic Corridor. This provides significant opportunities for the district to grow its economy, as an attractive place for indigenous and foreign investment. The district provides an access point to and from NI and RoI and also includes freight access into NI through Warrenpoint Port. The construction of the Southern Relief Road will further improve the infrastructure and connectivity in the district making it a more attractive place to invest.

Economic activity is, as would be expected, unevenly spread in the district with Newry and Downpatrick DEAs having a higher dependence (37.2% and 17.0% respectively<sup>93</sup>) on service-based sectors in comparison to the more rural DEAs such as Slieve Croob (6.6%). The manufacturing sector is also a key employer, particularly in The Mournes and Slieve Gullion DEAs which contribute almost half (48%) of all manufacturing employment in the district. Crotlieve also makes an important contribution to manufacturing and in addition has the highest concentration of construction workers of all seven DEAs.

The sectoral shares across the DEAs has changed little since 2013 with the exception of Newry which has experienced a strong expansion of the services sector between 2013 and 2019 with 95% of all jobs created in the DEA being in this sector.<sup>94</sup>

The district currently benefits from an active workforce and a strong entrepreneurial spirit. It has a consistent record of business creation and new job opportunities with a high number of business births, placing the district second or third highest of all NI Councils each year between 2017 and 2023<sup>95</sup>. The business base of the district includes some companies that are world leaders, flag-bearers for the district and wider region.

The Council is committed to promoting the district at both a local and international level, as a great place to live, study, visit, work and invest. It seeks to ensure the district area has a rich and diverse economy by encouraging the creation of new

businesses and the growth of existing businesses. It recognises that economic growth is influenced by the development and growth of strong clusters and sectors and will adopt a flexible approach that will stabilise and develop existing sectoral strengths<sup>96</sup>, support new and emerging sectors<sup>97</sup> and support growth innovation and emerging technologies.

The LDP has a role to play in securing economic prosperity in the district as set out in our LDP objectives.

## LDP Objectives

The LDP strategic approach to economic development is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to economic development are as follows:

- To ensure there is a generous supply of suitable land to meet economic development needs within the district over the Plan period, at a variety of locations where they are accessible to all members of the community, including those without a private car;
- To encourage and accommodate entrepreneurship and innovation for large, medium and small firms by ensuring a variety of sites based on size, quality and choice;
- To facilitate Newry City to capitalise on its role as the South Eastern City Gateway on the Belfast-Dublin economic corridor, similarly maximising Warrenpoint/Burren as a local hub and major port, whilst ensuring Downpatrick as our main town is strengthened as a main employment centre; and
- Provide for sustainable economic development in the countryside.

These objectives are supported by Strategic Policy EDS1 Employment Land Allocation, Strategic Policy EDS2 Protection of Economic Development Land and the relevant operational policies set out in Part 2 of the Plan Strategy.

93 UUEPC Newry, Mourne and Down District Council 'Employment Space Demand 2022-2035: Updated analysis' November 2023.

94 UUEPC Newry, Mourne and Down District Council 'Employment Space Demand 2022-2035: Updated analysis' November 2023.

95 IDBR-Business-Demography-NI-2023.ods Table 1.2.

96 Construction, Advanced Manufacturing and Engineering, Agri-food and Fishing, Technology and Retail and Services - 'NMD Regeneration and Economic Development Strategy 2020-2025'.

97 ICT and Digital Technologies, Professional Business Services and Tourism 'NMD Regeneration and Economic Development Strategy 2020-2025'.



# Strategic Policy EDS1

## Employment Land Allocation

The Plan will support development proposals for industrial/employment activity and its subsequent retention and protection from alternative use based on a hierarchy of sites which consists of:

- a Strategic Employment Locations (SELs); and
  - b Local Employment Sites.
- Two strategic employment locations are identified in Newry City and Downpatrick main hub, as shown in Table 9.
- As the primary employment zonings serving our district, the Council will operate a presumption against the alternative
- use of land and premises in SELs to safeguard them for future employment purposes.
- The allocation of economic development land for other local employment sites will be distributed between the district's settlements as set out in Table 10.

**Table 9: Strategic Employment Locations Allocation (SELs)**

| Location                          | Area Zoned for industry (ha) | Area Developed (ha) 2020 | Area Remaining Undeveloped (ha) 2020 | Area Developed (ha) 2023 | Area Remaining Undeveloped (ha) 2023 |
|-----------------------------------|------------------------------|--------------------------|--------------------------------------|--------------------------|--------------------------------------|
| <b>Tier 1: City and Main Town</b> |                              |                          |                                      |                          |                                      |
| Newry                             | 115.45                       | 58.12                    | 57.33                                | 64.08                    | 51.37                                |
| Downpatrick*                      | 34                           | 15.72                    | 18.28                                | 28.9                     | 5.1                                  |
| <b>TOTAL</b>                      | <b>149.45</b>                | <b>73.84</b>             | <b>75.61</b>                         | <b>92.98</b>             | <b>56.47</b>                         |

\*Site identified as part of ADAP countryside proposals

**Table 10: Local Employment Site Allocation**

| Location                             | Area Zoned<br>for Industry<br>(ha) | Area<br>Developed<br>(ha) 2020 | Area Remaining<br>Undeveloped<br>(ha) 2020 | Area<br>Developed<br>(ha) 2023 | Area Remaining<br>Undeveloped<br>(ha) 2023 |
|--------------------------------------|------------------------------------|--------------------------------|--------------------------------------------|--------------------------------|--------------------------------------------|
| <b>Tier 1: City and Main Town</b>    |                                    |                                |                                            |                                |                                            |
| Newry                                | 94.86                              | 54.92                          | 39.94                                      | 55.88                          | 38.98                                      |
| Downpatrick                          | 29.46                              | 13.19                          | 16.27                                      | 13.31                          | 16.15                                      |
| <b>Total</b>                         | <b>124.32</b>                      | <b>68.11</b>                   | <b>56.21</b>                               | <b>69.19</b>                   | <b>55.13</b>                               |
| <b>Tier 2: Local and Small Towns</b> |                                    |                                |                                            |                                |                                            |
| Newcastle                            | 1.11                               | 1.11                           | 0                                          | 1.11                           | 0                                          |
| Warrenpoint/Burren                   | 40.34                              | 26.31                          | 14.03                                      | 26.5                           | 13.84                                      |
| Kilkeel                              | 29.05                              | 9.26                           | 19.79                                      | 9.26                           | 19.79                                      |
| Ballynahinch                         | 11.49                              | 5.59                           | 5.9                                        | 6.14                           | 5.35                                       |
| Crossmaglen                          | 3.4                                | 1.1                            | 2.3                                        | 1.1                            | 2.3                                        |
| <b>Total</b>                         | <b>85.39</b>                       | <b>43.37</b>                   | <b>42.02</b>                               | <b>44.11</b>                   | <b>41.28</b>                               |
| <b>Tier 3: Villages</b>              |                                    |                                |                                            |                                |                                            |
| Bessbrook                            | 3.07                               | 3.07                           | 0                                          | 3.07                           | 0                                          |
| Crossgar*                            | 4.35                               | 3.0                            | 1.35                                       | 4.05                           | 0.3                                        |
| Ardglass                             | 2.09                               | 0.63                           | 1.46                                       | 0.63                           | 1.46                                       |
| Newtownhamilton                      | 0.82                               | 0.36                           | 0.46                                       | 0.36                           | 0.46                                       |
| Annsborough                          | 4.47                               | 3.58                           | 0.89                                       | 3.58                           | 0.89                                       |
| Jonesborough                         | 1.6                                | 1.6                            | 0                                          | 1.6                            | 0                                          |
| <b>Total</b>                         | <b>16.4</b>                        | <b>12.24</b>                   | <b>4.16</b>                                | <b>13.29</b>                   | <b>3.11</b>                                |
| <b>Tier 4: Small Settlements</b>     |                                    |                                |                                            |                                |                                            |
| Shrigley                             | 6.39                               | 3.5                            | 2.89                                       | 3.5                            | 2.89                                       |
| Ballyhornan                          | 3.82                               | 2.33                           | 1.49                                       | 2.52                           | 1.3                                        |
| <b>Total</b>                         | <b>10.21</b>                       | <b>5.83</b>                    | <b>4.38</b>                                | <b>6.02</b>                    | <b>4.19</b>                                |
| <b>GRAND TOTAL</b>                   | <b>236.32</b>                      | <b>129.55</b>                  | <b>106.77</b>                              | <b>132.61</b>                  | <b>103.71</b>                              |

\*Includes 3.95ha site identified as part of ADAP countryside proposals

## Justification and Amplification

This strategic policy for economic development has been informed by regional and local policy which aims to promote employment, encourage job creation, facilitate growth of existing businesses, attract inward investment and address deprivation.

The portfolio of the district's employment land offers a variety of types and sizes, in a range of locations and in close proximity to major roads, rail network or bus routes across the council area, in order to promote accessibility to employment opportunities for all.

The Plan retains a continuous and generous supply of employment land, both developed/undeveloped, which will continue to meet the district's economic needs throughout the period of the Plan and beyond.

Given Newry's highly accessible location on the main Belfast-Dublin economic corridor, it will continue to act as a strategic hub for employment, both in terms of inward investment and major industrial proposals for high-tech manufacturing, research and development and storage and distribution. The identification of a Strategic Employment Location at Carnbane in Newry seeks to maximise and protect the potential of Newry as a cross-border gateway for employment in the district. The regional strategic investment in the future development of the Southern Relief Road will further secure improved accessibility to and from Warrenpoint Harbour and will increase the attractiveness and demand of employment land.

Downpatrick as the district's main town has a strategic role as a centre of employment in the northern side of the district. It is within the Belfast catchment and is connected to Belfast by the A7 link corridor road. The RDS identifies its potential to cluster with Newcastle and recognises the important role they play in serving a substantial number of dispersed smaller settlements. Newcastle has limited economic development lands with employment being focused in the service sector including that associated with the tourism industry. The identification of the Down Business Park on the Belfast Road as a Strategic

Employment Location is intended to acknowledge the importance of Downpatrick as the northern employment hub in the district and secure the protection of the most strategically located lands in proximity to Downpatrick.

Warrenpoint/Burren acts as a local hub and is part of the Newry cluster and South Eastern City Gateway with the port playing an important role in the local and regional economy by handling 11.3% of NI's port activity in 2023<sup>98</sup>. The proposed strategic Newry Relief Road scheme will improve connectivity to and from the port and has potential to increase economic development land demand.

The fishing industry plays an important role in the local economy of Kilkeel. Kilkeel Harbour is home to NI's largest fishing fleet and accounted for approximately 29% of the total value of fish landed in NI in 2022<sup>99</sup>. Manufacturing is also important to the local economy.<sup>100</sup>

Ballynahinch is situated in the north-west of the district. It is approximately 24 kilometres from Belfast and is almost equidistant between Downpatrick and Lisburn. It functions as a service centre, commuter settlement, manufacturing and market town with more recent uptake of economic development lands being increased.

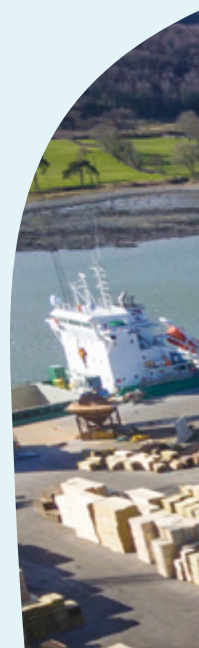
Located in south Armagh Crossmaglen is a service and employment centre for the local area.

All sites will be subject to review at the Local Policies Plan stage. Consideration will also be given to the identification of additional lands as deemed necessary.

<sup>98</sup> NISRA "Northern Ireland Ports Traffic 2023" Nov 2024.

<sup>99</sup> Source: £9.3million of the total £32million landed in Northern Ireland ports in 2022 by UK vessels Section\_2\_Landings\_2022.ods (live.com).

<sup>100</sup> Over 800 are employed at the Collins Aerospace Kilkeel facility United Kingdom | Collins Aerospace.





# Strategic Policy EDS2

## Protection of Economic Development Land

### Zoned Land in all Locations

The Plan will not support development that would result in the loss of land or buildings zoned for economic development use in the Local Development Plan to other uses, unless the zoned land has been substantially developed for alternative uses.

An exception will be permitted for the development of a sui generis employment use within zoned employment land where it can be demonstrated that all of the following criteria are met:

- a The proposal is compatible with the predominant economic development use;
- b It is of a scale, nature and form appropriate to the location; and
- c The proposal will not lead to a significant diminution of the economic development land resource in the locality and the Plan area generally.

Retailing or commercial leisure development will not be permitted except where justified as acceptable ancillary development.

### Unzoned Land in Settlements

On unzoned land a development proposal that would result in the loss of an existing Class B2, B3 or B4 use, or land last used for these purposes, will only be permitted where it is demonstrated that one or more of the following criteria are met:

- a Redevelopment for a Class B1 business use or other suitable employment use would make a significant contribution to the local economy;
- b The proposal is a specific mixed-use regeneration initiative which contains a significant element of economic development use and may also include residential or community use, and which will bring substantial community, environmental or other benefits that outweigh the loss of land for economic development use;
- c The proposal is for the development of a compatible sui generis employment use of a scale, nature and form appropriate to the location;
- d The present use has a significant adverse impact on the character or amenities of the surrounding area;



- e The site is unsuitable for modern economic/industrial, storage or distribution purposes and there is no reasonable market interest in the site following one year of continuous active marketing;
- f An alternative use would secure the long-term future of a building or buildings of architectural or historical interest or importance, whether statutorily listed or not;
- g There is a firm proposal to replicate existing economic benefits on an alternative site in the vicinity.

A development proposal for the re-use or redevelopment of an existing Class B1 business use on unzoned land will only be permitted where it is demonstrated that one or more of criteria (b)–(g) are met.

## Unzoned Land in the Countryside

A development proposal for the re-use or redevelopment of an economic development use or site on unzoned land in the countryside will be assessed under Policy ED3.

## Justification and Amplification

It is important that economic development land and buildings which are well-located and suited to such purposes are retained so as to ensure a sufficient ongoing supply and only exceptionally will the Council consider the loss of such land and buildings to other uses. The Council is keen to support the diversity of the local economy and the retention of existing sites for economic development is often necessary to achieve this aim.

The retention of economic development land in urban locations and elsewhere can not only make a substantial contribution to the renewal and revitalisation of towns but can also provide employment opportunities accessible

to large sections of the urban population and the rural hinterland. The existence of redundant business premises and derelict industrial land can be an important resource for the creation of new job opportunities and can help reduce the demand for greenfield sites. The Council will therefore seek to promote the re-use of such land and buildings for economic development uses.

Planning permission will not be granted for proposals involving the loss of land zoned for economic development use in the LDP to other uses. Any decision to reallocate such zoned land to other uses where necessary will be carried out as part of the Local Policies Plan process.

An exception may be made for a proposal for a sui generis employment use compatible with the existing or proposed economic development use e.g. a builders' supplies merchant or a waste management facility provided a sufficient supply of land for economic development use remains in the locality and the district generally.

Planning permission will not normally be granted for the change of use, or the redevelopment for other uses, of unzoned sites or premises in settlements used or last used for industrial and storage or distribution purposes, except in the circumstances outlined in criteria (a)–(g) of the policy.

If a mixed-use is proposed on unzoned land, the early delivery of the economic development use would be required.

To demonstrate continuous active marketing applicants may be required to demonstrate how long the site has been vacant, who has marketed the site, what the marketing exercise entailed (including evidence it was carried out) and a summary and analysis of the response(s) to the marketing exercise. Marketing should be pitched at a reasonable market rent/price.

# Retail Strategy

The LDP Retail Strategy seeks to promote a town centre first approach for retailing and other main town centre uses. It brings forward a hierarchy of centres which provides a framework to allow a sequential test to be applied to planning applications relating to main town centre uses, ensuring that they are directed to the most appropriate locations.

One of the corporate priorities of our Corporate Plan 2024-2027 is to “Promote the revitalisation of our city, towns, villages and rural communities”. This is identified as a strategic objective to develop and revitalise our district which includes the implementation of regeneration initiatives across urban centres and developing a forward work programme for future regeneration initiatives.

Our Community Plan notes that the district is well served with a strong retail offering and a diverse range of service industries. It recognises the importance of retail is reflected in the employment statistics, with 17.23% employed in this sector.

Our LDP has a key role to play in supporting and sustaining vibrant centres across the district, through the promotion of established town centres as the first choice location for retailing and other complementary functions consistent with the RDS and SPPS.

## Regional Development Strategy 2035 (RDS)

The RDS Spatial Framework recognises the importance of main hubs and clusters. It identifies Newry as a main hub and South Eastern City gateway due to its proximity to the land border and port of Warrenpoint<sup>101</sup>. Newry is the main administrative and service centre for the district. Its vitality and viability indicators compare favourably to comparable centres across Northern Ireland. It acknowledges that Newry is a significant employment centre with a strong retail offering, which benefits from its strategic location on the Belfast-Dublin corridor.

The RDS recognises that Downpatrick performs a higher order role than might be expected by its size, with it being the main location for retail provision for the surrounding area. It also recognises that Downpatrick and Newcastle act as important centres for retailing, commerce and business and serve a substantial number of dispersed rural settlements.

## Strategic Planning Policy Statement (SPPS)

The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location for retailing and other complementary functions consistent with the RDS. The SPPS defines acceptable town centre uses as cultural and community facilities, retail, leisure, entertainment, and business.

Its regional strategic objectives in relation to town centres are to:

- Secure a town centres first approach for the location of future retailing and other main town centre uses;
- Adopt a sequential approach to the identification of retail and main town centre uses in Local Development Plans (LDPs) and when decision-taking;
- Ensure LDPs and decisions are informed by robust and up to date evidence in relation to need and capacity;
- Protect and enhance diversity in the range of town centre uses appropriate to their role and function, such as leisure, cultural and community facilities, housing and business;
- Promote high quality design to ensure that town centres provide sustainable, attractive, accessible and safe environments; and
- Maintain and improve accessibility to and within the town centre.

<sup>101</sup> Warrenpoint and Newcastle identified as local hubs



The SPSS states that local planning authorities must define a network and hierarchy of centres for the purposes of retail planning. The hierarchy determines how the sequential test is applied under a town centre first regime.

In preparing the LDP the SPSS requires the Council to undertake an assessment of the need or capacity for retail and other main town centres across the district. To help the Council assess the vitality of district's centres, the Council is required to prepare town centre health checks and review these on a regular basis.

## Local Context

A comprehensive review of retail and commercial leisure across the district was undertaken to support the policies and proposals within the Plan Strategy, as detailed in Technical Supplement 4 - Retail. Its publication coincided with the Covid-19 outbreak in the UK and initial lockdown. An update to the 2019 report was then commissioned in early 2022 with a report published in April 2022.

The retail study and update highlight that overall, the district's high streets continued to perform well, demonstrating resilience in difficult trading conditions. The district's two largest centres, Newry and Downpatrick, experienced some increase in vacancy rates however the remaining centres all experienced a drop in vacancy levels over the study period. Findings from the study's household survey, highlights that the district retained approximately 85.1% of its residents own spending on convenience goods and 67.7% of their spending on comparison goods is also retained. Relative to other parts of the UK, including Northern Ireland, these are regarded as healthy retention rates and do not indicate any significant concerns with the outflow or leakage of trade.

In terms of convenience market share, a small number of stores are very dominant, with the four largest stores attracting over a third of all convenience spending (36.2%). With this group the Asda stores in Downpatrick and Kilkeel are located within their Town Centre boundaries, while the Tesco stores in Newry and Newcastle are located outside the Town Centre boundaries.

In terms of comparison goods, the retail study highlights that Newry city centre attracts by some margin the greatest proportion of comparison spending within the district (37.1%). Downpatrick is the second most visited centre for comparison goods spending (7.8%) with Damolly Retail Park, Newry also attracting a significant proportion of turnover (6.2%). Out of town retail parks attract 15% of the district's residents comparison goods spending. The retail study noted that this was a relatively low percentage comparative to other parts of Northern Ireland and the UK, however there was still a need to protect the district's designated centres from significant erosion of market share. Survey results indicated that over 70% of residents regularly shop for bulk comparison goods closer to home. The Retail Study noted that this was a high retention rate and reflected the popularity of the combined facilities of Newry, Downpatrick and Kilkeel.

From a leisure point of view the district also successfully provides for its resident population in almost all instances of the leisure categories identified, with Newry being the first leisure destination of choice in all but one category, that being 'most popular cultural destination' where Belfast was most popular.

The study concluded that there was capacity to support further convenience goods floorspace (between 5,500–6,000 sqm net in 2022, increasing to 6,400–7,300 sqm net by 2035) and comparison goods floorspace (between 800–1,300 sqm in 2025 increasing to 1,900–3,000 sqm net by 2035). Neither the qualitative or quantitative assessment of leisure need identified any significant gaps.

The Council's retail hierarchy is set out in Table 11. This largely aligns with the settlement hierarchy and provides a spatial framework for the operational policies.

In the identification of its retail hierarchy, the Council have been mindful of the need to support the vitality and vibrancy of town centres and allow for flexibility in the consideration of town centre developments. Town centres are changing and offer not just locations for retail but for social activity and recreation. The Council's retail hierarchy, operational policies, and associated designations seek to maximise potential footfall generating development within the centres whilst discouraging out of centre competition.

In keeping with the SPPS, the Plan adopts a town centre first approach for retail and other main town centre uses across our City Centre (Tier 1), Main Town and Local Towns (Tier 2 and Small Towns (Tier 3).

Outside our city and main town, it is recognised that local centres (Tier 4) can play an important role in meeting the daily shopping need of local residents. Retaining and enhancing these facilities is therefore important to local communities and the Council's retail hierarchy and associated policy provision will seek to deliver this support.

Villages and small settlements form the fifth and bottom tier within the retail hierarchy. Policy provision for shops in villages and small settlements is in line with the SPPS in that it supports proposals that will meet day to day needs and be of a scale, nature and design appropriate to the character of the settlement.

Regional planning policy seeks to resist the development of inappropriate retail facilities in the countryside. There is however recognition that certain retail facilities outside settlements may be appropriate in particular instances where they are associated with a rural enterprise or tourism facility. The Council's retail policy provision will support appropriate retail development within the countryside in line with the exceptions set out in the SPPS. Retail proposals within the countryside will be considered as an exception to the restrictive rural policy approach and will be considered on a case-by-case basis. They do not therefore form part of the Council's retail hierarchy.

## LDP Objectives

The LDP strategic approach to retailing and town centres is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to retailing and town centres are as follows:

- To achieve strong and vibrant city and town centres supported by a hierarchy of other centres that sustainably meet the shopping, working and leisure needs of the district; and
- To protect and sustain the role of local and small towns so they act as local centres for shops, employment and leisure of an appropriate scale and support our villages to meet the needs of the surrounding rural area.

These objectives are supported by Strategic Policy RS1 Retail Hierarchy and the operational policies set out in Part 2 of the Plan Strategy.

## Strategic Policy RS1

### Retail Hierarchy

The Plan will support development proposals that promote the retail hierarchy as set out in Table 11.

In line with regional policy, the LDP applies a city/town centre first approach for the location of retailing and other main town centres. Retail uses are those which fall within Use Class A1 – Shops while other appropriate town centre uses include Use Class A2 (Financial and Professional Services) and B1 (Business). Other town centre uses that

may be considered appropriate include leisure, cultural, community and residential uses.

The Council's retail hierarchy largely aligns with the settlement hierarchy and provides a spatial framework for the operational policies set out in Part 2 of the Plan Strategy.

**Table 11: Retail Hierarchy**

| Tier                             | Definition                                                                                                                                                                                                                                           | Settlement                                                                         | Designation                                                                              |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| 1 City Centre                    | Provides (or has the potential to provide) a range of shops, services, businesses and community facilities to a significant hinterland which includes smaller neighbouring towns or a number of suburbs.                                             | Newry                                                                              | City centre boundary. Primary retail core and frontage                                   |
| 2 Town Centre                    | Provides (or has the potential to provide) a range of shops, services, businesses and community facilities to a hinterland which includes neighbouring villages or few surrounding suburbs.                                                          | Downpatrick<br>Newcastle<br>Ballynahinch<br>Kilkeel<br>Warrenpoint/Burren          | Town centre boundary. Primary retail core within Downpatrick, Newcastle and Ballynahinch |
| 3 Small Town Centre              | Provides (or has the potential to provide) a range of shops, services, businesses and community facilities to a hinterland which includes neighbouring villages and the surrounding rural area.                                                      | Saintfield<br>Castlewellan<br>Crossmaglen<br>Crossgar <sup>102</sup><br>Killyleagh | Town centre boundary                                                                     |
| 4 Local Centre                   | Provides (or has the potential to provide) a limited range of shops, services, businesses and community facilities to serve the immediate local area.                                                                                                | Fiveways (Newry)<br>Ballymote<br>(Downpatrick)                                     | Local centre boundary                                                                    |
| 5 Villages and Small Settlements | Provides (or has the potential to provide) a limited range of shops and services generally comprising a grocery store, occasionally a petrol filling station, and other small shops of a local nature serving a village and surrounding rural areas. | As proposed in the settlement hierarchy                                            | Settlement Limit                                                                         |



## Justification and Amplification

To support the implementation of a town centre first approach, the LDP requires development proposals to follow a sequential approach in the identification of sites for retail and main town centre uses.

The LDP settlement hierarchy contains a number of established towns with populations in excess of 5,000 and existing town centre boundaries containing a broad range of service providers. Following a review of the existing city and town centre boundaries, these are designated and brought forward through the retail hierarchy.

As part of the LDP growth strategy a number of villages have been uplifted to towns. New town centre boundaries are designated for Castlewellan, Killyleagh and Saintfield and these are shown on the LDP Map Viewer and within Appendix 4.

A flexible approach to assessing the Edge of City/Town Centre locations will be applied through the Plan Strategy's operational policies with an edge of centre location defined as being within 300m of the boundary (Policy RET1).

The LDP retail policy provision brings forward Primary Retail Core and Frontage designations<sup>103</sup> in Newry and Downpatrick but in recognition of the need to support smaller centres and not restrict footfall these designations are not considered appropriate in the district's other main towns (Policy RET2).

Dual thresholds for Retail Impact Assessment are also proposed for development proposals that are outside a city or town centre location, which are reflective of the variation in average unit size within the centres. The SPSS threshold of 1000 is reduced to 750 sqm in the case of Newry and 500 sqm for all other towns in the retail hierarchy (Policy RET3). An exception for retail development outside city or town centre boundaries is provided, subject to meeting threshold and other requirements (Policy RET4).

The retail hierarchy recognises that the district's local centres provide an important role in offering everyday convenience goods to the local community (Policy RET5).

Policy provision will provide for a range of appropriate local retail services within villages and small settlements (Policy RET6) and will apply a general presumption against retail facilities in the open countryside (Policy RET7).

High streets and town centres have a historic significance as a focus for social and communal activities and form part of a community's identity. Rather than being viewed as a constraint on retail development proposals, there is an opportunity for the historic fabric of our town centres to support and enhance the retail provision by offering distinctiveness and sense of place which draws people to these locations. The Council will support the re-use of historic buildings for appropriate town centres uses in accordance with policy provision set out in Policies HE6-15 (with the exception of HE8, HE12 and HE14).

Policy HOU4 Conversion or Change of Use of Existing Buildings to Flats or Apartments seeks to support and encourage town centre living and so further contribute to the general health and vitality of our centres.

The LDP retail policies are underpinned by the evidence within Technical Supplement 4 – Retail and associated retail studies. Town centre health checks are a key component within these studies and will be regularly reviewed (at least once every five years) to maintain an up-to-date evidence base.

### OPPOSITE

<sup>102</sup> While Crossgar is included in Tier 3 – Small Town Centres in the recommended Retail Hierarchy, it is proposed as a village in the LDP Settlement Hierarchy. Although the population is low, it far exceeds other villages in terms of its retail offer.

<sup>103</sup> Primary retail core and frontage designations are taken forward from the extant Plans and will be reviewed at LPP.

# Tourism Strategy

The LDP Tourism Strategy seeks to manage the provision of sustainable tourism in appropriate locations whilst taking account of the historic environment and natural heritage. There is a diverse and rich offering of tourism assets, accommodation and amenities across the district.

Our Corporate Plan 2024-27 identifies tourism as a corporate priority “Support sustainable forms of tourism which value our environment and cultural heritage.”

It also sets out eight strategic objectives, one of which relates specifically to tourism: “Support regenerative tourism opportunities which promote our culture, heritage and environment.” This identifies a number of actions, which include delivering the Council’s Tourism Strategy; developing the tourism proposition for the district and new visitor experiences with industry in line with Tourism Experience Brands; and continuing to deliver the Council’s Arts, Culture and Heritage Strategy.

Tourism is also referenced under the strategic objective to “Represent the voice of the district with our partners” specifically in regard to collaborating and engaging with key tourism and hospitality sector stakeholders to reinforce a strong partnership approach to tourism growth and leadership, including tourism business clusters and industry associations.

Our Community Plan identifies tourism as a key growth area in the Council. It is one of the four thematic groups (“Economic Development, Regeneration and Tourism”) which sits under the key outcomes “All People in Newry, Mourne and Down benefit from prosperous communities.” It sets out a range of indicators to be delivered through district wide delivery plans, including the level of tourism revenue which states “Enhancing the local tourism product for the district through developing a strong, cohesive, holistic and well-integrated product and brand, will attract both increased visitors and increased visitor spend to the area. The district is an area rich with tourism assets, natural beauty, cultural heritage and opportunities for outdoor recreation, that when properly utilised, will contribute to substantial economic growth in our district”.

The LDP has a key role in managing tourism related development through planning policies that provide a framework for identifying appropriate development opportunities and safeguarding tourism assets from harmful development.

## Regional Development Strategy 2035 (RDS)

The RDS sets out Regional Guidance to promote a sustainable approach to the provision of tourism infrastructure (RG4). The strategy recognises tourism as a key element in underpinning sustainable economic growth alongside the promotion of healthy lifestyles. The RDS emphasises the need for sustainability in the provision of tourism infrastructure by encouraging a balanced approach that safeguards tourism assets and the environment while benefitting society and the economy. It highlights the many opportunities available to harness economic benefits from Northern Ireland’s tourism assets including the waterways, landscapes, coastline and built heritage.

## Strategic Planning Policy Statement (SPPS)

The SPPS reiterates the approach taken in the RDS and aims to manage the provision of sustainable and high-quality tourism developments in appropriate locations within the built and natural environments, while safeguarding existing assets and amenities.

Its regional strategic objectives in relation to the management of tourism are to:

- Facilitate sustainable tourism development in an environmentally sensitive manner;
- Contribute to the growth of the regional economy by facilitating tourism growth;
- Safeguard tourism assets from inappropriate development;
- Utilise and develop the tourism potential of settlements by facilitating tourism development of an appropriate nature, location and scale;
- Sustain a vibrant rural community by supporting tourism development of an appropriate nature, location and scale in rural areas; and
- Ensure a high standard of quality and design for all tourism development.

## Local Context

The strength of the tourism market in the district can be measured in terms of the number of overnight trips, nights and spend<sup>104</sup>. In 2019 there were 516,203 overnight trips (9% NI total), together with 1,559,810 nights (9% NI total). Expenditure from overnight trips accounted for £84M (8% NI total) in the district in this period, the third highest in NI after Belfast and Causeway Coast and Glens. In 2019 employee jobs in tourism characteristic industries accounted for 5,897 (8% NI total)<sup>105</sup>.

Two of Northern Ireland's three National Mountain Bike Trails are located in the district: Rostrevor Mountain Trails which offer a 27km red trail and 19km black loop; and the Castlewellan Mountain Trails which offer 9km red trail, a 4km green trail, 4.5km blue trail and a purpose-built pump track.

The Tourism Strategy for Northern Ireland 2020 highlights the opportunity for growing golf tourism nationally and internationally to position NI as a premier golf destination. There are currently eleven golf courses in the district: Ardglass, Downpatrick, Kilkeel, Warrenpoint, Royal County Down, Cloverhill, Mayobridge, Bright Castle, Crossgar, Spa and Ashfield.

The district offers numerous locations and opportunities for hiking and walking while enjoying the distinctive landscape.

With approximately 150km of coastline the district is home to Strangford Lough, Carlingford Lough and a number of beaches that offer water-based activity opportunities. Strangford Lough is the largest sea lough in the British Isles, covering an area from Angus Rock to the sand flats at its northern end, some 20 miles (33km) away. It is one of only three Marine Nature Reserves in the UK and is a popular tourist destination offering activities such as leisure sailing, kayaking, fishing, bird watching and diving. Beaches in the district include Murlough, Cranfield, Tyrella, Warrenpoint and Newcastle.

The district enjoys an unrivalled link to St Patrick and Christian heritage which offer significant tourism potential. The St Patrick's Trail is a 92-mile tourist driving trail that connects the key sites with strong links to St Patrick's life, landscape and legacy.

## LDP Objectives

The LDP strategic approach to tourism development is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objective relating to tourism development is as follows:

- To support the district as a major leisure destination which promotes sustainable tourism initiatives underpinned by tourism infrastructure in appropriate locations.

This objective is supported by Strategic Policy TS1 Sustainable Tourism and the operational policies set out in Part 2 of the Plan Strategy.

<sup>104</sup> [www.nisra.gov.uk/publications/local-government-district-tourism-statistics-publications](http://www.nisra.gov.uk/publications/local-government-district-tourism-statistics-publications).

<sup>105</sup> Business Register and Employment Survey (BRES) 2019.



## Strategic Policy TS1 Sustainable Tourism

The Plan will support tourism development proposals that:

- Promote a sustainable approach to tourism development, including tourist accommodation and tourist amenities to meet future demand;
- Protect and safeguard existing tourism assets; and
- Contribute to sustainable economic development, urban regeneration and conservation.

### Justification and Amplification

The strategic policy seeks to promote sustainable tourism development for accommodation and amenities that avoids adverse impact on the historic environment or natural heritage, and safeguard tourist assets from unnecessary, inappropriate or excessive development that could damage the intrinsic character and quality of the asset.

A settlement first approach is supported (Policy TOU1) in order to deliver high-quality development that avoids impact on the historic environment or natural heritage.

Tourism development in the countryside is permitted in a number of circumstances. Development proposals for tourist amenities will be permitted where it is demonstrated that the proposal is in association with and requires a site

close to a particular tourist attraction or the type of tourist activity requires a countryside location (Policy TOU2).

Tourism policies are brought forward for Hotels, Guest Houses, B&Bs, Tourist Hostels and Bunkhouses in the Countryside (Policy TOU3). Provision is also made for major tourism development projects in the countryside, for proposals that offer exceptional benefit to the tourism industry (Policy TOU4). Policy provision provides sustainable opportunities for self-catering tourist accommodation in the countryside particularly in areas where tourist amenities and accommodation have become established or are likely to be provided as a result of tourism initiatives (Policy TOU5).

Planning permission will be granted for new holiday parks or an extension to an existing facility where the proposal will create a high-quality and sustainable form of tourist development (Policy TOU6).

The Council seeks to further support sustainable glamping accommodation proposals which are small scale and temporary, capable of being moved, or dismantled and moved, when no longer in use (Policy TOU7).

All tourism assets (defined as any feature associated with the natural, historic or marine environment which is of intrinsic interest to tourists) are provided with safeguarding (Policy TOU8).



# Minerals Strategy

The LDP Minerals Strategy promotes the sustainable development of mineral resources in such a way that protects the environment and supports economic growth.

For planning purposes, the term minerals covers a broad range of raw materials that are generally categorised into three groups: aggregates (common rock types such as basalt, granite, greywacke/sandstone, shale and limestone as well as sand and gravel deposits); valuable minerals (includes metalliferous deposits such as copper, lead, zinc, and precious metals such as gold, silver and platinum); oil, gas, coal, lignite and peat (often referred to as 'energy minerals'). Oil and gas, also classified as hydrocarbons, are not strictly minerals because they are not solids but are included within minerals in planning policy<sup>106</sup>.

Our Corporate Plan 2024-2027 sets out eight strategic objectives. One of these objectives "Enhance, protect and promote our environment to ensure a sustainable future" can be supported by the sustainable use of minerals.

Of the five outcomes of our Community Plan, sustainable minerals development of is important in achieving the following outcome "All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment".

## Regional Development Strategy 2035 (RDS)

The RDS does not contain any specific aims or policies relating to minerals development. It refers to fossil fuels representing over 90% of the Northern Ireland's power generation and over 70% of households still use oil for home heating. However, this is referenced in relation to renewable energy and increasing energy from renewable sources.

## Strategic Planning Policy Statement (SPPS)

The SPPS acknowledges that mineral development can make a significant contribution to the local economy and quality of life. It recognises that minerals can only be exploited where they occur and consequently this can present a number of challenges, particularly when they are located in areas valued for their landscape or environmental significance. There is therefore a need to find a balance between facilitating mineral development and protecting and conserving the environment.

Its regional strategic objectives in relation to minerals development are to:

- Facilitate sustainable minerals development through balancing the need for specific mineral development proposals against the need to safeguard the environment;
- Minimise the impacts of minerals development on local communities, landscape quality, built and natural heritage, and the water environment; and
- Secure the sustainable and safe restoration, including the appropriate re-use of mineral sites, at the earliest opportunity.

In bringing forward minerals policies, the SPPS states that the Council should ensure that sufficient local supplies of construction aggregates can be made available; that mineral resources which are of economic or conservation value are safeguarded and areas identified which should be protected from minerals development because of their intrinsic landscape, amenity, scientific or heritage value (including natural, built and archaeological heritage).

It states the LDP process will assist councils in identifying mineral resources and sensitive landscapes in order to bring forward appropriate policies and proposals for balancing the need for mineral resources against the need to protect and conserve the environment.

<sup>106</sup> DfE advice note to Councils: Information on Minerals, Geothermal Energy, Groundwater and Geohazards.

## Local Context

The district displays a diverse geology relative to other council areas in Northern Ireland which lends itself to a range of potential natural resources. The district has an extensive underlying sandstone resource with harder igneous and metaigneous rock intrusions such as Mourne Mountain granite and the granite and basalt rock layers that underlie the Slieve Gullion area. Sand and gravel deposits are restricted to the southern and eastern sides of the Mournes and peat is found in discrete pockets associated with the drumlin fields of County Down.

The DfE Annual Minerals Returns for 2022<sup>107</sup> provides information on aggregate extraction within the district. Extraction of high value sandstone is the main focus of mineral operations across the district and was reported at just over 1 million tonnes, £5.6 million in value, in 2021. Sand and gravel extraction is also recorded for the district in the 2021 reporting year albeit at a much lower level than sandstone extraction. Figures for sand and gravel extraction are combined with the output from Lisburn and Castlereagh City Council and indicate 88,000 tonnes with a value of £627,952 for the two council areas. The district's high specification sandstone has hard wearing and skid resistant properties which make it ideally suited to road construction. Sandstone extracted within the district is used across NI and has potential to contribute to NI's European export market. Aggregate extraction is likely to remain an important industry in the council area.

South Armagh has a history of metallic mineral mining dating back to the 1800's with copper, lead and iron being targeted by small scale operations. More recently mineral prospecting licences have been issued by the Department for the Economy in respect of an area from Newtownhamilton south to the border with Monaghan and Louth County Councils. Prospecting is ongoing in this area but to date no economic deposits have been identified.

Energy minerals such as coal and lignite are not present within the council area. Small deposits of peat are scattered throughout the district but are not significant when compared to other areas of NI. There is no potential for oil and gas resources within the council area<sup>108</sup>.

## LDP Objectives

The LDP strategic approach to minerals development is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to minerals development are as follows:

- To protect and sustainably manage the district's natural resources by avoiding impacts on water quality and managing the extraction of mineral reserves;
- To protect, conserve and, where possible enhance the historic environment to achieve quality design and support economic opportunity;
- To protect, conserve, enhance and restore the district's natural heritage to support biodiversity in its habitats, species, landscapes and earth science features, and promote health and wellbeing; and
- To protect our sensitive upland landscapes from inappropriate development.

These objectives are supported by Strategic Policy MS1 Minerals Development and the operational policies set out in Part 2 of the Plan Strategy.

<sup>107</sup> Due to significant under reporting in DfE annual mineral returns over individual years it is not possible to identify trends in output for the district.

<sup>108</sup> Newry, Mourne and Down District Council - minerals development - DfE response | Department for the Economy.



# Strategic Policy MS1

## Minerals Development

The Plan will support proposals for minerals development where it is demonstrated that it will not have an unacceptable adverse impact on natural heritage, the historic environment, water environments or public safety and amenity.

Proposals for minerals development will be restricted within Areas of Constraint on Mineral Development (ACMD).

The Plan will only support the exploitation of valuable minerals within Special Countryside Areas or the Undeveloped Coast where proposals are of national or regional importance.

A presumption against unconventional hydrocarbon extraction will also apply.

Mineral Safeguarding Areas may be defined around mineral reserves that are considered to be of economic or conservation importance.

There will be a presumption against commercial peat extraction.

All minerals development must include the proposed details of restoration and aftercare of the site.

The Council, in consultation with the Department for the Economy (DfE), recognises that the extraction of minerals across Northern Ireland requires a regional approach and that the issue of supply and demand means that the need for mineral development may extend beyond the geographical boundary of any one council area.

The designation of an ACMD is partially currently defined in the Council's existing Ards and Down Area Plan but not defined in the Banbridge, Newry and Mourne Area Plan. The Landscape Character Assessment provided in Technical Supplement 7 – Countryside Assessment sets out the rationale for further extending the ACMD to align with the existing designation so there is a consistent approach across the council area (see Designation ACMD1 below). As such, Areas of Constraint on Mineral Development (Policy MIN2) have been identified in order to safeguard the most valuable and vulnerable areas of the environment from the detrimental effects of mineral extraction. Their identification has taken account of the landscape quality and sensitivity to minerals development as identified in the Landscape Character Assessment.

The exploitation of valuable minerals will only be permitted within Special Countryside Areas or the Undeveloped Coast where proposals are of national or regional importance (Policy MIN3).

In line with regional policy, the Council will apply a presumption against unconventional hydrocarbon extraction methods such as hydraulic fracturing (Policy MIN4).

The Council will consider the need to protect mineral reserves that are of economic or conservation importance, and where supported by robust evidence, will identify Mineral Safeguarding Areas at the appropriate stage of Plan making (Policy MIN5).

### Justification and Amplification

The LDP will seek to support appropriate minerals development that aim to balance the need for minerals against the need to protect and conserve the environment.

Minerals development will be permitted where it is demonstrated that they will not adversely impact the natural heritage, historic environment, water environments or public safety and amenity. All proposals must comply with the requirements for mineral development set out in Policy MIN1.

The Council will apply a presumption against commercial peat extraction with exceptions allowed in the case of degraded peatlands or where proposals form part of a conservation and restoration scheme (Policy MIN6).

The Council considers that restoration and aftercare arrangements form a key part of the development of minerals sites with the potential to deliver community, environmental and economic enhancement. Minerals proposals will therefore need to demonstrate satisfactory restoration proposals (Policy MIN7).

All proposals for Mineral Development will be subject to compliance with Operational Policies contained within Part 2 of the Plan Strategy.

## LDP Mineral Designations

The following designation is proposed in the LDP:

### ACMD1 – Area of Constraint on Mineral Development (ACMD)

An ACMD has been designated to safeguard the most valuable and vulnerable countryside within the district, this is shown on the LDP Map Viewer and within Appendix 4. The ACMD designation covers a number of Landscape Character Areas (LCAs) to the north and east of the district; Strangford Loughs and Drumlins, North Lecale Lowland Hills, coastal elements of Ballyquintin and Lecale Coastal Plain, Tyrella Coastal Dunes and the Slieve Croob Rugged Uplands. To the south and west it covers the Mourne Mountains Rugged Uplands and a portion of the Ring of Gullion Volcanic Hills. The open character of these landscapes makes them particularly susceptible to intrusion from minerals development. Policy provision for the ACMD is contained in Policy MIN2.



# Transport Strategy

The LDP Transport Strategy is a key component underpinning the Spatial Growth Strategy. The transportation network is a critical element in supporting economic growth and social mobility.

The efficient movement of goods and services play a key role in attracting inward investment while good transportation infrastructure allows people access to essential services.

Our Corporate Plan 2024-2027 identifies one of its strategic objectives to “Support the continued growth and development of our local economy” which includes the continued growth of our area’s infrastructure through a responsive planning system. It also identifies within the strategic objective “Improve the health and wellbeing of everyone in the district” a draft key action to implement our Active Travel Masterplan<sup>109</sup>.

One of the main outcomes of our Community Plan is that ‘all people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment’.

The LDP Transport Strategy is provided within the context of the Department for Infrastructure’s Local Transport Study (see below).

## Regional Development Strategy 2035 (RDS)

The Regional Development Strategy 2035 Regional Guidance (RG2) seeks to deliver a balanced approach to transport infrastructure by balancing the needs of our environment, society and economy with the focus ‘on managing the use of the road and rail space and how we can use our network in a better, smarter way.’

The key objectives of RG2 are to:

- Improve connectivity
- Maximise the potential of the Regional Strategic Transport Network
- Use road space and railways more efficiently
- Improve social inclusion

- Manage the movement of freight
- Improve access to our cities and towns
- Improve safety by adopting a ‘safe systems’ approach to road safety.

Regional Guidance (RG9) seeks to reduce our carbon footprint and facilitate mitigation and adaption to climate change whilst improving air quality. The RDS states that transportation currently accounts for a quarter of the man-made greenhouse gas emissions. It is also the only sector where emissions are rising rather than falling. In order to address this, we need to promote ways to make the most efficient use of our infrastructure so that we can move people and freight safely and reliably while also reducing pollution.’

It goes on to list mitigating measures which include the use of more efficient forms of transport and to reduce greenhouse gas emissions from transport by reducing the need for the use of the private car.

The RDS illustrates the Strategic Road Network in NI including key transport corridors, link corridors and trunk roads within the Newry, Mourne and Down District.

## Regional Transportation Strategy

The Regional Transportation Strategy for Northern Ireland 2002-2012 and the more recent document Ensuring a Sustainable Transport Future: A New Approach to Regional Transportation were published by the former Department for Regional Development (DRD) in 2002 and 2011 respectively. Both documents set out the vision to have “a modern, sustainable, safe transportation system which benefits society, the economy, and the environment and which actively contributes to social inclusion and everyone’s quality of life”. The 2011 new approach document sets out three high level aims and a series of strategic objectives for each of these aims.

<sup>109</sup> [www.newrymournedown.org/media/uploads/nmd\\_active\\_travel\\_masterplan.pdf](http://www.newrymournedown.org/media/uploads/nmd_active_travel_masterplan.pdf).



The Regional Strategic Transport Network Transport Plan 2015 was published by the former DRD in 2005 and presents a range of multi-modal transport initiatives to manage, maintain and develop Northern Ireland's Strategic Transport Network. It sets out objectives which include, "to develop the RSTN to enhance accessibility on an integrated basis for all users, including freight; to contribute appropriately to the RTS targets; to provide input into local development plans."

The Sub Regional Transport Plan (SRTTP) was launched by the DRD in 2007 and is based upon the guidance provided by the RDS and the RTS. The SRTTP deals with the transport needs of the whole of Northern Ireland with the exception of the Belfast Metropolitan Area and the rail and trunk road networks which are covered in earlier Transport Plans.

## Strategic Planning Policy Statement (SPPS)

The SPPS requires the LDP to identify new or planned improvements to the transport network and to afford adequate protection to land required to facilitate this infrastructure provision. The Plan Strategy sets out the strategic policies for the protection of such schemes while the Local Policies Plan will identify schemes which have been justified by DfI through the Local Transport Plan as having a reasonable prospect of delivery.

Its regional strategic objectives in relation to securing improved integration of transportation with land use planning and to facilitate safe and efficient access, movement and parking are to:

- Promote sustainable patterns of development which reduce the need for motorised transport, encourages active travel, and facilitate travel by public transport in preference to the private car;
- Ensure accessibility for all, with the needs of people with disabilities and others whose mobility is impaired given particular consideration;
- Promote the provision of adequate facilities for cyclists in new development;
- Promote parking policies that will assist in reducing reliance on the private car and help tackle growing congestion;
- Protect routes required for new transport schemes including disused transport routes with potential for future reuse;
- Restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes; and
- Promote road safety, in particular for pedestrians, cyclists and other vulnerable road users.

It also sets out regional strategic policy in regard to transportation which must be taken into account in the preparation of LDPs and in the determination of planning applications.

## Local Context

The district has a locational advantage with Newry City's strategic position on the Belfast-Dublin corridor, together with the Port of Warrenpoint, NI's third largest port, acting as a strong economic driver for the district. The RDS identifies Newry and Downpatrick as main hubs with Newry also identified as a Gateway. The district has strong north to south link corridors including the A1 dual carriageway between Belfast-Newry (Key Transport Corridor), the A7 Belfast-Downpatrick (Link Corridor), and the A28 Newry-Armagh (Link Corridor), however these links are weaker from east to west with towns and villages connected by a network of more rural roads. This in turn places a dependence on the private car for travel within the district and 85.52% (2021 Census) of the district's households own a private vehicle. There are no motorways within the district. There are 11 protected routes designated within the district upon which new accesses are restricted to ensure the free flowing of traffic along these strategic routes.

The district is served by a small stretch of railway which passes through Newry, linking it with the main Belfast to Dublin line. The 2021 census showed that only 0.39% (460) of the district's population used the train to commute to their place of work or full-time education. The railway station in Newry has a park and ride/share facility. There are currently 4 other park and ride/share sites within the district located at Castlewellan, Clough, Newtowncloghoge and Sheepbridge. The rear of the bus station in Downpatrick also serves as an informal park and ride facility.

Walking and cycling infrastructure within and between the district's settlements is largely underdeveloped. The 2021 census<sup>110</sup> showed that despite 14.3% of the district's working population living within 2km of their place of work, only 5.9% of the working population travel to work by foot or bicycle. The district has an existing greenway between Newry and Portadown/Craigavon along the Newry Canal, which will extend south from Victoria Lock to the border linking into the Carlingford Greenway. The Council is exploring a number of other potential greenways including between Downpatrick and Comber. The LDP will protect routes for new schemes and require walking, cycling and public transport as an integral element of development proposals. It will support active travel networks and safeguard disused transport routes. A range of infrastructure improvements to increase the use of more sustainable modes will be provided through the Local Transport Plan.

## Local Transport Study

The Newry, Mourne and Down - Local Transport Study<sup>111</sup> sets out a vision to have a modern sustainable, safe transportation system which benefits society, the economy, and the environment and which actively contributes to social inclusion and everyone's quality of life. This vision remains appropriate in A New Approach to Regional Transportation which presents a fresh direction with sustainability at its core.

The Local Development Plan Transport Strategy is underpinned by the Local Transport Study (LTS) set out in Technical Supplement 5 – Transport, which has been prepared and published by the Department for Infrastructure (DfI) as part of the Sub Regional Transport Plan which will cover five district council areas. The Sub Regional Transport Plan will be brought forward by the Department for Infrastructure at the Local Policies Plan stage.

The LTS sets out an evidence-based assessment of current and future transport issues and opportunities within the Newry, Mourne and Down district and presents future illustrative measures required to facilitate growth during the LDP period to 2035.

The LTS contains seven transportation related objectives which are linked to the objectives of the LDP set out within the Council's Preferred Options Paper (POP), the Council's Community Plan 'Living Well Together', Programme for Government (PfG<sup>112</sup>), the Regional Development Strategy (RDS), A New Approach to Regional Transportation, A Bicycle Strategy for Northern Ireland and Exercise, Explore, Enjoy: A Strategic Plan for Greenways. The seven objectives are as follows:

- Enhance accessibility by road and public transport from the centres of Newry, Downpatrick, Warrenpoint and Newcastle to Belfast, Londonderry, Dublin, gateways and hubs;
- Ensure financially viable and sustainable public transport accessibility to essential services for people living in Newry, Mourne and Down area;
- Ensure there are attractive and safe active travel networks (walking and cycling) connecting all residential, employment, retail and leisure uses in the urban areas of Newry, Downpatrick, Warrenpoint and Newcastle;
- Deliver high-quality public realm in the centres of Newry, Downpatrick, Warrenpoint and Newcastle, with reduced vehicle dominance, to make the towns safe and attractive places to live and work, and to improve safety for active travel modes;
- Enhance transport connectivity and accessibility by sustainable modes of transport to Newry, Downpatrick, Warrenpoint and Newcastle to safeguard their viability;
- Enhance safety for all modes of transport and reduce the number and severity of casualties; and
- Ensure our transport systems are resilient to climate change and are well maintained.

In line with regional policy the LTS seeks to secure improved integration with land-use planning by setting out a range of measures for active travel, public transport, and roads, with links to the Regional Strategic Transport Network Transport Plan (RSTNTP), which will look at how best to develop the key transport corridors and other main routes. The details of specific schemes will be developed alongside the Local Policies Plan when land use zonings are identified.

<sup>110</sup> See Census 2021 main statistics travel to work or study tables | Northern Ireland Statistics and Research Agency (nirsa.gov.uk).

<sup>111</sup> Newry, Mourne and Down Local Transport Study, Technical Supplement 5 - Transport.

<sup>112</sup> Programme for Government agreed on 27 February 2025.

The LTS sets out 11 measures which are as follows:

- Improved 'limited-stop' bus services to key hubs;
- Maintained and improved town centre bus services;
- Maintained and improved rail services and connections;
- Integration of passenger transport services including innovative transport models such as 'ride-share';
- New urban road links and supported sustainable transport infrastructure to facilitate key development funded by developers;
- Town centre parking strategies including integrated management of long and short stay spaces;
- Provision of improved walking facilities in towns;
- Provision of an improved network of attractive and connected radial cycling routes in towns and greenways between settlements;
- Traffic management schemes in urban areas to re-balance modal hierarchy;
- Ensure that user behaviour regarding safe use of the transport network is monitored and addressed; and
- Transport infrastructure to be designed, provided and maintained to 'best practice' standards to maximise performance at all times.

The measures outlined are generally focussed on the district's city and main towns. These are the locations with the majority of key services and economic generators and offer the greatest opportunity to integrate transportation and land use. They facilitate enhanced priority to pedestrians, cyclists and public transport and an appropriate level of parking provision which is properly managed, to assist in reducing the number of cars in our urban areas. This is in accordance with the aims of the SPPS and the RDS. Likewise these locations provide direct links to the district's other key settlements and are strategically located to assist in a modal shift away from the private car towards active travel and public transport.

The accessibility of settlements is a key test in the housing evaluation framework.<sup>113</sup> An accessibility analysis will inform the suitability of zonings within the Local Policies Plan.

The district is largely rural in nature with many small settlements and rural areas only served by infrequent bus services. Other rural areas are located outside of the bus network and residents rely solely on the private car. Without improvement to the public transport network it is likely these areas will continue to rely solely on the private car. The LDP seeks to focus new development where it is most accessible, however the provision and frequency of public transport and other measures detailed within the Local Transport Study are outside the remit of the LDP.

## LDP Objectives

The LDP strategic approach to Transportation is set out within the LDP's objectives. These objectives take account regional policy detailed within the RDS and SPPS. The LDP objectives in relation to transportation are as follows:

- To promote integration between transportation and new development to reduce the need to travel and reduce dependency upon travel by car;
- Promote opportunities for sustainable travel including walking, cycling, and public transport and reduce the need to travel by private car; and
- To protect strategically important transportation routes.

These objectives are supported by Strategic Policy TRS1 Sustainable Transport and the operational policies set out in Part 2 of the Plan Strategy.

<sup>113</sup> See Technical Supplement 2 - Housing.



# Strategic Policy TRS1

## Sustainable Transport

The Plan will support development proposals that improve connectivity through promoting the integration of sustainable transport and land use which supports a modal shift (such as walking, cycling and public transport) in accordance with the Local Transport Study and Local Transport Plan.

### Justification and Amplification

A sustainable transportation system is fundamental to the Local Development Plan which seeks to integrate transportation and new development to reduce the need to travel and reduce dependency upon travel by car. It is also key in achieving central government's targets for the reduction greenhouse gas emissions.

The Local Transport Study provides a range of objectives and measures which must be taken into account in any development proposal.

The Local Transport Plan will designate specific transport schemes and disused transport routes which require protection and will accompany the Local Policies Plan. The LDP operational policies (TRA1-TRA11) set out in Part 2 of the Plan Strategy promote sustainable travel including walking, cycling and public transport, protect strategically important transportation routes and ensure safe and efficient access, movement and parking.



# Telecommunications and Other Utilities Strategy

The LDP Telecommunications and Other Utilities Strategy seeks to facilitate the development of telecommunications and other utilities<sup>114</sup> in a manner that balances the need for the facility against the objective of conserving the environment and protecting amenity. Due to their scale and nature such projects can have a significant impact on the environment and the amenity of local communities.

Supporting the continued growth and development of our local economy is a strategic objective within our Corporate Plan 2024-2027 which highlights the importance of the Planning System in supporting the continued growth of the district's infrastructure.

Our Community Plan recognises the importance of connectivity to development and wellbeing, highlighting that it is key to supporting access to services and employment for our communities, diversification and expansion of the business sector.

The LDP seeks to achieve a balance between supporting the delivery of improved telecommunications and utilities infrastructure in a way that minimises the environmental impact of such development.

## Regional Development Strategy 2035 (RDS)

### Telecommunications

Regional Guidance (RG3) of the RDS recognises the need to implement a balanced approach to telecommunications infrastructure that will give a competitive advantage. It recognises Northern Ireland's core telecommunications network as being world class but acknowledges that the

telecommunications market is fast moving and competitive advantage can be quickly eroded if a region fails to continue to invest in its infrastructure.

The key aims of RG3 are:

- Invest in infrastructure for higher broadband speeds;
- Improve telecom services in smaller rural areas to minimise the urban/rural divide;
- Increase the usage of broadband; and
- Capitalise on direct international connectivity.

Spatial Framework Guidance 14 (SFG 14) of the RDS further recognises that rural areas can be disadvantaged by their remote location in terms of access to facilities or essential services. It recognises that this disadvantage can be lessened by innovative use of existing services and the application of new and developing technologies.

### Other Utilities

Regional Guidance (RG5) of the RDS seeks to deliver a sustainable and secure energy supply. This states that Northern Ireland needs a robust and sustainable energy infrastructure which is able to deliver reliable and secure sources of energy to communities and businesses across the Region. New generation or distribution infrastructure must be carefully planned and assessed to avoid adverse environmental effects, particularly on or near protected sites.

<sup>114</sup> Other utilities consist of water, sewerage, gas and electricity infrastructure.

Regional Guidance (RG12) of the RDS seeks to promote a more sustainable approach to the provision of water and sewerage services. It highlights that changes in population distribution, household formation, urban development and our lifestyle continue to place increased pressure on water resources and drainage infrastructure. Additionally, land use planning should be informed by current water and sewerage infrastructure and future investment programmes.

## Strategic Planning Policy Statement (SPPS)

The aim of the SPPS in relation to telecommunications and other utilities is to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.

Its regional strategic objectives in relation to telecommunications and other utilities are to:

- Ensure that where appropriate new telecommunications development is accommodated by mast and site sharing;
- Ensure that the visual and environmental impact of telecommunications and other utility development is kept to a minimum;
- Minimise, as far as practicable, undue interference that may be caused to radio spectrum users (for example mobile phone services, media broadcasting and wireless broadband services) by new telecommunications development; and
- Encourage appropriate provision for telecommunications systems in the design of other forms of development.

### Telecommunications

In devising policies for telecommunications, the SPPS states that the Council should bring forward policies and proposals which address important planning considerations such as siting, design, and impact upon visual amenity. It states that planning authorities should take account of any necessary enabling works on visual amenity and environmentally sensitive features and locations. New masts should only be considered where site sharing is not feasible or offers an improved environmental solution.

Applications for the development of telecommunications equipment should be required to be accompanied by a statement declaring that when operational the development will meet the ICNIRP<sup>115</sup> guidelines for public exposure to electromagnetic fields.

### Other Utilities

The SPPS states that LDPs should allocate sufficient land to meet the anticipated needs of the community, in terms of health, education and other public services.

In respect of proposals for new power lines the SPPS states they should comply with ICNIRP guidelines and will be considered having regard to potential impact on amenity, and should avoid areas of landscape sensitivity, including Areas of Outstanding Natural Beauty.

## Local Context

In regard to telecommunications, the Council recognises that an effective network is an essential and beneficial element of everyday life for people living in the district and its visitors. These benefits include connectivity and communication; emergency services access; economic growth; tourism and navigation; education and remote working; healthcare access; and social inclusion.

Whilst some rural parts of the district continue to experience limited mobile coverage, this position is improving year on year with upgraded and new infrastructure being delivered as part of a programme of investment.

Previous initiatives overseen by the Northern Ireland Executive such as Project Kelvin, The Shared Rural Network (SRN) and Project Stratum resulted in a significant increase in coverage across Northern Ireland, particularly in rural and remote areas. Currently the Department of the Economy is leading the 'Mobile Action Plan' (MAP). The MAP seeks to identify barriers to the implementation of new mobile technologies such as 5G Networks and creates a collaborative framework for addressing them. It recognises the key role that Councils can play in this process through their role as Planning Authorities by bringing forward policies and proposals within their LDPs that address important planning considerations for new infrastructure.

<sup>115</sup> ICNIRP – The 1998 International Commission on Non-Ionizing Radiation Protection.



In regard to utilities infrastructure, the LDP in planning for future development across the district, has taken account of the capacity in the existing water supply and wastewater infrastructure for proposed future investment. NI Water are responsible for the provision of water supply and sewerage treatment facilities across the district. The water and wastewater infrastructure is subject to an on-going programme of network strengthening and resilience improvements. As part of these works, upgrades of the Newry, Downpatrick, Annsborough, Drumaness, Newcastle and Meigh Wastewater Treatment Works are programmed to be completed within the NI Water's current Price Control period (PC21 2024–2027) subject to statutory approvals, and the availability of funding.

NI Water have identified current capacity issues in parts of the Annsborough, Ballynahinch, Cranfield, Downpatrick, Dundrum, Kilkeel, Maghera (Down), Newry and Saintfield wastewater networks. The Council continues to work with NI Water to ensure that future investment in the district's infrastructure is aligned with the proposed spatial growth strategy.

In the west of the district, the Systems Operator for Northern Ireland (SONI) electricity grid transmission network extends to Newry City, however coverage in the east is more limited and the network only extends to Ballynahinch. Businesses with a large energy requirement can apply to SONI to connect to the transmission network, however the absence of existing transmission infrastructure may act as a barrier to such businesses establishing themselves in the district's Downpatrick hub. The Council

will continue to liaise with SONI to ensure that the district presents a viable option for all business particularly those with large energy consumption requirements.

## LDP Objectives

The LDP strategic approach to telecommunications and other utilities is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to telecommunications and other utilities are as follows:

- To support digital connectivity which meets the needs of business and households while reducing the need to travel;
- To accommodate investment in public utilities and waste management;
- To protect, conserve, enhance and restore the district's natural heritage to support local biodiversity in its habitats, species, landscapes and earth science features, and promote their sensitive reuse;
- To protect, conserve and enhance the district's heritage assets and promote their sensitive re-use;
- To protect, conserve and enhance townscape character, delivering high-quality design that helps to create a sense of place; and
- To protect our sensitive landscapes from inappropriate development.

These objectives are supported by Strategic Policy TUS1 Telecommunications and Other Utilities and the policies set out in Part 2 of the Plan Strategy.



LEFT: Silent Valley

# Strategic Policy TUS1

## Telecommunications and Other Utilities

The Plan will support the provision of new and upgraded telecommunications and utilities infrastructure where these demonstrate the following:

- There is a specific locational requirement for the infrastructure related to constraints on the existing network.
- The proposal seeks to minimise visual intrusion and does not have a significant adverse impact on local amenity and the environment.
- The proposal seeks to future proof new development to facilitate the installation of new or upgraded technology.

Where capacity constraints exist and prevent development proposals connecting to a local WwTW, detailed information on mitigation measures will be required to be submitted with the application. In certain instances, the applicant may be requested to provide a private WwTW or contribute to the infrastructure upgrade costs to facilitate their development.

### Justification and Amplification

Access to high-speed reliable digital telecommunications plays a key role in the social wellbeing and economic development of the district. The Council will work with its statutory partners and service providers to secure an enhanced range, quality and coverage of telecommunications across the district.

The supply of drinking water (including its abstraction and treatment) as well as wastewater treatment facilities in Northern Ireland is the responsibility of NI Water. The district is supplied by a series of impounding reservoirs and treated at a number of Wastewater Treatment Works (WwTWs). It is acknowledged that there are both WwTW capacity and network capacity constraints in a number of our settlements across the district. This requires a joined-up approach between NI Water and the Council to ensure that the district's growth needs can be met over the Plan period.

SONI is responsible for managing and operating the electricity transmission grid (power lines running at 275kV or 110kV). These lines transfer power to the lower voltage distribution grid (33kV and 11kV power lines), which are maintained and operated by NIE Networks. NIE Networks are responsible for building and maintaining both the transmission and distribution grids. The Council will continue to liaise with SONI and NIE to ensure that the transmission and distribution networks meet the district's energy needs over the lifetime of the LDP.

# Waste Management Strategy

The LDP Waste Management Strategy supports the development of sustainable waste management, recycling and disposal facilities in appropriate locations as part of the wider Council Strategy to reduce, reuse and recycle the district's waste<sup>116</sup>.

One of the corporate priorities of our Corporate Plan 2024-2027 is to enhance, protect and promote our environment. This is taken forward as a strategic objective to promote and enhance our environment to secure a sustainable future. It highlights that progress on the district's recycling rate will be a key measurement in assessing progress against the objective.

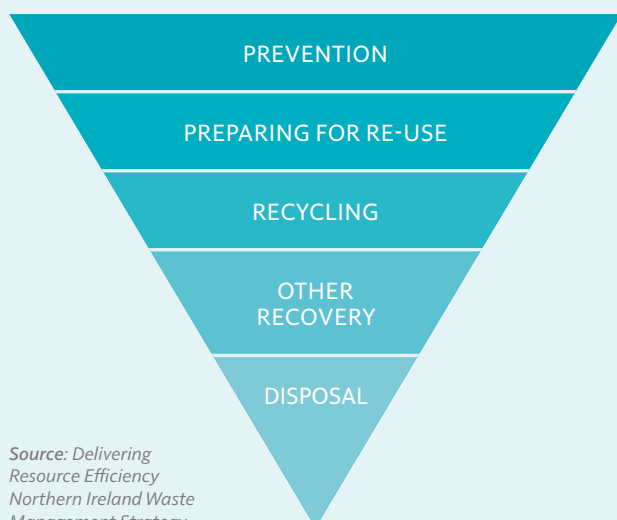
In delivering a sustainable environment our Community Plan also identifies the district's waste recycling rate as an important measurement tool.

The LDP recognises that waste has the potential to have an adverse impact on our environment, so its sustainable management is vital to ensure the health and wellbeing of society and to improve quality of life.

## Regional Development Strategy 2035 (RDS)

Regional Guidance (RG10) of the RDS refers to managing our waste sustainably. RG10 recommends the application of the Waste Hierarchy principles which aim to encourage the management of waste materials in order to reduce the amount of waste materials produced, and to recover maximum value from the wastes that are produced. RG10 also recommends the application of the 'Proximity Principle' and states that this will emphasise the need to treat or dispose of waste as close as practicable to the point of generation to minimise the environmental impacts of waste transport.

**Figure 4: Northern Ireland Waste Management Strategy**



Source: Delivering  
Resource Efficiency  
Northern Ireland Waste  
Management Strategy

<sup>116</sup> The Council's approach to Waste Management is set out in the arc21 Waste Management Plan.

### OPPOSITE

<sup>117</sup> Northern Ireland Waste Management Strategy  
Delivering Resource Efficiency.

<sup>118</sup> The Regulations came into operation on 8 April 2011.



## Strategic Planning Policy Statement (SPPS)

The aim of the SPPS in relation to waste management is to support wider government policy focused on the sustainable management of waste, and a move towards resource efficiency.

Its regional strategic objectives in relation to waste management are to:

- Promote development of waste management and recycling facilities in appropriate locations;
- Ensure that detrimental effects on people, the environment, and local amenity associated with waste management facilities (e.g. pollution) are avoided or minimised; and
- Secure appropriate restoration of proposed waste management sites for agreed after-uses.

The SPPS states that councils should set out policies and proposals in their Local Development Plans (LDPs) that support the above-mentioned aim and policy objectives, tailored to the local circumstances of the Plan area.

It adds that councils must assess the likely extent of future waste management facilities for the Plan area. Specific sites for the development of waste management facilities should be identified in the LDP together with key site requirements.

## Northern Ireland Waste Management Strategy (WMS)

Government policy<sup>117</sup> recognises that waste should be treated as a resource, with a move away from landfill in favour of more sustainable methods in line with the Waste Hierarchy which sets out five steps for dealing with waste, ranked according to environmental impact. This is promoted by the EU Waste Framework Directive (Directive 2008/98/EC) which is transposed in Northern Ireland through The Waste Regulations (Northern Ireland) 2011<sup>118</sup> and is a core principle of 'Delivering Resource Efficiency Northern Ireland Waste Management Strategy' (WMS). The latter gives top priority to preventing waste in the first place. When waste is created, it gives priority to preparing it for re-use, then recycling, then recovery, and last of all disposal (e.g. landfill or incineration without energy recovery).

The key principles of the WMS are:

- Waste Hierarchy – indicates the relative priority of the different methods of managing waste and aims to decrease the volume of waste produced.
- Life Cycle Approach – to take into account the overall impacts that an approach or service will have throughout its whole life, that is, from cradle to grave.
- Polluter Pays Principles – means that waste generators should pay the costs of providing services to manage their wastes.
- Proximity Principle – emphasises the need to treat or dispose of waste as close as practicable to the point of generation, then minimise the environmental impact of waste transportation.
- Integration of Waste Streams – encouraging the development of waste management solutions that encompass all waste.

## Arc21 Waste Management Plan (WMP)

The Council forms part of the arc21 WMP, prepared in fulfilment of its obligations under Article 23 of the Waste and Contaminated Land (Northern Ireland) Order 1997. It provides details on the forward planning of waste management requirements for collecting, recovering, treating and disposing of controlled waste across the area.

The LDP will seek to support sustainable waste management aligned to the principles of the WMS and WMP.

## Local Context

The Council is a member of arc21, an umbrella waste management group made up of six councils in Northern Ireland. The core function of arc21 as a contracting authority is to procure services and waste infrastructure to meet the needs of its partner councils.

Arc21's strategy for dealing with residual waste is set out in its Waste Management Plan, which proposes the use of Mechanical Biological Treatment (MBT) and Energy from Waste (EfW). Proposals for an integrated waste management facility are currently under consideration.

Between 2019/2020 in Newry, Mourne and Down District Council there was a total of 84,608 tonnes of waste arisings. Out of that, 41,929 tonnes went for waste recycling; 37,664 tonnes went for waste energy recovery; and 4,201 tonnes went to waste landfill.

There are currently no operational landfill sites as the former landfill sites at Aughnagon and Drumnakelly ceased operations for the purpose of household waste in April 2015 and May 2016 respectively. A waste transfer station currently operates from the Drumnakelly site under the arc21 arrangements.

There are currently 10 household recycling centres. These centres are at the following locations:

- Ballykine HRC, Ballynahinch
- Bann Road HRC, Castlewellan
- Camlough HRC, Quarter Road, Camlough
- Downpatrick HRC, Flying Horse Road, Downpatrick
- Crossmaglen, Newry Road, Crossmaglen
- Hilltown HRC, Rostrevor Road, Hilltown
- Kilkeel HRC, Ballymageogh Road, Kilkeel
- Newry HRC, Chapel Road, Newry
- Newtownhamilton HRC, Newry Road, Newtownhamilton
- Warrenpoint HRC, Upper Dromore Road, Warrenpoint

## LDP Objectives

The LDP strategic approach to the management of waste is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objective relating to the waste management is as follows:

- To accommodate appropriate investment in public utilities and sustainable waste management.

This objective is supported by Strategic Policy WMS1 Waste Management and the operational policies set out in Part 2 of the Plan Strategy.



# Strategic Policy WMS1

## Waste Management

The Plan will support development proposals that:

- Facilitate the delivery of appropriate waste management infrastructure in the most appropriate locations in accordance with the waste hierarchy to ensure adequate protection and conservation of the environment, whilst providing for the waste needs of the district; and
- Ensure all the appropriate environmental protections are in place whilst securing appropriate restoration and aftercare of waste management sites.

### Justification and Amplification

The strategic policy for waste management has been informed by regional and local policy to ensure that waste management is managed safely so that any detrimental effects on people, the environment, and local amenity including pollution, are avoided or mitigated.

This waste hierarchy aims to encourage the management of waste materials in order to reduce the amount of waste materials produced, and to recover maximum value from the wastes that are produced. It encourages the prevention of waste, the reuse and refurbishment of goods and value recovery through recycling and composting.

The LDP operational policies contained within Part 2 of the Plan set out the Council's approach to Waste Management development (Policy WM1) to ensure there is no unacceptable adverse impact on the environment. Where Waste Collection and Treatment Facilities are proposed (Policy WM2) there must be a demonstrable identified need for the facility in accordance with the WMS and WMP.

In addressing proposals for waste disposal, the Council will seek to ensure that the need for any landfill or land rising facilities for the disposal of waste is established through the NI WMS and the Council's WMP (arc21) and that the approval of such facilities will not have an unacceptable environmental impact (Policy WM3).

The Council recognises that in considering proposals for the disposal of inert waste by its deposition, care needs to be taken to ensure that such schemes do not adversely affect nature conservation and heritage interests nor have an unacceptable impact on the landscape or amenity (Policy WM4). The Council will give careful consideration to the sensitivity of development proposed in the vicinity of waste management development in accordance with Policy WM5.





# Renewable Energy Strategy

The LDP Renewable Energy Strategy encourages greater use of renewable energy technologies to reduce our dependence on imported fossil fuels and bring diversity and security of supply to our energy infrastructure.

It will also help to achieve our targets on decarbonisation and net zero, in accordance with the Climate Change Act (Northern Ireland) 2022<sup>119</sup>.

Renewable energy is defined as energy that comes from energy sources that are continuously replenished by nature. The main sources of renewable energy are wind, sun (solar energy), moving water (hydropower), heat extracted from the air, ground and water (including geothermal energy) and biomass (wood, biodegradable waste and energy crops).

As well as transitioning to low carbon renewable energy sources, it is also considered necessary to improve the integration of renewable energy technology and energy efficiency measures of developments to reduce the demand for energy and further reduce carbon emissions. This can be achieved through the integration of a range of renewable energy technologies such as air or ground source heat pumps, solar PV panels and energy efficiency measures, including passive solar design<sup>120</sup>.

Our Corporate Plan 2024-2027 sets out eight strategic objectives, the increased development of renewable energy and increasing energy efficiency can contribute to the achievement of one of these:

- Enhance, protect and promote our environment to ensure a sustainable future.

Of the five outcomes of our Community Plan, the development of renewable energy is important in achieving the following outcome:

- All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment.

Among the indicators that will demonstrate how this outcome is achieved are "Level of Sustainable Energy," and "Level of Quality Housing."

The LDP seeks to facilitate the siting of renewable energy generating facilities in appropriate locations in order to achieve our targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance. However, developing renewable energy sources presents a number

of issues and challenges dependent on the type of technology and its proposed location, which the LDP seeks to mitigate against.

## Regional Development Strategy 2035 (RDS)

One of the eight aims of the RDS is to take actions to reduce our carbon footprint and mitigate the effects of climate change. Included in the Regional Guidance of the RDS is RG5 – "Deliver a sustainable and secure energy supply." While RG9 states "Reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality."

## Strategic Planning Policy Statement (SPPS)

The SPPS states that a central challenge in furthering sustainable development is mitigating and adapting to climate change, whilst improving air quality. It notes this includes the need to reduce emissions of greenhouse gases that contribute to climate change and to respond to the impacts brought about by it. It outlines

<sup>119</sup> The Climate Change Act (Northern Ireland) 2022 (Act) sets a target of an at least 100% reduction in net zero greenhouse gas (GHG) emissions by 2050.

<sup>120</sup> Passive Solar Design (PSD) refers to the use of solar energy for the heating and cooling of buildings, it needs to be considered at the design stage as it uses takes advantage of the natural energy in materials and air created by the natural energy of the sun.

how the planning system should help to mitigate and adapt accordingly. Its regional strategic objectives in relation to renewable energy are to:

- Ensure that the environmental, landscape, visual and amenity impacts associated with or arising from renewable energy development are adequately addressed;
- Ensure adequate protection of the region's built, natural, and cultural heritage features; and
- Facilitate the integration of renewable energy technology into the design, siting and layout of new development and promote greater application of the principles of Passive Solar Design.

It states the LDP process will support a diverse range of energy development including the integration of micro-generation and passive solar design, taking into account the wider environmental, economic and social benefits and advocates a cautious approach for renewable development proposals in designated landscapes which are of significant value such as AONBs and their wider settings. It states further that in such sensitive landscapes it may be difficult to accommodate renewable energy proposals, including wind turbines without detriment to the region's cultural and natural heritage assets.

Energy from waste is recognised in relation to the waste hierarchy "other recovery, e.g. energy recovery" which can include methods of renewable energy such as anaerobic digestion.

### DfI Review of Renewable and Low Carbon Energy

The Department for Infrastructure (DfI) undertook a review of the renewable energy provisions of the SPPS and published a draft revised strategic planning policy for Renewable and Low Carbon Energy on April 6th 2023<sup>121</sup>. The draft policy highlights the need to increase the amount of renewable energy being produced in order to achieve the new, more ambitious, target set out in the Climate Change Act (Northern Ireland) 2022 which requires the Department for the Economy to ensure that at least of 80% of electricity energy consumption is from renewable sources by 2030 and to achieve net zero by 2050.

The document outlined that the planning system has already made a positive contribution to meeting and exceeding previous renewable energy strategy targets with 51% of electricity consumed being generated from indigenous renewable sources to date<sup>122</sup>. It states that councils should identify areas in their LDPs which are most appropriate for renewable energy developments<sup>123</sup>, and to provide detailed locational criteria. In such areas a presumption in favour of renewable energy developments will apply, however in areas designated for their landscape value, such as AONBs, a cautious approach will continue to apply, especially in relation to visually dominant proposals which should be avoided in such landscapes.

Likewise, it encourages the use of previously developed land of low ecological value for solar farms and

introduces a policy presumption for the renewal and life extension of renewable energy systems, through the replacement of older equipment with newer, more efficient systems (a process termed "repowering").

## LDP Objectives

The LDP strategic approach to renewable energy is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to renewable development are as follows:

- To support renewables infrastructure whilst affording protection to the environment;
- To protect, conserve and, where possible enhance the historic environment to achieve quality design and support economic opportunity;
- To protect, conserve, enhance and restore the district's natural heritage to support biodiversity in its habitats, species, landscapes and earth science features, and promote health and wellbeing;
- To protect our sensitive upland landscapes from inappropriate development; and
- To reduce vulnerability to climate change and prevent inappropriate new development in areas known to be at risk of flooding, coastal erosion or land instability.

These objectives are supported by Strategic Policy RES1 Renewable and Low Carbon Energy and the operational policies set out in Part 2 of the Plan.

<sup>121</sup> Review of Regional Strategic Planning Policy on Renewable and Low Carbon Energy - Public Consultation | Department for Infrastructure.

<sup>122</sup> Electricity Consumption and Renewable Generation in Northern Ireland: Year Ending December 2022 | Department for the Economy.

<sup>123</sup> The Council will consider at the Local Policies Plan Stage.

# Strategic Policy RES1

## Renewable and Low Carbon Energy

The Plan will support proposals for renewable and low carbon energy technology where it is demonstrated that it:

- Supports the development of a diverse range of renewable energy sources in appropriate locations whilst protecting the historic environment and natural heritage from inappropriate development;
- Incorporates measures to improve energy efficiency and renewable energy technologies in all new developments including passive solar design.

Some forms of renewable and low carbon technologies can create impacts which operational policy must seek to mitigate. For example, wind farms can have an adverse visual impact on areas of high landscape value. Over 55% of the district lies within the three Areas of Outstanding Natural Beauty and the upland areas of the Ring of Gullion, The Mourne Mountains and Slieve Croob are also designated as Special Countryside Areas due to their unique landscape character. Operational policy will therefore need to carefully consider wind energy in these locations, taking account of their special character. Additionally, supporting infrastructure should be minimised with electricity connections being underground where feasible.

### Justification and Amplification

The LDP will play a major role in helping the district continue along the path to achieving net zero by 2050, as required by the Climate Change Act (Northern Ireland) 2022.

The district has significant potential for renewable and low carbon energy development. To date this has been in the form of wind energy. While there have been few commercial wind farm developments<sup>124</sup> there have been numerous turbines erected for individual dwellings and farm businesses, especially in rural areas. There have also been a number of approvals for anaerobic digesters, which convert agricultural and commercial wastes into biogas for energy generation.

However, in recent years a number of other technologies have become more viable such as solar/photovoltaic, microhydropower, heat pumps and Battery Energy Storage Systems (BESS). Many of these can be utilised at both domestic and commercial scale, and their installation in domestic dwellings can be implemented under Permitted Development. These have many advantages over wind energy, most notably, solar farms are not as restricted in their location as wind turbines and can therefore be located closer to end users, including on agricultural land while still allowing agriculture to occur beneath them and in previously developed sites of low environmental quality such as disused quarries and landfills, minimising the need for supporting infrastructure such as overhead lines. The combination of renewable generating systems with BESS allows for energy to be stored during times of high output and low demand and then released to end users when demand is high.

Solar energy systems can produce an intense glare which can distract drivers and pilots, therefore all applications for this technology will need to set out how such glare will be minimised, either through careful siting or by the use of hedges and other features. Microhydro developments can potentially cause increased flood risk if not implemented properly and cause damage to river ecosystems. In all cases consultations will be carried out with the appropriate agency to ensure that potential impacts have been properly identified and mitigated. Applicants will also be required to identify how sites will be restored upon the renewable systems reaching the end of their operational lives. The replacement of life expired systems, with more efficient units (known as “repowering”) will be considered.

As well as diversifying and decarbonising energy supply, the achievement of net zero will require that new developments are more energy efficient and are designed from the outset to incorporate existing and developing renewable energy systems (“micro-renewables”). These can include heat pumps, either ground or air source, solar panels and district heating schemes. Strategic Policy SP1 Sustainable Development and Climate Change provides thresholds for major developments to incorporate provision for their energy needs through renewable/low carbon technologies.

<sup>124</sup> “Wind Farm” means a development of two or more wind turbines



In addition, all new developments will also need to demonstrate that they incorporate techniques such as Passive Solar Design which utilise the sun's natural warmth to heat a building without any active heat generation. The incorporation of such techniques should be set out in Design and Access Statements or Concept Statements as appropriate.

The Council does not wish to be overly prescriptive or to favour one form of renewable and low carbon energy or design technique above another. It will be for applicants and their agents to determine which is the most appropriate for their planned development, and how it meets the Strategic and Operational Policies of the Plan Strategy. This is especially relevant as new forms of renewable and low carbon energy generation are being developed and over the lifetime of the Plan may become commercially viable.

Policies RE1-RE2 contained within Part 2 of the Plan therefore seeks to include sufficient flexibility so that applications for such new technologies can be determined accordingly.



# Flood Risk and Drainage Strategy

The LDP Flood Risk and Drainage Strategy provides a framework for the delivery of sustainable development and helping to mitigate and adapt to climate change by avoiding development in areas at significant risk from flooding.

The LDP will also seek to reduce flood risk through promoting the development of green infrastructure and the use of sustainable drainage systems.

Our Corporate Plan 2024-2027 sets out eight strategic objectives, the sustainable management of Flood Risk and Drainage can contribute to the achievement of one of these:

- Enhance, protect and promote our environment to ensure a sustainable future.

It reaffirms the Council's commitment to publish both a Climate Change and Sustainable Development Strategy and a Local Climate Change Adaptation Plan. The LDP will play a key role in ensuring their implementation.

Of the five outcomes of our Community Plan, the management of Flood Risk and Drainage is important in achieving the following outcome:

- All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment.

Among the indicators that will demonstrate how this outcome is achieved is "Level of Quality Housing," among the measures listed as contributing to the achievement of this indicator is "Properties at risk of flooding."

In delivering a sustainable environment our Community Plan identifies the potential risk to properties from a flood event as an important measurement tool. Reducing the impact of and mitigating against flooding is identified as a key priority area and the use of soft sustainable drainage solutions is promoted through the Council's Community Planning Partnership.

The LDP has a key role to play in supporting the delivery of sustainable development and helping to mitigate and adapt to climate change by avoiding development in areas at significant risk from flooding.

## Regional Development Strategy 2035 (RDS)

The RDS recognises the need to avoid, where possible, the selection of flood prone land for employment and housing growth and urges the planning system to adopt a precautionary approach to development in areas of flood risk and the use of the latest flood risk information that is available to properly manage development. Regional Guidance RG12 requires the integration of water and land use planning and encourages the greater use of Sustainable Drainage Systems (SuDS).

## Strategic Planning Policy Statement (SPPS)

The aim of the SPPS in relation to flood risk is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere. Its regional strategic objectives in relation to flood risk development are to:

- Prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere;
- Ensure that the most up to date information on flood risk is taken into account when determining planning applications and zoning/designating land for development in Local Development Plans (LDPs);

- Adopt a precautionary approach to the identification of land for development through the LDP process and the determination of development proposals, in those areas susceptible to flooding where there is a lack of precise information on present day flood risk or future uncertainties associated with flood estimation, climate change predictions and scientific evidence;
- Manage development in ways that are appropriate to the four main sources of flood risk in Northern Ireland, i.e. fluvial, coastal, surface water and water impoundment (reservoir) breach or failure;
- Seek to protect development that is permitted within flood risk areas by ensuring that adequate and appropriate measures are employed to mitigate and manage the flood risks;
- Promote sustainable development through the retention and restoration of natural flood plains and natural watercourses as a form of flood alleviation and an important environmental and social resource;
- Promote sustainable development through encouraging the use of sustainable drainage for new development and redevelopment/regeneration schemes;
- Promote public awareness of flood risk and the flood risk information that is available and of relevance to undertaking development; and
- Promote an integrated and sustainable approach to the management of development and flood risk which contributes to:
  - The safety and wellbeing of everyone,
  - The prudent and efficient use of economic resources,
  - The conservation and enhancement of biodiversity, and
  - The conservation of archaeology and the built heritage.

## Local Context

Some areas of the district are susceptible to intermittent flooding from various sources, principally from rivers, the sea or surface water runoff. The NI Flood Risk Management Plan 2021-2027<sup>125</sup> identifies Newry as being an area of Potential Significant Risk of Flooding however Newcastle, Downpatrick and Warrenpoint are identified as Transitional Areas of Potential Significant Flood Risk given their status as areas of significant flood risk in the preceding Flood Risk Management Plans (2015-2021).

Newry is subject to fluvial (river), surface water and tidal flood risk. As a result, low lying areas of the city are vulnerable to flooding. Phase 1 of the Newry Flood Alleviation Scheme was

completed by DfI in 2023 and involved the construction of new flood walls, embankments and the upgrading of culverts. These works provide protection to properties located at Armagh Road, Downshire Road, Belfast Road, Craigmore Road, Chancellor's Road and Greenbank Industrial Estate, Newry, from flooding.

Warrenpoint contains a mix of residential, commercial and industrial development some of which are at significant risk of flood during a tidal event. In addition, several watercourses are located within the town with the most significant flood risk from the Milltown Stream and the Clonallon Stream. Future engineering solutions aimed at reducing any potential fluvial and tidal flooding on properties within Warrenpoint are subject to the completion of feasibility studies by DfI.

Historically, Newcastle has been susceptible to flooding from both the Shimna and Burren Rivers. DfI constructed a flood alleviation scheme in 2007 to address flooding from the Burren River and a further scheme in 2022 to address flooding from the Shimna River. These schemes now provide a significant level of flood protection to residential properties in the vicinity of the two rivers.

Within Downpatrick low lying areas including Market Street, Church Street and the Ballydugan Road are at risk from fluvial flooding which could spill from culverted watercourses within the town. The current coastal flood risk to Downpatrick is considered to be extremely low with the Quoile Barrier protecting the town from extreme tidal surges. The identification and delivery of potential solutions aimed at alleviating future flooding within Downpatrick is subject to the completion of feasibility studies by DfI.

## LDP Objectives

The LDP strategic approach to flood risk and drainage development is set out within the LDP's objectives. These objectives take account of regional policy set out within the RDS and the SPPS. The LDP objective relating to flood risk and drainage is as follows:

- To reduce vulnerability to climate change and prevent inappropriate new development in areas known to be at risk of flooding, coastal erosion or land instability.

This objective is supported by Strategic Policy FRDS1 Flood Risk and Drainage and the operational policies set out in Part 2 of the Plan Strategy.

<sup>125</sup> [www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/second-cycle-northern-ireland-frmp-2021-2027.pdf](http://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/second-cycle-northern-ireland-frmp-2021-2027.pdf).

## Strategic Policy FRDS1 Flood Risk and Drainage

The Plan will not support new development within the flood plains of rivers or in areas known to be at risk of flooding from fluvial or coastal sources, or from the failure of a controlled reservoir unless in the following circumstances:

- The development proposal constitutes a valid exception to the general presumption against development in flood plains;
- The development proposal is of overriding regional or sub-regional economic importance; and
- The development proposal is considered as minor development in the context of flood risk.

Development within the flood inundation area of a controlled reservoir will only be permitted where either the safety of the reservoir is demonstrated, or a flood risk assessment has been undertaken, and suitable mitigation measures are proposed.

The Council will use the latest available flood risk information to assess the flood risk to development proposals. The Department for Infrastructure (DfI) Rivers are the statutory Drainage and Flood Defence authority for Northern Ireland and provide up to date information on areas at risk of flooding through their online map viewer Flood Maps NI<sup>126</sup>. The Council would encourage applicants to make use of Flood Maps NI at an early stage in the development process.

Policies FRD1-FRD6 contained within Part 2 of the Plan provide further detail on requirements in respect of development proposals that may be at risk from flooding or increase the risk of flooding.

### Justification and Amplification

This Strategic Policy on flood risk and drainage is supported by the overarching strategic policy on Sustainable Development and Climate Change SP1.

Flooding is a natural process that cannot be entirely prevented. It is however important that flood risk is sustainably managed to facilitate social, economic and environmental development.

The Council will restrict development within flood plains and adopt a precautionary approach to flood risk in relation to development in areas susceptible to flooding, where there is a lack of information on present day flood risk or the future risk is unclear due to uncertainties with flood estimation data and climate change predictions.

Development proposals within areas subject to surface water or coastal flooding will be required to demonstrate that the risk can be effectively controlled or mitigated and will not increase the potential for flooding elsewhere. The provision of a sustainable drainage solution can help to reduce surface water runoff and will be a requirement in certain instances.

<sup>126</sup> [www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni](http://www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni).









# Environmental: Protecting and Enhancing the Historic Environment and Natural Heritage



# Historic Environment and Natural Heritage Strategy

The LDP Historic Environment and Natural Heritage Strategy values the importance of our historic environment and natural heritage across the district. The historic environment encompasses a rich and diverse offering consisting of archaeological sites and monuments, Listed Buildings, Conservation Areas and Historic Parks, Gardens and Demesnes. The richness of our natural heritage is recognised through the range of designations across the district, including international, national and local sites.

## Historic Environment

The LDP recognises that the Historic Environment represents an invaluable resource which allows us to understand the past and provides the context of the present. Archaeological and historic environment assets are often key landmarks within our towns and countryside. The historic environment is a non-renewable resource as once it is lost, it can never be replaced. It enriches our quality of life and provides distinctive character and a uniqueness to our city, towns and countryside which cannot be replicated.

Our Corporate Plan 2024-2027 sets out eight strategic objectives, the preservation and enhancement of the Historic Environment can contribute to the achievement of one of these:

- Support regenerative tourism opportunities which promote our culture, heritage and environment.

Our Community Plan recognises that we are home to a number of significant built heritage assets. This historic environment not only makes a wonderful landscape in which to live but also creates a very distinctive sense of place that is attractive to those visiting.

## Regional Development Strategy 2035 (RDS)

The RDS sets out regional guidance to conserve, protect, and where possible, enhance our built heritage and our natural environment (RG11). In respect of built heritage, the RDS recognises that Northern Ireland has a rich and diverse archaeological and built heritage which contributes to our sense of place and history. It also regards built heritage as a key marketing, tourism and recreational asset that, if managed in a sustainable way, can make a valuable contribution to the environment, economy and society. RG11 identifies 3 ways to address built heritage:

- Identifying, protecting and conserving the built heritage, including archaeological sites and monuments and historic buildings;
- Identifying, protecting and conserving the character and built heritage assets within cities, towns and villages, and;
- Maintaining the integrity of built heritage assets, including historic landscapes.



## Strategic Planning Policy Statement (SPPS)

The SPPS lists 'preserving and improving the built and natural environment' as a core planning principle and acknowledges that the planning system has a key role in the stewardship of our archaeological and built heritage.

Its regional strategic objectives in relation to archaeology and the built environment are to:

- Secure the protection, conservation and, where possible, the enhancement of our built and archaeological heritage;
- Promote sustainable development and environmental stewardship with regard to our built and archaeological heritage; and
- Deliver economic and community benefit through conservation that facilitates productive use of built heritage assets and opportunities for investment, whilst safeguarding their historic or architectural integrity.

## Local Context

The district has a rich diversity of archaeological and historic environment assets which play a vital role in the overall appearance, character and sense of place of the area. The protection of the district's heritage assets is a priority for the Council and where opportunities arise to introduce new development these should respect and make a positive contribution to the historic environment.

There are currently three Areas of Significant Archaeological Interest (ASAs) located in Downpatrick, Dundrum and The Dorsey. Two further ASAs are designated through the Plan Strategy at Greencastle and Slieve Gullion to recognise and protect the regional importance of these sites.

There are 29 designated Areas of Archaeological Potential (AAPs) and over 2,000 archaeological sites and monuments (which include historic monuments in state care, scheduled and unscheduled monuments) and 1,536 Industrial Heritage Sites. These archaeological sites and monuments represent

all periods of human settlement in the district and include some of the finest examples of Mesolithic and Neolithic sites such as Legananny, Annadorn, Goward, and Kilfeaghan dolmens or portal tombs, Ballynoe stone circle, Kings Ring and court tomb in Clontygara and Slieve Gullion Cairns. The district is also home to the region's best examples of medieval castles, churches and abbeys. These include Dundrum, Greencastle, Narrow Water, Strangford and Ringhaddy Castles; Killeavy and Loughinisland Churches; and Inch Abbey.

There are 1,427 listed buildings within the district made up of a wide range of man-made structures ranging from castles and mansion houses, churches and cathedrals to vernacular cottages, schools, shops, hospitals, halls, bridges, and quays to name a few. These include grade A, B+, B1 and B2 listed buildings. These buildings are important for their intrinsic value and for their important contribution to the character and quality of settlements and the open countryside throughout the district. Industrial Heritage sites within the district which includes features such as former railway structures, viaducts and mill buildings. The most important sites are afforded statutory protection as archaeological sites or listed buildings.

The district also contains some of the finest Historic Parks, Gardens and Demesnes in the region (34 in total spread across the district). These areas provide an invaluable resource in terms of understanding our past and making a significant contribution to the distinctive character and appearance of the district's diverse local landscapes. Many of these parks, gardens and demesnes are open to the public and provide an important asset for education, recreation and tourism. These include Derrymore House, Delamont, Castle Ward and Tollymore Park to name a few.

There are 10 Conservation Areas and 27 Areas of Townscape Character (ATCs) within the district. These areas, in particular Conservation Areas, are areas of special architectural or historic interest, the character of which should be preserved or enhanced. The 10 Conservation Areas are located within the district's city, towns, and villages, including areas within Strangford, Downpatrick, Bessbrook and Newry.



The protection, conservation and enhancement of these heritage assets are vital to the district. They contribute to the distinctive character and local distinctiveness of the district's city, towns, villages, small settlements and countryside, creating a strong sense of place, enriching the lives of the district's inhabitants by providing vibrant and sustainable places and communities. They provide opportunities for tourism, attracting visitors to the district and in turn promote economic development and investment. They provide opportunities for recreation and enjoyment and promote greater health and wellbeing to those that experience them. The district's heritage assets promote education and provide a greater understanding of the district's past through to the present and must be protected for the benefit and understanding of future generations.

## LDP Objectives

The LDP strategic approach to the historic environment is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to the historic environment are as follows:

- To protect, conserve and, where possible enhance the historic environment to achieve quality design and support economic opportunity;
- To protect conserve and enhance the district's heritage assets and promote their sensitive re-use; and
- To protect, conserve and enhance townscape character, delivering high-quality design that helps to create a sense of place.

These objectives are supported by Strategic Policy ENV51 Protecting, Conserving and Enhancing the Historic Environment and the operational policies set out in Part 2 of the Plan Strategy.



# Strategic Policy ENVS1

## Protecting, Conserving and Enhancing the Historic Environment

The Plan will support development proposals which seek to protect, conserve and where possible enhance Archaeological Remains and Their Settings, Monuments and Areas; Historic Parks, Gardens and Demesnes; Listed Buildings; Conservation Areas; and Areas of Townscape Character (ATCs).

### Justification and Amplification

The Council will operate a presumption in favour of physical preservation of archaeological remains of regional importance and their settings. Archaeological remains of local importance and their settings will also be afforded protection and development which would have an adverse impact will only be permitted in certain circumstances.

Policy provision is brought forward for the protection of Historic Parks, Gardens and Demesnes and listed buildings. A Design and Access Statement will be required to accompany applications for Listed Building Consent in accordance with Section 4 of the Planning (Listed Building) Regulations (Northern Ireland) 2015 which sets out what the statement must address. Further guidance on the preparation of Design and Access Statements is provided within DfI's Development Management Practice Note 12: Design and Access Statements.

Policies are set out to manage development within the district's existing Conservation Areas and Areas of Townscape Character while proposals for the sympathetic conversion and re-use of non-listed vernacular buildings and locally important buildings are also supported.

The DfC Historic Environment Division's document entitled 'Guidance on Setting and the Historic Environment' (Feb 2018) provides guidance on 'setting' and assessing the potential impacts upon the settings of heritage assets. Applicants are encouraged to refer to this document when preparing proposals which might affect the setting of a heritage asset.

Policies HE1-HE15 provide further detail on the requirements for development proposals which relate to the historic environment.

### LDP Historic Environment Designations

The following designation is proposed in the LDP:

- Areas of Townscape Character (ATCs): ATC designations are brought forward from the extant Plans and will be reviewed and finalised at the Local Policies Plan stage. Policy provision for assessing development proposals within current ATCs is contained within Policies HE11-HE13.

The Designation of a Conservation Area is a discretionary power available to the Council under Section 104 of the Planning Act (Northern Ireland) 2011 and does not form a part of the LDP process. It is intended that a review of existing and potential Conservation Areas will be undertaken in parallel with production of the Local Policies Plan, subject to resources. Further guidance on development within Conservation Areas is contained in the respective Conservation Area Guide.

Areas of Archaeological Potential (AAPs), Areas of Significant Archaeological Interest (ASAs), Archaeological Sites and Monuments, Historic Parks Gardens and Demesnes, and Listed Buildings are designated by the Department for Communities Historic Environment Division and are incorporated into the Plan Strategy.

## Natural Heritage

The LDP recognises the important contribution that the district's rich and diverse natural heritage brings to people across the district. Many nature conservation sites within our district have been designated sites of international, national and local importance in order to protect their significant and endangered habitats, species and biodiversity.

Our Corporate Plan 2024-2027 sets out eight strategic objectives. One of these objectives is "Protect and enhance our environment to secure a sustainable future".

Our Community Plan recognises the role that the district's varied landscape plays in providing an important and unique biodiversity resource. Therefore, one of the key outcomes of the Community Plan is "all people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment".

## Regional Development Strategy 2035 (RDS)

The RDS sets out guidance for the conservation, protection and, where possible, enhancement of our natural environment under its Regional Guidance RG11. This recognises that the environment, both in terms of natural and built heritage, is one of Northern Ireland's most important assets. Effective care of the environment provides very real benefits in terms of improving health and wellbeing, promoting economic development and addressing social problems which result from a poor quality environment. It sets out ten ways of achieving this, through sustaining and enhancing biodiversity; identifying, establishing, protecting and managing ecological networks; protecting and encouraging green and blue infrastructure within urban areas; protecting and managing important geological and geomorphological features; protecting, enhancing and managing the coast; protecting, enhancing and restoring the quality of inland water bodies; recognising and promoting the conservation of local identity and distinctive landscape character; conserving, protecting and where possible enhancing areas recognised for

their landscape quality; protecting designated areas of countryside from inappropriate development (either directly or indirectly) and continuing to assess areas for designation; and considering the establishment of one or more National Parks.

## Strategic Planning Policy Statement (SPPS)

The SPPS lists 'preserving and improving the built and natural environment' as a core planning principle and acknowledges that natural heritage is an important and highly valued asset within our society and that sustaining and enhancing biodiversity is fundamental to furthering sustainable development.

Its regional strategic objectives in relation to the natural environment are to:

- Protect, conserve, enhance and restore the abundance, quality, diversity and distinctiveness of the region's natural heritage;
- Further sustainable development by ensuring that natural heritage and associated diversity is conserved and enhanced as an integral part of social, economic and environmental development;
- Assist in meeting international (including European), national and local responsibilities and obligations in the protection and enhancement of the natural heritage;
- Contribute to rural renewal and urban regeneration by ensuring developments take account of the role and value of natural heritage in supporting economic diversification and contributing to a high-quality environment; and
- Take actions to reduce our carbon footprint and facilitate adaptation to climate change.

It states that the LDP should identify natural heritage features and bring forward policies for their protection and/or enhancement. In addition, the LDP should seek to identify and promote the design of ecological networks and green and blue infrastructure and promote opportunities for the enhancement or restoration of degraded landscapes.



## Local Context

Responsibility for the designation of internationally and nationally important nature conservation sites resides with the Northern Ireland Environment Agency (NIEA). The Council in its role as the planning authority has a responsibility to protect these sites from inappropriate development. Locally important sites i.e. Local Nature Reserves (LNRs) or Wildlife Refuges can be designated by the Council.

There are three Special Protection Areas (SPAs) within the district. These sites identify internationally important areas for breeding, over-wintering and migrating birds and are located at Killough Bay, Strangford Lough and Carlingford Lough.

The district also has eleven Special Areas of Conservation (SACs): Aughnadarragh Lough; Turmennan; Lecale Fens; Hollymount; Ballykilbeg; Murlough; Eastern Mourne; Strangford Lough; Derryleckagh; Rostrevor Wood; and Slieve Gullion. These SACs are areas which have been designated due to a possible threat to the special habitats or species which they contain and to provide increased protection to a variety of animals, plants and habitats of importance to biodiversity both on a national and international scale.

There are four Ramsar Sites within the district: Turmennan; Killough Bay; Strangford Lough; and Carlingford Lough. These designations recognise wetlands as ecosystems that are extremely important for biodiversity conservation in general and for the wellbeing of human communities and these sites often overlap with other designations.

Within the district there are sixty-two Areas of Special Scientific Interest (ASSIs) and within them may be found our most important, rare or threatened habitats and species or geological features. There are also two Areas of Scientific Interest (ASIs) within the district: Mourne Coast; and South Mourne Coast. These ASIs have been designated because of the importance of their flora, fauna, geological or physiographical or other features.

The district has seven National Nature Reserves/Nature Reserves. These are areas which are amongst the very best examples of our wildlife, habitats and geology and are located at: Hollymount Forest; Killard; Murlough; Cloughy; Quoile Pondage Basin; Bohill Forest and Rostrevor Forest.

There are currently two Marine Conservation Zones (MCZs) designated within the district, at Strangford Lough and Carlingford Lough. These areas have been designated to safeguard vulnerable or unique habitats and species of national importance in the Northern Ireland inshore region.

Our natural heritage, with its unique combination of mountains and sea, is central to our tourism industry generating employment in the recreation and nature-based activity sectors. It is also widely recognised that a healthy natural environment provides real benefits in terms of improving the overall health and wellbeing and enhancing the quality of life for our residents and visitors.



Nature provides us with a variety of benefits which we often take for granted such as clean air, water, food and materials. These are commonly referred to as 'ecosystem services'. The services provided by ecosystems and their components are essential for our health and wellbeing, and economic prosperity and in order for them to function effectively they need to be healthy and resilient to change.

The district has a wide array of main river corridors rivers and open water bodies which are home to a rich variety of wildlife, flora and fauna. The policy relating to main river corridors and open water bodies is set out in Policy NH6.

## Landscape Assets

Our district hosts a great diversity of landscapes encompassing mountains, coast, waterways and forests e.g. scenic uplands of High Mourne; Slieve Croob and Ring of Gullion; Kilkeel Coast wetlands and mudflats; sand dunes of Murlough; the marshes of the Quoile Estuary; rocky headlands of the Lecale Coast; indented shores and islands of Strangford Lough; and the drumlin lowlands around Newry, these are habitat to an abundance of wildlife and species and provide an important and unique biodiversity resource.

A comprehensive review of the district's Landscape Character Areas was undertaken to support the policies and proposals within the Plan Strategy, as detailed in Technical Supplement 7 – Countryside Assessment.

The importance of the landscape quality and value of the district has resulted in three areas designated as Special Countryside Areas (Policy LA1) which exhibit exceptional landscapes and unique amenity value.

The district also has three Areas of Outstanding Natural Beauty<sup>127</sup> (AONBs): Mourne, Ring of Gullion and Strangford and Lecale. These AONBs have been designated primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage (Policy LA2).

There are a number of other important sites that are designated to protect the distinctiveness of their landscapes, including Local Landscape Policy Areas (Policy LA3) and Areas of High Scenic Value (Policy LA4).

## LDP Objectives

The LDP strategic approach to natural heritage is set out within the LDP's Objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to the natural heritage are as follows:

- To protect, conserve, enhance and restore the district's natural heritage to support biodiversity in its habitats, species, landscapes and earth science features, and promote health and wellbeing; and
- To protect our sensitive upland landscapes from inappropriate development.

These objectives are supported by Strategic Policy ENV52 Protecting, Conserving, Enhancing and Restoring Natural Heritage and our Valued Landscapes and the operational policies set out in Part 2 of the Plan.

<sup>127</sup> International, European and National designations are indicated for information purposes on the LDP Map Viewer and can be viewed on the DAERA map viewer [www.daera-ni.gov.uk/services/natural-environment-map-viewer](http://www.daera-ni.gov.uk/services/natural-environment-map-viewer).

## Strategic Policy ENVS2

### Protecting, Conserving, Enhancing and Restoring Natural Heritage and our Valued Landscapes

The Plan will support development proposals which seek to:

- Protect, conserve, enhance and restore European and Ramsar sites, Species Protected by Law, Sites of Nature Conservation Importance (National and Local) and other important habitats, species and features of natural heritage falling within or outside designated sites;
- Protect, conserve and, where possible, enhance and restore landscape quality and the distinctiveness and attractiveness of the area;
- Promote the highest quality of design for any new development affecting our natural heritage and landscape assets.

Policies NH1-NH7 provide further detail on the requirements for development proposals which relate to the natural environment.

#### LDP Natural Heritage Designations

The district's current International, European, National and Local designations can be viewed on the LDP Spatial viewer as well as the DAERA website.

The LDP also designates Sites of Local Nature Conservation Importance (SLNCIs)<sup>128</sup> which recognise important flora and fauna on sites. Policy provision for SLNCIs is set out in Policy NH7.

#### Justification and Amplification

There is increased pressure on natural heritage through land use intensification, urbanisation and agricultural change. In addition to this, climate change is having significant impacts on both the distribution of species and habitats in our area and their ability to function as ecosystems; it is essential that we seek to mitigate and adapt to these changes in order to preserve and enhance our natural heritage.

There are a number of key environmental assets within the council area, afforded protection under International, National and Local Designations, in particular European and Ramsar sites including the three Areas of Outstanding Natural Beauty.

Through the provision of policies which promote sustainable development; seeking to protect, conserve, enhance and restore our natural heritage; and striving to halt the loss of biodiversity and habitats, the Council will fulfil its duty to further the conservation of biodiversity, as required under the Wildlife and Natural Environment Act (NI) 2011.

#### LDP Landscape Designations

In addition to the range of natural heritage designations identified above, the LDP also designates Special Countryside Areas (SCAs), Areas of Outstanding Natural Beauty (AONBs) Local Landscape Policy Areas (LLPAs) and Areas of High Scenic Value<sup>129</sup> (AoHSV). All these designations are shown on the LDP Map Viewer. In addition, the revised Special Countryside Areas are contained within Appendix 4.

<sup>128</sup> SLNCIs are carried forward from extant Plans and will be reviewed at LPP stage.

<sup>129</sup> Both LLPAs and AoHSV are carried forward from extant Plans and will be reviewed at LPP stage.



The following designation is proposed in the LDP:

- **Special Countryside Areas (SCA1):** Three Special Countryside Areas (SCAs) are designated, these being the High Mourne, Slieve Croob and Ring of Gullion. Policy provision for assessing proposals within an SCA is contained in Policy LA1.

There are three AONBs within the district, with relevant policy provision set out in Policy LA2.

LLPAs are designated within or adjoining settlements which are considered to be of greatest nature conservation or heritage interest, amenity value, landscape quality or local significance. Policy provision for LLPAs is set out in Policy LA3.

AoHSV are designated for their intrinsic scenic quality. Policy provision for AoHSV is set out in Policy LA4.

# Coastal Development Strategy

The LDP Coastal Development Strategy recognises the inherent integration between marine and land use (terrestrial) planning as activities taking place on land can have impacts on the marine environment.

The coastal landscape and seascape character is subject to change as a result of both natural and man-made influences including natural processes and climate change; visitor pressure and recreational activity; commercial marine activity and fishing; offshore energy and mineral development; and land management changes.

The terrestrial planning system and the marine planning and licensing system are legally and functionally separate but overlap in the inter-tidal area. The Council's terrestrial planning management role extends seaward as far as the mean low water spring tide mark. In recognition of this overlap of responsibility, both the UK Marine Policy Statement<sup>130</sup> (2011) and the draft Marine Plan for Northern Ireland<sup>131</sup> (2018) have informed the formulation of the Council's coastal development policies.

Our Corporate Plan 2024-2027 acknowledges the Council's coastline of approximately 150 kilometres. One of the eight strategic objectives is to 'Protect and enhance our environment to secure a sustainable future.' This seeks to develop and implement both a Climate Change and Sustainable Development Strategy and Local Climate Change Adaptation Plan.

A key outcome of our Community Plan is 'All people in Newry, Mourne and Down benefit from a clean, quality and sustainable environment'.

The LDP seeks to balance opportunities to be gained from the coast in a sustainable and sensitive manner. It is important that opportunities arising from economic development provides betterment of the local coastal communities, whilst recognising the importance of the coast as a sensitive landscape and allowing it to naturally adapt to climate change.

## Regional Development Strategy 2035 (RDS)

The RDS sets out regional guidance to protect and enhance the natural environment, including the coast (RG11). In this respect, it urges that coastal areas be protected from coastal squeeze, to safeguard against the loss of distinctive habitats and to help adaptation to climate change. In addition, it suggests that the landscape setting of coastal features should be conserved.

## Strategic Planning Policy Statement (SPPS)

The SPPS aims to protect the undeveloped coast from inappropriate development, consistent with the RDS and seeks to support the sensitive enhancement and regeneration of the developed coast largely within coastal settlements.

Its regional strategic objectives in relation to the coast are to:

- Conserve the natural character and landscape of the undeveloped coast and to protect it from excessive, inappropriate or obtrusive development; and
- Facilitate appropriate development in coastal settlements and other parts of the developed coastline (subject to all other relevant planning policies) that contributes to a sustainable economy and which is sensitive to its coastal location.

It states the LDP should identify areas within coastal settlements or other parts of the developed coast where opportunities exist for enhancement of the regeneration of urban waterfronts. Where appropriate LDPs should identify

<sup>130</sup> UK Marine Policy Statement, HM Government.

<sup>131</sup> Draft Marine Plan for Northern Ireland, DAERA.



these areas for development, such as ports, marinas, port-related industries and recreational projects within settlements. Areas which are at risk from flooding, coastal erosion or land instability should be identified where development should not be permitted, whilst promoting and protecting public access to and along the coast where possible.

## Local Context

With approximately 150km of coastline, Newry, Mourne and Down accounts for 25% of the Northern Irish coast. The district has an extensive and diverse coastline stretching from Strangford Lough to Carlingford Lough, bordering County Louth in the Republic of Ireland.

The district contains some of Northern Ireland's most attractive coastal landscapes which are subject to special protection and management. It provides a range of habitats recognised internationally and nationally by various designations.

The district's coastline combines hard rocky coves with boulder clay cliffs and mobile sediments of shingle, sands and mud. Each diverse section of the coast has its own distinctive character and accommodates a range of uses, habitats and heritage assets. The NIEA Regional Seascape Character Assessment describes the Mourne and Cooley Mountains as a stunning backdrop to a large proportion of the coast.

Sand dunes at Murlough on Dundrum Bay and Killard near Strangford Lough are two of the largest systems in Northern Ireland, providing natural protection from coastal storms and floods. The intertidal mudflats of Dundrum Bay add to the unique landscape of the coast while also providing a highly productive habitat important to wintering birds. Strangford Lough is a significant tourist attraction due to its highly distinctive drumlin landscape, historical features, and exceptionally diverse marine life.

The district's coast is an important location for the tourism, fishing, commercial, industrial and renewable energy sectors. It is also of significant social and community value,

offering opportunities for activities such as cycling, sailing, angling and many other types of outdoor recreation and leisure activities. Regionally significant walking trails such as the Ulster Way, St Patrick's Way (The Pilgrim's Walk) and the prospective County Down section of the Columban Way have routes which provide access to a significant portion of the district's coast. Kilkeel and Ardglass are important settlements in terms of the commercial fishing economy. The seaside town of Newcastle, set against the backdrop of the Mournes and Murlough Bay, provides a popular recreation asset. Additionally, important for its major port, Warrenpoint is identified in the RDS as a gateway strategically located on the Belfast-Dublin corridor.

While the coast is important for economic growth through leisure and recreational activities, it also has proven benefits for mental and physical wellbeing. Importantly, the coast is also a vital natural flood, storm and erosion defence, therefore its protection and sustainable management are essential.

## LDP Objectives

The LDP strategic approach to coastal development is set out within the LDP's objectives. These objectives take account of regional policy detailed within the RDS and the SPPS. The LDP objectives relating to coastal development are as follows:

- To protect and enhance the natural character and landscape of the undeveloped coast protecting it from excessive, inappropriate or obtrusive development;
- To facilitate appropriate development in coastal settlements and other parts of the developed coast that benefits local communities, contributes to a sustainable economy and is sensitive to its coastal location; and
- To enable and support coastal development that is adaptive to coastal change through good design and siting.

These objectives are supported by Strategic Policy CDS1 Coastal Development and the operational policies set out in Part 2 of the Plan.



# Strategic Policy CDS1

## Coastal Development

The Plan will support development proposals which:

- Protect the undeveloped coast from inappropriate development, consistent with regional policy; and
- Support the sensitive enhancement and regeneration of the developed coast largely within coastal settlements.

### Justification and Amplification

Development proposals should not cause an unacceptable adverse impact on the district's sensitive marine and coastal environment. All development proposals must accord with the UK Marine Policy Statement and draft Marine Plan for Northern Ireland.

This Strategic Policy seeks to manage development in respect of both the undeveloped and developed coast:

#### Undeveloped Coast

To protect its existing character, the Plan Strategy will restrict inappropriate development that would have diminishing effects on the landscape and seascape in accordance with Policy CO1.

#### Developed Coast

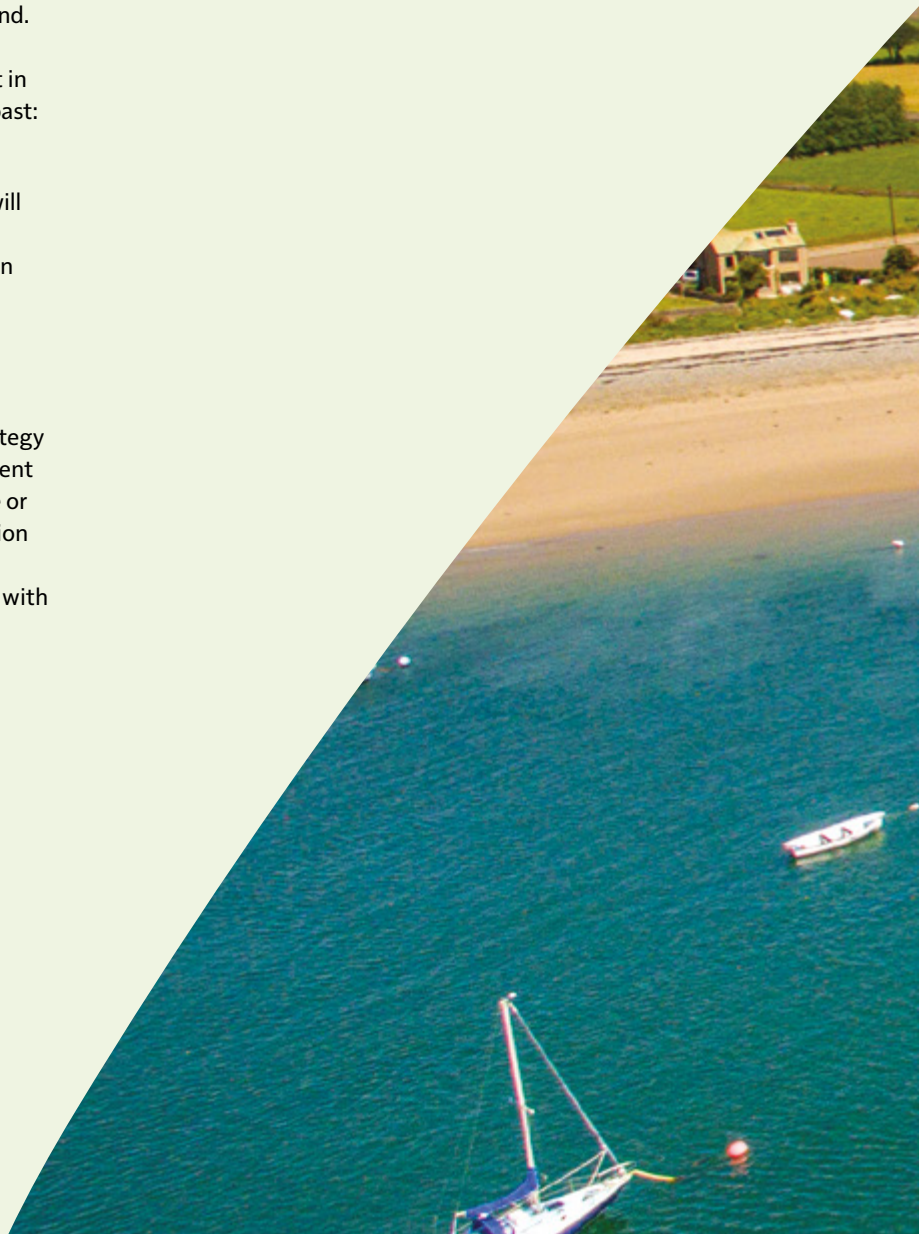
To support the sensitive enhancement and regeneration of the Developed Coast, the Plan Strategy will promote settlements as the focus of development requiring a coastal location. Proposals which create or enhance public access to the coast, increase provision of coastal amenity space and deliver new habitat creation will be positively supported in accordance with Policy CO2.

### LDP Coastal Designations

The following designation is proposed in the LDP:

#### Designation CO1 The Undeveloped Coast

This designation is shown on the LDP Map Viewer and is also contained within Appendix 4. The undeveloped coast designation extends along the full extent of the district's coast from the Council boundary north of Killyleagh to Carlingford Lough and the Newry River to the start of the Greenbank Industrial Estate. Policy provision for assessing proposals within the undeveloped coast is contained within Policy CO1 The Undeveloped Coast.











Play park, Newcastle





Part 2: Plan Strategy

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# Part 2



# 6

## General Policy and Operational Policies



# GP1 General Policy

Planning permission will be granted for development proposals where the development accords with the policies and proposals as set out in the Plan Strategy and is in accordance with the following criteria:

## 1 Quality of the Environment and Amenity

Development should be compatible with surrounding land uses and there should be no unacceptable adverse impact on the environment and amenity as a result of:

- Light pollution;
- Levels of noise and vibration;
- Odour, fumes or dust;
- Air or water pollution; and
- Overlooking, overshadowing and loss of light.

## 2 Access, Movement and Parking

- The development provides suitable access, servicing and parking arrangements in accordance with the latest guidance published by the Department for Infrastructure;
- A movement pattern is provided that, where possible, supports walking and cycling, both within the development and linking to existing or planned networks, respects existing public rights of way, meets the needs of those with disabilities and other mobility impairments and provides safe and convenient movement within the development and access to public transport and local community facilities; and

- The existing road network has sufficient capacity or can be adequately upgraded to safely manage any extra vehicular traffic that the proposed development will generate.

## 3 Safety and Safeguarding of Human Health, Wellbeing and the Environment

- The development will not prejudice safety or cause an unacceptable adverse impact to human health and wellbeing;
- The development is designed to deter crime and promote personal safety;
- The development site is not at risk from flooding and the development will not cause or exacerbate flooding elsewhere, taking account of present-day flood risk and the potential future risk associated with climate change; and
- There is no unacceptable adverse impact on human health and the environment as a result of the potential for release of contaminants from contaminated lands.

## 4 Landscape, Seascape and Townscape Character

Development proposals should have no unacceptable adverse impact on visual amenity, landscape, seascape or townscape quality, local distinctiveness and/or inherent character of the locality.

## 5 Historic Environment and Natural Heritage

- Development proposals should seek to protect, conserve and where possible enhance the district's historic environment assets and their settings;
- Development proposals should protect, conserve, enhance and restore the district's natural heritage features which support local biodiversity and comprise its habitats, species, landscapes and earth science features;
- Measures to achieve biodiversity net gain should be identified at an early stage in the design process and incorporated into development proposals; and
- Development proposals should not cause an unacceptable adverse impact on the district's sensitive marine environment.

## 6 Infrastructure

All necessary infrastructure and wastewater infrastructure are available or can be provided with no unacceptable adverse impact on the environment.

In assessing how a development proposal addresses criteria 1-6 above, the Council will require developers to provide relevant impact assessments where this is necessary to allow proper consideration of the impacts of the development and any mitigation measures proposed.

## Justification and Amplification

### Quality of the Environment and Amenity

The SPPS identifies a range of environment and amenity considerations which should be taken into account by planning authorities when proposing policies or managing development. These include noise and light pollution, air and water quality and waste management. Regional policy also highlights that impacts on health and wellbeing can arise as a result of visual intrusion, general nuisance, loss of light and overshadowing. It is therefore important that development proposals give careful consideration to the potential for pollution effects on health, public safety, natural heritage as well as loss of amenity.

In addition to the policy direction of the SPPS, legislation as set out in The Control of Major Accident Hazards (COMAH)<sup>132</sup> Regulations (Northern Ireland) 2015 seek to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any major accidents that may occur. The Council will have due regard to COMAH sites and the advice of the HSENI when considering land use and new development proposals. Further information and guidance on land use planning and hazards is available on the HSENI website.

In addition to planning permission some developments may also require consent under the Planning (Hazardous Substances) Regulations (Northern Ireland) 2015. Detailed guidance on these matters is currently contained in Development Control Advice Note 12 – Planning Controls for Hazardous Substances, published by the Department in May 2000.

The potential risk and significance of pollution will be considered when assessing development proposals, in consultation with other statutory bodies and the Council's Environmental Health Department. The effects (including cumulative effects) of pollution on health, natural heritage and general amenity must be taken into account, having regard to the sensitivity of the location and nature of established uses in the area.

### Light Pollution

Light pollution can be a source of annoyance to people, harmful to wildlife and undermine enjoyment of the countryside or the night sky, especially in areas with intrinsically dark landscapes.

Exposure to artificial light at night has the potential to have a negative impact on a range of wildlife, from birds, bats and fish to plant life, insects and other flora and fauna. It can attract or repel certain species, interfering with natural feeding, breeding and migration patterns.

The most common sources of light pollution are set out in Appendix 5.

Where an external lighting component within a development site is proposed applicants will be required to submit a lighting assessment with their planning application which comprehensively details the lighting scheme and satisfactorily demonstrates that the proposed scheme is appropriate in terms of its purpose and its particular setting. This should contain the following:

- A statement setting out why the lighting scheme is required;
- A report prepared by a lighting engineer which provides details of the luminaires and columns, including type, height and location;
- A technical specification of the luminaires, including an explanation of what design features have been chosen to minimise light pollution; and
- A plan illustrating illuminance levels across the site and at the boundary of the property. Illuminance levels beyond the boundary of the site, together with the downward light output ratio of the lights may also be required.

All exterior lighting should be fitted with louvres, snoots, cowls or other accessories that help limit obtrusive light specifically light spill, glare, and sky glow.

It is recommended that applicants follow guidance set out in the Institute of Lighting Professions publication Guidance Note 01/21 The Reduction of Obtrusive Light.<sup>133</sup>

<sup>132</sup> [www.legislation.gov.uk/nisr/2015/325/contents/made](http://www.legislation.gov.uk/nisr/2015/325/contents/made).

<sup>133</sup> [theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021](http://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021).

### Noise Pollution

Due to their nature, development proposals for quarrying, wind turbines and those involving industrial processes and/or those for storage and distribution will normally generate significant levels of noise and potentially vibration. Where proposals of this nature are located close to sensitive receptors it is likely that the submission of a noise assessment will be necessary. The need for a noise assessment and any other associated assessment will be taken in consultation with the Council's Environmental Health Department.

### Odour, Fumes and Dust

The impact of odours from a proposed development or a proposed development which encroaches on an odour producing development will be a material consideration in the assessment of a planning application. In the majority of cases odour pollution can be managed and mitigated, however in order to establish this, it may be necessary for an odour management plan to be submitted. This will be reviewed in consultation with the Council's Environmental Health Department.

In the case of a hot food establishment introduced into an established commercial and/or residential area this could require filters and positioning of extraction fans/flues to reduce the impact of noise, odour and diminished air quality whilst limits on opening hours might be required to regulate general disturbance at night.

Proposals which generate significant levels of dust should be accompanied by a dust management plan which outlines the measures to be taken in the mitigation and management of dust. Considerations which apply to air quality will, in many cases, apply equally to noise. For instance, where there are high levels of pollution from traffic, there will also tend to be high ambient noise levels. Development should be designed to alleviate the impacts of this. Mitigation measures that alleviate air pollution from traffic will generally also help to reduce noise impacts.

### Air Pollution

Air pollution can have short-term, immediate effects on health, such as wheezing and coughing, and can exacerbate pre-existing conditions. Long-term exposure to air pollutants in the UK shortens tens of thousands of lives every year and reduces average life expectancy by several months.<sup>134</sup> Within the district the primary causes of air pollution are emissions from road traffic, burning of solid fuels (coal, wood, peat) and ammonia emissions from agricultural operations.

There are currently two declared Air Quality Management Areas (AQMA) in the district. The first is Newry (Urban Centre) AQMA which measures nitrogen dioxide (NO<sub>2</sub>). It covers Bridge Street, Mary Street, Canal Street, Water Street, Kilmorey Street and Sandy Street. Nitrogen dioxide comes primarily from burning fossil fuels (traffic sources) and can be a severe respiratory irritant. The second is Newry (Canal Street) AQMA which measures particulate matter (PM<sub>10</sub>) and also covers part of Canal Street, which is in the AQMA for NO<sub>2</sub>.

There are two automatic air quality stations in the district, one is located in Canal Street, Newry (which monitors PM<sub>10</sub> and NO<sub>2</sub>); and the other is located in Downpatrick Market Street (which monitors NO<sub>2</sub>). Information on the data from these stations is available to view by visiting [www.airqualityni.co.uk](http://www.airqualityni.co.uk)

Newry City is a smoke control area within the district. These have been created to help improve local air quality by reducing air pollutants like smoke, sulphur dioxide (SO<sub>2</sub>) and PM<sub>10</sub> from the burning of fossil fuels. Any developments in the smoke control area are required to comply with the need for authorised fuels.

Air pollution is also a key factor in the degradation of surfaces of historical buildings and monuments. Corrosion caused by chemicals and soiling caused by particles can result in irreversible damage to the district's cultural heritage.

The Council will seek to manage and improve air quality through the LDP by the following measures:

- Prioritising active travel within development proposals;
- Integrating development with public transport;
- Supporting the provision of electric vehicle recharging infrastructure to encourage greater use of low carbon vehicles; and
- Utilising renewable and low carbon energy supply systems and apply passive solar design within new buildings.

<sup>134</sup> Public Health England (2018) *Health Matters: Air Pollution*.



### Water Pollution

New development relying on non-mains sewerage may, either individually or cumulatively, increase the risk of groundwater pollution. Consequently, it has the potential to adversely affect the ecology and quality of the water environment, including the district's marine and coastal water environment. Under the Water (Northern Ireland) Order 1999, the consent of the Northern Ireland Environment Agency is required to discharge any trade or sewerage effluent or any other potentially polluting matter from commercial, industrial or domestic premises to waterways or underground strata. Frequently proposals for development relying on non-mains sewerage will seek planning permission prior to submission of their 'Consent to Discharge' application. In these instances the Council must assess whether arrangements for the treatment of effluent are likely to result in a pollution problem. Proposals relying on non-mains sewerage must comply with Policy WW1.

### Overlooking and Overshadowing

The perceived loss of privacy, through the presence of windows and balconies, can have an impact on residential amenity. Development proposals should therefore seek to mitigate such impacts. A degree of overlooking may not necessarily represent an unacceptable adverse impact on residential amenity. This will depend on a number of factors including the extent of the overlooking and the nature of the space being overlooked.

Natural daylight can reduce the need for electric lighting, and sunlight can contribute towards heating requirements through passive solar heating. It can also contribute towards general health and wellbeing. The quality of daylight received by properties adjoining development sites can be severely restricted by buildings or extensions which are too close to the boundary or project too far into the rear gardens.

At design stage it is therefore important to ensure that careful consideration is given to safeguarding access to sunlight and daylight enjoyed by adjoining residential properties. The effect on all rooms, apart from halls, landings, bathrooms and utility rooms will be considered. Where a development would be likely to reduce the amount of light entering the window of a room (other than those indicated above) to an unreasonable degree, planning permission is likely to be refused. The effect of a proposed extension on daylight entering a neighbouring property can be assessed using the 45 and 60 degree angles tests to indicate where a proposal is likely to result in overshadowing of neighbouring properties. Guidance on the application of these tests is set out in the LDP Supplementary Planning Guidance on Residential Extensions and Alterations.

The Building Research Establishment (BRE) guidelines: Site Layout Planning for Daylight and Sunlight A Guide to Good Practice (BR 209) (2011) provides guidance on avoiding unacceptable impacts and sets out non-mandatory targets for levels of daylight and sunlight within existing and proposed development.

### Access, Movement and Parking

Street layouts must be designed to properly connect and integrate with existing street patterns and be able to be easily extended in the future, where appropriate, in order to minimise the need for turning heads and isolated footpaths. The Council will also assess the need for the design of layouts to safeguard access to adjoining lands to ensure that the comprehensive development of a site or future development is not prejudiced. Development proposals should provide for active travel linkages with adjoining built-up areas including public transport connections and provision for buses, and new footpaths and cycleways, linking where possible to the existing or planned networks. Proposals should also incorporate adequate access and turning space for vehicles including those used for emergency and waste collection purposes.

In successful developments streets are designed as places that prioritise people rather than vehicles. Early design choices are therefore critical to putting in place a practical movement network that meets the needs of all its users and in particular the needs of pedestrians, cyclists and those with disabilities and other mobility impairments. This means ensuring that the requirements of motor vehicles do not dominate to the extent that they constrain or are detrimental to the needs of all other groups. Users should be provided with a real choice of movement, so they can choose their own route and mode of transport.

Access and Car parking should be provided in accordance with published standards as set out in regional guidance<sup>135</sup>. Careful consideration should be given to the location of off-street car parking so that it does not undermine the street scene and public realm.

The existing road network should be capable of handling any extra vehicular traffic as a result of the development proposal. The developer may be required to provide improvements through a Section 76 Planning Agreement in order to overcome any road infrastructure problems.

### **Safety and Safeguarding Human Health and Wellbeing**

The design and layout of an area also contributes to how safe it is and feels. The Council wishes to promote safe and welcoming environments which allow full and convenient access for all and are inclusive for people of different abilities. Public spaces must be accessible to all and be designed to accommodate the needs of a wide range of ages and abilities, to ensure that they can easily and comfortably negotiate their way around the development. All spaces should be accessible for those using a wheelchair or with impaired sight or mobility, with dropped kerbs and the use of appropriate, easily negotiable materials. Consideration should be given to all disability groups which can be achieved through consultation with potential future user groups who can provide information essential to the delivery of a successful scheme.

Proposals should be designed to reduce opportunities for crime and anti-social behaviour. Developers and professional advisers should take account of the principles highlighted by Secured by Design<sup>136</sup> at the outset of the development process.

Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space of neighbourhoods. Developments that enhance passive surveillance of the streets by residents within their homes and promote high levels of street activity are desirable as they help to deter criminal activity. Public footpaths which run to the rear of, and provide access to gardens, rear yards or dwellings should be avoided.

The layout and design of developments should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats.

Land that has previous industrial/commercial use(s) or which is situated adjacent to industrial or commercial activities may be potentially affected by contamination. Where developers believe contaminated land issues may arise in respect of their proposal the Council would advise developers to liaise with the Environmental Health Department at an early stage in the design process. When considering how land contamination issues should be addressed developers should also have regard to guidance published by the Department for Agriculture, Environment and Rural Affairs (DAERA)<sup>137</sup>.

Where a site is known or suspected to be contaminated developers will be required to carry out a detailed site investigation to establish the extent of any contamination and to determine the potential for pollution of water, land or harm to human health. As a minimum a Preliminary Risk Assessment should be submitted. The level of information required will be dependent on site specific circumstances. Where a site proves to be contaminated suitable remediation and mitigation measures must be identified.

The Council will normally attach conditions to the grant of any planning approval to ensure that remediation measures are carried out prior to, or as part of the development.

### **Landscape, Seascape and Townscape Character**

It is important that new developments are sited and designed so as to integrate into the landscape and for external appearance of buildings to respect local building traditions. The Council's policy approach to siting, design and respecting local character is set out in detail within Policy SP2 Enhancing Design and Place Shaping.

A Landscape and Visual Impact Assessment (LVIA) should be undertaken in all cases where there is likely to be a significant landscape or seascape impact from a proposal. Impacts on skylines, vistas, panoramas will be important considerations, and these impacts should be identified in relation to sensitive receptors (local residents or communities) as well as the wider landscape/seascape generally.

<sup>135</sup> [www.infrastructure-ni.gov.uk/publications/parking-standards](http://www.infrastructure-ni.gov.uk/publications/parking-standards).

<sup>136</sup> Design Out Crime – a designer's guide: [www.designcouncil.org.uk/sites/default/files/asset/document/designersGuide\\_digital\\_0\\_0.pdf](http://www.designcouncil.org.uk/sites/default/files/asset/document/designersGuide_digital_0_0.pdf).

<sup>137</sup> [www.daera-ni.gov.uk/articles/development-land-potentially-affected-by-contamination](http://www.daera-ni.gov.uk/articles/development-land-potentially-affected-by-contamination).

‘Visualisation’ of the appearance of the proposal can help in the assessment of its landscape impact. This can include contextual plans, elevations and sections; sketches; annotated photographs; wirelines; photomontages; or 3-D simulations. Further information on the use of visualisation techniques is available from the Landscape Institute.<sup>138</sup>

Developments affecting the seascape can include proposals on shore, those within the inter-tidal zone and those in the marine environment. Any development near the coast could potentially impact on the local seascape. If a building or structure would be visible in a coastal context (i.e. visible from coastal locations) or would have a coastal setting, the local seascape character<sup>139</sup> should be taken into account in the design, layout and form of the development from the outset. It should be noted that the Council’s planning jurisdiction only extends to the mean low water mark.

For development proposals in urban areas a Townscape and Visual Impact Assessment (TVIA) may be necessary. This will use similar visualisation techniques to those of the LVIA but will focus on townscape matters i.e. the relationship between built form, street and spaces. The Council will seek to ensure that new development contributes positively to the character of the townscape and reinforces local distinctiveness. Having an understanding of the intrinsic character and qualities of an area

can help to guide the design, scale, massing and type of development that can be accommodated.

### **The Historic Environment and Natural Heritage**

New development must be respectful of the built legacy of the past in order to uphold the character and quality of the district for the future. Heritage assets include a wide variety of designated and non-designated features. Some are protected by law and cannot be materially altered without consent e.g. listed buildings and scheduled archaeological sites and monuments. This statutory protection places a legal duty on the Council to seek to protect, conserve and where possible enhance the significance of such assets and their settings. A development proposal affecting a designated heritage asset will be required to demonstrate how it has taken into account the significance of the asset and its setting. Non-designated heritage assets include non-listed vernacular buildings and locally important buildings<sup>140</sup>. In weighing applications which directly or indirectly affect non-designated heritage assets, the Council will apply a balanced judgement having regard to the scale of harm or loss and the significance of the non-designated heritage asset.

In its decision making, the Council will be guided by the precautionary approach when there are considered to be significant risks of damage to the environment. Development proposals

should comply with the principles of protection and enhancement of natural heritage, particularly those sites designated as being of international, national and local importance.

Development proposals should consider opportunities to conserve and enhance biodiversity and geodiversity and contribute to habitat connectivity in the wider area. Land use change, pollution (water and air), poor water quality, chemical and waste contamination all contribute to biodiversity loss. Where biodiversity impacts are considered to be unavoidable, the Council will expect all biodiversity features affected to be compensated for together with measures to secure biodiversity net gain. For development proposals where there is no demonstrable impact on biodiversity, the Council will encourage developers to include positive measures for biodiversity.

Biodiversity net gain is both an approach and an outcome whereby all new developments consider the environmental impact of the development and aim to ensure that habitats are left in a better state than before. This may include an increase in natural habitats and ecological features over time, which goes over and above the environmental habitat originally on site. It relies on the application of the mitigation hierarchy to first avoid, mitigate or compensate for biodiversity losses, before measures that will provide a biodiversity net gain can be identified.

<sup>138</sup> *Guidelines for Landscape and Visual Impact Assessment (Third Edition)* (Landscape Institute and Institute of Environment Management and Assessment April 2013).

<sup>139</sup> *Northern Ireland Regional Seascape Character Assessment* - [www.daera-ni.gov.uk/publications/northern-ireland-regional-seascape-character-assessment](http://www.daera-ni.gov.uk/publications/northern-ireland-regional-seascape-character-assessment).

<sup>140</sup> See glossary for definition of vernacular and locally important buildings.



The biodiversity mitigation hierarchy should be used in the design phase to help avoid biodiversity losses, reduce impacts and make it easier to achieve the required amount of biodiversity net gain. Applying biodiversity net gain is not an alternative to the application of the mitigation hierarchy, it is essential that a developer does everything possible to first avoid and then minimise impacts on biodiversity. Only as a last resort, and in agreement with the Council, should they compensate for losses that cannot be avoided.

Measures that can assist with biodiversity net gain may include the creation of new habitats, enhancing existing habitats, providing green roofs, green walls, street trees or sustainable drainage systems. Relatively small features can often achieve important benefits for wildlife, such as incorporating swift bricks and bat boxes in developments and providing safe routes for hedgehogs between different areas of habitat.

UNESCO Global Geopark status was awarded to the Mourne, Gullion and Strangford area in May 2023 in recognition of its internationally significant geological heritage and the landscape quality of the district's three AONBs. The Council will seek to protect sites of geodiversity value and, where possible, enhance in line with the LDP objectives. Where relevant, development proposals should make a positive contribution to the protection of geodiversity and where opportunities exist, enhance sites of geological value commensurate with their importance. Reuse of vernacular

and locally important buildings, and the retention of landscape features can contribute to the enhancement of the landscape character and bring biodiversity benefits.

The Council will seek to ensure that development proposals do not have an adverse impact on the district's marine environment. The marine environment includes the amenity of marine or coastal areas (seascape), features of archaeological or historic interest in those areas (marine historic environment) and flora and fauna which are dependent on, or associated with, a marine or coastal environment (marine natural environment).

### Infrastructure

New development should be coordinated with the provision of appropriate infrastructure to support the development. The Council will require that there is adequate infrastructure to serve developments and will work with infrastructure providers and stakeholders to identify requirements. These may subsequently be secured through the use of planning conditions and agreements as appropriate.

The Council will take into consideration the nature, scale and location of the proposed development, and where the need arises from the development either because of its individual or cumulative impact, will seek appropriate, compensatory or mitigatory measures to secure the necessary infrastructure, or improvements to the proposals submitted to enable the development to proceed.

The Council will seek to ensure that the adequate wastewater infrastructure will be in place to serve the proposed development. Consultation with NI Water will be undertaken by the Council as part of the assessment of development proposals.

A number of the settlements across the district are experiencing wastewater capacity issues both in terms of the wastewater treatment works and the associated sewerage network. A programme of investment is planned across the district as part of NI Water's PC21<sup>141</sup> Business Plan (April 2021 – March 2027), this will seek to address a number of these capacity issues. The Council would recommend early engagement with NI Water in the design process to determine the impact of any Wastewater Treatment Works (WwTW) capacity issues and to consider alternative measures to ease pressure on the water and wastewater infrastructure. NI Water provide a pre-development enquiry service to assist those involved in multi-unit residential and commercial schemes<sup>142</sup>.

Where connection to mains sewerage is not possible due to capacity issues, or no mains sewerage being available, development proposals must clearly demonstrate how sewerage treatment will be addressed. Developments that require a non-mains sewerage solution have the potential to increase the risk of groundwater pollution and so impact on ecology and water quality. Non-mains sewerage should be sited away from private water supplies with a recommended buffer zone of 50m implemented to mitigate against

<sup>141</sup> [www.niwater.com/price-control](http://www.niwater.com/price-control).

<sup>142</sup> [www.niwater.com/services-for-developers/pre-development-enquiry-multi-unit-developments-and-commercial](http://www.niwater.com/services-for-developers/pre-development-enquiry-multi-unit-developments-and-commercial).

potential contamination. Non-mains sewerage installations should also be located at least 15 metres away from any dwelling and soakaways should not drain across the curtilage of neighbouring property.

### Impact Assessments

The Council will require developers to provide relevant impact assessments where this is necessary to allow proper consideration of the impacts of the proposals and any mitigation measures required.

The following list, which is not exhaustive, outlines some of the more commonly required assessments along with associated Plan Strategy policy provision and guidance where the assessment is specific to a particular policy area:

- Environmental Impact Assessment;<sup>143</sup>
- Shadow Habitats Regulation Assessment;<sup>144</sup>
- Transport Assessment (see Policy TRA6);
- Flood Risk Assessment and/or Drainage Assessment (see Policies FRD1-FRD6);
- Vulnerability Assessment (see Policy DAR1);
- Contaminated Lands Assessment;
- Landscape/Townscape and Visual Impact Assessment;
- Noise Assessment;
- Lighting Impact Assessment/ Obtrusive Light Assessment;
- Air Quality Assessment;
- Ecological Appraisal/Assessment (see Policy NH2); and
- Retail Impact Assessment (see Policy RET3).

### Marine Legislative Requirements

The Marine Act (NI) 2013 and the Marine and Coastal Access Act (2009) require the Council as a public authority to make decisions in accordance with appropriate marine policy documents. Consequently, where development proposals affect, or might affect, the whole or any part of the district's marine area, the Council will make its decision in accordance with the UK Marine Policy Statement and draft Marine Plan for Northern Ireland.<sup>145</sup>

<sup>143</sup> Thresholds set out in Schedule 1&2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.

<sup>144</sup> Under Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 it is the responsibility of a competent authority to conduct a HRA. However a 'Shadow' HRA can be undertaken and submitted by the applicant to support the planning application.

<sup>145</sup> The Marine Plan for Northern Ireland is currently in draft form.

# Social:

## Accommodating People, Creating Quality Places and Improving Health and Wellbeing



# 1 Housing in Settlements

## Policy HOU1 Quality in Residential Development

Planning permission will be granted for residential development, including the redevelopment of existing buildings or the infilling of vacant sites (including extended garden areas) to accommodate housing where it is demonstrated that the proposal will create a quality and sustainable residential environment and meet the following criteria:

- a The development respects the character, environmental quality and surrounding context by creating a local identity and distinctiveness (see Strategic Policy SP2);
- b The development creates a sense of place and avoids town cramming (see Strategic Policy SP2);
- 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 alongside boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area; (see Policy SP2);
- d Adequate provision is made for all necessary supportive infrastructure and local neighbourhood facilities to be provided by the developer as an integral part of the development (see Policies TCU2 and CF1);
- e The design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed amenity. In established residential areas this includes the redevelopment of existing buildings or the infilling of vacant sites including backland development and extended garden areas (see Strategic Policy SP2);
- f All dwelling units and apartments area built to a size not less than those space standards set out in the LDP Supplementary Planning Guidance;
- g The proposed density is appropriate to the character of the area and respects the established residential area. On larger sites a range of densities, building forms and a mix of house types will be required to help enhance quality and sustainability (see Policy HOU6); and

- h Optimise design, layout and orientation of proposals to minimise energy use for all developments. Development classed as major should include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources, unless it can be demonstrated that it would threaten the viability of the development (see Strategic Policy SP1 and Policy RE2).

In addition to the above criteria, new residential developments within Conservation Areas and Areas of Townscape Character will also be required to maintain or enhance their distinctive character and appearance. In the primarily residential parts of these designated areas proposals involving intensification of site coverage will only be permitted in exceptional circumstances (see Policies HE11 and HE13).

## Justification and Amplification

The Council wishes to secure high-quality design, layout and landscaping in all new housing developments to ensure more attractive and sustainable residential environments for present and future generations throughout the district. This emphasis on quality and sustainability means that these matters are considered as important as the suitability of the site in deciding whether to grant planning permission.

Proposals should meet the requirements of the Council's design policy as set out in Strategic Policy SP2 Enhancing Design and Place Shaping. To ensure high-quality design additional guidance is set out in the LDP Supplementary Planning Guidance and DfI Supplementary Planning Guidance 'Living Places – An Urban Stewardship and Design Guide' and 'Creating Places – Achieving Quality in Residential Environments' which should be taken into account when assessing proposals. Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted.

A new development will normally be required to be appropriate in use and sensitive in siting, scale, layout, design and materials both in itself and in relation to adjoining buildings, spaces and views. The main concern is to ensure that development proposals neither conflict with or detract from the character, amenity and design of an area.

Quality design also entails variety and contrast within developments, in layout, in boundaries and planting, and in adapting the buildings and spaces around them, to enhance local distinctiveness. It encourages pedestrian and cycle movements, makes provision for increased use of public transport, promotes biodiversity and encourages wildlife, integrates open space and, where necessary, accommodates local neighbourhood facilities.

Quality design will help allow residents to develop a sense of ownership for new housing areas. In larger developments this can be a particular problem, and these should be divided into smaller neighbourhoods, each with its own character and easy access to necessary amenities and other uses.

### Site Context

Proposals for new residential development must take account of the specific circumstances of each site. The Council will expect developers in preparing layouts to have greater regard to the site context, in particular the characteristics of land form and the townscape or landscape setting, and the need for these elements to be integrated into the overall design concept. Understanding the landform and topography of an area is essential to ensuring the development can fit into the wider context (see Strategic Policy SP2 Enhancing Design and Place Shaping). The design for a housing development should seek to reinforce and evolve local characteristics that are considered positive and attractive, while those urban design features that undermine the overall character of an area should not be replicated or used as a precedent.

The Council considers that analysis of context is particularly important for infill housing, backland development or redevelopment schemes in established residential areas. While such development can usefully contribute to housing supply, great care will be needed to ensure that the individual or cumulative effects of such development proposals do not significantly erode the character and amenity of existing areas, for example through inappropriate design or overdevelopment. Although the majority of residential areas do not have the distinctive character of Conservation Areas or Areas of Townscape Character, this does not mean that their quality of residential environment is unimportant. It will often be of great and legitimate concern to local residents. In assessing housing proposals in established residential areas, the Council will therefore need to be satisfied that unacceptable harm will not be caused to the local character, environmental quality or residential amenity of the area. Particular account will be taken of the spacing between buildings, the safeguarding of privacy, the scale and massing of buildings, the use of materials, impact on existing vegetation and landscape design.

In assessing housing proposals in Conservation Areas and Areas of Townscape Character, the protection of the existing character and distinctive qualities of the area will be paramount. Notwithstanding the Council's policy to promote more housing within urban areas, proposals in the primarily residential parts of these designated areas which involve intensification of site usage or site coverage will

not normally be acceptable. Such proposals usually involve demolition, plot subdivision or plot amalgamation which can be particularly detrimental to their character and appearance.

Proposals involving intensification in these areas will only be permitted subject to Policy HE11.

In order to achieve quality residential developments, certain types of development<sup>146</sup> will require the submission of a Design and Access Statement (D&AS) which will be taken into account during the assessment of the development proposal. A D&AS provides a framework for applicants to explain how a proposed development is a suitable response to the site and its setting, and that it can be adequately accessed by prospective users.

### Site Characteristics

Particular care will be necessary in preparing layout proposals on sloping sites in order to minimise the impact of differences in levels between adjoining properties, existing or proposed. The use of prominent retaining walls within and at the margins of sloping sites will be unacceptable. In such cases, the Council is only likely to accept low density development which would entail minimal works of excavation. Developers may also wish to consider the use of specific house designs which respect topography, such as split-level dwellings. Where changes in ground level between buildings are unavoidable, the Council will generally expect these to be accommodated by the use of planted banks. In all cases developers will need to demonstrate that their proposals

will avoid significant overshadowing, overlooking and loss of privacy.

### Layout Considerations

The design of house types and other buildings, the relationship between them, their relationship to streets and the spaces created around them will all strongly influence the character of the overall site and its surroundings and contribute significantly to the quality and identity of the new residential environment.

Many housing developments in recent years have been designed with little appreciation for local character or a sense of place and have tended to be dominated by roads considerations. Many have also failed to take account of the need to present an attractive outlook. Too often properties have backed onto nearby roads or other public areas and created unsightly views.

All buildings should be located and orientated to front onto existing and proposed roads to present an attractive outlook. The Council will also expect to see greater variety introduced into schemes so that the spaces between houses include tree-lined avenues, crescents, mews, courtyards, lanes and greens.

Orientation, layout and location on site will also aid in mitigating against climate change by helping to lessen energy consumption and reducing carbon emissions. Orientation and layout will also be influenced by topography and the site's relationship with existing development, the location of shade associated with

existing neighbouring buildings and/or existing vegetation. Housing developments should therefore be designed in such a way that they are responsible for fewer greenhouse gas emissions and planned to manage the impacts of climate change.

### Local Neighbourhood Facilities

The provision of local facilities within residential development is one of the means to increase vitality, provide a sense of community, and enhance the social and economic sustainability of the development. Large scale housing schemes must provide necessary services and community infrastructure to enable new growth to be satisfactorily accommodated. The need for local neighbourhood facilities to be provided in conjunction with proposals for new residential development will be assessed by the Council in consultation with relevant bodies, generally as part of the development plan process, through key site requirements at the Local Policies Plan stage. Where such a need is identified it will be a requirement that the developer provides for this need as an integral part of the development.

Ensuring developments have all necessary supportive infrastructure along with local neighbourhood/ community facilities such as schools, crèches, surgeries, local shops and play facilities will be important in establishing high-quality successful residential areas. Where these are required, they should be incorporated into the overall design and layout of the development, designed to a high standard and located to provide focal

<sup>146</sup> A major development or where part of the development is in a designated area and the development consists of one or more dwellings or the provision of a building/s where the floor space created is 100m<sup>2</sup> or more.



points and landmark features. The location and design of such facilities should also respect the amenities of proposed and existing housing.

The Council is aware that the provision of local facilities and community buildings may impose additional costs on developers. However, the Council considers it reasonable to expect that developers will contribute to the cost of provision of necessary facilities and/or set land aside for development and use by the local community. This may entail developers and landowners entering into a Section 76 Planning Agreement with the Council.

### Density

The promotion of increased density in housing developments aims to achieve a more sustainable form of development by encouraging compact urban forms and promoting more housing within existing urban areas.

Town cramming can be avoided by applying appropriate densities to new development appropriate to the scale and design of the settlement along with consideration to the surrounding context and local setting.

On zoned housing land key site requirements may indicate a density requirement or a specific number of dwellings to be provided. Where this is not the case, the Council will have regard to the location of the proposal in relation to its context and the overall quality of the residential

environment to be created. In town and city centres or on sites which benefit from high accessibility to public transport facilities, where a high-quality and frequent service is available, higher density development, such as apartments or town houses, may be acceptable. In established residential areas, however, great care must be taken that development or redevelopment schemes do not unacceptably harm the local character, environmental quality or amenity of such areas.

On greenfield sites innovative layouts and higher density schemes will be encouraged where they will provide an attractive contrast to existing urban form and where it can be demonstrated that they will not detract from the residential amenity of adjoining developed areas. Site characteristics, the need to preserve existing site features and vegetation and the space requirements for the provision of communal open areas will all influence development densities. On large sites a range of densities, building forms and a mix of house types will be required to help enhance quality and sustainability. In all cases however the overdevelopment of sites will not be acceptable.

To protect the distinctive townscape characteristics of Conservation Areas and Areas of Townscape Character, an increase in housing density will not normally be acceptable (see Policy HE11).

### Landscape Design

The Council attaches particular importance to using 'greening' to raise the quality of residential development and assist in the promotion of biodiversity. As already indicated, existing landscape features such as streams, hedgerows or trees should be identified and, where appropriate, retained and suitably integrated into developments, together with the provision of adequate open space in their vicinity to ensure they and their visual setting are protected. Where existing trees are removed the Council will expect the layout to include proposals for compensatory tree planting.

### Public Open Space

Regard should always be given to ways of integrating pleasant, attractive and landscaped areas of public open space, including children's play spaces, as an intrinsic element of any new residential development to meet the needs generated by that development. Open space not only has recreational and social value but is also considered vital to the overall design quality of the development. It can help promote biodiversity and contributes to the creation of an attractive, sustainable and varied residential environment, helping to 'green' an area, soften any environmental impact and foster a sense of community. All open space areas should be suitably located, proportioned and planted. Narrow or peripheral tracts which are difficult to manage will not be acceptable. Further information on the Council's policy on provision of public open space in new residential development can be found in Policy OS2.

### Private Open Space

Well-designed space around buildings can add greatly to the attractiveness of a development, especially where the principles of defensible space are applied. A variety of garden sizes and usable open spaces will promote diversity and give greater choice for potential residents. Developers should therefore make adequate provision for private open space in the form of gardens, patios, balconies or terraces, depending on the characteristics of the development proposed and the surrounding context. All houses will need to provide some in-curtilage open space. The provision of adequate private garden space is particularly important for new family dwellings – generally dwellings with 3 or more bedrooms.

Back garden provision should be calculated as an average space standard for the development as a whole and should be around 70 sqm per house or greater. Garden sizes larger than the average will generally suit dwellings designed for use by families, while smaller areas will be more appropriate for houses with 1 or 2 bedrooms or houses located opposite or adjacent to public or communal open space. For any individual house however an area less than around 40 sqm will generally be unacceptable.

For apartment or flat developments private communal open space may be acceptable provided in the form of landscaped areas, courtyards or roof gardens where appropriate management arrangements are agreed. These should range from a minimum of 10 sqm per unit to around 30 sqm per unit.

### Supportive Infrastructure

To ensure all proposed housing is habitable they will require essential infrastructure including water, wastewater, energy and telecommunications connections. Developers remain responsible for ensuring that all housing is connected to all necessary services and infrastructure before it is released onto the market. The scale and complexity of the work required will vary by location and the size of the development. This process may involve connecting to an existing network or require the upgrading of a network to enable the connection of site-specific infrastructure to maintain the required service.

Development proposals should incorporate renewable and low carbon energy supply systems (see Strategic Policy SP1 and Policy RE2). It is also important to ensure that new developments in the district are future proofed for connection or upgrading of existing services. Telecommunications requirements should be fully considered at the design stage, and the Council will require submission of a utilities plan indicating the necessary services ducting (see Policy TCU2).

Housing developers therefore need to engage with the planning authority and infrastructure providers to understand and plan for the requirements needed to support a new development.

### Privacy

The protection of the privacy of the occupants of residential properties is an important element of the quality of a residential environment. It is a particularly important consideration where new development is proposed adjacent to existing properties. Proposals should therefore seek to provide reasonable space between buildings in order to minimise overlooking. This will also assist in providing acceptable levels of daylight to properties.

### Separation Distances

Well-designed developments should seek to minimise overlooking between dwellings and provide adequate separation distances. Normally a minimum distance of 20m between the opposing rear habitable windows of new housing is generally acceptable with a minimum of 10m between the rear of new dwellings and the common boundary. Greater care will need to be taken where new residential schemes, such as apartments include living rooms or balconies on upper floors as this can cause a significant loss of amenity to adjoining dwellings.

Separation distances considered appropriate will vary according to the location, context and characteristics of the site with smaller separation distances normally being achievable within town centres.

### Demolition and Redevelopment in Established Residential Areas<sup>147</sup>

The majority of established residential areas, villages and smaller settlements do not have the distinctive character of Conservation Areas (CAs) or Areas of Townscape Character (ATCs). However, existing policy emphasises that this does not mean that their quality of residential environment is unimportant. These areas too can be vulnerable to changes in their physical environment particularly from the redevelopment of existing houses and development on infill sites at higher densities than that of the surrounding area. The Council therefore wishes to continue to ensure that future housing development in such areas is also carefully controlled.

Demolition and redevelopment are however generally considered to be the least attractive option for residential intensification. Accordingly, proposals for the sympathetic re-use of existing buildings, as opposed to proposals involving demolition and redevelopment will continue to be looked at more favourably.

### Backland Development

There is the potential in appropriate circumstances to integrate new residential development into backland areas to produce a high-quality residential environment. Further detail on backland development is set out in the LDP Supplementary Planning Guidance.

### Infilling of Vacant Sites

Infill housing in established residential areas will not always be appropriate, particularly in many older residential areas with distinctive townscapes. Intensifying the scale and massing of

buildings in such areas can adversely affect local character and lead to a loss of valued open garden spaces, mature trees and shrubs. When combined with the impact of ancillary activities such as car parking and refuse storage, such development can undermine the qualities that people value and damage the historic environment.

### Space Standards

The minimum space standards (see the LDP Supplementary Planning Guidance) are intended to promote a quality residential environment for residents and are suitable for use across all tenures. These standards should be taken into account when assessing all development proposals, in particular apartment developments and small residential properties. They set out the requirements for the gross internal floor area and are required to ensure quality residential environment.

### Renewable Energy Requirement

Innovative design and layouts can achieve greater energy efficiency through the orientation of buildings to maximise passive solar gain and the use of renewable and low carbon energy technologies and sustainable construction techniques.

Consideration should be given to the installation of renewable and low carbon technologies in order to provide a reduction in carbon dioxide emissions (see Strategic Policy SP1). The adoption of sustainable building practices and the integration of renewable energy technology including micro-generation and passive solar design into new developments will be supported (see Policy RE2).

### Public and Private Water Supplies

**Public Water Supplies:** Consultation with the primary water undertaker Northern Ireland Water Ltd (NI Water) is routinely encouraged as all catchments are considered Drinking Water Protection Areas (DWPAs) under Article 7 of the Water Framework Directive. The nationwide basins are utilised by NI Water to provide the public supply of water. Consideration should be given to the location of any infrastructure and protection of DWPAs. If drinking sources could be impacted, mitigation actions must be provided to ensure quality and sufficiency of supply. Consultation with NIW is also encouraged from an early stage for any development, urban or rural, to establish capability of the public water system infrastructure if required.

**Private Water Supplies:** A development must not impact on either the quality or sufficiency of a private water supply, and mitigation measures must be put in place, where required, in the protection of such drinking water supplies. Therefore, dependent on the scale, type, location and potential impacts the proposal may have on such supplies the developer should, if appropriate, undertake a scoping access to determine the location of any private water supplies.

<sup>147</sup> A definition of an established residential area is contained in the LDP Supplementary Planning Guidance (SPG).



# Policy HOU2

## Design Concept Statements and Concept Masterplans

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

**A Concept Master Plan will be required for planning applications involving:**

- a 50 dwellings or more; or
- b The development, in part or full, of sites of 2ha or more zoned for housing in the Local Development Plan; or
- c Residential development on any other site of 2ha or more.

**In the case of proposals for the partial development of a site zoned for housing the Concept Master Plan will be expected to demonstrate how the comprehensive planning of the entire zoned area is to be undertaken.**

**Any proposal for housing that would result in unsatisfactory piecemeal development will not be permitted, even on land identified for residential use in the Local Development Plan.**

### Justification and Amplification

The submission of Design Concept Statements or, where appropriate, Concept Master Plans are necessary to demonstrate how the proposed scheme has taken account of the main features of the site and its context along with how it will meet the criteria set out in Policy HOU1. These statements will be required to accompany outline and full applications for residential development, to show how the developer will deliver a quality residential environment on a particular site.

It will indicate how the design concept has evolved and provide a clear idea of what is intended for the site without the need for fully detailed plans. Without the submission of this information at outline stage the Council considers that a satisfactory layout and design that meets acceptable quality standards cannot be guaranteed.

A Design and Access Statement may also be required for residential development in accordance with Article 6(1) of the Planning (General Development Procedure) Order (Northern Ireland) 2015. Where a Design and Access Statement is required, it will be sufficient to incorporate this into a Design Concept Statement.

Quality design proposals should emerge from a careful analysis of the site's surrounding context and the specific characteristics of the site itself. The Council will expect to see a clear demonstration of the design thinking behind the scheme and how this has developed from the analysis. Pre-application discussions with the

Council can be helpful when this analysis has been completed, and design options are being evaluated. Following this, discussions with other bodies, including government departments/statutory consultees and local community representatives and groups, may also be useful. All such discussions can help avoid unnecessary or abortive work.

### Design Concept Statements

The Statement should outline in writing the overall design concept and objectives for the site and include an indicative concept plan, based on the appraisal of the site and its context. The amount of information and level of detail required will depend on the nature, scale and location of the proposed development. Where necessary the Statement should also address any local design considerations identified in the Local Development Plan or any supplementary planning guidance and provide information on any improvements to infrastructure required to facilitate the proposed development.

The comprehensive planning of new or extended housing areas is considered to be of vital importance in pursuit of an improved quality standard. Proposals for residential developments should focus on a network of spaces rather than a hierarchy of roads and encourage connectivity by providing linkages with neighbouring developments and areas of existing open space, to ensure the creation of a distinctive overall sense of place. Piecemeal development may result in the undesirable fragmentation of a new neighbourhood and fail to secure the proper phasing of development with associated infrastructure and facilities.

The Council would encourage land pooling by owners and developers to facilitate the comprehensive development of residential sites. Where this cannot be achieved, and comprehensive development of the site would be prejudiced, the Council will refuse the application.

A Design Concept Statement will include some, or all of the following:

- An appraisal of the site context highlighting those features in the vicinity of the site which influence the design of the scheme;
- An appraisal of the characteristics of the site - identifying features within the site and how they influence the design of the scheme. This should include landscape features, an analysis of existing flora and fauna and the location of any archaeological or historic environment features or sites of nature conservation importance;
- An indicative layout of the proposed scheme including for example the siting of buildings, existing and proposed public transport facilities, pedestrian and cycle routes, the layout of streets, access arrangements and traffic calming measures proposed;
- Sketch details of the design of buildings;
- A comprehensive and readily understood structure to the open space and landscape elements of the scheme including proposals for subsequent management and maintenance; and
- The type and location of any necessary local neighbourhood facilities.

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

### Concept Master Plans

Major housing developments<sup>148</sup> of 50 units or more will require a detailed Concept Master Plan, possibly phased implementation along with normally requiring the signing of a Section 76 Planning Agreement (see Strategic Policy SP3). The concept master plan will need to indicate in graphic form a scheme for the comprehensive development of the whole area, and include a written statement, detailed appraisals, sketches, plans and other illustrative materials to address all of the relevant matters set out in this policy and any supplementary planning guidance.

Section 76 Planning Agreements between the Council and developers may be necessary for major housing schemes, and some smaller developments. Such agreements secure infrastructure needed as a result of the development, for example necessary community facilities or the provision of open space and its long-term maintenance. Planning Agreements need to be entered into prior to permissions being issued to ensure that necessary facilities and works are provided and to help guarantee the quality of development.

Developers shall be expected to comply with Strategic Policy SP3 Developer Contributions and Planning Agreements and the related framework document where necessary.

### Additional Information

Advice and guidance on site appraisal and the type of information that will be required to accompany Concept Master Plans and Design Concept Statements is contained in 'Creating Places - Achieving Quality in Residential Developments' and 'Living Places - An Urban Stewardship and Design Guide for Northern Ireland'. The use of Pre-Application Discussions (PADs) and Pre-Application Notices (PANs) will assist developers to achieve quality design at an early stage.

The submission of a Design Concept Statement or a Concept Master Plan will not preclude the need for other detailed assessments or information in support of a planning application, for example a Transport Assessment or an Environmental Impact Assessment.

Where the Council grants outline planning permission for residential development based on indicative plans, a condition will be imposed requiring that any reserved matters application be based broadly on such plans.

<sup>148</sup> Major developments as set out in the Planning (Development Management) Regulation (Northern Ireland) 2015.

# Policy HOU3

## Residential Extensions and Alterations

Planning permission will be granted for a proposal to extend or alter a residential property, including those located in the countryside, where all of the following criteria are met:

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

Proposals to extend or alter other residential uses, such as residential/ nursing homes, hostels and holiday accommodation, as well as proposals to develop ancillary accommodation (within existing residential units), are also required to meet the above criteria.

### Justification and Amplification

The Council wishes to encourage the highest standard of design for all development, including proposals for residential extensions and alterations. Good design will help promote sustainable development and improve the quality of the existing environment. It should also afford appropriate protection of residential amenity.

A proposal to extend or alter a residential property can have a significant impact on the character and appearance of the local environment. The main causes of harm arise where an extension is poorly designed, oversized or badly sited or where inappropriate alterations are proposed. Even small-scale changes can, by virtue of their cumulative impact over a period of time, significantly erode the character of a street, village or rural setting. An extension or alteration can also affect the privacy and amenities enjoyed by neighbouring households, with issues such as dominance, privacy and loss of light often arising.

Applications for house extensions and alterations therefore raise detailed, site-specific issues and each case will be assessed on its individual merits. The acceptability of proposals will depend on the particular circumstances on the site and its surroundings and decisions will be informed by any supplementary planning guidance.

The overall aim is to encourage high-quality design solutions. The design approach which is most commonly followed, is for extensions and

alterations to tie in with the style, design, and materials of the existing property. However, the Council does not wish to stifle or dismiss an innovative, contemporary design solution and this will be acceptable where the proposal complements the host property and respects its wider surroundings.

### Sustainable Design

In promoting good design for residential alterations and extensions, the Council will encourage proposals which incorporate features intended to maximise sustainability and energy efficiency, including the use of renewable and low carbon energy sources, such as solar panels.

### Landscape

The Council will resist proposals for extensions or other ancillary buildings that would result in the loss of significant local landscape features, in particular trees which are the subject of a Tree Preservation Order, or which contribute to areas designated for their townscape or heritage importance. In other cases, where proposals impact on local landscape or seascape features, the Council will normally seek the provision of compensatory planting to mitigate against the loss of local environmental quality and assist in the promotion of biodiversity.

Garden sizes, in particular rear gardens, should be sufficient to provide outdoor recreational space and space for storage. Development proposals which therefore involve a reduction in rear garden space must ensure that an adequate level of private amenity space remains.



### **Ancillary Accommodation and People with Disabilities**

There may be occasions when people wish to provide ancillary accommodation to provide additional living space for elderly relatives or to meet a variety of other personal and domestic circumstances including people with disabilities. If imaginative and innovative design approaches are fully explored, the Council believes it is generally possible to provide a satisfactory solution in line with the policy. The specific needs of a person with a disability are however an important material consideration and exceptionally the policy criteria may be relaxed to meet these needs.

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

Where an extension to the existing house is not practicable and it is proposed to convert and extend an existing outbuilding, planning permission will normally depend on the development providing a modest scale of accommodation. The purpose of this is to ensure the use of the building as part of the main dwelling. The construction of a separate building, as self-contained accommodation, within the curtilage of an existing dwelling house will not be acceptable, unless a separate dwelling would be

granted permission in its own right. Other proposals for ancillary residential use which are clearly incidental to the enjoyment of the property, such as a garden room or a gazebo, will be treated on their merits within the terms of the policy.

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

### **Rural Design**

Care will be needed to ensure that a proposal to extend or alter a dwelling in the countryside is sensitive to its setting within the rural landscape. This is particularly important in the district's three AONBs and other designated areas. Within such designations it must be demonstrated that the proposed development will enhance or maintain the character of the landscape through the siting, massing, shape, design, finishes and landscaping of the proposal. In addition, the proposal should accord with any relevant local design guidance.

### **Heritage**

In assessing planning applications for residential extensions and/or alterations in Conservation Areas, Areas

of Townscape Character and those affecting Listed Buildings, the Council will also consider the relevant policies contained within Part 2 of the LDP (in respect of the Historic Environment and Natural Heritage) together with any policy or advice contained in the relevant local design guide.

Careful consideration must be given to the overall design of these buildings with great importance also placed on the building materials used. While re-use or recycling of materials can be appropriate, complementary materials may be suitable where the extension or alterations can be easily read as being different to the original building. Careful consideration should also be given to the scale and design details to ensure that any new extension does not dominate or over-power the existing building. The positioning, shape, proportion and style of windows, doors and other features should also complement the existing property and respect the character and appearance of the surrounding area.

### **Domestic Curtilage**

While each individual case must be assessed on its own merits, domestic curtilage will mean the immediate, usually defined and enclosed area surrounding an existing or former dwelling house.

The LDP Supplementary Planning Guidance for Residential Extensions and Alterations will be considered when assessing proposals against the above criteria.

# Policy HOU4

## Conversion or Change of Use of Existing Buildings to Flats or Apartments

Planning permission will only be granted for the conversion or change of use of existing buildings to flats or apartments (including living over the shop and those for houses in multiple occupation<sup>149</sup>) where all the criteria set out in Policy HOU1, and all the additional criteria below are met:

- There is no adverse effect on the local character, environmental quality, or residential amenity of the surrounding area;
- The proposal maintains or enhances the form, character and architectural features, design and setting of the existing building;
- The original property is greater than 150 square metres gross internal floorspace;
- All flats or apartments (with the exception of Houses in Multiple Occupation (HMOs) are self-contained (i.e. having separate bathroom, WC and kitchen available for use only by the occupiers);
- The development does not contain any flat or apartment which is wholly in the rear of the property and without access to the public street;
- There is adequate provision for waste and recycling storage areas that are designed to safeguard amenity; and
- Proposals above shops and other business premises do not prejudice the operations of any commercial business below.

### Justification and Amplification

The conversion and reuse of existing buildings for flats or apartments and development or redevelopment of flats/apartments and residential uses above shops and other business premises is consistent with achieving more sustainable patterns of residential development and makes an important contribution to meeting the varied housing needs of the whole community, assists with the creation of balanced communities, and can and also support urban regeneration by reusing buildings.

Conversion or the intensification of existing buildings to residential use may have negative impacts on local character, amenity space, or privacy of existing buildings. Consideration must therefore be given to all adjacent properties along with maintaining the overall character and environmental quality of the area. An assessment of the potential cumulative impact to the neighbourhood/area must also be considered.

The overall aim is to ensure converted buildings sympathetically harmonise with adjacent properties and maintain or enhance the overall character and environmental quality of existing residential areas. In determining applications full account will be taken of the potentially damaging effect of cumulative changes in neighbourhood by which proposals, although not

detrimental in isolation, could be judged to be detrimental when considered alongside other recently approved developments. This policy therefore seeks to protect the amenity and privacy of existing residents.

To ensure that individual dwellings are appropriate for conversion, a minimum size limit is placed on dwellings which will be permitted for conversion to flats or apartments. At some locations within designated city and town centres, along key and link corridors and sites adjacent to main transportation nodes, the conversion of existing buildings to flats or apartments may be appropriate where an existing property is less than 150m<sup>2</sup> gross internal floorspace.

Amenity space is an essential part of the character and quality of the environment of residential properties. It is important therefore to ensure, when bringing forward a proposal to convert an existing dwelling to apartments that adequate amenity space remains. The level of private open space for new residential property is detailed in the 'Creating Places' design guide and set out in Policy HOU1.

Any proposals involving extensions are required to be consistent with Policy HOU3 for achieving quality in relation to proposals for residential extensions and alterations. In addition, the Council will need to be satisfied that any extension will:

<sup>149</sup> A House in Multiple Occupation (HMO) is defined by the Houses in Multiple Occupation Act (Northern Ireland) 2016 ([www.legislation.gov.uk/nia/2016/22/contents](http://www.legislation.gov.uk/nia/2016/22/contents)).

- Harmonise with the existing dwelling in scale, style and the use of materials;
- Not be detrimental to the amenities of adjoining properties, particularly in terms of privacy and their right to light;
- Not overdevelop the site in terms of mass or density, as this can contribute to the loss of character of existing residences; and
- Retain an acceptable proportion of amenity space to the built form.

The conversion and reuse of existing buildings for residential use above shops and other business premises is consistent with achieving more sustainable forms of residential development and makes an important contribution to meeting the varied housing needs of the whole community, assists with the creation of balanced communities, and can also support urban regeneration by reusing redundant or derelict buildings.

‘Living Over the Shop’ brings many social and economic benefits and is a cost-effective means of accommodating additional high-density housing which can provide further choice to the housing mix and can help to contribute to the supply of affordable housing. Underused or wasted space is brought back into use and the fabric of buildings is put into good repair and maintained. It can provide a useful source of affordable rented housing and can contribute to the vitality and viability of town centres. This will make an important contribution to meeting the varied housing needs of the district while also assisting with the creation of balanced communities.

This policy will also support more sustainable patterns of development as the district’s settlement centres benefit from good transport linkages and accessibility to a range of services and facilities. A flexible approach should be applied to car parking provision having regard to the circumstances of each case.

Appropriate provision for waste, recycling and storages should be designed as an integral element of the development and suitably screened from amenity space and the public view. Proposals involving the replacement of front gardens with hard surface car parking should be resisted.

When considering conversion and/or subdivision over an existing commercial business, care must be taken to ensure that the residential use must not disrupt the functions of the ground floor business to protect the economic vibrancy of the area. Equally consideration should be given to ensure the ground floor use should be compatible in terms of providing a suitable living environment for the proposed residents above.

Any proposal involving extension to an original building are required to be consistent with Policy HOU1 (Quality in Residential Developments) and Policy HOU3 (Residential Extensions and Alterations).

The LDP Supplementary Planning Guidance for Housing in Existing Urban Areas will be taken into account when assessing proposals against the above criteria.

## Policy HOU5 Affordable Housing

Planning permission will only be granted for residential development proposals subject to the following criteria:

- a Within Newry City and the district's towns, on sites of 0.5ha or comprising of 10 units or more, provision should be made for a minimum of 20% affordable housing; or
- b Within the district's villages and small settlements, on sites of 0.2ha or comprising of 5 residential units or more, provision should be made for a minimum 20% affordable housing.

The Housing Needs Assessment undertaken by the Northern Ireland Housing Executive (NIHE) provides the affordable housing need (both social and intermediate requirement). The Council will consult with the NIHE in each case, to establish the current level of affordable housing need. Where it is demonstrated by the NIHE that there is an acute localised need for a higher proportion of affordable housing which cannot be met by the thresholds detailed above, the minimum requirement may be uplifted on an individual basis.

The affordable housing element of the proposed development should not be distinguishable by means of its general design materials or finishes from the general market housing element and should adhere to the Department for Communities' Housing Association Guide regarding the design standards required.

Affordable housing should consist of social rented and/or intermediate housing<sup>150</sup>. In determining the appropriate mix of affordable housing in terms of size, type and tenure, regard will be had to NIHE's up-to-date analysis of demand, including housing stress and prevailing housing need (see Policy HOU6 – Housing Type, Size and Tenure).

Where a proposed site has been artificially subdivided to be less than the threshold identified under this policy planning permission will not be granted.

Similarly, where there is a phased approach to the development of a site, applications which show the entire affordable housing element included within subsequent phases will not be granted. Discussion should take place with the Council at the outset of the process to ensure that the affordable housing requirement can be developed in a comprehensive way throughout the scheme.

In exceptional circumstances where the developer indicates that affordable housing is not a viable option for a proposed development, an off-site developer contribution or off-site provision may be required. In such exceptions, a full viability appraisal will be required to substantiate this position. The Council will consider such instances on a case-by-case basis.

By exception, proposals for affordable housing may be permitted on land identified as Open Space in

accordance with Policy OS1 where it can be demonstrated that all of the following criteria are met:

- i A need has been identified by the NIHE;
- ii The application is made by a registered Housing Association or the NIHE; and
- iii The proposal will bring substantial community benefits that decisively outweigh the loss of the open space.

Affordable housing will be secured as appropriate, depending on the size of the development, by way of Section 76 Planning Agreement.

### Justification and Amplification

The SPPS acknowledges the LDP as the instrument to deliver policy for affordable housing in line with the guidance and objectives of the RDS 2035.

For the purposes of this policy and in line with the SPPS<sup>151</sup>, the following definition will apply:  
"Affordable housing is:

- a Social rented housing; or
- b Intermediate housing for sale; or
- c Intermediate housing for rent

that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing."

<sup>150</sup> See definition of affordable housing in J&A.

<sup>151</sup> Definition revised April 2021.



Social rented housing is housing provided at an affordable rent by a Registered Housing Association; that is, one which is registered and regulated by the Department for Communities as a social housing provider. Social rented accommodation should be available to households in housing need and is offered in accordance with the Common Selection Scheme, administered by the Northern Ireland Housing Executive, which prioritises households who are living in unsuitable or insecure accommodation.

Intermediate housing for sale consists of shared ownership housing provided through a Registered Housing Association (e.g. the Co-Ownership Housing Association) and helps households who can afford a small mortgage, but that are not able to afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the Registered Housing Association. The proportion of property ownership and renting can vary depending on householder circumstances and preferences.

Intermediate housing for rent (intermediate rent) refers to private-rented housing which offers an alternative to open market private rental. It offers tenancies in a similar way to other private tenancies, but the rent is set at a level below that in the open private rented market. This can be an attractive option for households that can pay more than social rents, but for whom open market rents present an affordability issue. Intermediate housing for rent is only made available to lower to moderate income households. This is based on

the householder's total income or the proportion of income likely to be allocated towards housing costs. Intermediate rent tenancies offer better security of tenure, by providing longer tenancies than typically experienced in the private rented sector.

If the number of units required by policy to be affordable housing does not result in a whole number of units, the number of units will be rounded up to the nearest whole number.

As the affordable housing policy applies across the whole district it is considered that there will always be a need for delivery of affordable units under this policy.

Given that the need for affordable housing within Newry, Mourne and Down is greater than a significant portion of Northern Ireland, it is important to plan for this over the lifetime of the plan. Affordable housing, while enabling the delivery of new homes to meet needs, should also ensure that growth contributes positively to the creation of mixed, inclusive and sustainable and balanced communities and delivers high-quality, well-designed homes and neighbourhoods. A range of housing in terms of dwelling size, type, tenure and affordability is central to achieving mixed communities. Proposals should comply with Policy HOU6.

Where an application is subject to an affordable housing requirement, the applicant/developer should consider the Northern Ireland Housing Executive's most recent Housing Investment Annual Updates or liaise closely within a registered housing

association at the earliest opportunity to discuss the exact mix of affordable housing required in each individual location. Applicants are encouraged to seek advice on the exact mix of affordable housing required and take account of the exact number of applicants in housing stress according to the common housing selection scheme and should also refer to the most recent Housing Needs Assessment which will be a material consideration in the assessment of applications. The applicant will need to provide evidence to the Council and submit a statement which takes into account the existing affordable housing mix which should include the most recent information from NIHE and supported private-rented accommodation if and when required.

The Council will consult the NIHE on all applications for affordable housing and the NIHE will confirm the need, numbers, and mix of units to be provided, in its consultation response.

Through this process drawings will be checked to ensure the affordable housing as stipulated has been identified on the drawings and that the design of these units complies with the DfC's Housing Association Design Guide. If the units do not comply with this guide, amendments or additional information will be sought to ensure compliance.

Site conceptual drawings for schemes including elements of affordable housing will be encouraged as they offer clarification on the proposed design principles, concepts, access arrangements for the proposal and demonstrate how the proposed development's context has influenced the design.

The design and external appearance of the affordable housing in the development should reflect the character of the remainder of the site. No distinction should therefore be made between these dwellings and the remaining elements of the scheme, particularly in relation to the external specifications. The units should not be readily distinguishable in terms of external design, materials and finishes. Planning permission may be refused where schemes do not provide effective integration of affordable units in new developments.

It will not be acceptable to artificially divide lands for the purposes of circumventing the policy requirements or to propose to develop larger applications in phases to avoid delivery of affordable housing.

It is acknowledged that larger sites (e.g. major housing developments) may be phased to assist in meeting affordable housing requirements. This should be discussed with the Council at the outset to ensure that the affordable housing requirement can be developed in a comprehensive way for the whole scheme. Where a phased approach is being undertaken the concept masterplan should detail the comprehensive planning of the site and how the affordable obligations should be met. For a large-scale development a 'review point' should be established in line with a Section

76 agreement to allow all interested parties the opportunity to reconsider the most appropriate way to deliver the affordable housing needs in the later stages of the development (in accordance with the NIHE – affordable housing advice note).

By exception, where the developer seeks to reduce or not comply with the affordable housing policy requirements of an LDP within a planning application due to viability issues, the applicant must provide the Council with a full viability appraisal of the submitted proposal. It should be noted that the viability appraisal may be made available to the public and published alongside other documents.

Within small settlements the provision of a site solely for affordable housing may be acceptable as due to the size of the settlements, balanced communities can still be achieved. In addition, the definition of affordable housing as social housing and intermediate housing allows a mixed tenure approach within a site.

This policy will not preclude the Local Policies Plan varying the proportion of affordable housing through a Key Site Requirement on zoned housing land. Additionally, affordable housing may be provided through specific zonings where a need has been identified by the Northern Ireland Housing Executive at Local Policies Plan Stage.

The development of windfall sites will be encouraged and promoted for affordable housing, given the benefits of using suitable sites within existing settlements for homes which can benefit from better quality infrastructure and accessibility to community facilities.

In circumstances where an exception is made by a Housing Association or the NIHE for a site suitable for affordable housing on land designated as Open Space, the application must comply with the requirements of OS1.

Given the complexities around determining the appropriate mix of affordable housing and its delivery, the Council has produced LDP Supplementary Planning Guidance which should be read alongside the provisions of this policy.

## Policy HOU6

### Housing Type, Size and Tenure

Planning permission will be granted for new residential development of 25 or more units, or on sites of one or more hectare where a mix of house types and sizes are provided. In smaller schemes the need to provide greater variety in type and size will be considered on its merits.

The required mix of house types and sizes will be negotiated with developers, taking account of the specific characteristics of the development, the site and its context and the nature of the local housing need. In locations where apartment development of 25 or more units is considered acceptable, variety in the size of the units will be required.

#### Justification and Amplification

The provision of good quality housing offering a variety of house types and sizes to meet different needs in housing schemes will assist in the delivery of creating balanced communities and strengthening community cohesion in line with regional policy. The creation of balanced communities will also be supported through diversification of tenure within residential development, this aspect will be addressed through Policy HOU5 Affordable Housing.

A mixture of different types and sizes of houses, apartments and maisonettes will help to provide choice within a housing development and assist in the creation of high-quality, sustainable places and balanced communities. Mixed communities will also help provide a greater housing choice, benefit health and wellbeing, reduce social exclusion and help to tackle area-based deprivation. Different housing designs can also help create visual variety and interest, make use of any awkwardly shaped parts of a site and assist in the promotion of greater affordability.

This policy will complement Policy HOU1 and Strategic Policy SP2 Enhancing Design and Place Shaping, which seek to deliver high-quality designs which are reflective of local character and sensitive in their siting, scale and layout.

Provision should be particularly made for smaller homes to meet future household requirements. Smaller sites will also help contribute to the overall housing mix in the district, although

where a mix of unit types may not be viable, it may still be possible to deliver a mix of unit sizes.

Information on the housing mix considered appropriate for the district is included within the South Eastern and Belfast Metropolitan Area Strategic Housing Market Analysis (SHMA) and the Housing Investment Plan Annual Updates published by the NIHE. Currently the analysis of the local housing market in the district shows an ageing population and a reduction in household size which emphasises the need for smaller size new build homes. In the case of affordable housing, the appropriate size and type of provision will be determined by NIHE. Developers are therefore encouraged to engage with NIHE and registered housing associations prior to development and submission of proposals.

It is however accepted that the appropriate mix of house types and sizes across the district will be influenced by location, site characteristics and local housing need patterns. Therefore, the proposed housing mix will need to be determined on a case-by-case basis in response to up to date evidence of housing need. The policy therefore facilitates the flexibility needed to deliver appropriate house types and sizes in response to local circumstances.

Well-designed schemes can add visual interest through a variety of house types, it should include a mix of tenures. Artificial subdivision or phasing of sites to circumvent compliance with this policy will be deemed unacceptable.

# Policy HOU7

## Adaptable and Accessible Homes

Planning permission will be granted for development proposals which include a range of dwellings houses which are flexible, adaptable and accessible in order to be responsive to a lifetime of need.

Due consideration should be given to dwelling type, internal room layout and overall plot size to ensure that units are adaptable to as wide a range of people as possible, or capable of future adaptation.

The design of dwellings should ensure that they are capable of providing accommodation that is wheelchair accessible for those in society who are mobility impaired and be in accordance with space standards for wheelchair housing set out in LDP Supplementary Planning Guidance.

Additionally, where a wheelchair accessible dwelling, designed in accordance with the wheelchair space standards, has car parking within its individual plot boundary, at least one parking space should be capable of enlargement to achieve a minimum width of 3300mm. Where communal parking is proposed at least two out of every 20 spaces should have a width of at least 3300mm (in accordance with Lifetime Home Standards<sup>152</sup> (LHS).

Applicants must state within their application that they have complied with the above criteria and demonstrate how the criteria have been met.

### Justification and Amplification

Lifetime Homes standards seek to make new dwellings adaptable and accessible to accommodate a household's changing lifetimes needs and enable them to be lived in and visited by people with varying degrees of mobility.

Lifetime Home Standards and Wheelchair Standards are set out in the Department of Communities Housing Association Guide. This guide alongside the Homes for Intermediate Rent Design Standards require all new social rented housing and subsidised Intermediate Rent (SIR) to meet full Lifetime Homes standards, as well as providing fully wheelchair accessible homes where required.

The aim of this policy is to increase the adaptability and accessibility of new housing stock across all tenures throughout the district. Design should therefore incorporate features which allow for flexible living over the lifetime of the occupants and the dwelling. This housing should be suitable for older people, young families, disabled people as well as non-disabled people.

Whilst existing Building Regulations focus on ensuring that dwellings are accessible for visitors, this policy seeks to deliver homes that are accessible for those who live in them. The Council's aim is to develop homes that are designed to create better living

environments for everyone including those coping with illness or dealing with reduced mobility. This will enable people to remain independent for longer in the safety and comfort of their own homes. It should be noted that the policy is not intended to meet full 'Lifetime Homes' standards or deliver fully wheelchair accessible homes. Rather, the objective is to deliver more adaptable and accessible homes.

For those with mobility problems, who may be more likely to spend a larger proportion of their time at home, it is essential that their home enables them to live as happily, safely, healthy and as independently as possible. Wheelchair accessible housing should be designed to offer larger circulation areas to aid independent living for people with physical disabilities and those who need a wheelchair for their day-to-day mobility.

In developing wheelchair accessible housing, developers are encouraged to consider the key design principles and aims detailed within The Department for Communities Housing Association Guide design standards in relation to Wheelchair Housing. Developers and architects seeking advice on design and dwelling layouts to meet accessible housing standards may wish to appoint an Access Consultant from the National Register of Access Consultants (NRAC), to assess and provide advice on proposals.

<sup>152</sup> Standards and cost of developing social housing in Northern Ireland.



# Policy HOU8

## Specialist Residential Accommodation

Planning permission will be granted for specialist residential accommodation including sheltered accommodation, residential or nursing care accommodation, retirement villages and other care-related facilities, subject to all of the following criteria being met:

- a The home and/or bed spaces to be provided meet an identified community need demonstrated through a statement of specialist housing need; and
- b The proposal is accessible to public transport, leisure and recreation facilities, health services and other community facilities.

New specialised residential housing should be located within the settlement limits unless it is clearly demonstrated that a countryside location is necessary to serve an identified need.

All proposals, including extensions/alterations/additions to these facilities will be considered in accordance with this policy and Policy HOU3 Residential Extensions and Alterations.

### Justification and Amplification

Specialist residential accommodation is purpose-built or converted residential accommodation designed to provide opportunities for individuals to access accommodation that is more suitable for their needs such as sheltered housing and care related facilities.

Specialist housing should be provided for people with specific housing needs, particularly in relation to impaired physical and mental health, and old age. The need for specialist housing within the district is likely to increase over the lifetime of the Plan. NISRA projections suggest that the age profile within the district is likely to change with the largest projected growth in population concentrated mainly in the 65 plus age group<sup>153</sup>.

The aim of this policy is therefore to ensure that the needs of this age demographic, along with others whose specialist needs cannot be readily met through the provisions of general housing, is provided for.

Planning applications for this type of development will be required to submit a statement of specialist housing need to show how the proposal meets the requirements of this policy. The most recent NIHE Housing Needs Assessment may be used to assist in the identification of the range of specific housing needs within the district.

The location of housing intended for people with specialist housing needs will need careful consideration as not all sites will be suitable, for example, certain physical characteristics such as steep slopes may not be viable or provide ease of access. Careful consideration must also be given to the proximity to shops, leisure, community healthcare and other facilities while also balancing this against the need to protect the established character of the proposed locations while taking into account the scale and appearance of the proposed development.

Consultation with NIHE will be required throughout the processing of any application to confirm whether there is an established need within the locality.

Specialist residential accommodation should be designed to provide for an adequate layout to protect the amenities of the occupiers with consideration given to the development's accessibility and accommodation requirements. In assessing the design and layout of these developments regard should be given to the most recent Specific Supported Housing<sup>154</sup> and Housing for Older People<sup>155</sup> criteria along with the most recent Accessibility Criteria<sup>156</sup>.

Given that specialised housing differs from the needs of the general population it will be exempt from providing affordable housing obligations and parking provisions but will be required to meet all other provisions of the LDP.

<sup>153</sup> Newry Mourne and Down Housing Investment Plan Annual Update 2020.

<sup>154</sup> [www.communities-ni.gov.uk/annex-c-specific-supported-housing-design-standards](http://www.communities-ni.gov.uk/annex-c-specific-supported-housing-design-standards).

<sup>155</sup> [www.communities-ni.gov.uk/housing-older-people](http://www.communities-ni.gov.uk/housing-older-people).

<sup>156</sup> [www.communities-ni.gov.uk/annex-c-specific-supported-housing-design-standards](http://www.communities-ni.gov.uk/annex-c-specific-supported-housing-design-standards).

## Policy HOU9

# Accommodation for the Travelling Community

Where a local housing needs assessment identifies that there is a demonstrable need for Travellers specific accommodation (or it is located on land zoned for traveller specific accommodation), planning permission will be granted for a suitable facility which is provided through either a grouped housing scheme, a serviced site or a transit site where the following criteria are met:

- a Adequate landscaping is provided that will ensure integration of the site into the landscape without harming the character of the area or important features of natural heritage;
- b The proposal is compatible with the existing surrounding context, protecting environmental amenity and protecting residential amenity;
- c Where appropriate, the provision of workspace, play space and visitor parking is provided; and
- d The proposal meets environmental and other material considerations, including those for sewerage, drainage, access and road safety.

Where a need cannot readily be met within an existing settlement in the locality, applications in the countryside will be required to meet the sequential requirements of Policy COU3 Affordable Housing in the Countryside. Exceptionally, and without a requirement to demonstrate need, a single family transit site or serviced site

may be permitted in the countryside. Such proposals will be assessed on their own merits and will take full account of planning, environmental and other material considerations, including the availability of suitable infrastructure and services.

Proposals for facilities on unzoned land will only be considered where it can be demonstrated that there is no suitable zoned land available for development. Any proposal will also be required to meet the four criteria listed above.

### Justification and Amplification

In accordance with the SPSS, where there is a recognised need identified through the NIHE Housing Needs Assessment, the LDP will identify a suitable traveller site(s) within the Local Policies Plan which will allow for the provision of new facilities to meet any need that is likely to arise during the lifetime of the plan. The criteria-based approach detailed above will ensure that the provision of traveller accommodation will be compatible with neighbouring uses along with the provision of adequate landscaping and supporting services are put in place.

The travelling community has unique accommodation needs that may not be met through conventional residential schemes. Accommodation

may therefore be provided through either a grouped housing scheme, a serviced site or a transit site. When assessing applications for traveller accommodation the Council will therefore consider the existing level of provision as well as the availability of alternative accommodation that meets the distinctive needs of travellers.

As with other forms of housing, the priority will be for Travellers accommodation to be located within settlements. Where a suitable site within a settlement is not available, exceptionally, a site adjoining or in close proximity to a settlement may be considered in accordance with Policy COU3.

Any proposal for an individual single family site may have fewer requirements than those listed in the main policy test (e.g. play space) and this should be taken into account when determining such proposals.

Traveller accommodation should be designed to provide for an adequate layout to protect the amenities of the occupiers with consideration given to the accommodation of services and waste collection services. In assessing the layout of these sites regard should be given to the most recent Design Guide for Traveller Sites in Northern Ireland<sup>157</sup>.

# 2 Housing in the Countryside

## Policy COU1 Dwellings in Existing Clusters

Planning permission will be granted for a dwelling at an existing cluster of development provided all of the following criteria are met:

- The cluster of development lies outside of a farm and consists of a cohesive grouping of four or more buildings of permanent construction (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 visually associated with an established focal point (such as social/community building/facility), or is located at a public road junction;
- The identified site provides a suitable degree of enclosure and is directly bound by other development in the cluster on at least two sides; and
- Development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character and should integrate visually into the open countryside.

### Justification and Amplification

For the purposes of assessing proposals under this policy, a cluster of development as defined in the policy must be viewed as a cohesive, distinct and separate visual entity when viewed from surrounding public vantage points.

A focal point will be expected to be the focus of local community activity. Examples of what constitutes a focal point include a social/community building or facility such as a church, school, community centre or sports club.

The cluster must be physically associated with an established focal point or be located at a junction where two or more public roads connect. Sites at the junction of a public road with a private laneway will not be eligible for consideration under this policy.

Proposals will be required to demonstrate that the identified site provides a suitable degree of enclosure and is directly bound by (immediately adjoining) other development in the cluster on at least two sides. Proposals where the proposed site is physically separated from the cluster (e.g. by a laneway) will not be considered eligible under this policy.

## Policy COU2 Replacement Dwellings

Planning permission will be granted for a replacement dwelling where:

- a The building to be replaced is of permanent construction and exhibits the essential characteristics of a dwelling; and
- b As a minimum all external structural walls are substantially intact.

For the purposes of this policy all references to 'dwellings' includes buildings of permanent construction previously used as dwellings.

In cases where a dwelling has recently been destroyed, for example, through an accident or a fire, planning permission may be granted for a replacement dwelling. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

### Non-listed Vernacular Dwellings

The retention and sympathetic refurbishment, with adaptation, if necessary, of non-listed vernacular dwellings in the countryside will be encouraged in preference to their replacement. Proposals involving the replacement of such dwellings will be assessed as follows:

- If the dwelling makes an important contribution to the heritage, appearance or character of the locality planning permission will only be granted where it is demonstrated that it is not reasonably capable of being made structurally sound or otherwise improved;
- If the dwelling does not make an important contribution to the heritage, appearance or character

of the locality, planning permission will be granted for a new dwelling. In such cases the retention of the existing structure will be accepted where it is sympathetically incorporated into the layout of the overall development scheme, for example as ancillary accommodation or a store, to form an integrated building group.

### All Replacement Cases

In addition to the above, proposals for a replacement dwelling will only be permitted where all the following criteria are met:

- a The proposed replacement dwelling must be sited within the established curtilage of the original dwelling unless either:
  - i the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling or
  - ii it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity benefits;
- b The overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building;
- c The design of the replacement dwelling should be of a high-quality appropriate to its rural setting and have regard to local distinctiveness; and;
- d All necessary services are available or can be provided without significant adverse impact on the environment or character of the locality.

In cases where the original building is retained as part of the overall development scheme it will not be eligible for replacement again. Equally, this policy will not apply to buildings where planning permission has previously been granted for a replacement dwelling and a condition has been imposed restricting the future use of the original building, or where the building is immune from enforcement action as a result of non-compliance with a condition to demolish.

For the purposes of this policy curtilage will mean the immediate, usually defined and enclosed area surrounding an existing or former dwelling house.

### Justification and Amplification

For the purposes of this policy, the essential characteristics of a dwelling includes original features such as door/window openings of domestic scale, chimneys or internal evidence of chimneys or fireplaces and internal walls defining individual rooms. Where there is evidence that such features have been installed recently, or that a ruined structure has been rebuilt for the purposes of seeking a replacement dwelling, planning permission will be refused, unless the applicant can provide verifiable evidence to demonstrate that the building in question has been used as a dwelling.

This policy does not allow for the replacement of dwellings which are essentially ruinous or where the dwelling is only partly remaining.



### All replacements

The replacement of existing dwellings can be important to the renewal and upgrading of the rural housing stock. However, this must be carefully balanced with the retention of older vernacular dwellings that are important to our historic environment.

All permissions for a replacement dwelling granted under this policy will be subject to a condition requiring demolition of the existing dwelling or restricting its future use if it is to be retained as part of the overall development scheme.

Proposals to replace existing semi-detached or terraced dwellings will only be acceptable if replaced in situ with the proposed new dwelling remaining attached to the other elements of the existing development unless there are practical mitigating circumstances to be considered.

Where a replacement is deemed acceptable it will be important for proposals to retain existing landscape features, such as hedgerows, dry stone walls, trees, traditional gates and gate posts, and narrow accesses to retain the local distinctiveness and character of an area. Where this is not possible the applicant will be required to provide justification for this and if deemed necessary replace to match existing.

In all replacement cases, the provisions of Policies COU9 Design and Integration of Buildings in the Countryside; and COU10 Rural Character will be a material consideration. Features that are typical of suburban areas

such as long sweeping drives and elaborate metal gates will be resisted. Similarly, the amount of ground works to be carried out should not extend significantly beyond the curtilage of the original dwelling. An exception to this will be where the original dwelling is to be retained or the curtilage is too restricted, in which case there should be no more groundworks than necessary to accommodate the building and there are no significant changes in the site level proposed and any retaining walls are kept to a minimum.

Proposals must take account of the Department's supplementary planning guidance Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside and Dwellings in the Mournes: A Design Guide, in relation to all replacement cases within the Mournes Area of Outstanding Natural Beauty.

### Non-listed Vernacular Dwellings

There is growing concern that the tendency to replace, rather than upgrade, older dwellings is depleting our vernacular rural dwellings. The loss of these non-designated heritage assets can negatively impact on the local identity and distinctive character of an area. In addition, retaining the existing structure will mean no carbon emissions will be generated from the demolition. Accordingly, this policy seeks to help retain vernacular houses and promote their sympathetic renovation and continued use rather than replacement (see Policy HE14 The Re-Use of Non-Listed Vernacular and Locally Important Buildings).

The definition and characteristics of rural vernacular dwellings as set out in 'A Sense of Loss – The Survival of Rural Traditional Buildings in Northern Ireland' (published by the former DoE in March 1998<sup>158</sup>) will be used for the purposes of this policy.

In cases where the dwelling makes an important contribution to the heritage, appearance or character of the locality (due to such features as its design or as a visual or historic landmark) applicants seeking permission to replace the dwelling will be required to provide evidence to demonstrate why the building is not reasonably capable of being made structurally sound or otherwise improved. This will need to be in the form of a structural engineer's report from a consultant with conservation expertise. Planning permission will not be granted simply because the replacement of the vernacular dwelling is more economically attractive to the developer than the renovation and re-use of the building. Other ecological surveys may be required.

Where the replacement of a vernacular dwelling is considered acceptable in principle, the encouragement provided in this policy to retain and incorporate the existing structure into the overall layout of the development scheme is intended to promote imaginative design solutions that will help retain a visual link with the past.

## Policy COU3

# Affordable Housing in the Countryside

Planning permission may be granted for a group of dwellings adjacent to or near a village or small settlement to provide affordable housing to meet the needs of the rural community. Planning permission will only be granted provided all the following criteria are met:

- A need has been identified by the Northern Ireland Housing Executive (NIHE) or the relevant housing authority which cannot readily be met within an existing settlement in the locality;
- If the nearest settlement is a village a group up to maximum of 20 dwellings, or if the nearest settlement is a small settlement a group up to a maximum of 14 dwellings may be allowed; and
- Applications are made by a;
  - Registered Housing Association;
  - Community led housing organisation supported by the NIHE, or;
  - Other suitable not-for-profit housing provider, partnership or initiative supported by the NIHE.

In assessing the acceptability of sites outside a settlement, the following sequential test in terms of location will be applied:

- a Land adjacent to the existing settlement limit, subject to amenity and environmental considerations;
- b A site close to the settlement limits which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment;
- c An undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.

Subject to the above sequential test, generally only one group will be permitted adjacent to or near a village or small settlement. Exceptionally, consideration will be given to more than one group of dwellings provided the combined total number of dwellings is no greater than the permitted maximum allowed under this policy adjacent to or near the village or small settlement (20 units or 14 units respectively).

### Justification and Amplification

The Plan Strategy seeks to provide social and affordable housing primarily through a new policy-led approach (set out in Policy HOU5) which may also include the zoning of sites for residential development in settlements identified at the Local Policies Plan stage with Key Site Requirements specifying a level of affordable housing to be provided in order to meet identified housing need in the Plan area.

For the purposes of this policy and in line with the SPSS<sup>159</sup>, the following definition will apply:

### Social Rented Housing

Social rented housing is housing provided at an affordable rent by a Registered Housing Association; that is, one which is registered and regulated by the Department for Communities as a social housing provider. Social rented accommodation should be available to households in housing need and is offered in accordance with the Common Selection Scheme, administered by the Northern Ireland Housing Executive, which prioritises households who are living in unsuitable or insecure accommodation.

## Intermediate Housing for Sale or Rent

### *Shared Ownership*

Shared ownership housing (e.g. the Co Ownership Housing Association) helps households who can afford a small mortgage, but that are not able to afford to buy a property outright. The property is split between part ownership by the householder and part renting from the housing provider. The proportion of property ownership and renting can vary depending on householder circumstances and preferences.

### *Intermediate Rent*

The Department<sup>160</sup> has developed a new Intermediate Rent policy, which sets the framework for the development of more high-quality, long-term, affordable rented housing with support services. Work continues to deliver a funding package which can support the practical delivery of a supply of new Intermediate Rent homes.

While planning policy resists groups of dwellings in the countryside, an exception may be made where a specific need for social and affordable housing has been established through a local housing needs assessment undertaken by the Northern Ireland Housing Executive, and where the need has not been foreseen and provided for through the development plan process.

For the purposes of this policy, a village or small settlement is as defined in the settlement hierarchy, while affordable housing is defined as social rented housing and intermediate housing for eligible households as outlined below.

Applications for social and affordable housing groups will be restricted to those bodies specified in the policy. Such proposals will need to be accompanied by information demonstrating that the potential to locate the necessary housing within settlement limits has been explored, and that no suitable sites are available.

Where more than one group of dwellings is applied for, applications must demonstrate that the combined total number of dwellings is no greater than the permitted maximum (i.e. up to a total of 20 units adjacent to/near a village; or up to a total of 14 units adjacent to/near a small settlement). Additionally, in situations where planning permission has expired or approvals have not been implemented, the planning authority will require a statement from the NIHE justifying any new site in lieu of the previous approval which will be subject to a Section 76 Agreement.

NIHE will provide advice on the level and type of affordable housing need on a case-by-case basis via a Registered Housing Association. Different methodologies are followed by NIHE depending on determining social housing need (according to levels of housing stress in the area) and the level of likely demand for intermediate housing. Where there is a pressing requirement for both social and intermediate housing, NIHE will advise the Council on the appropriate mix between these tenures as part of the affordable housing requirement.

Further advice on affordable housing tenures is provided in the accompanying LDP Supplementary Planning Guidance (SPG).

<sup>160</sup> Department for Communities.

# Policy COU4

## Personal and Domestic Circumstances in the Countryside

Planning permission will be granted for a dwelling in the countryside to meet the long-term needs of a person where there are compelling, and site specific reasons for this related to the person's personal or domestic circumstances and provided the following criteria are met:

- The person 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; and
- There are no alternative solutions to meet the particular circumstances of the case, such as: 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 the immediate short term circumstances.

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.

### Justification and Amplification

There may be cases where special personal or domestic circumstances require a new dwelling in the countryside. Such cases will include instances where a young adult who requires a continuing and high level of care, but who could also benefit from a greater degree of independent living. In cases where the need for care will be short term the use of temporary accommodation will be favoured.

In all cases applicants will be required to provide sufficient information to enable a proper and full assessment of each specific case. Such information should include:

- A statement detailing the special personal or domestic circumstances supported, if appropriate, by medical evidence from a medical or health professional;
- Details of the level of care required in relation to any medical condition (again supported by the appropriate health professional), the identity of the main carer, their current address and occupation;

- An explanation of why care can only be provided at the specific location and how genuine hardship would be caused if planning permission were refused;
- Details of what alternatives to a new dwelling have been considered e.g. extension/annex to an existing dwelling and why such alternatives are not considered practical to meet the site specific need; and
- Any other information considered relevant to the particular case.



## Policy COU5

### Dwellings for Non-Agricultural Rural Enterprises

Planning permission will be granted for a dwelling house in connection with an established non-agricultural business enterprise where it can be clearly demonstrated that a site specific need exists that makes it essential for an employee of the business to live at the site of their work.

Where such a need is accepted the dwelling will need to be located beside, or within, the boundaries of the business enterprise and integrate with the buildings on the site.

Planning permission granted under this policy will be subject to a condition restricting occupation of the dwelling for the use of the business.

#### Justification and Amplification

Established non-agricultural business enterprises, located in the countryside, may require residential accommodation. The presence of such a business is not, of itself, sufficient justification to grant permission for someone to live on the site. Applicants must provide sufficient information to show that there is a site specific need which makes it essential for one of the firm's employees to live at their site of their work, as against a general desire for a dwelling in association with the business.

A business which has been operating satisfactorily without residential accommodation will be expected to demonstrate why accommodation is now considered necessary in order to enable the enterprise to function properly. Furthermore, it should be noted that the need to provide improved security from theft and/or vandalism by having someone living on the site is unlikely to warrant the grant of planning permission.

# Policy COU6

## Ribbon Development

Planning permission will be refused for a building which will:

- a Create a ribbon of development; or
- b Add to an existing ribbon of development.

An exception will be permitted for the infilling of a small gap site, sufficient only to accommodate up to a maximum of two dwellings, within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting, plot size and plot width.

For the purposes of this policy a substantial and continuously built-up frontage is a line of three or more visually linked buildings of permanent construction (of which at least two are dwellings) along a road frontage.

### Justification and Amplification

Ribbon development is detrimental to rural character as it creates and reinforces a more suburban form and built-up appearance which can sterilise back-land, often hampering the planned expansion of settlements. It can also make access to farmland difficult and cause road safety problems.

For the purposes of this policy a frontage is a road frontage and includes a footpath or private lane. A ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they share a common frontage or they are visually linked.

In assessing whether a building is along a road frontage, a building will be held to be along a road frontage if the building or its curtilage abuts or shares a boundary with that road, footpath or private lane. A building or its curtilage will not, however, be held to have road frontage if only an access abuts or shares a boundary with the relevant road, footpath or private lane. Visually linked means buildings within the substantial and continuously built-up frontage must be read as a continuous line of development when viewed from the road, footpath or private lane on which they share a common frontage.

The buildings to be relied upon to create a substantial and continuously built-up frontage should be of

permanent construction. In addition, none should be located within a designated settlement limit.

Many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help maintain rural character. The infilling of these gaps will therefore not be permitted except where it comprises the development of a small gap within an otherwise substantial and continuously built-up frontage. In considering in what circumstances two dwellings might be approved in such cases it will not be sufficient to simply show how two houses could be accommodated. Applicants must take full account of the existing pattern of development and can produce a design solution to integrate the new buildings.

Dwellings assessed under this policy will be required to take account of the siting and design of the dwellings within the frontage and not adversely impact the amenity of their residents. They will also be required to respect the plot size, spacing and plot widths of the dwellings within the frontage. Proposals which will impact on amenity or deviate from the plot sizes, spacing and plot widths of the dwellings within the frontage will be refused. Prior to submitting an application, applicants should take account of the Department's supplementary planning guidance 'Building on Tradition' and any Supplementary Planning Guidance produced by the Council.

# Policy COU7

## Residential Caravans and Mobile Homes

Planning permission may be granted for a residential caravan or mobile home, for a temporary period only, in exceptional circumstances.

These exceptional circumstances include:

- Pending the development of a permanent dwelling; or
- Where there are compelling and site-specific reasons related to personal or domestic circumstances (see Policy COU4 Personal and Domestic Circumstances in the Countryside).

All permissions will normally be subject to conditions imposing a three-year time limit. However, this may be extended having regard to the particular circumstances of the case.

The siting of a residential caravan or mobile home will be subject to the same planning and environmental considerations as a permanent dwelling. Permission will depend on the ability to integrate the unit within an existing building group and screen the unit from public view. Residential caravans or mobile homes on farms will be required to be visually linked or sited to cluster with an established group of buildings on the farm.

### Justification and Amplification

The design and finishes of a residential caravan or mobile home limits its potential for integration into the landscape. For this reason, planning permission will not be granted for a permanently sited residential caravan or mobile home in the countryside.

It is accepted however, that in exceptional circumstances, a caravan or mobile home can be a sensible temporary solution, to meeting the need for residential accommodation in the countryside.

# Policy COU8

## Dwellings on Farms

Planning permission will be granted for a dwelling house on a farm to accommodate those engaged in the farm business or other rural dwellers where all of the following criteria can be met:

- a The farm business is currently active and has been established for a minimum of 6 years;
- b No dwellings or development opportunities out-with settlement limits have been sold off, or transferred from, the farm holding within 10 years of the date of the application; and
- c The proposed dwelling is visually linked or sited to cluster with an established group of buildings on the farm holding, 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 and where there are either:

- Demonstrable health and safety reasons; or
- Verifiable plans to expand the farm business at an existing building group on the farm.

Planning permission granted under this policy will only be acceptable once every 10 years.

A proposal for a dwelling by those involved in the keeping or breeding of horses for commercial purposes will be assessed under Policy COU5 Dwellings for Non-Agricultural Business Enterprises.

### Justification and Amplification

In recognition of changing farming practices and to help support rural communities, it is considered that there is a continuing need for new dwellings on farms to accommodate both those engaged in the farm business and other rural dwellers.

#### Active and Established Farm Business

A new dwelling under this policy will not be acceptable unless the existing farm business is both currently active and has been established for a minimum of 6 years prior to the submission of the planning application. The applicant will therefore be required to provide the farm's DAERA Farm Business ID number along with other evidence to prove the application site has been on their active and established farm over the required 6 year period.

Details of land taken or rented out in conacre should be identified in all cases and only land actively farmed by the applicant will be considered for the purposes of this policy.

For the purposes of this policy 'agricultural activity' refers to the production, rearing or growing of agricultural products including harvesting, milking, breeding and keeping animals for farming purposes, or maintaining or keeping an agricultural area in a state that is suitable for grazing or cultivation in line with Article 4 of the European Regulations (EU) No 1307/2013. A 'farm holding' (or farm)

is the economic unit under a single management engaged in agricultural activities and includes land that has been taken or rented out in conacre.

#### Development Opportunities Sold Off or Transferred

Planning permission will not be granted for a dwelling under this policy outwith settlements where a dwelling or development opportunity such as a replacement dwelling or other building capable of conversion has been sold off or transferred from the farm holding within 10 years of the date of the application.

For the purposes of this policy, sold-off or transferred will mean any dwelling or development opportunity sold off or transferred from the farm holding to any other person within a period of 10 years of the date of the application. However, for the purposes of this policy, transferred will not include a scenario where land within the farm holding has been transferred to a family member(s) as a result of the division of an estate amongst beneficiaries of a will or where it has either been gifted to a family member(s) or transferred to a family member(s) for a nominal fee so long as it can also be shown that the farm holding remains in the original family ownership.

Evidence will be required to verify the date of the sale or transfer, which will be the date on which the land has been re-registered with Land and Property Services, unless the applicant can demonstrate that this occurred earlier, such as by providing dated contracts relating to the transfer.



### Established Group of Buildings

To help minimise impact on the character and appearance of the landscape, such dwellings should be positioned sensitively with an established group of buildings on the same farm holding, either to form an integral part of that particular building group, or when viewed from surrounding vantage points, it reads as being visually interlinked or sited to cluster with those buildings, with little appreciation of any physical separation that may exist between them. If however, the established building group is well landscaped, or where a site adjacent to the building group is well landscaped, planning permission may be granted for a new dwelling even though the degree of visual linkage between the two is either very limited, or virtually non-existent due to the amount of screening vegetation. It will not be acceptable to position a new dwelling with buildings which are on a neighbouring farm holding.

For the purposes of this policy 'established group of buildings' will mean at least two separate buildings of permanent construction, excluding other ancillary domestic buildings, that can be viewed together as a single entity from a viewpoint.

Exceptionally, where an alternative site is proposed under criteria (c) which is removed from the existing buildings on the farm, the applicant will be required to submit appropriate and demonstrable evidence from a competent and independent authority such as the Health and Safety Executive NI to justify the siting. Evidence relating to the future expansion of the farm business may include valid planning permissions for new agricultural buildings, building control approvals or contractual obligations to supply farm produce.

Applicants should take account of the Department's supplementary planning guidance 'Building on Tradition' in preparing applications and any Supplementary Planning Guidance produced by the Council.

The Department for Agriculture, Environment and Rural Affairs (DAERA) will confirm the Farm Business ID number. DAERA and other relevant authorities will be further consulted as necessary on applications for dwellings on farms, including those for equine businesses.

Under this policy an equine business is to be afforded the same benefits as an established and active farm if the business involves horse breeding. Applicants will have to provide sufficient information to demonstrate a level of involvement commensurate with commercial activity over the requisite period of 6 years. Such information should include:

- A statement of commercial rateable history for the business;
- Copies of appropriate Insurances;
- Copies of 'Horse Passports' (if applicable); and
- Any other information considered relevant to the particular case.

Other equine related businesses such as horse training and the operation of livery yards, trekking centres and riding schools will not be eligible for consideration under this policy and will be assessed under Policy COU5 Dwellings for Non-Agricultural Rural Enterprises.

The keeping of horses or ponies for domestic or hobby purposes will not satisfy the requirements of the policy.

# 3 All Development in the Countryside

## Policy COU9

### Design and Integration of Buildings in the Countryside

All development in the countryside must be sited and appropriately designed to integrate sympathetically with their surroundings.

A new building will be unacceptable where:

- a It is a prominent feature in the landscape when viewed from critical viewpoints along public roads, paths or shared private laneways; 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 COU8) it is not visually linked or sited to cluster with an established group of buildings on the farm.

All proposals for buildings in the countryside must be accompanied by a statement setting out how they have taken account of the Department's supplementary planning guidance – 'Building on Tradition', and how they respect any distinctive local traditions for design and siting.

#### Justification and Amplification

Traditional buildings in the countryside evolved in response to their setting and function on the land. They blend sympathetically with their surroundings and do not appear incongruous in the landscape. It is essential that similar care is exercised in the siting and design of new buildings to ensure they too can integrate harmoniously with their surroundings and thereby protect the amenity and character of our countryside.

Landscapes vary, and this needs to be taken into account. The determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an

assessment of the extent to which the development of the proposed site, including necessary site works, will blend in unobtrusively with its immediate and wider surroundings.

The main criteria against which the degree of visual impact will be considered include:

- The location of the site within the landscape, the position of the building within the site and its relationship with surrounding buildings. This will help determine whether the development will be a prominent feature in the landscape;
- The attributes of the site and its landscape surroundings and whether these provide sufficient enclosure for the new building. This includes the existence or otherwise of natural boundaries and/or a visual backdrop, and whether there is any intervening vegetation or natural features between the site and critical views; and
- The suitability of the design of the building for the site and its locality, including its form, scale and massing.

The assessment of integration will be judged from critical views along stretches of the public road network; shared private lane-ways serving existing or approved dwellings; public rights of way and other areas of general public access and assembly, e.g. a car park. There may also be occasions where combined views from individual private laneways, located in close proximity to each other, will be relevant in assessing integration. Where a site cannot be readily identified from critical viewpoints, it does not obviate the need for careful site selection to ensure the proposed building blends into its surroundings and is of a high standard of design.

New buildings that would read as skyline development or occupy a top of slope/ridge location or otherwise be a prominent in the landscape will be unacceptable. All proposals will be required to be of a scale and design that is in keeping with the surrounding area.

New buildings should be sited to take advantage of the opportunities afforded by existing mature planting, hills, slopes or other natural features to provide suitable enclosure. These features can provide a visual backdrop to development and equally where located in the foreground between the site and critical views can assist integration by filtering views of the new building. A group of existing buildings, such as a farm complex may also provide an opportunity to sensitively integrate a new building provided this does not adversely impact on rural character (see Policy

COU10 Rural Character). All proposals for residential development in areas identified by Article 6 of the Planning (General Development Procedure) Order, (NI) 2015 must be accompanied by a Design and Access Statement setting out the processes involved in the site selection and analysis, in relation to the integration of the dwelling. In particular it should refer to Paragraph 4.2.1 of Building on Tradition which contains eight principles to be followed in integrating buildings into the countryside.

Where trees provide enclosure or a backdrop to a site they should be retained and where necessary augmented by new planting with native or other species characteristic of the area. This will assist the integration of the new building and help promote biodiversity. Care should be taken to ensure that an appropriate distance is maintained between tree root systems and building foundations, so neither is compromised.

While new tree planting for integration purposes will be considered together with existing landscape features, new planting alone will not be sufficient. A building on an unacceptable site cannot be successfully integrated into the countryside by the use of landscaping. New planting will inevitably take a considerable length of time to mature and in the interim will not mitigate the impact of new development. Similarly, a new building that relies on significant earth works, such as mounding or cut and fill for integration will be unacceptable.

Due to the widespread views generally available in flat landscapes or exposed hill areas it is all the more important to ensure that new buildings integrate well with their surroundings. In such areas, poor siting and design carries with it a greater potential for adverse impact on visual amenity and rural character. Particular care is therefore required in site selection so that new buildings will integrate into these landscapes.

### Design

The form and proportions of a new building are key elements in the design and strongly influence its visual impact on the landscape. If form and proportion are wrong, then little can be done with any other features to mitigate the impact of a poor design. Where the scale, form or massing of a building would make it dominant or incongruous in the local landscape planning permission will be refused.

The most successful rural designs are those which are based upon simple shapes and forms of traditional buildings. It is however acknowledged that there will also be opportunities for contemporary or innovative design which results in the provision of high-quality more environmentally friendly buildings provided the overall design and orientation are acceptable.

Proposals will be expected to cluster or consolidate with an established group of buildings, as per Policy COU8 Dwellings on Farms, unless the applicant can demonstrate that the proposal meets one of the exceptions set out in the policies.

Irrespective of whichever design approach is followed relative simplicity of design and discretion in the use of materials, texture and colour will greatly enhance the appearance of a new building. The use of non-traditional materials such as brick, concrete and artificial stone-cladding tends to introduce too much diversity of colour and texture. Combinations of materials on walls, the use of feature panels and excessive ornament should be avoided.

Where appropriate, applications for buildings in the countryside should include details of proposals for site works, retention or reinstatement of boundaries, hedges and walls and details of new landscaping.

Applicants should include a Design Concept Statement to set out the processes involved in site selection and analysis, building design, and should consider the use of renewable and low carbon energy and drainage technologies as part of their planning application. This should be undertaken in accordance with extant published guidance, including, for sites located in one of the three Areas of Outstanding Natural Beauty (AONB) in the district, any specific design guidance for that AONB.

### **Access and Other Ancillary Works**

New accesses are often a visible feature of new buildings in the countryside and on occasion can be more obtrusive than the building itself, particularly if they include ornate walls, gates and fencing. Accordingly it will often be necessary to attach a condition removing permitted development rights for such boundary features in the interests of preserving the amenity and rural character of an area.

Wherever possible access to a new building should be taken from an existing lane-way. Where a new access drive and services, such as electricity and telephone lines, are required, they should, as far as practicable, be run unobtrusively alongside existing hedgerows or wall lines and accompanied by landscaping measures. Access driveways should respect site contours and cross them gently, thus integrating the building with its entrance and site. Sweeping driveways which create a suburban emphasis and access arrangements, will not be acceptable.

While adequate visibility at the road access is necessary in the interests of road safety, access driveways surfaced in tarmacadam and with concrete kerbing can look out of place in the countryside and less formal solutions should be sought. The traditional field pattern should be preserved and roadside and field boundary hedges and stone walls retained or reinstated following any access works. Retention or reinstatement of boundaries, hedges and walls is an important element in mitigating the impact of new development and where necessary will be controlled by condition.

Large garden areas between a new dwelling and the public road can also be a prominent and unnatural feature in the countryside and will be unacceptable. It may on occasion be necessary to control the size and extent of the curtilage of a new dwelling by applying a planning condition.



## Policy COU10

### Rural Character

**All development in the countryside must not have an adverse impact on the rural character of the 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 COU6); or**
- e The impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.**

### Justification and Amplification

The countryside within the district is valued for its intrinsic landscape character, nature conservation interest and historic environment, as well as being a resource for tourism and recreation. While the countryside is constantly changing in response to human activity, the pace of change is now more rapid than ever. This has resulted in the erosion of the rural character of parts of the district, some of which now appear suburbanised and built-up due to the cumulative effect of ongoing development. It is crucial therefore to ensure that new buildings and any associated ancillary works do not result in a detrimental change to, or further erode the rural character of an area, rather they should seek to maintain

and protect the special qualities and unique character of our countryside.

There are a number of different ways in which new development in the countryside can impact detrimentally on rural character. One building by itself could have a significant effect on an area if it is poorly sited or designed and would be unduly prominent, particularly in more open and exposed landscapes.

On other occasions a new building may have little impact by itself. However, when taken cumulatively with other existing and approved buildings and their ancillary features in the vicinity, it could result in a build-up of development detrimental to the rural character of that area.

In assessing the cumulative impact of a building on rural character the matters taken into consideration include the following:

- The intervisibility of the proposed building with existing and approved development (for the purposes of this policy, approved development refers to unimplemented, extant planning approvals for buildings);
- The vulnerability of the landscape and its capacity to absorb further development; and
- The siting, scale and design of the proposed development.

In order to maintain and protect the rural character of an area the new building should respect the traditional pattern of settlement; that is, the disposition and visual appearance of land and buildings in the locality of the proposed development. Accordingly,

to be considered acceptable, a new building in the countryside should:

- Adopt the spacing of the traditional buildings found in the locality; or
- Where required by policy integrate sensitively along with a group of existing buildings, such as the complex of farm buildings on the agricultural holding for which the dwelling is proposed, or within an eligible cluster or gap site.

It is considered that ribbon development is always detrimental to the rural character of an area as it contributes to a localised sense of build-up and fails to respect the traditional settlement pattern of the countryside.

The assessment of the impact of a new building on rural character will be judged from critical views along stretches of the public road network; shared private laneways serving existing or approved dwellings; public rights of way and other areas of general public access and assembly. There may also be occasions where combined views from individual private laneways, located in close proximity to each other, will be relevant in assessing the impact of a proposal on rural character.

The impact of ancillary works associated with a new building on rural character will also be assessed. In particular the access arrangements can often raise awareness of and draw attention to new development and when read in conjunction with other existing or approved accesses can have a combined impact damaging to the rural character of an area. Proposals that include features like large, metal gates with intricate framework and red brick walls at access points will be unacceptable.

# Policy COU11

## Setting of Settlements

**Planning permission will be refused for development that mars the distinction between a settlement and the surrounding countryside or that otherwise results in urban sprawl.**

The principle of drawing a settlement limit is partly to promote and partly to contain new development within that limit and so maintain a clear distinction between the built-up area and surrounding countryside.

### Justification and Amplification

A settlement’s identity can be as much as a result of its setting within the surrounding countryside, as the quality of its buildings. Landscapes around settlements have a special role to play in maintaining the distinction between town and country, in preventing coalescence between adjacent built-up areas and in providing a rural setting to the built-up area.

Proposals that would mar this distinction or create urban sprawl will therefore be unacceptable. Where affordable housing under Policy COU3 may in principle be acceptable, it will be important to consider what siting options are available and to mitigate any adverse impact on the setting of the settlement.

# 4 Health, Education and Community Facilities

## Policy CF1 Community Facilities

Planning permission may be granted for new Community Facilities within settlements, unless it is clearly demonstrated that a countryside location is necessary to serve a local rural population.

For the purposes of this policy, community facilities or uses are defined as those uses listed within Class D1 and C3 (excluding residential and nursing homes)<sup>161</sup> of the schedule of the Planning (Use Classes) Order (Northern Ireland) 2015 and including proposals for or in connection to public worship or religious instruction.

### **New or Improved Community Facilities**

All proposals for community facilities must demonstrate that there is a clear community need. Proposals should be of a quality design and of an appropriate scale, having regard to local character and setting, and accord with the requirements of Strategic Policy SP2 Enhancing Design and Place Shaping.

All proposals should be accessible by walking, cycling, and public transport where it is available.

### **Re-use of Community Facilities or Land Zoned for Community Use**

The Council will not support proposals that may be detrimental to, or result in the loss of community services or facilities. A proposal for alternative use of an existing community facility, or on lands identified in the LDP for such uses, will not be granted unless in exceptional circumstances where:

- i The facility or land is surplus to the needs of the community, and it is sufficiently demonstrated to the satisfaction of the Council that it would not result in a deficit in the overall provision of community service or facilities in the area; or
- ii alternative provision or equivalent community benefit is made available at a suitable location within the local area.

Where appropriate, the Council may request that developers provide or contribute towards community facilities which are required as a result of the development. A developer contribution may be secured by way of a Section 76 Planning Agreement in consultation with the relevant community service provider, and in adherence with the Strategic Policy SP3 Developer Contributions and Planning Agreements.

<sup>161</sup> For proposals for residential and/or nursing homes refer to policy HOU8.

## Justification and Amplification

Community facilities provide for the social, welfare, learning and cultural needs of residents and help to create and maintain sustainable communities. Development of community facilities are essential for accommodating the changing demographics of the district and ensuring health and wellbeing for all residents. This policy facilitates a flexible approach to community facility provision in response to these changing needs. This policy also aims to protect existing facilities and infrastructure within the district. Where necessary, land will be reserved for community uses in consultation with the relevant statutory provider, either through a zoning or key site requirement on a land use as designated in the Local Policies Plan.

Community facilities should be located in settlements unless there is a demonstrated need for the facility within the countryside. Equitable accessibility to community facilities is important in ensuring that those

who require the service can benefit from the development. Proposals for new community facility developments must demonstrate that they are promoting active travel (via walking or cycling) to the new community facility and demonstrate linkages to public transport, where available. A proposal for a community facility in the countryside that is only accessible by private car must demonstrate that there is no viable alternative in a more accessible location.

Within settlements the Council promotes the innovative re-use of existing buildings and vacant spaces for community uses, where appropriate. The Council supports the co-location and integration of community facilities and services within a dual purpose or multi-functional building in settlements (e.g. using school buildings/facilities for community uses outside school hours).

The protection of existing facilities or committed sites for new facilities is particularly important where these are in highly accessible locations for all members of the community.

Where a proposal involves change of use or redevelopment of an existing community facility for an alternative use, evidence must be provided to confirm that the facility is surplus to the needs of the community and that it cannot be used for an alternative community use.

The majority of community facilities will be supplied by the public sector; however some larger proposals (e.g. large residential developments) may come forward that will necessitate the provision of community facilities and neighbourhood services to serve the development or the wider community. Where appropriate, the Council may seek to secure the provision, or improved access to such facilities, by way of a Planning Agreement under Section 76 of the Planning Act (NI) 2011. This may include provision for agreed works to be carried out by the developer or a financial contribution in lieu of such works. Further detail is provided under Strategic Policy SP3 Developer Contributions and Planning Agreements.



# 5 Open Space, Sport and Outdoor Recreation

## Policy OS1 Protection of Open Space

The Council will not permit development that would result in the loss of existing open space or land zoned for the provision of open space identified within the Local Development Plan. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance.

An exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits, such as affordable housing (see Policy HOU5) that decisively outweigh the loss of the open space.

An exception will also be permitted where it is demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area and where either of the following circumstances occur:

- a In the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality; or

- b In the case of playing fields and sports pitches within settlement limits, it is demonstrated by the developer that the retention and enhancement of the facility can only be achieved by the development of a small part of the existing space - limited to a maximum of 10% of the overall area - and this will have no adverse effect on the sporting potential of the facility. This exception will be exercised only once.

### Justification and Amplification

For the purposes of the LDP, open space is taken to mean all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.

Open space is essential in any community and supports many cultural, social, economic, health and environmental benefits. It contributes positively to the character, attractiveness

and vitality of our city, towns and villages by providing important spaces for both amenity and recreational purposes. It enhances the quality of the residential environment and can also provide valuable areas for nature conservation and biodiversity, act as a buffer between conflicting land uses, help reduce flood risk, promote pedestrian linkages and provide 'green lungs' that improve air quality. Ultimately open space and its usage contributes to general health and wellbeing.

The use of land as open space is no less important than other uses. It is a valuable resource, and the Council attaches great importance to its retention. Accordingly, the Council will operate a general presumption against the loss of open space to competing land uses.

The protection of open space is particularly important in urban areas where competing development pressures are greatest. Indeed, its retention and enhancement are important in supporting the drive for the creation of sustainable communities through the encouragement of compact urban forms and promoting more housing

within existing urban areas without town cramming. This, however, should not lead to a loss of amenity and places greater emphasis on the need to maintain a well-distributed, well connected and accessible supply of open space. For this reason, open space of public value does not fall within the definition of brownfield/previously developed sites.

The protection and enhancement of sporting and outdoor recreational facilities in urban areas may also reduce the demand for such activities in the countryside. This can sometimes help provide relief for more fragile environments in the rural area.

The Council will permit an exception to the presumption against loss of open space where development would produce such community benefit that would decisively outweigh its loss, for example the provision of affordable housing by a Housing Association or the Northern Ireland Housing Executive (NIHE) in accordance with Policy HOU5 or where it is demonstrated that the loss of open space will have no significant detrimental impact. In such instances, applicants will be expected to demonstrate that their proposals are supported by the local community and in the case of affordable housing are made by the relevant Housing Association or NIHE based on a demonstrable need having been identified.

It is also recognised that development can on occasion provide an opportunity to recreate open space or outdoor recreational facilities in an alternative location to substitute for the loss of an existing open space or facility. This approach will only be considered for areas of 2 hectares or less and a key factor in assessing proposals will be the accessibility of the proposed new space to all the users of the existing space. It should not be assumed, however, that the Council will automatically grant permission when alternative provision is proposed. Existing open space is often of considerable value to the amenity, character and biodiversity of a local area and therefore worthy of protection in its own right.

Where the Council considers an exchange to be acceptable in principle this process will be secured through the use of planning conditions or, where appropriate, a Planning Agreement under Section 76 of the Planning Act (NI) 2011 and The Planning (Modification and Discharge or Planning Agreements) Regulations (NI) 2015. This will tie redevelopment to the provision of the new facility and ensure that this is capable of being maintained adequately through appropriate management agreements.

In relation to playing fields and sports pitches in urban areas, there may be exceptional circumstances where it is demonstrated that the retention and

enhancement of the facility can only be achieved by the redevelopment of a part of the area. This can, however, be detrimental to the quality and value of such facilities and call into question their overall viability. Consideration will therefore only be given to redevelopment proposals that are judged to have no adverse effect on the sporting potential or overall amenity value of the open space, and which are restricted to an area no greater than 10% of the total site.

The above exception will be applied only once to guard against the piecemeal erosion of playing fields and sports pitches by a succession of small developments, possibly over a long period of time. In addition, the grant of planning permission will normally be reliant on the applicant entering into a Section 76 Planning Agreement tying the financial gain arising from redevelopment to the retention and enhancement of the open space facility.

All proposals for an alternative use of open space will be assessed with regard to their effect on the amenity, character, biodiversity and impact on the districts green and blue infrastructure while also considering the needs of future generations. Any deterioration in the appearance or condition of open space due to inadequate management or maintenance, however, will not be sufficient justification in itself for the loss of open to alternative uses.

## Policy OS2

# Public Open Space in New Residential Development

The Council will only permit proposals for new residential development which will either individually or through phasing result in the development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development or contribute towards good quality publicly useable open space. In smaller residential schemes the need to provide public open space will be considered on its individual merits.

An exception to the requirement of providing public open space will be permitted in those instances where a reasonable level of private communal open space is being provided – to serve either apartment development or specialised housing.

An exception will also be considered in cases where residential development is designed to integrate with and make use of adjoining public open space.

Where the provision of public open space is required under this policy, the precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to the following:

Proposals should generally provide at least 10% of the total site area or 15% where the site is 10ha or more;

Provision at a rate less than 10% of the total site area may be acceptable where the residential development:

- Is located within a town or city centre; or
- Is close to and would benefit from ease of access to areas of existing public open space; or
- Provides accommodation for special groups, such as the elderly or people with disabilities where a proportionate level of private communal space is being provided.

For residential development of 100 units or more, or for development sites of 5 hectares or more, an equipped children's play area will be required as an integral part of the development. The Council will consider an exception to this requirement where an equipped children's play area exists within 400 metres walking distance of the majority of the units within the development scheme.

Public open space required by this policy will be expected to conform to all the following criteria:

- It is designed in a comprehensive and linked way as an integral part of the development;
- It is of demonstrable recreational or amenity value;
- It is designed, wherever possible, to be multi-functional;
- It provides easy and safe access for the residents of the dwellings that it is designed to serve;

- Its design, location and appearance takes into account the amenity of nearby residents and the needs of people with disabilities; and
- It retains important landscape and heritage features and incorporates and protects these in an appropriate fashion.

### Management and Maintenance

Planning permission will not be granted until the developer has satisfied the Council that suitable arrangements will be put in place for the future management and maintenance in perpetuity of areas of public open space required under this policy. Arrangements acceptable to the Council include:

- a A legal agreement transferring ownership of and responsibility for the open space to the Council; or
- b A legal agreement transferring ownership of and responsibility for the open space to a charitable trust registered by the Charity Commission or a management company supported by such a trust; or
- c A legal agreement transferring ownership of and responsibility for the open space to a properly constituted residents' association with associated management arrangements.

In all cases developers will be responsible for the laying out and landscaping of public open space required under this policy.

## Justification and Amplification

The need for adequate private, semi-private and public amenity space is an important consideration in all residential developments. However, the provision of open space is too often an afterthought rather than being considered an integral part of the overall design of the development.

Providing public open space as an integral part of a housing scheme contributes to the creation of a sustainable and quality residential development. It has both recreational and social value and helps to establish a sense of identity. The 'greening' of an area can also contribute to people's health, wellbeing and quality of life, particularly that of children. It can also assist promote biodiversity and facilitate sustainable drainage.

Public open space can be provided in a variety of forms ranging from kickabout areas and small parks through to equipped play areas and sports pitches. In addition, the creation or retention of woodland areas or other natural or semi-natural areas of open space can provide valuable habitats for wildlife and promote biodiversity. Through careful design, multi-functional areas combining activities and uses can often be successfully created, to provide for maximum surveillance areas of open space are best located where they are overlooked by nearby dwellings.

A particularly important consideration in determining the layout of new housing developments is the provision of safe opportunities for children's play. The main place where young children generally play is adjacent to or near their homes for safety and supervision reasons and therefore commonly located within reasonable walking distance of where they live. However, they should not be located so close to dwellings as to cause noise or nuisance problems for residents.

Larger housing developments provide an important opportunity to deliver new equipped children's play areas. This process will allow children's equipped play provision to be assessed on a site by site basis taking into account the Council's Play Strategy<sup>162</sup> while also safeguarding against the loss of opportunities for the provision of children's play areas.

In larger developments, there may be a need to provide more formal outdoor recreational facilities, such as playing pitches, to meet the needs generated by the development. In such instances the Council will consult closely with other internal departments taking into consideration other strategies for provision of outdoor recreational facilities including the NMD Play Strategy and Sports Facility Strategy.

In assessing the precise amount of public open space provision needed in an individual development proposal, only space of demonstrable recreational or amenity value i.e. 'usable' open space, will generally be counted. Accordingly, verges and visibility splays, which form part of the adopted highway, will not normally count towards the open space provision.

Apartment developments and specialised housing will also require adequate provision of open space to meet the needs of future residents and to help integrate the development and promote a more attractive environment. In cases where private communal gardens are proposed as an integral part of the development, the Council will not require separate provision of open space.

### Management and Maintenance in Perpetuity

The provisions made for the management and maintenance of public open space required under this policy are a key material consideration in the determination of planning applications. The onus, therefore, will rest on developers to ensure that such land will be made available and subsequently retained, managed and maintained in perpetuity as public open space.

<sup>162</sup> NMD Play Strategy Review 2024-2029.



To ensure that planning applications are dealt with expediently and therefore avoid delays, the Council will expect full information on which of the above approaches that an applicant/ developer intends to follow to be provided as part of their application. This matter will need to be agreed in writing with the Council before full planning permission (or approval of reserved matters) is granted and any necessary legal agreements between the developer and third parties put in place before the development commences. A condition will be attached to planning permission tying the management and maintenance of the open space to the approach agreed with the Council.

The Council will also attach appropriate planning conditions to address the following matters:

- The laying out and landscaping of the open space;
- The timing of its implementation; and
- The permanent retention of open space

In all cases developers will be responsible for the laying out and landscaping of public open space required under this policy.

The onus will rest with developers to ensure the management and maintenance of public open space is carried out in perpetuity. A legal agreement securing this responsibility will be the normal approach to this matter and may involve a developer entering into a Section 76 Planning Agreement with the Council before planning permission is granted. Alternatively, a developer contribution may be sought for new or upgraded facilities within the locality.

## Policy OS3

### Outdoor Recreation in the Countryside

The Council will permit the development of proposals for outdoor recreational use in the countryside where all the following criteria are met:

- a There is no adverse impact on features of importance to nature conservation, biodiversity, archaeology or historic environment;
- b There is no unacceptable impact on nearby agricultural activities;
- c There is no adverse impact on visual amenity or the character of the local landscape and the development can be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography;
- d The development is compatible with other neighbouring uses in terms of the nature, scale, extent and frequency or timing of the recreational activities proposed;
- e The proposed facility including any ancillary buildings or structures are designed to a high standard and are of a scale appropriate to the local area and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;
- f There is no unacceptable impact on the amenities of people living nearby; and
- g The proposed facility, including any ancillary buildings and structures are designed to take into account the needs of people with disabilities and is, as far as possible, accessible by means of transport other than the private car.

#### Justification and Amplification

It is recognised that the wide range of countryside recreational activities which currently take place within the district's countryside plays a fundamental role in contributing positively to the rural economy. With this in mind, the Council wants to ensure that any new recreational developments located in the countryside are both sustainable and do not conflict with the need to preserve and where possible enhance our environment for future generations.

In assessing proposals, the Council will take account of the nature of the sporting or outdoor recreational activity and the ability of the land or the landscape to sustain that activity in the long-term. The natural qualities inherent in certain areas, notably their silence, solitude or remoteness, also need to be considered. One location may be suitable for some pursuits but not others, while others may be suitable for a cluster of activities.

As many farm businesses continue to diversify this has generated an increasing number of proposals for many recreational activities in the countryside. There is, however, growing concern regarding the environmental impact of certain countryside pursuits and their related development. The Council is aware of these concerns and wishes to ensure that new recreational development in the countryside is sustainable.

In locations designated for their landscape, nature conservation or heritage importance, special care is needed in assessing proposals. It may be possible to meet the demand for outdoor recreation uses so far this is consistent with the conservation or enhancement of the interest for which the site or area is designated. The Council's policies for the protection of sites of nature conservation importance are set out in Policies NH1-NH7 while policies to protect our historic environment are contained in Policies HE1-HE15. Reference should also be made to Tourism Policies TOU2-TOU7 and Coastal Policies CO1-CO2 where appropriate.

A significant number of outdoor recreational activities will require associated ancillary facilities. Careful consideration and assessment must be given to scale, sitting layout, design and landscaping of all these elements. This will be required to ensure the facilities are sustainable and do not become dominant in landscape. The Council may therefore consider that one location is suitable for some recreational activities but not other pursuits while other sites may accommodate a cluster of activities. However, in some circumstances the provision of facilities may need to be severely limited or even prohibited.

During the assessment of a proposal consideration must also be given to the impact that the development may have on adjacent uses in terms of noise and floodlighting. The proposal should be therefore delivered in accordance with Policies OS5 and OS7 where applicable.

### Golf Courses

Golf courses and ancillary development associated with them can have a significant visual impact on the countryside and can also have a detrimental impact on the environment by loss of valuable landscape or habitats. Golf courses and ancillary development should be located in harmony with the local landscape and designed to conserve natural heritage. Existing tree cover should be integrated into schemes and where additional planting is proposed preference will be given to indigenous/native species. In addition, attention should be given, where possible, to habitat creation and the management and protection of wildlife networks.

The Council will carefully consider the impact of proposals for the development of golf courses on the landscape and wider environmental qualities of the countryside. Each proposal should contain full details of the site and its immediate environs, including the effect on any public rights of way together with information on potential adverse impacts or environmental benefits associated with the development. These details should include information on landscaping and land levels, both existing and proposed, access arrangements, car parking and ancillary facilities such as a clubhouse.

### Golf Driving Ranges

Golf driving ranges are generally more intensive land uses than golf courses with different visitor patterns and potentially higher levels of traffic generation. The buildings or the galleries, especially if they are two-tier, can be particularly intrusive unless sensitively sited and designed. Driving ranges often need high safety fencing and generally seek floodlighting to permit evening use. These features mean that driving ranges will generally only be acceptable where they will not be detrimental to the environment, the local landscape setting and the general character of the locality. Policy OS7 sets out the Council's policy on the floodlighting of sports and outdoor recreational facilities.

### Equestrian Uses

Commercial equestrian activities are increasingly popular in many parts of the countryside. The keeping and riding of horses for recreational purposes, both commercially and domestically is increasingly popular in many parts of the countryside. Outdoor participatory recreational uses such as riding schools and trekking centres will normally be considered acceptable in principle, provided the scale of ancillary buildings is appropriate to its location and can be integrated into their landscape surroundings. Wherever possible, consideration should be given to the reuse and conversion of existing traditional or redundant farm buildings for associated ancillary purposes. Consideration of domestic equestrian facilities will be assessed under Policy HOU3 Residential Extensions and Alterations.

### Noisy Sports

Some outdoor recreational activities have the potential to generate high levels of noise, and it is therefore necessary to pay special regard to the siting and location of such activities. Policy OS5 sets out the Council's policy on noise generating sports and recreation activities.

### Temporary Recreational Uses

Part 5 of The Planning (General Permitted Development) Order (NI) 2015 provides rights for the temporary use of land for a specified number of days each year. These rights are often used to facilitate certain sporting and outdoor recreational activities and, in some instances, proposals are submitted to develop permanent buildings or structures in support of such temporary uses. Generally, these will only be acceptable where the Council considers use of the site on a permanent basis would of itself be acceptable.

### Any Other Development for Recreational Use

The existence of an outdoor recreational use will not in itself provide the justification for approving an associated development if this would not be acceptable in its own right.

## Policy OS4

### Intensive Sports Facilities

The Council will only permit the development of intensive sports facilities where there is an identified need and they are located within settlements.

An exception may be permitted in the case of the development of a sports stadium where all the following criteria are met:

- a There is no alternative site within the settlement which can accommodate the development;
- b The proposed development site is located close to the edge of the settlement and can be clearly identified as being visually associated with the settlement; and
- c There is no adverse impact on the setting of the settlement.

In all cases the development of intensive sports facilities will be required to meet all the following criteria:

- There is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated;
- There is no adverse impact on features of importance to nature conservation, biodiversity, archaeology or historic environment;
- The proposed facility including any ancillary buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment; and
- The proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport and where possible provide connections to community greenways and other footpath/cycleway networks.

### Justification and Amplification

An intensive sports facility for the purpose of this policy is defined as a purpose built indoor or outdoor resource which facilitates one or more activity fundamental to maintaining individual health and fitness. This may include stadia, sports halls, leisure centres, swimming pools and other indoor and outdoor sports facilities. These facilities can also serve as a focus for the community, and it is therefore important that the planning system provides a positive approach towards both the development and protection of these community sports facilities.

The location of intensive sport facilities can be contentious due to the large numbers of people they attract, particularly in the evenings and weekends. They can also generate increased noise levels, operate long hours, attract a large number of vehicle movements and can require large car parking areas. Specific problems may also arise where floodlighting is proposed (see Policy OS7).



The Council wishes to ensure that development of intensive sports facilities takes place in appropriate locations, are of good design and apply the principles of sustainability. During the assessment of the proposal consideration must therefore be given to whether there is a need for the facility by assessment of information on the size and makeup of the proposed catchment population and identifying whether there is either a quantity or quality deficiency or surplus provision within the area. Other factors which are important in assessing development proposals include accessibility to the proposed catchment population in terms of walking and cycling distances, proximity to public transport, the impact on the local environment and residential amenity, traffic generation and, where appropriate, the proximity to existing facilities of a similar size and nature. In addition, linkages to existing or proposed community greenways and other footpath/cycle networks should be taken into account at the design stage. Detailed information on these matters should accompany proposals for intensive sport facilities to enable the Council to make a full assessment of the proposal and what provision is required.

It is acknowledged that specific difficulties may arise in seeking to locate a sports stadium within a settlement, particularly large-scale proposals. Exceptionally, the Council may be prepared to accept such development at the edge of a settlement. In such cases applicants will need to provide, as part of the application, specific justification for the choice of site together with details of what alternative sites were considered and the reasons these could not accommodate the development. Ease of access will be a key issue in assessing such proposals, in particular, the availability of public transport.

Careful consideration must also be given to the proposed design. The development should be both sustainable and of high-quality while remaining sympathetic to the surrounding environment taking into account both natural heritage and the historic environment.

Proposals for intensive sport provision should be considered in liaison with Sport NI. Therefore, consultation should be considered within the processing of planning applications involving intensive sports facilities or substantial extensions to existing facilities.

# Policy OS5

## Noise Generating Sports and Outdoor Recreational Activities

The Council will only permit the development of sport or outdoor recreational activities that generate high levels of noise where all the following criteria are met:

- a There is no unacceptable level of disturbance or nuisance caused to people living nearby or conflict with other noise sensitive uses;
- b There is no unacceptable level of disturbance caused to farm livestock and wildlife;
- c There is no conflict with the enjoyment of environmentally sensitive features and locations or areas valued for their silence and solitude; and
- d There is no unacceptable adverse impact on the natural environment and local character.

### Justification and Amplification

The impact of noise is an important issue in assessing proposals for activities such as motorsports, shooting, motorised water-sports, paintball adventure games, etc. The noise associated with such activities can disturb and cause nuisance to local residents and conflict with nearby noise sensitive uses such as schools, hospitals, places of worship and residential neighbourhoods. These sports or activities can also be disruptive to livestock and wildlife and have a detrimental effect on natural heritage.

Appropriate sites for regular use by noise generating sports are not easy to identify, however, measures can sometimes be taken to reduce noise at its source. Much will depend on the type of activity, the tone, level, frequency and duration of any noise generated, the design of facilities, the nature of the local topography and the amount of existing and proposed screening. Only in locations where the impact of noise can be effectively contained and minimised by the use of natural features, such as landform or woodland, should proposals generally be considered.

Depending on the nature of activity planning conditions may be used to limit the hours or frequency of the use.

The development of noisy sports or outdoor recreation activities will generally be inappropriate in or near environmentally sensitive features or locations, such as sites of nature conservation importance or historic parks, gardens and demesnes. Such activities can significantly, and sometimes irreversibly, harm these valued environments. Particular care will also be necessary in assessing proposals in areas of high landscape quality such as Areas of Outstanding Natural Beauty and there will be a presumption against noisy sports in areas valued for their silence and solitude.

Where appropriate, the Council will liaise with Sport NI or the governing body of a particular noise generating sport to ascertain if the activity is subject to a code of practice or other means of control such as licensing conditions.

It should be noted that motor car and motorcycle racing which may only function infrequently, including trials of speed and practicing for these activities, can operate within the confines of the temporary use rights currently provided by the Planning (General Permitted Development) Order (NI) 2015 (see Part 5 – Temporary Buildings and Uses).

## Policy OS6

### Development of Facilities Ancillary to Water Sports

The Council will permit the development of facilities ancillary to water sports adjacent to and/or associated with inland lakes, reservoirs and waterways where all the following criteria are met:

- a It is compatible with any existing authorised use of the water, including non-recreational uses;
- b There is no adverse impact on features of importance to nature conservation, biodiversity, archaeology or historic environment;
- c There is no adverse impact on visual amenity or the character of the local landscape;
- d It will not result in water pollution or an unacceptable level of noise or disturbance;
- e The proposed facility including any ancillary buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;
- f The proposed facility takes into account the needs of people with disabilities;
- g There is no conflict with the provisions of any local management plan; and
- h It will not result in an unacceptable level of noise or other disturbance.

Facilities adjacent to and/or associated with inland lakes, reservoirs and waterways must also accord with Policy NH6 Protection of Main River Corridors and Open Water Bodies.

### Justification and Amplification

Water based sports in Northern Ireland are an increasingly popular activity and our rivers, reservoirs lakes and canals are an important recreational resource as well as forming an important role within the Council's green and blue infrastructure. Water sports range from tranquil uses such as angling, sailing, canoeing, rowing and sail-boarding, to powered activities such as water-skiing, jet-skiing and other power boat uses. Management plans drawn up for particular water areas seek to address the compatibility of such varying demands.

The Water Framework Directive (2000/60/EC) which has been transposed into Northern Ireland law through the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 requires monitoring and improvement quality of all inland waters. This includes measures to secure good conservation status, as well as safe drinking water. All development must have regard to the potential impacts of the quality of the water environment, including rivers, lakes, reservoirs and groundwater. In addition, all development must not prejudice the protection and improvement objectives of the River Basin Management Plan. Management plans for both the construction and operational stages of the proposal may require to be agreed prior to development in order to protect sensitive environments.

The development of ancillary facilities to support water sports uses, such as slipways, jetties, boat houses, toilet and changing facilities, parking areas

and access, generally requires planning permission. In considering such development proposals, the Council will assess the impact on the visual amenity and character of the area. Particular attention will be paid to the potential for development to result in over-intensive use of a site especially in or adjacent to sites of nature conservation or biodiversity importance, or areas designated for their landscape quality. It is the general intention of the Council to conserve the environmental quality and character of inland bodies of water and to protect them and their surroundings from harmful development.

The need for and impact of access across land to inland bodies of water will be addressed when considering proposals for water sports. Ancillary space requirements for launching, mooring and car parking can vary from modest dimensions to large compounds. Proposals for facilities must therefore demonstrate that they will not damage the wider environment. Noise, erosion of shorelines or river banks and the potential loss of amenity for other users will be considered. The Council will require good design in terms of layout, buildings and other structures and high-quality treatment for boundaries either adjacent to the road or the actual waterway. Proposals should include details of all landscape and surface treatments.

Proposals for recreation development affecting the coastline of the district will be determined in line with the Council's Strategic Policy CDS1 Coastal Development and Policies CO1-CO2.

# Policy OS7

## Floodlighting of Sports and Outdoor Recreational Facilities

The Council will only permit the development of floodlighting associated with sports and outdoor recreational facilities where all the following criteria are met:

- a There is no unacceptable adverse impact on the amenities of people living nearby, visual amenity or character of the locality;
- b There is no adverse impact on features of importance to nature conservation, biodiversity, archaeology or historic environment;
- c Public safety is not prejudiced; and
- d The proposal does not represent an unacceptable adverse intensification of use of the facility.

### Justification and Amplification

There has been an increasing trend in recent years towards the provision of floodlighting at sports and outdoor recreational facilities with floodlighting now common place on all synthetic sports pitches and increasingly found on natural turf pitches. This can extend the hours of operation of such facilities, thereby creating greater flexibility and potential for enhanced use by more people, both as participants or spectators. Care must be taken, however, to ensure that such development will not cause unacceptable harm to amenity or prejudice public safety.

While there have been significant advances made in the design and maintenance of floodlighting systems which has greatly reduced and in some cases completely eradicated spillage and glare, care still needs to be taken to ensure any necessary lighting does not cause any undue intrusion or significant adverse impact upon the immediate locality or wider environment. The need for environmental safeguards and measures to protect residential amenity and maintain highway safety therefore remain important considerations.

Where floodlighting is proposed as part of a new sports or recreational development or in association with an existing facility, a number of issues need to be considered. These include the potential for increased use of the facility, light pollution and increased traffic and noise generation. Such issues are particularly relevant where the proposed floodlighting is close to residential properties.

Light pollution can be a problem in both urban and rural areas. The impacts on residential amenity will be most significant in an urban area, whilst sky glow may be more significant in a rural area. The impact of the design and size of the floodlighting structures on visual amenity and their use on the character of the wider area are also important considerations. Particular care needs to be exercised in the countryside and those areas identified for their landscape, townscape or heritage value.

Floodlighting can also be disruptive to wildlife, for example it can have an adverse impact on foraging bats and their natural environment. Bats are a European Protected Species and some are priority species. They are subject to a system of strict protection and area a material consideration during the planning process. Development can



cause disturbance to bats or impact directly on their places of refuge or feeding areas therefore they must be considered carefully when determining any impact of floodlighting on bats. The Northern Ireland Biodiversity Checklist should be used to establish if a bat survey is required. Due regard should also be given to the potential impacts of floodlighting on salmon. Salmon are also a protected species, and their migration can be affected by the floodlighting of river stretches which are adjacent to such sport and outdoor recreational facilities.

The provision of floodlighting often involves an intensification of use during evening hours resulting in additional noise and disturbance. The use to which a floodlit area is put can have a considerable impact on the amenity of the surrounding area. There will be a considerable difference between a facility used for training purposes, or just by the participants in a sport and a use which attracts large numbers of spectators.

In assessing the impact of floodlighting on public safety, the Council will have regard to its effect upon the safe use and operation of any form of traffic or transport on land, on or over water or in the air. For example, glare from excessively bright or poorly aimed

floodlighting which may prejudice public safety by interfering with the safe use and or operation of any form of traffic or transport on land, on or over water or in the air.

Criteria must assess the impact of floodlighting weighing it against the reasonable expectations of residents to enjoy the amenities of their properties. A condition limiting the hours of operation of such facilities should be imposed if this is required to secure the environmental acceptability of the scheme. Floodlighting proposals may also be subject to conditions restricting the output, intensity luminance or brightness of the lights, the horizontal and vertical setting or requirement of the installation of appropriate shielding.

In considering such proposals consideration should be given to the following documents:

- Institute of Lighting Professionals - Guidance document 01/20 Guidance on reduction of obtrusive light; and
- Institute of Lighting Professionals Bats and Artificial lighting in the UK. Guidance Note 08/18 (ILP document).

## Policy OS8

### Green and Blue Infrastructure

Planning permission will not be granted for development either within or adjacent to a designated strategic or community greenway which could prejudice the retention, enhancement or further development of an identified route.

The Council will protect existing and potential sites and corridors that form part of the network of green and blue infrastructure across the district's urban, countryside and coastal areas. Enhancement to these networks will be required to mitigate any impacts from development on existing wildlife habitats or potential connections between them, or other features of value to natural heritage, green space, landscape and recreation.

Developers must ensure that these networks are considered in the preparation of future planning applications. Developments are expected to incorporate elements that positively contribute to the green network through, for example:

- Managing surface water drainage, treatment and flood risk through sustainable drainage (SuDS) where feasible; and
  - Mitigating and adapting to the impacts of climate change e.g. resource efficient design, planting trees to capture carbon, intercept and absorb rainfall.
- Providing access to existing public open space and existing path and active travel networks where opportunities arise and where this does not conflict with natural heritage interests or amenity and public safety;
  - Providing new and/or enhancing existing wildlife habitats through building and landscape design, thus preventing habitat fragmentation where possible;

### Justification and Amplification

Green and blue infrastructure includes multi-functional spaces throughout the district such as parks, gardens, agricultural fields, hedges, trees, woodland, green roofs, green walls, rivers and ponds. It also includes the routes and corridors that link such sites, such as designated community greenways, other paths, street trees and civic spaces. The term 'green and blue infrastructure' covers all land containing these features, regardless of ownership, condition or size.

Strategic Greenways are identified in the Department for Infrastructure's publication – Exercise, Explore, Enjoy – A Strategic Plan for Greenways (November 2016). This defines a Greenway as 'a traffic-free route designed for non-motorised use to connect people and communities to all kinds of destinations for commuting, everyday journeys or leisure and recreation'. Routes are indicative at this stage and will require further engagement with DfI.

Community Greenways will be identified at LPP stage. These enhance existing open space provision by linking urban green space areas and the countryside. They can serve recreational, ecological, environmental and visual amenity roles. They offer pedestrians and cyclists the opportunity to travel from one green area to another via pleasant green surroundings; and provide an ecological haven and green linkage along river corridors, pathways and disused railway lines.

This policy recognises the opportunity to plan for a network of these spaces and corridors to provide a multitude of recreational, environmental, ecological, wellbeing, socio-cultural and economic benefits for the district. Planning permission will be granted for proposals that protect, augment, complement and/or improve the network and connectivity of the district's green and blue infrastructure network and community paths.

The Council will seek to safeguard designated and potential sites and corridors that form part of the network of green and blue infrastructure across the district and will only permit development either within or adjacent to such sites where it does not prejudice the retention, use, enhancement or further development of the network. In assessment of such proposals reference should also be made to Policy TRA5 Disused Transport Routes.

This policy also provides an opportunity to mitigate against and adapt to climate change. Sustainable Drainage Systems (SuDS) measures also form part of the green and blue infrastructure. If SuDS are proposed within new, or extensions to, existing housing developments, the long-term management and maintenance of these will be delivered in accordance with Policy FRD6.

Development proposals involving amendments to an identified route may be acceptable, provided that the alternative arrangements maintain the overall integrity of the route. It is acknowledged that there may be exceptional circumstances where a proposal that results in the loss of an element of the network or a potential link or improvement to it may be acceptable, taking account of other benefits that it might bring. In these circumstances the developer will have to demonstrate that the proposal will not have a detrimental impact on the district's overall green and blue network and will be expected to put in place mitigation measures.

The role of the green and blue network in promoting active travel will also be promoted and considered as part of the assessment of development proposals.

# Policy OS9

## Community Growing Spaces and Allotments

The Council will permit the development of community growing spaces/allotments where all the following criteria are met:

- a It is demonstrated that the site is suitable for growing plants and produce in terms of aspect, light, access to water, and where applicable any risks from contaminated land are appropriately managed;
- b Satisfactory arrangements are provided for an appropriate landscape scheme, and it is demonstrated that the proposal will support wildlife;
- c Details of the long-term management/maintenance of the scheme shall be provided to the satisfaction of the Council before planning permission is granted;
- d There is no unacceptable impact on residential amenity;
- e There is no adverse impact on features of importance to nature conservation, biodiversity, archaeology or historic environment; and
- f The proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport and where possible provide connections to community greenways and other footpath/cycleway networks.

### Justification and Amplification

Allotment gardening provides opportunities for members of the public and communities within the district to grow their own produce, while supporting health, sustainability and social inclusion. They also provide an opportunity for residents to enjoy green spaces away from the pressures of modern urban living.

As well as encouraging physical exercise, the provision of spaces in urban areas for growing of food (e.g. community orchards, allotments and school grounds) can reduce food miles, provide people directly with fresh healthy food, increase education and awareness about good food and healthy eating. These spaces can also foster community pride, improve social cohesion and provide a focus for the community. Allotments are also an increasingly important resource for wildlife.

This policy supports the delivery of community growing spaces and allotments in locations that encourage and support active travel as part of our commitment to sustainable development. It applies to both new standalone community growing spaces/allotments and where proposals form part of a wider development scheme. Proposals should be accompanied by a landscape plan and full details of any ancillary structures such as storage sheds, greenhouses or poly tunnels. As the on-going management of community growing spaces/allotments is important the submission of a long-term maintenance plan will help to ensure the growing space does not become unsightly and unattractive.

Existing allotments are protected under Policy OS1 Protection of Open Space.



## Policy OS10

### Cemeteries and Burial Space

**All existing cemeteries and burial spaces will be protected from inappropriate development.**

**A proposal for the provision of new cemetery/burial space or an extension to an existing facility will be permitted where the proposal will have no adverse impact on:**

- a The local water environment and in particular, the groundwater underlying the site; and**
- b Features of importance to nature conservation, biodiversity archaeology or the historic environment.**

### Justification and Amplification

This policy seeks to ensure that any new proposal for cemetery/burial space or extension to an existing facility meets the normal planning requirements and is in an appropriate location. This policy will apply to new cemetery/burial space and extensions of existing cemeteries not covered by other open space policies in this document.

The development of new cemeteries/ burial spaces or extensions to such sites has the potential to result in impact on the local water environment and in particular, the ground water underlying the site. It is important when planning such sites that consideration is given to possible impacts and where appropriate, ensure that adequate site investigation and risk assessments are undertaken.

Proposals for cemetery development should be considered in liaison with NIEA's Water Management Unit. In considering such proposals consideration should be given the latest best practice guidance on Cemeteries, Burials and the Water Environment, available on the DAERA website.

All proposals should ensure that there is no adverse impact on natural heritage. Applicants should also consider any potential impact on the historic environment, in particular in the re-use of, or extension to, historic church sites and graveyards.



# Economic: Creating Jobs, Promoting Prosperity and Supporting Transport and Other Infrastructure

# 6 Economic Development in Settlements

## Policy ED1 Economic Development in Settlements

### City and Towns

#### Class B1 Business Use

A development proposal for a Class B1 (a, b and c) business use will be permitted:

- a In the city or town centres and in other locations specified for such use in the LDP;
- b Elsewhere in the city and towns where it is demonstrated there is no suitable site under part (a) and:
  - i it is a firm rather than a speculative development proposal; and
  - ii the proposal would make a substantial contribution to the economy of the urban area.

Where a development proposal for Class B1 business use satisfies the above criteria, applicants will be expected to demonstrate that an edge of centre location is not available before a location elsewhere in the urban area is considered.

In addition, a development proposal for a Class B1(b) use as a call centre or B1(c) use for research and development will be permitted within zoned employment land.

Class B1(a) office use will only be permitted in an employment zoning when specified in the LDP.

#### Class B2 and B3 Industrial Uses and B4 Storage or Distribution Uses

A development proposal for a Class B2 (Light Industrial) or B3 (General Industrial) or B4 Storage or Distribution Use will be permitted on zoned employment land identified in the LDP provided it is compatible with adjacent and nearby uses and is of a scale, nature and form appropriate to the location and in the case of B4 uses approval will not lead to a significant diminution of the industrial/employment resource both in the locality and the plan area generally.

Elsewhere in the city and towns such proposals will be determined on their individual merits.

### Villages and Small Settlements

A development proposal for an economic development<sup>163</sup> use will be permitted where it can be demonstrated that all of the following criteria are met:

- a The scale, nature and design of the proposal are appropriate to the character of the settlement; and
- b The proposal is compatible with adjacent and nearby land uses.

In addition, for small settlements the floorspace for any individual proposal is limited to a maximum of 200 square metres gross external floorspace.

All proposals, including those seeking to extend an existing economic development use or premises, within settlements will be determined on its individual merits and will be required to meet GP1 General Policy and accord with other provisions of the LDP.

<sup>163</sup> For the purpose of this policy Economic Development Uses are as defined by The Planning (Use Classes) Order (Northern Ireland) 2015 'Part B Industrial and Business Uses'.



## Justification and Amplification

The RDS indicates that the urban hubs/clusters of the region will be the main focus for employment and services. The objective is to capitalise on development opportunities provided by the concentration of people and goods combined with available infrastructure and the clustering of a range of business services, including the professional, technical and financial services essential to economic development.

City and town centres will continue to be the primary focus for expanding service employment, as advocated by the RDS.

Exceptionally where there is a definite rather than a speculative proposal for a new Class B1 office development which would make a substantial contribution to the economy of Newry City or a particular town and no suitable site exists within the existing city or town centre or other area identified in a development plan as suitable for such development, consideration may be given to an alternative site within the urban area. A location on the periphery of the existing city or town centre must be considered first, as the Council considers that such a location will have

the least detrimental impact on town centre business functions. For any site to be found acceptable it will need to be compatible with existing land uses in the immediate area and meet normal planning and environmental standards.

The Council also recognises that some Class B1 development centred on activities such as communications and IT are clearly closely related to high technology knowledge-driven light industrial uses, and that there are economic and other benefits in grouping such uses in industrial areas or business parks. Accordingly, this policy provides for this option.

The LDP will ensure that an ample supply of land is available through zonings for economic development purposes in a wide range of suitable sites within Newry City and Downpatrick, and where appropriate, the district's towns and other settlements to meet the future demands of industrial, business, storage and distribution enterprises.

The LDP may, through key site requirements, restrict or promote specific economic development uses on zoned economic development land where there are good planning reasons for doing so.

Elsewhere in the city and towns, the reuse of land or buildings within existing or former industrial areas for appropriate economic development uses will be favourably considered subject to meeting the specified criteria.

Within villages and small settlements, the Council will not normally zone land for economic development purposes as this could inhibit flexibility. However, favourable consideration will be given to applications for economic development uses on unzoned land included within the settlement limit, provided the proposal is of a scale, nature and design appropriate to the character of the particular settlement involved and it meets the normal planning criteria for this type of development including compatibility with adjacent and nearby land uses.

Decisions on the reallocation of land zoned but undeveloped for industrial, business, storage and distribution purposes, when necessary, will be made through the development plan process.

Zoned employment land will be subject to a further review as part of the Local Policies Plan.

# 7 Economic Development in the Countryside

## Policy ED2

### Expansion of an Established Economic Development Use in the Countryside

A development proposal for the expansion of an established economic development use in the countryside will be permitted where the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise.

Proposals for expansion will normally be expected to be accommodated through the reuse or extension of existing buildings on site. Where it is demonstrated that this is not possible, new buildings may be approved provided they are in proportion to the existing building(s) and will integrate as part of the overall development.

Any extension or new building should respect the scale, design and materials of the original building(s) on the site and any historic or architectural interest the original property may have.

A proposal for the major expansion of an existing industrial enterprise that would not meet the above policy provisions will only be permitted in exceptional circumstances where it is demonstrated that:

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

In all cases, measures to aid integration into the landscape will be required for both the extension and the existing site.

## Justification and Amplification

While expansion is desirable for job creation, it can radically change the nature of the enterprise and its impact on the local environment. It is therefore important to weigh carefully the advantages to the rural economy of job creation or an improved industrial/business facility against the potential for an adverse impact on the rural environment.

Where proposals for expansion of an industrial or business enterprise in the countryside are considered inappropriate, planning permission will generally be refused. In those circumstances, the Council will normally recommend relocation of the enterprise to a nearby settlement. Exceptionally, where it is accepted that relocation of an existing industrial enterprise is not possible for particular operational or employment reasons, such expansion may be permitted.

In all cases where permission for major expansion is granted, the Council will require measures to be taken to ameliorate the impact, not only of the extension but also of the existing enterprise, on the local environment. Such measures will normally be considered essential to the grant of planning permission. Where necessary, Section 76 Planning Agreements may be used to secure environmental improvements. Conditions will also be imposed to ensure there is adequate landscaping, parking and servicing provision.

## Policy ED3

### Redevelopment of an Established Economic Development Use in the Countryside

A development proposal for the redevelopment of an established economic development use in the countryside for industrial or business purposes (or a sui generis employment use) will be permitted where it is demonstrated that all the following criteria can be met:

- a The scale and nature of the proposal does not harm the rural character or appearance of the local area and there is only a proportionate increase in the site area;
- b There would be environmental benefits as a result of the redevelopment;
- c The redevelopment scheme deals comprehensively with the full extent of the existing site or in the case of partial redevelopment addresses the implications for the remainder of the site; and
- d The overall visual impact of replacement buildings is not significantly greater than that of the buildings to be replaced.

A development proposal for the redevelopment of an established storage or distribution site for continuing storage or distribution use will also be permitted subject to the above criteria. However, the redevelopment of an established industrial or business site for storage or distribution purposes will only be permitted in exceptional circumstances taking account of environmental and transport impacts.

On occasion, proposals may come forward for the alternative use of economic development sites in the countryside. Proposals for the redevelopment of sites for tourism, outdoor sport and recreation or local community facilities will be viewed sympathetically where all the above criteria can be met and where the proposal does not involve land forming all or part of an existing industrial estate.

Redevelopment proposals involving retailing will, however, not be permitted.

Exceptionally, proposals for affordable housing may be permitted on former industrial sites that cannot realistically be redeveloped for industry, provided they meet the policy provisions of Policy COU3 Affordable Housing in the Countryside.



## Justification and Amplification

The complete or partial redevelopment of industrial or business use sites in the countryside, whether presently or formerly in use, may offer the opportunity for environmental improvement and job creation without adding to their impact on the amenity of the countryside.

The design and layout of new development will need to be considered as well as its footprint. The location of the new buildings should be decided having regard to the character of the area, the main features of the landscape and the need to integrate the new development with its surroundings.

Where proposals involve partial redevelopment, applicants will be required to address the potential impact on the remainder of the site.

The Council will not normally grant planning permission for the redevelopment of existing industrial or business uses in the countryside for storage/distribution use, partly because of the generally greater impact on rural amenity which would result and partly because the employment normally generated by storage/distribution use of a site is relatively less significant than its use for industrial or business purposes. An exception will however be permitted for small-scale proposals for storage and distribution use on part of an existing site used for industrial or business use or for redevelopment schemes involving an ancillary element of storage or distribution use provided in both cases the policy criteria can be met.

The redevelopment of existing economic development sites in the countryside for other uses considered appropriate in a rural area, such as a tourism or recreation facility, will be permitted where the proposal meets the above criteria and approval would not mean the loss of land currently in use as an industrial estate. This flexibility for redevelopment proposals other than for economic development will only apply to a limited range of uses.

# Policy ED4

## Major Industrial Development in the Countryside

A development proposal for major industry/economic development which makes a significant contribution to the regional economy will be permitted in the countryside where it is demonstrated that the proposal due to its size or site specific requirements needs a countryside location.

Such proposals will be assessed taking account of:

- a The long-term sustainable economic benefits;
- b The availability of alternative sites; and
- c The environmental or transport impacts.

Where an industrial development proposal is judged acceptable in principle in the countryside under the above, an edge of town location will be favoured over a location elsewhere in the rural area.

### Justification and Amplification

While most industrial development is generally best located within settlements, the Council recognises that certain industrial projects, because of their size or specific site requirements, may require to be located in the countryside.

Developers will need to demonstrate that there is an overriding reason for such a development in the countryside in the interest of the Region as a whole and that a thorough exploration of alternatives, including urban, and edge of urban sites, has been made and these are unsuitable. It will be the responsibility of the developer to explore all environmental impacts, both local and of wider consequence. The Council will consider not only the economic needs and benefits but also the wider long-term environmental effects of the proposal. This will include consideration of the accessibility of the proposal by different modes of transport and may entail the submission of a Transport Assessment and associated Travel Plan. Proposals may also be subject to formal environmental assessment under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.

Where such a proposal is justified in principle, the Council will expect the design of any buildings and associated development infrastructure to be of the highest standard. It should be accompanied by measures to assist integration of the proposal into the landscape and help promote biodiversity.

The Council will not normally grant permission for existing urban-based enterprises seeking relocation in the countryside.

## Policy ED5 Small Rural Projects

A development proposal to develop a small community enterprise park/centre or a small rural industrial enterprise on land outside a village or small settlement will be permitted where it is demonstrated that all the following criteria are met:

- a It is a firm proposal and there is no suitable site within the settlement;
- b The proposal would benefit the local economy or contribute to community regeneration; and
- c The development is clearly associated with the settlement, but will not dominate it, adversely affect landscape setting or otherwise contribute to urban sprawl.

In assessing the acceptability of sites, preference will be given to sites in the following order:

- i Land adjacent to the existing settlement limit, subject to amenity and environmental considerations;
- ii A site close to the settlement limit which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment; and
- iii An undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.

Where an economic development proposal is permitted under this policy, any subsequent proposals should preferably be sited to cluster or visually link to this. Subject to amenity and environmental considerations.

Storage or distribution uses will only be permitted where these are clearly ancillary to a proposal for a community enterprise park/centre or an industrial use.

### Justification and Amplification

This policy allows for a flexible approach to ensure adequate provision is made where firm proposals exist for a small rural enterprise that is associated with a village or small rural settlement but cannot be accommodated within the settlement. It is important that firm proposals for small rural projects are not blocked due to a lack of suitable land within existing settlements. The nature of a small industry may also be such as to require some physical separation from the built-up area because of potential nuisance, for instance noise or smell.

To allow informed consideration all applications made under this policy will be expected to be accompanied with the following information:

- sufficient evidence to indicate how realistic the proposal is and what sources of finance are available to sustain the project.
- an assessment of the likely contribution the enterprise will make to the local economy and information on the level of community support.
- detailed information of an exhaustive search to illustrate that there is no reasonable prospect of securing a suitable site within the limits of the particular settlement.
- justification for the particular site chosen and illustrative details of the proposed design and site layout.

The Council would stress that the flexibility allowed for under this policy only relates to firm proposals for acceptable small-scale rural enterprises incorporating appropriate economic development uses, in order to protect the setting of rural settlements and provide for sustainable development. The grant of planning permission will not in itself allow for inappropriate alternative uses if an approved scheme for some reason does not go ahead. In addition, the Council will consider in each case whether an approval should be accompanied by a condition limiting the range of uses within the approved site.

# Policy ED6

## Farm and Forestry Diversification

Planning permission will be granted for a farm or forestry diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm or operations on the forestry enterprise.

The following criteria will apply:

- a The farm or forestry business is currently active and established for a minimum of 6 years;
- b In terms of character and scale it is appropriate to its location;
- c It will not have an adverse impact on natural heritage or the historic environment; and
- d It will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.

Proposals must involve the re-use or adaptation of existing farm or forestry 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 or forestry enterprise, are clearly unsuitable for adaptation and re-use or cannot be adapted to meeting the requirements of other statutory agencies.

Where a new building is justified it should be of a scale compatible with that of the rural area and be satisfactorily integrated with an existing group of buildings.

### Justification and Amplification

The Council is committed to supporting the process of farm and forestry diversification where it is compatible with other objectives for the countryside. This policy aims to promote forms of diversification that are sustainable in the countryside, including suitable tourism or agri-tourism schemes, leisure activities such as pony trekking, farm shops and craft businesses or rural tourism. The applicant must demonstrate benefit to the parent business and that there will be some form of joint management or business connection between that business and the diversification proposal.

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.

Where a new building is proposed, the applicant will be required to provide sufficient information to satisfactorily demonstrate why existing buildings cannot be used and to demonstrate that the proposal will either cluster and consolidate with existing buildings on the farm or provide a high degree of integration so that the new building will not adversely affect the landscape and rural character of the area.

For the purposes of this policy the determining criteria for an active and established business will be that set out under Policy COU8 Dwellings on Farms.

In addition, all proposals for tourism related developments will also need to satisfy the relevant criteria of Policies TOU2-TOU8 as appropriate.



## Policy ED7

# Agricultural and Forestry Development

Planning permission will be granted for development where it is demonstrated that:

- a The farm or forestry business has been active and established;
- b It is necessary for the efficient use of the agricultural holding or forestry enterprise;
- c In terms of character and scale it is appropriate to its location;
- d It visually integrates into the local landscape and additional landscaping is provided as necessary;
- e It will not have an adverse impact on natural heritage or the historic environment;
- f 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;
- g It will not result in adverse impacts on human health, as well as sensitive habitats, waterways and wider biodiversity and ecosystem resilience through increased ammonia emissions; and
- h It will not add to or create pollution and all waste will be managed in accordance with all relevant legislation.

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 on the holding or enterprise.

Exceptionally, consideration may be given to an alternative site away from existing farm or forestry buildings, provided there are no other sites available at another group of buildings on the holding, and where:

- It is essential for the efficient functioning of the business; or
- There are demonstrable health and safety reasons.

## Justification and Amplification

As agriculture and forestry continue to change and develop, it is important that the planning process continues to support the operational needs of these enterprises.

Under the Planning (General Permitted Development) Order (Northern Ireland) 2015, certain development relating to agriculture and forestry is permitted development i.e. a planning application is not required as permission is deemed to be granted. Where a proposal is not permitted development and express permission is required, planning permission will be granted for agricultural and forestry buildings/works subject to the criteria stated, as well as other planning criteria and policy requirements.

Where permission is sought for a new building, the applicant will be required to satisfactorily demonstrate that renovation, alteration or redevelopment opportunities do not exist.

New buildings can form an integral part of the landscape if developed in sympathy with their surroundings, so as to blend unobtrusively into the landscape. Applicants should refer to the relevant sections of Building on Tradition for guidance on the form of traditional farm complexes. All such

proposals will also need to comply with Policies COU9 Design and Integration of Buildings in the Countryside and COU10 Rural Character.

A proposal located away from existing agricultural or forestry buildings on the applicant's holding or enterprise will only be acceptable where it is shown to be essential for the efficient functioning of the holding or enterprise. In such cases the applicant will be required to provide sufficient information to demonstrate that this is the case. 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. A prominent, skyline or top of slope/ridge location will be unacceptable.

All permissions granted under this policy will be subject to a condition limiting the use of the building to either agricultural or forestry use as appropriate.

For the purposes of this policy the determining criteria for an active and established business will be that set out under Policy COU8 Dwellings on Farms.

Intensive livestock and poultry production is a major source of Ammonia (NH<sub>3</sub>) which is known to have a detrimental impact on biodiversity including sensitive/protected habitats and ecosystem resilience.

It can also have a significant impact on marine environments and the draft Marine Plan for Northern Ireland refers to the need, under the Nitrates Directive, to protect waters from excessive nutrient inputs from agricultural sources. The reduction of ammonia emissions from agriculture is therefore a key priority for the Department of Agriculture, Environment and Rural Affairs (DAERA).

All applications under this policy will be required to demonstrate that it will not result in any adverse environmental impact on natural heritage assets; and how all wastes produced are to be managed in accordance with relevant legislation. DAERA, NIEA and Shared Environmental Services will be consulted as necessary. Protected sites such as Areas of Special Scientific Interest (ASSIs) can be located close to such holdings and enterprises and are at risk from pollution. In addition many river systems eventually enter Special Areas of Conservation (SACs) and RAMSAR sites such as Carlingford Lough. The Council will expect applicants to identify all potential risks to protected sites.

The failure to supply such information in a correct and timely manner is a significant source of delay in the processing of such applications.

# 8 All Economic Development

## Policy ED8 Development Incompatible with Economic Development Uses

**Planning permission will be refused for a development proposal in the vicinity of an existing or approved economic development use that would be incompatible with this use or that would prejudice its future operation.**

### Justification and Amplification

Some proposed developments may be incompatible with nearby economic development enterprises, either already operating, or approved in the vicinity. For example, activities giving rise to emissions such as dust, odour or micro-organisms may be incompatible with industrial enterprises requiring a particularly clean and contaminant free environment. Examples of the latter include pharmaceuticals, medical products, food products and research and development. Often, an individual enterprise engaged in one of these sectors will offer employment in specialised jobs and be of significant importance to the local or regional economy. Accordingly, it is in the public interest to ensure that their operations are not unduly compromised through incompatible development.

In such cases, where it is made known to the planning department that development (particularly general industrial uses) is proposed in the locality of an existing industry requiring a contaminant free environment, special attention will be paid to the needs of the existing industry for a clean/sterile environment in determining the proposal.

In other cases, new development, such as housing, may be incompatible in proximity to an existing economic development use that would be likely to cause nuisance, for example through noise, pollution or traffic disturbance and may prejudice the continued existence of such an economic development use even when all reasonable remedial measures have been taken.

Where it is clearly demonstrated that a proposal for new or expanded development would prejudice the future operation of an established or approved economic development use, then it will normally be appropriate to refuse the application. All reasonable means of mitigation should be

explored with the developer and the established enterprise prior to determining the application.

The requirements of non-planning legislation, for example those relating to public health and environmental pollution, may result in costly new requirements and restrictions being imposed on such businesses as a consequence of new neighbouring development. In such circumstances, the Council may refuse planning permission for new development in order to avoid jeopardising employment in the existing enterprise.

Supplementary Planning Guidance to Planning Policy Statement 4 – Policy PED 8: ‘Development Incompatible with Economic Development Uses’ (October 2012) will be a material consideration in the assessment of proposals under this policy unless, or until, it is replaced by the Department for Infrastructure.

# 9 Town Centres and Retailing

## Policy RET1 Town Centre First

Planning permission will be granted for a wide variety of retailing and related facilities in our Town Centres which provide important economic and leisure opportunities. The town centre first approach seeks to promote established city and town centres as the appropriate first choice for retailing and other complementary uses and to support and sustain the vibrancy of Newry City and the district's town centres.

A sequential approach to site selection will be applied in the following order of preference:

- a Within the city, town or small town centre boundaries where defined;
- b Edge of city or town centre boundary (adjoining it or within 300m); and
- c Out of centre locations (outside the city or town centre boundary) where sites are accessible by walking, cycling and public transport.

Where a Primary Retail Core (PRC) is defined within a city or town centre boundary, the Council will require proposals for new retail development to consider sites within the PRC in the first instance. Proposals to convert non-retail to retail use within the PRC will be supported by the Council. Non-retail proposals within a PRC will be considered in accordance with Policy RET2.

Proposals for other city and town centre uses (cultural and community facilities, leisure, entertainment and office) must follow the sequential order (a) to (c) above.

Where it is established that an alternative sequentially preferable site or sites exist within the catchment area of the proposed development, an application which proposes development on a less sequentially preferred site will normally be refused. The applicant must demonstrate why such sites are not practical alternatives in terms of their availability, suitability and viability.



## Justification and Amplification

In order to sustain and enhance the vitality and viability of town centres and their functions, town centres, or where designated their primary retail core (PRC), will be the first choice for all retail development. Where a PRC is designated, and retail proposals come forward within the city/town centre it should be demonstrated that consideration of the PRC has formed part of the site selection process. Outside town centres proposals for retail and other town centre uses will only be considered where a sequential test has been undertaken.

Following city/town centres, favourable consideration will be given to edge of centre sites before considering out of centre locations provided it has been demonstrated that there is a need for the retail provision and that there will be no significant adverse impact on the existing centre. The assessment of need should incorporate a quantitative and qualitative assessment taking account of the needs of the local town, committed

development proposals and allocated sites. A qualitative assessment examines the quality of goods and services or the retail environment on offer and how the proposal would subsequently improve this provision. A quantitative assessment is a numerical exercise which considers the need for additional floorspace for particular goods and services.

Edge of centre locations are those that are easily accessible on foot from the town centre (within 300m). Pedestrian access to and from an edge of centre site will be impacted by the degree to which it is physically separated from the town centre. Barriers such as a busy road or lack of a direct pedestrian access are likely to discourage linked trips to other shops and services within the town centre.

Other town centre uses such as cultural and community facilities, leisure, entertainment and office use (use class A2 and B1<sup>164</sup>) should follow the sequential approach to further enhance the attractiveness and vibrancy of centres encouraging a daytime economy and complementing the retail offer.

<sup>164</sup> The Planning (Use Classes) Order (Northern Ireland) 2015.

# Policy RET2

## Primary Retail Core and Primary Retail Frontage

Planning permission will only be granted for proposals for non-retail uses at ground floor level within a Primary Retail Core (PRC) where they do not:

- Result in unacceptable loss of retail floorspace within the PRC; or
- Undermine the shopping function of the PRC as a result of the accumulation of non-retail uses.

Proposals for non-retail uses at ground floor level within a Primary Retail Frontage (PRF) will only be permitted where they do not:

- Create a new continuous frontage within the PRF of three or more non-retail units; or
- Result in more than 20% of the PRF being in non-retail use.

On upper floors within the Primary Retail Core and Primary Retail Frontage the Council will support proposals for retail and other main town centre uses.

### Justification and Amplification

The Council wishes to ensure that PRC designations are protected from non-retail development that could undermine their capacity to sustain and enhance the city/town centre in question. The purpose in identifying a primary retail core is to ensure the continuation of a compact, lively and attractive shopping environment, offering both choice and convenience, and to control the intrusion of non-retail uses in prime shopping areas. Proposals for retail development in city and town centres will therefore be directed towards the primary retail core in the first instance.

In considering proposals for non-retail uses within the Council's PRCs, the Council will take account of city/town centre health checks, and the overall provision of retail services.

The designation of a PRF in Newry City has a role to play in enhancing the protection of retailing services within our City Centre from non-retail development and so ensure that the main shopping function and character of our City is preserved.

Upper floors within a PRC or PRF can however be under-utilised and present opportunities to introduce uses which can complement the retail offer. Complementary uses could include cultural and community facilities, leisure, entertainment and office use (use class A2 and B1). Proposals for residential on the upper floors will also be considered in accordance with Housing in Settlements policy provision HOU1-HOU9.

## Policy RET3

### Retail Impact Assessment and Assessment of Need

A development proposal for retail development and town centre uses at or above the thresholds identified below, including extensions, which are outside a city or town centre location, must be accompanied by a Retail Impact Assessment as well as need:

- 750 square metres (or above) gross external area outside Newry City and Downpatrick main town centre;
- 500 square metres (or above) gross external area outside all other town centres<sup>165</sup>.

For proposals below the above outlined thresholds the Council will consider the need for submission of a Retail Impact Assessment on a case-by-case basis.

### Justification and Amplification

A Retail Impact Assessment (RIA) is a means of establishing the relative effect that a proposed development will have on the wider retail hierarchy. The purpose of the RIA is to consider the impact over time of certain out of centre and edge of centre proposals on the vitality and viability of designated centres. The test relates to retail and main town centre uses as set out within Policy RET1.

The average unit size in Newry city centre, including the Quays and Buttercrane Shopping centres in 2022 was 240 sqm<sup>166</sup> while Downpatrick, including the Grove Shopping centre, had an average unit size of 224 sqm. It is therefore considered that a threshold of 750 sqm is an appropriate threshold for submission of a RIA in these centres. The district's remaining town centres range in size from Saintfield with an average unit size of 97 sqm to Ballynahinch with 140 sqm. Given the smaller unit size within these centres a lower threshold of 500 sqm is considered more appropriate.

A Retail Impact Assessment is required where a proposed extension would result in the overall development exceeding the thresholds above. Proposals which are below the thresholds set out above but may still have a significant impact on established centres may also be asked to undertake a RIA.

Applicants for retail planning applications are encouraged to scope the development proposals and potential retail impact in advance of the preparation of the RIA. This will include agreement with the Council as to whether the proposed development warrants a full RIA or whether a shorter, more indicative, assessment, in the form of a retail statement, is appropriate. It is also an opportunity to agree a range of issues in advance of preparing a RIA.

<sup>165</sup> Includes all local and small town centres, as defined in the settlement hierarchy.

<sup>166</sup> LPS non-domestic rates data September 2022.

Where a full assessment of retail impact and need is required, this should assess the following:

- a The impact of the proposal on trade and turnover for both convenience and comparison goods traders, and the impact on town centre turnover overall for all centres within the catchment of the proposal;
- b The impact of the proposal on existing committed and planned public and private sector investment and investor confidence in the town centre(s);
- c The impact of the proposal on the delivery of the planned/allocated sites and the LDP strategy;
- d The impact on the vitality and viability of existing centres including consideration of the local context. This should take into account existing retail mix and the diversity of other facilities and activities;
- e Cumulative impact taking account of committed and planned development, including planned commitments within the town centre and wider area; and
- f A review of local economic impacts.

An assessment of need identifies the needs of consumers and requirements of retailers, leisure operators and others proposing development for main town centre uses. The SPPS states that when undertaking an assessment of need, this should be proportionate to support the application and may incorporate a qualitative and quantitative assessment of need taking account of the sustainably and objectively assessed needs of the local town and take account of committed development proposals and allocated sites. The basis of any needs assessment will normally consider the proposed expenditure growth of the council area and quantum need for floorspace, minus the floorspace required for committed developments.



## Policy RET4

### Retail Development Outside City and Town Centres

Planning permission may be granted outside city and town centres, but within the settlement limit, for a small-scale convenience shop which does not exceed 200 square metres gross external area, where it can be demonstrated that:

- a It meets a defined local need which cannot be met within an existing centre; and
- b It will not adversely affect the vitality and viability of existing centres within its catchment.

Proposals for a convenience retail facility at a roadside service facility which exceed 200 square metres gross external area may be permitted where they meet the above requirements and can demonstrate no significant detrimental impact on existing centres through the submission of a Retail Impact Assessment.

#### Justification and Amplification

Local shops serve an important function by providing locally accessible, everyday shopping needs. They generally entail small-scale convenience shops which provide a secondary 'top-up' shopping function. This is particularly important for less mobile members of the community. It may be necessary to consider the attachment of a planning condition limiting the scale of provision and the type of goods sold in a local shop to ensure that the proposal fulfils its need to provide for the local population without adversely affecting existing centres.

Proposals for convenience facilities associated with a roadside service facility with floorspace exceeding 200 square metres gross external area may be considered acceptable where they demonstrate they meet the policy criteria and will not undermine existing provision and draw footfall away from existing centres.

# Policy RET5

## Local Centres

Planning permission will be granted within existing local centres for additional retail provision and other complementary uses where it is demonstrated that:

- a It is compatible, in terms of scale and type, with the character and function of the centre;
- b It will satisfy a defined local need; and
- c It will not adversely affect the vitality and viability of town centres in the catchment.

Proposals for convenience shopping in excess of 500 square metres gross external area or for an extension(s) that would result in the overall convenience provision exceeding 500 square metres gross external area will be required to submit a retail impact assessment and assessment of need.

Proposals for comparison shopping will not be permitted in local centres.

Outside of these centres, planning permission for local neighbourhood shops will be granted where it can be demonstrated that:

- a It meets a local need that cannot be met by locating within a Local Centre; and
- b It would not adversely affect the vitality and viability of existing centres in the catchment area of the proposal.

Proposals for local neighbourhood shops must be of an appropriate scale to ensure that their retail function, providing for everyday local convenience shopping needs does not undermine the vitality and viability of Town and Local Centres.

### Justification and Amplification

Local centres perform an important role in Newry and Downpatrick providing shopping and other community facilities and services to the surrounding area. Their key function is the provision of readily accessible convenience shopping which meets people's everyday needs.

Local centres make a significant contribution to the flexibility and choice within the community they are located, supporting those with limited or no access to transport and reducing the need to travel as well as promoting social inclusion.

In line with the SPPS, the Council will seek to retain and consolidate its existing local centres as a focus for local everyday shopping. In these centres extensions will only be permitted where the applicant has demonstrated that no adverse impact will result on the town centre catchment. Applications for development in excess of 500 square metres or an extension(s) that would result in the overall development exceeding 500 square metres gross external area will be required to submit a retail impact assessment and assessment of need to demonstrate that the enhanced provision of convenience floorspace would not draw important footfall from the main city or town centre.

Complementary uses include financial, professional and other services<sup>167</sup> where it is demonstrated that they are designed to serve local everyday needs.

Comparison goods shopping is not considered appropriate as this can potentially damage the retail function of the Primary Retail Core/frontage of the main city or town centre.

<sup>167</sup> Class A2 of the Planning (Use Classes) Order (Northern Ireland) 2015.

## Policy RET6

### Retail Development in Villages and Small Settlements

Planning permission will be granted for a range of retail uses within villages and small settlements, where it can be demonstrated that:

- a It meets local need that will help to sustain local communities;
- b It is compatible, in terms of scale, nature and design, with the character and function of the settlement; and
- c It will not adversely impact on retail provision within the city or town centres within the catchment.

#### Justification and Amplification

This policy applies to villages and small settlements within the district that do not have a defined centre but have a defined settlement limit. The development of local scale retailing in villages and small settlements will be encouraged provided the scale of provision and the type of goods sold clearly indicate that the shop is primarily designed to cater for the needs of the village or small settlement and its catchment population.

The design of village shops, and in particular the design of shopfronts (see LDP Supplementary Planning Guidance) should be in keeping with the character and architecture of the settlement.

# Policy RET7

## Retail Development in the Countryside

There will be a general presumption against development of retail facilities in the open countryside. However, as a general exception to the overall policy approach some retail facilities which may be considered appropriate outside settlements include farm shops, craft shops, and shops serving tourist or recreational facilities.

Proposals for such facilities should normally be located within existing buildings.

### Roadside Service Facilities

Proposals for roadside service facilities outside settlements will only be permitted if:

- a There is a clear indication of need;
- b Proposals for new facilities are located at least 12 miles from an existing or approved roadside service facility on the strategic road network;
- c There is no unacceptable adverse impact upon viability and vitality of an existing centre within the retail catchment; and
- d New retail floorspace or extension to existing retailing floorspace will be modest and ancillary to the selling of fuel.

Offices uses will not be permitted.

Proposals for a roadside service facility must also be in accordance with Policy TRA3 Access to Protected Routes.

### Justification and Amplification

The Council recognises that retail facilities such as farm shops, craft shops and shops serving tourist or recreational facilities, located outside settlements, can contribute to the local rural economy and therefore have an important function. For example, farm shops can meet a need for local produce and promote farm viability. Craft shops and tourist shops linked to tourist facilities can also service a useful role by providing new sources of jobs and attracting visitors.

Proposals for farm shops, craft shops and shops serving tourist facilities should normally involve the reuse or adaptation of existing buildings. Exceptionally where a new building is justified this should be small-scale and satisfactorily integrated with an existing group of buildings.

Along the district's strategic road network there is not only a need for fuel provision but also for a wider range of services including toilet and catering services together with adequate parking. Where a route is already adequately served by an existing roadside service facility the creation of entirely new service centre will not normally be acceptable but proposals for the extension of facilities at existing filling stations may be considered. In order to reduce the impact of facilities on the rural environment a spacing of 12 miles between services is considered reasonable. Proposals for the development of new service facilities within 12 miles of an existing service facility will therefore not be permitted.

The provision of stand-alone retail units such as fast food units, florists, off-licences are often associated with larger petrol filling station development and has the potential to harm the vitality and viability of town/village centres. Therefore, the Council will seek to ensure that such retail floorspace is of a scale and nature so as not to cause a significant impact on other centres.



# 10 Advertisements

## Policy AD1 Outdoor Advertisements

Consent will be given for the display of an advertisement where:

- a It respects amenity, when assessed in the context of the general characteristics of the locality; and
- b It does not prejudice public safety, including road safety.

Guidance set out in the LDP Supplementary Planning Guidance for different categories of outdoor advertisement will be taken into account in assessing proposals.

Where advertisements are proposed on a Listed Building or within a Conservation Area or Area of Townscape Character, they must comply with Policy HE8 and HE12 respectively.

### Justification and Amplification

The display of advertisements is an ever-increasing feature of our main streets and commercial centres, often adding colour and interest. Care, however, must be taken to ensure that an advertisement will not detract from the place where it is to be displayed or its surroundings and that it will not prejudice public safety, including road safety. In particular it is important to prevent clutter, adequately control digital signs and signs involving illumination and to protect features such as Listed Buildings and Conservation Areas from the potential adverse effects of advertising.

Particular care is also necessary to ensure that advertisements do not detract from the unique qualities and amenity of our countryside nor diminish our archaeology and historic environment.

Under the provisions of Section 130 Control of Advertisements of the Planning (Northern Ireland) Act 2011 interests of “amenity” and “public safety” are the only considerations that can be assessed in the exercise of advertisement control.

#### Amenity

In relation to advertisements the term amenity is usually understood to mean its effect upon the appearance of the building or structure or the immediate neighbourhood where it is displayed, or its impact over long distance views.

A well designed and sensitively sited advertisement, where thought has been given to size, colours, siting and levels of illumination, can contribute positively to the visual qualities of an area. All too often, however, advertisements are added to a building or placed in a location as an afterthought. The result is that a good building, neighbourhood or sensitive location can be easily spoiled by poorly designed advertising, which appears over dominant, unduly prominent or simply out of place.

A large number of advertisements on a building or along a road can create clutter and be disruptive to the appearance and character of an area. When preparing designs for new signage or advertisements, the opportunity

should be taken to rationalise the number of signs on a building or in an area and remove those which are redundant or excessive.

In assessing the impact of an advertisement or sign on amenity, the Council will take into account all of the following matters:

- a The effect the advertisement will have on the general characteristics of the area, including the presence of any features of historic, archaeological, architectural, landscape, cultural or other special interest;
- b The position of the advertisement on the host building and its scale and size in relation to that building;
- c The cumulative effect of the proposal when read with other advertisements on the building or in the surrounding area and whether the proposal will result in clutter;
- d The size, scale, dominance and siting of the advertisement in relation to the scale and characteristics of the surrounding area;
- e The design and materials of the advertisement, or the structure containing the advertisement, and its impact on the appearance of the building on which it is to be attached;
- f In the case of a free-standing sign, the design and materials of the structure and its impact on the appearance and character of the area where it is to be located; and
- g The impact of the advertisement, including its size, scale and levels of illumination, on the amenities of people living nearby and the potential for light pollution.

The amenity of the countryside is particularly important and there is a need to protect its unique qualities from the negative effects of advertising. The only advertisements likely to be acceptable in the countryside are those proposed on the site of and which relate to an existing or approved commercial enterprise. These should be small in scale, should not be illuminated, and should not detract from the quality and character of the local landscape.

### Public Safety

Advertisements by their very nature are designed to attract the attention of passers-by and therefore have the potential to impact on public safety. In assessing the impact of an advertisement on public safety, the Council will have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water or in the air.

The main types of advertisements which are likely to pose a threat to public safety are:

- a Those which obstruct or impair sight lines at corners, bends or at a junction or at any point of access to a road;
- b Those which, by virtue of their size or siting, would obstruct or confuse a road user's view or reduce the clarity or effectiveness of a traffic sign or traffic signal, or those which would be likely to distract road users because of their unusual design;
- c Signs which leave insufficient clearance on or above any part of the road or footpath, or insufficient lateral clearance for vehicles on the carriageway;
- d Those which are located so as to impair the safety of any person looking at them because there is no protection from moving vehicles or where the footpath is narrow at the point where the public stop to look at them;

- e Illuminated signs:
  - where the means of illumination is directly visible from any part of the road;
  - which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals; and
  - which, because of their size or brightness, could result in glare or dazzle, or otherwise distract road users especially in wet or misty weather;
- f Signs, including digital signs, which incorporate moving or apparently moving elements in their display, especially where the whole message is not displayed at one time therefore increasing the time taken to read the whole message;
- g Those which resemble traffic signs because of their colour or content or those which embody directional or other traffic elements and which could therefore cause confusion with traffic signs;
- h Signs sited or designed primarily to be visible from a motorway or other special road; and
- i Those which cause possible interference with a navigational light or an aerial beacon.

In assessing the impact on public safety, the vital consideration for the Council will be whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting or confusing that it creates a hazard to, or endangers, people in the vicinity, such as drivers, cyclists or pedestrians.

The Council will also bear in mind that, on occasion, some advertisements can positively contribute to public safety, for example, by directing drivers and others to their destination.

Thoughtful siting and illumination can overcome many of the potential hazards listed above. Public safety issues are less likely to occur where an advertisement is proposed within an existing industrial or commercial centre, and when the level of illumination proposed is appropriate to the location. The luminance of digital advertising should be controlled by light sensors that automatically adjust screen brightness for ambient light levels in order to avoid glare at night and facilitate legibility during daytime.

In assessing the brightness of signs, these will be expected to accord with the guidance contained in the Institute of Lighting Professional guidance PLG05 'The Brightness of Illuminated Advertisements'.

Where appropriate, the Council will consult other relevant public bodies who have an interest in the safe display of advertisements. In particular, the Council will take into account the advice of DfI Roads on matters of road safety.

### Listed Buildings, Conservation Areas and Areas of Townscape Character

This policy should be read together with the following proposed historic environment policies:

- Policy HE8 Advertisements on a Listed Building
- Policy HE12 Advertisements in a Conservation Area or Area of Townscape Character.

Additional guidance for the display of advertisements, in particular Conservation Areas, is set out in the relevant designation documents and design guides produced by the former Department of the Environment.

# 11 Tourism Development in Settlements

## Policy T0U1 Tourism Development in Settlements

**Planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement provided it is of a nature appropriate to the settlement and respects the site context in terms of scale, size and design.**

### Justification and Amplification

The policy for tourism has been informed by regional and local policy and recognises the importance of tourism on economic growth, recreation and regeneration.

Tourism development will be directed to settlements, subject to meeting normal planning criteria as, the tourism industry is interdependent on a variety of services and facilities which exist within settlements such as retail, accommodation, catering, entertainment, leisure, culture and access to a reliable public and active transport system. A sense of vitality will be promoted in settlements within which these synergies are identified and strengthened.

In Newry, Mourne and Down, natural heritage provides the strongest tourism offering for the district. Natural heritage is a significant asset upon which the district's tourism industry relies; therefore, a settlement first approach will help to deliver high-quality development that avoids negative impact on natural heritage in the countryside.

In specific locations, tourism can provide a focus for regeneration schemes or may be a key component of mixed-use development. In Newry, Mourne and Down, towns and villages provide a prominent gateway to an upland or coastal experience and have the ability to become a destination experience in their own right. This is especially the case when the tourism industry takes advantage of the benefits from the synergy arising through the concentration of hotels, museums, art galleries, conference facilities, restaurants, bars, cinemas and theatres, often within town centres.

While the policy will provide for tourism development within settlements, account will be taken of the nature, and character of the surrounding area, including any neighbouring or adjoining LLPA designations and neighbouring residential amenity. These considerations and the need for high-quality design in particular will be afforded substantial weight within Conservation Areas and Areas of Townscape Character. Consideration will also be given to other parts of the LDP, which may preclude tourism development from particular areas within settlements, for example through alternative land use zonings or designations safeguarding the integrity of specific sites.

# 12 Tourism Development in the Countryside

## Policy T0U2

### Tourist Amenities in the Countryside

Planning permission will be granted for a tourist amenity in the countryside where it is demonstrated that:

- a It is in association with and requires a site at or close to a particular tourism attraction located in the countryside; or
- b The type of tourist activity in itself requires a countryside location.

All proposals that include buildings must make provision in existing or replacement buildings, where possible.

Where a proposed tourist amenity is of regional importance or is otherwise significant in terms of the extent of new build or the scale of engineering operations it must demonstrate substantial benefit to regional tourism as well as sustainable benefits to the locality. Such applications must be supported by a tourism benefit statement and a sustainable benefit statement (see Appendix 6).

#### **Extension of an Existing Tourist Amenity**

A proposal for the extension of an existing tourist amenity will be permitted where it meets the criteria of this policy.

Where possible, such proposals will be expected to be accommodated through the conversion, reuse or extension of existing buildings on site, unless it can be demonstrated that this is not a feasible option. In circumstances where the planning authority accepts a new or replacement building it should be sited and designed so as to integrate with the overall development.

Any conversion, extension or new building should respect the scale, design and materials of the original building(s) on the site and any historic or architectural interest they may have.



## Justification and Amplification

A tourist amenity is defined by the Tourism (NI) Order 1992 as an amenity, facility or service provided primarily for tourists, but does not include tourist accommodation.

Tourist amenities are diverse in terms of their nature, scale and function and not all proposals will be suited to an urban location. For example, there may be a functional need for facilities associated with outdoor activities. The Mourne Mountains and the Ring of Gullion provide for a wide array of nature-based activities and cultural heritage tourism. It is a landscape that has been recognised for its scenic qualities through AONB designations and is increasingly recognised as a mountain biking destination of distinction. In addition, the Mourne Coast stretches from Strangford Lough to Carlingford Lough providing the opportunity for a variety of water-based tourism activities.

The policy therefore provides for tourist amenities in the countryside where the tourism activity and associated facilities require a rural location in terms of their functional or site/area specific requirements.

The impact of proposals on rural character, landscape, seascape, natural heritage and the historic environment is an important consideration in their assessment, particularly within areas designated for their landscape, natural or cultural heritage qualities. Proposals associated with particular tourism assets in the countryside will also be assessed against Policy TOU8 Safeguarding of Tourism Assets.

In order to facilitate assessment of regionally significant or large-scale proposals or those that are significant to the district or Northern Ireland, applications must be accompanied by a tourism benefit statement to demonstrate the value of the proposal in terms of tourism revenue, increased visitor numbers to Northern Ireland and the locality, and also how it will further the aims of any regional tourism strategy or the Council's Tourism Strategy. The Council will consult with Tourism NI on large scale tourist amenity proposals for comment in regard to tourism benefit. These proposals are also required to be accompanied by a sustainable benefit statement, highlighting how it will deliver sustainable benefit to the local community. Relevant considerations are set out in Appendix 6.

# Policy T0U3

## Hotels, Guest Houses, B&Bs, Tourist Hostels and Bunkhouses in the Countryside

Planning permission will be granted for a new hotel/guest house/B&B/tourist hostel/bunkhouse in the countryside where the development complies with any of the following circumstances:

- a Conversion and re-use of an existing rural building; or
- b The replacement of an existing rural building; or
- c A new build proposal on the periphery of a settlement.

A proposal for a new hotel in the countryside must demonstrate a substantial benefit to tourism as well as sustainable benefits to the locality. Such applications must be supported by a tourism benefit statement and a sustainable benefit statement (see Appendix 6).

The following criteria relating to the relevant circumstances must be met:

### Conversion and Re-Use of an Existing Rural Building

A proposal for the conversion and re-use of suitable rural buildings for tourism uses, including use as a hotel, guest house, B&B, tourist hostel or bunkhouse, will be assessed under Policy HE14 (The Re-use of Non-listed Vernacular and Locally Important Buildings).

### Replacement of an Existing Rural Building

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

- The building is of permanent construction;
- The existing building and its replacement are both of sufficient size to facilitate the proposed use in accordance with the accommodation requirements set out in Tourism (NI) Order 1992;
- The existing building is not a listed building;
- Where the existing building is a vernacular building and is considered to make an important contribution to local heritage or character, replacement will only be approved where it is demonstrated that the building is not reasonably capable of being made structurally sound or otherwise improved;
- The redevelopment proposed will result in significant environmental benefit;

- The overall size and scale of the new development, including car parking and ancillary facilities, will allow it to integrate into the surrounding landscape and will not have a visual impact significantly greater than the existing building;
- The design is of high-quality, appropriate to the rural setting and has regard to local distinctiveness;
- Access, car parking and other necessary services are available or can be provided without significant adverse impact on the environment, the appearance and character of the locality and road safety.

### **New Build Hotel, Guest House, B&B, Tourist Hostel and Bunkhouse on the periphery of a Settlement**

A firm proposal to develop a hotel, guest house, B&B, tourist hostel or bunkhouse on land at the edge of a settlement will be permitted subject to the following criteria:

- There is no suitable site within the settlement or other nearby settlement;
- There are no suitable opportunities in the locality to provide a hotel, guest house or tourist hostel either through;
  - The conversion and re-use of a suitable building(s); or
  - The replacement of a suitable building(s);
- The development is close to the settlement, but will not dominate it, adversely affect landscape setting, or otherwise contribute to urban sprawl.

Where the principle of a new building on the periphery of a settlement is established through meeting the above criteria, the planning authority will apply a sequential locational test, with preference being attributed to sites in the following order:

- Land adjacent to the existing settlement limit, subject to amenity and environmental considerations;
- A site on the periphery of the settlement limit which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment;

- An undeveloped site close to the settlement where the development could be visually integrated into the landscape.

Any proposed change of use or replacement of a hotel, guest house, B&B, tourist hostel or bunkhouse approved under this policy to a non-tourism use will be resisted, unless it is demonstrated that:

- a The facility is not viable in the long-term; and
- b There is sufficient alternative provision in the locality to offset the loss of tourism benefit.

### **Expansion of Existing Hotels, Guest Houses, B&Bs, Tourist Hostels and Bunkhouses**

A proposal for the expansion of an existing hotel, guest house, B&B, tourist hostel or bunkhouse will be permitted where it meets the following criteria:

- a New or replacement building(s) are subsidiary in terms of scale to the existing building(s) and will integrate as part of the overall development; and
- b Any extension or new building should respect the scale, design and materials of the original building(s) on the site and any historic or architectural interest the original property may have.

## **Justification and Amplification**

### **Conversion and re-use of an Existing Rural Building**

The potential for the conversion and re-use of suitable rural buildings for tourism uses, including use as a hotel, guest house, B&B, tourist hostel or bunkhouse, will be assessed under Policy HE14 (The Re-use of Non-listed Vernacular and Locally Important Buildings).

### **Replacement of an Existing Rural Building**

Redevelopment of an appropriate building(s) for such uses, will be favourably considered in circumstances where the environmental benefit of full or partial replacement will outweigh the retention and conversion of the building. The condition of the building and the economic feasibility of repairing and maintaining it will also be taken into account in assessing such proposals. Good design is of paramount importance and redevelopment proposals must be sensitive to the rural setting and local distinctiveness.

### **New Build Hotel, Guest House, B&B, Tourist Hostel or Bunkhouse on the Periphery of a Settlement**

New buildings for these forms of tourist accommodation should usually be located within settlements in order to take advantage of existing services and facilities, provide ready access for visitors and employees and to

minimise the impact on rural amenity and character. In Newry, Mourne and Down, in addition to offering services and facilities, settlements also act as gateways to upland and coastal activity-based tourism assets. Downpatrick, Newcastle, Newry, Warrenpoint/Burren, Rostrevor and Crossmaglen are identified in the Council's Tourism Strategy as gateway and hubs for orienteering tourists and serving their needs.

However, it is important that firm proposals for such projects are not impeded due to a lack of suitable land within settlements. Where the case for a location outside a settlement in such an area can be clearly demonstrated; the selected site should be as close to the settlement as possible, subject to amenity and environmental considerations, as this is usually more sustainable than a more remote site.

Newry, Mourne and Down's tourism is based on natural heritage including the uplands and coastline. A proposal must also respect the character of the settlement and its setting in the surrounding landscape. This in turn will require careful site selection, layout, design and landscaping. Proposals which are deemed to be acceptable in principle will be required to include sufficient mitigation measures, including landscaping and design, to ameliorate any negative impacts and secure higher quality development.

To allow informed consideration all applications made under this policy will be expected to be accompanied with the following information:

- Sufficient evidence to indicate how firm or realistic the particular proposal is and what sources of finance are available (including any grant aid) to sustain the project;
- Detailed information of an exhaustive search to illustrate that there is no reasonable prospect of securing a suitable site within the limits of the particular settlement or other nearby settlement; and
- Justification for the particular site chosen and illustrative details of the proposed design and site layout.

Applications for new hotels must also be accompanied by a tourism benefit statement that will demonstrate the value of the proposal in terms of tourism revenue, increased visitor numbers to Northern Ireland and the locality, and also how it will further the aims of any regional tourism strategy or the Council's Tourism Strategy.

The grant of planning permission will not in itself allow for inappropriate alternative uses if an approved scheme for some reason does not go ahead. While the planning authority cannot require business enterprises which become uneconomic to continue, alternative land uses will only be approved if there is sufficient alternative accommodation in the locality to provide for tourism benefit in line with any regional strategy or the Council's Tourism Strategy. The Council's Tourism Department is to be consulted with regard to such applications and Tourism NI will also be consulted for developments of a significant scale.

Tourist accommodation can be marketed under short-term let tourist accommodation such as B&Bs and serviced/self-catering apartments. Such types of accommodation are usually 'permitted development' however, planning applications will be required where there is a new-build or material change of use, and these will be assessed under this policy.

Bunkhouses are a relatively new form of tourist accommodation established by Article 12 of the Tourism (NI) Order 1992 and Amendment - Categories of Tourist Establishment Order (NI) 2011. A bunkhouse is defined as offering simple hostel-style accommodation usually located in remote or rural locations where facilities and services may be limited. They are generally used by those on activity-based tourist trips or excursions. Applications for bunkhouses in the countryside will be assessed under this policy.



## Policy T0U4

# Major Tourism Development in the Countryside – Exceptional Circumstances

A proposal for a major tourism development in the countryside will be permitted if it complies with Policy T0U2 Tourist Amenities in the Countryside and it meets all of the following exceptional circumstances:

- Demonstration of exceptional benefit to the tourism industry;
- Demonstration that the proposal requires a countryside location by reason of its size or site specific or functional requirements; and
- Demonstration of sustainable benefit to the locality.

All proposals brought forward under exceptional circumstances must be accompanied by a statement demonstrating how the proposal meets these criteria.

### Justification and Amplification

This policy makes provision for major tourism development projects in the countryside in exceptional circumstances for proposals that offer exceptional benefit to the tourism industry. The ability of the proposed development in itself to attract tourists to the district will be significant in assessing whether it will offer exceptional benefit to the tourism industry. A further consideration will be the extent to which the proposed development meets a regional or sub-regional market need that is identified in any regional tourism strategy.

This policy will not facilitate approval of relatively minor proposals for tourism development, for example a single guest house or small-scale self-catering development, as such proposals are unlikely in themselves to offer exceptional benefit to the tourism industry or be of a scale that requires a countryside location. However, a proposal that offers a tourist amenity likely to attract significant numbers of visitors along with a commensurate level and quality of visitor accommodation will be considered under this policy.

To allow informed consideration all applications made under this policy will be expected to be accompanied with the following information:

- A tourism benefit statement that will demonstrate the value of the proposal in terms of tourism revenue, increased visitor numbers to Northern Ireland and the locality, and also how it will further the aims of any regional tourism strategy or the Council's Tourism Strategy.
- Sufficient evidence to demonstrate how realistic the particular proposal is and what sources of finance are available (including any grant aid) to sustain the project.
- Justification for the particular site chosen and illustrative details of the proposed design and site layout.
- A sustainable benefit statement taking account of the considerations set out in Appendix 6.

All such proposals in the countryside to be considered under exceptional circumstances will be subject to consultation with the Tourism NI and the Council's Tourism Section. The impact of proposals on rural character, landscape, natural heritage and the historic environment is an important consideration in their assessment, particularly within areas designated for their landscape, natural or cultural heritage qualities.

It is anticipated that the requirement for the type of tourism development that might be regarded as exceptional in the context of this policy will diminish through time as market needs are met.

Accordingly, consultation with Tourism NI and central government may be required as part of the development management process.

In assessing any major tourism development proposal, the Council will require developers to provide relevant impact assessments where this is necessary to allow proper consideration of the impacts of the development and any mitigation measures proposed and must therefore comply with Strategic Policy SP2 Enhancing Design and Place Shaping.

## Policy T0U5

### Self-Catering Accommodation in the Countryside

Planning permission will be granted for self-catering units of tourist accommodation where the development complies with Policy T0U2 Tourist Amenities in the Countryside and in any of the following circumstances:

- a One or more new units all located within the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park;
- b A cluster of 3 or more new units are to be provided at or close to an existing or approved tourist asset that is/will be a significant visitor attraction in its own right; and
- c The restoration of an existing clachan or close, through conversion and/or replacement of existing buildings, subject to the retention of the original scale and proportions of the buildings and sympathetic treatment of boundaries. Where practicable original materials and finishes should be included.

In either circumstance (a) or (b) above, self-catering development is required to be subsidiary in scale and ancillary to the primary tourism use of the site.

Where a cluster of self-catering units is proposed in conjunction with a proposed or approved hotel, self-catering complex, guest house or holiday park and/or tourist amenity, a condition will be attached to the permission preventing occupation of the units before the primary tourism use is provided and fully operational.

All permissions for self-catering accommodation will include a condition requiring the units to be used for holiday letting accommodation only and not for permanent residential accommodation.

The overall design of the self-catering scheme, including layout, the provision of amenity open space and the size and detailed design of individual units, must deter permanent residential use. To this end, permitted development rights in respect of plot boundaries will also be removed.

Units of tourist accommodation assessed under this policy will have a high degree of permanency with connection to services and substantial facilities within the unit.

### Justification and Amplification

This policy provides sustainable opportunities for self-catering tourist accommodation in the countryside particularly in areas where tourist amenities and accommodation have become established or likely to be provided as a result of tourism initiatives. The policy will provide for sustainable economic benefits because new self-catering accommodation linked with an existing tourism enterprise can create synergy by enhancing its usage, economic viability and attractiveness to tourists. In turn this will support wider tourism initiatives while also delivering benefits to the local community. The policy will also provide sustainable environmental benefit through focusing self-catering development in existing nodes of tourism activity, thereby avoiding random development throughout the countryside and safeguarding the value of tourism assets.

Where units are proposed in association with a tourist asset, the policy requires that the tourist asset must be a significant visitor attraction in its own right. In assessing this, the planning authority will consider the nature and scale of the tourist asset. Tourist assets must be a specific destination or development rather than a more generalised location within a broader landscape feature, such as an AONB or a walking route (including greenways and blueways). Relevant considerations in regard to its significance in attracting visitors are likely to include visitor numbers and the provision facilities linked to and enabling usage of the asset, for example berths for boats, buildings for use as changing areas or the storage of recreational equipment, and car parking. To assist in this assessment, the planning authority may consult with Tourism NI.

Where self-catering units are permitted on the basis of an associated tourist accommodation or a tourist asset, it is imperative that the primary tourism use which provides the justification is in place and functioning, before the units become operational. The policy therefore requires a condition to be attached to approvals to this effect. Exceptionally, such a condition may not be attached by the planning authority in circumstances where self-catering units are to be provided in

association with a tourist asset, such as a golf course, which has a long lead in time prior to it becoming operational. However, this exception will only be applied where there is no hotel or other element of the overall development proposal that could provide a revenue source during the lead-in time required for the tourist asset.

The requirement for approved self-catering units to be retained in tourism use and not used for permanent residential accommodation will seek to ensure that tourist accommodation is available to benefit local communities in rural areas and that the unauthorised use of approved tourist accommodation as a private dwelling(s) does not occur. Permanent residential use of self-catering units will also be deterred through design. Such units will be required to demonstrate an informal site layout with communal open space only. Informal road layout without designated car parking will also be required. Informal car parking provision should not, where possible, be directly associated with the units. Individual units must be of appropriate design for holiday use, for example rural cottage style, with possible restrictions on floorspace and building height. Plot divisions between units by means of fences or walls will be prevented through the removal of permitted development rights.

Policy HE14 The Re-use of Non-listed Vernacular and Locally Important Buildings; and Policy ED6 Farm and Forestry Diversification may provide other opportunities for small-scale, including single unit, self-catering accommodation in the countryside.

Refer to Policy T0U7 in relation to new and extended glamping accommodation in the countryside.

## Policy T0U6

### New and Extended Holiday Parks in the Countryside

Planning permission will be granted for a new holiday park or an extension to an existing facility where it complies with Policy T0U2 Tourist Amenities in the Countryside and the proposal will create a high-quality and sustainable form of tourism development.

Such parks may offer a range of accommodation, including static caravans, holiday chalets, and pitches for touring caravans, motor-homes and camping, as well as a diverse range of infrastructure and amenity provision.

The location, siting, size, design, layout and landscaping of the holiday park proposal must be based on an overall design concept that respects the surrounding landscape/seascape, rural character and site context. Proposals must demonstrate how they make a positive and sustainable contribution to the tourism offering and provide a benefit to the local community, through a sustainable benefit statement (Appendix 6).

Proposals for holiday park development must be accompanied by a layout and landscaping plan (see Appendix 7) and will be subject to the following criteria:

- The site is located in an area that has the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character;
- Effective integration into the landscape must be secured primarily through the utilisation
- of existing natural or built features. 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 its integration with the surrounding area;
- Adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development;
- The layout of caravan pitches/ motor homes is informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping;
- The design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing;
- Environmental assets including features of the archaeological and historic environment, natural habitats, trees and landscape/ seascape features are identified and, where appropriate, retained and integrated in a suitable manner into the overall design and layout; and
- Mains water supply and sewerage services must be utilised where available and practicable.

### Justification and Amplification

Holiday parks are important for the domestic tourism market in terms of the volume of rural tourism bed spaces they provide and the economic benefits that flow from this scale of tourism activity. The district will also benefit from economic stimulus through the installation of units and park infrastructure and ongoing maintenance and servicing. Social benefits may also be realised through the provision that holiday parks often make for accommodating extended family units, providing a safe environment for children and fostering a sense of community amongst users and the locals in the area. Such parks may offer a range of accommodation, including static caravan holiday homes, holiday chalets and pitches for touring caravans, motor-homes and camping, as well as a diverse range of infrastructure and amenity provision.



The scope for integrating a new holiday park, particularly a static park, or a large scale extension to an existing facility is often limited by the extent and layout of such development and by specific locational preferences such as proximity to the coastline outside of settlements. Appropriate site selection is therefore crucial in order to ensure visual integration into the landscape/seascape and to avoid detrimental impact upon environmentally sensitive sites.

The policy provisions also reflect the importance of design, layout and landscaping in order to achieve high-quality development that integrates into the landscape/seascape and respects the surrounding rural context as well as providing a pleasant environment for users of the holiday park. These requirements appear to reflect recent trends within the holiday park industry which are to a large extent driven by customer demand for improved space standards, greater privacy, generous provision for amenity open space and a pleasant, landscaped environment. It is acknowledged that new holiday parks incorporating these elements may typically require somewhat larger sites than traditional high density parks. This factor makes good site selection all the more important. In this context, a high-quality proposal in terms of layout and landscaping will still be refused planning permission if the site is fundamentally unsuitable.

In preparing a layout and landscaping plan there should be an informal layout of caravan units/motorhomes/chalets and any other units by the use of small informal clusters separated by appropriate landscaping and the avoidance of rows of units that typically result in detrimental impact. Further guidance on site layout and landscape design is set out in Appendix 7.

Consideration will be given to the cumulative effect on the landscape of any increase in units on individual sites especially where there are a number of other sites in close proximity.

The Caravans Act (Northern Ireland) 1963 introduced the requirement for a licence to erect a caravan site on any land. The Caravans Act (NI) 2011 introduces rights of persons with dealings with site owners, who either live in a caravan as their main home or those who rent caravan pitches for more than 28 days.

# Proposed Policy T0U7

## New and Extended Glamping Accommodation in the Countryside

A proposal for the provision of new, small-scale glamping accommodation or an extension to an existing site in the countryside will be permitted where it meets Policy T0U2 Tourist Amenities in the Countryside, and will be subject to the following specific criteria:

- a It is closely associated with a tourist asset or it is part of a farm diversification scheme;
- b The site positively contributes to the natural character, biodiversity and cultural heritage of the surrounding area;
- c The site fits unobtrusively within the landscape and is well screened by existing landscape features;
- d Ancillary facilities are provided by conversion of existing buildings (subject to compliance with Policy HE14). Where this is not possible, such facilities could be considered as ancillary to the accommodation, subject to other relevant policy considerations, including landscape impact;
- e The site is for short-term holiday accommodation only; and
- f The site has no more than five units of accommodation.

A proposal for a glamping accommodation site must also demonstrate that it incorporates principles of sustainable tourism development by submitting a sustainable benefit statement (see Appendix 6).

In addition, development proposals must be accompanied by a layout and landscaping plan following the guidance provided in Appendix 7.

### Justification and Amplification

Glamping sites provide the chance for the provision of sustainable tourist accommodation which immerses visitors in the natural landscape, biodiversity and cultural heritage of the district. Given the recent and continuing demand for such camping experiences and the low impact of the activity on the environment, this policy seeks to aid high-quality proposals in gaining permission.

Glamping accommodation includes but is not limited to, pods, safari tents, tree houses, bell tents, cabins, dens, micro-lodges, tipis, shepherd huts, yurts, vintage caravans, geodomes. This list of glamping accommodation types is not exhaustive and should proposals for other types of glamping accommodation come forward these will also be assessed on their merits in accordance with the LDP policy framework and this policy.

These accommodation types have varying degrees of permanency and levels of service provision. Glamping accommodation proposals which incorporate serviced units that can be defined as self-contained with serviced connections, will be assessed under Policy T0U5 Self-Catering Accommodation in the Countryside. Glamping accommodation, which is a smaller and temporary (mobile), with the most basic of facilities within the unit, will be assessed under this policy. These accommodation types should be capable of being moved, or dismantled and moved, when no longer in use.

The types of accommodation that would be considered under this policy are low impact and small-scale in nature. Their purpose is to ensure the quiet enjoyment of the area by visitors, and to provide a kind of 'back to nature experience'. Small-scale refers to the capacity of the accommodation to assimilate the development and where the development does not compete for visual attention with the natural landscape. Applications for more than five units of accommodation on one site will not be considered.

Ancillary communal facilities, including toilets and showers, should be located within an existing building or as an extension to existing facilities. If no suitable buildings are available, the need for additional temporary and low impact facilities should clearly be demonstrated and they should be proportionate to the nature and scale of the development. Such low impact facilities could include compost toilets, solar powered lighting, rainwater harvesting, wood burning stove, gas burners etc.

It is encouraged to explore innovative sustainable visitor accommodation that preserves and enhances the district, as well as promoting opportunities for the understanding and enjoyment of the of the area, by the public, whilst also fostering the economic and social wellbeing of local communities. Proposals should demonstrate a sustainable approach to tourism development highlighted through a sustainable benefit statement (see Appendix 6). Those which promote opportunities for the understanding, and enjoyment of the biodiversity, natural and cultural heritage of the district will be supported.

To avoid the proliferation of sites and adverse cumulative impacts, and to support the local rural economy of the district, only proposals that are part of a genuine agricultural diversification scheme or are ancillary to a new or existing tourist asset will be acceptable.

For the purposes of this policy, a 'tourist asset' is significant visitor attraction in its own right. In assessing this, the planning authority will consider the nature and scale of the tourist asset. Tourist assets must be a specific destination or development rather than a more generalised location within a broader landscape feature, such as an AONB or a walking route (including greenways and blueways). To assist in this assessment, the planning authority may consult with Tourism NI.

If the proposal is to support an existing visitor asset, then it must be demonstrated that the visitor attraction will not be solely reliant on the alternative accommodation and the tourist asset is still viable and will still continue to function ensuring that the site does not become solely glamping accommodation.

# 13 All Tourism Development

## Policy T0U8 Safeguarding of Tourism Assets

Planning permission will not be granted for development that would in itself or in combination with existing and approved development in the locality have an adverse impact on a tourism asset such as to significantly compromise its tourism value.

This policy provides for the safeguarding of all tourism assets, including those which are subject to protection for other reasons under various legislative or policy instruments and those which are not subject to such protection.

Planning permission will also not be granted for any proposal which impacts upon any existing or planned public access to any tourism asset.

### Justification and Amplification

A tourism asset is defined as any feature associated with the built, natural, historic or marine environment which is of intrinsic interest to tourists. The safeguarding of both the tourism assets and the associated accesses from unnecessary, inappropriate or excessive development is a vital element in securing a viable and sustainable tourism industry. To allow such development could damage the intrinsic character and quality of the asset and diminish its effectiveness in attracting tourists.

There are many diverse features or combinations of features associated with natural heritage and historic environment in Newry, Mourne and Down which are of intrinsic interest to tourists. Within Northern Ireland there are eight Areas of Outstanding Natural Beauty, three lie within this district: the Ring of Gullion, Mourne, and Strangford Lough and Lecale

AONBs. These AONBs are rich in built, natural and cultural heritage. In addition, Newry, Mourne and Down District's towns and villages provide a prominent gateway to an upland or coastal experience and have the ability to become a destination experience in their own right.

The policy is applicable to all forms of development which may impact adversely upon a tourism asset. Adverse impact will include visual impact, for example within an area of high landscape quality, within a Conservation Area or in the vicinity of a Listed Building which could be important for attracting tourists. Adverse impact upon a tourism asset could also arise through other sources, for example odour, noise, dust or pollution of air or watercourses. What constitutes 'adverse impact' and the determination of the extent of its influence are matters of planning judgement and each case will be assessed on its merits.



During the processing of applications careful consideration must be given to the safeguarding or enhancement of any existing or proposed public access to tourism assets. In many instances this element of the proposal can make a positive contribution to the overall setting of the asset and therefore ensuring its protection can make a positive contribution by enhancing the character and distinctiveness of the asset.

However, this policy is not intended to prevent all development. Development that will not significantly compromise the overall tourism value of the asset may be facilitated. Where the tourism asset is large scale, for example an AONB, key locations of tourism value at a local level should also be safeguarded. Development of a tourist amenity intended to provide sustainable access to, or interpretation of a tourism asset will be required to be sensitive to its inherent qualities and setting that underpin its tourism value.

Some tourism assets are already subject to protection from inappropriate or excessive development through statutory designation, existing planning policy, or development plans and sometimes by a combination of all of these measures. This policy is intended to complement such measures in the specific interests of tourism while affording protection to other undesignated environmental assets on the basis of their tourism value alone. The requirements of non-planning legislation, particularly in relation to public health and the regulation of environmental pollution may obviate the need to regulate the inappropriate development through the application of this policy.

# 14 Minerals Development

## Policy MIN1 Minerals Development

The Council will grant planning permission for minerals development where it is demonstrated that the proposal will not have an unacceptable adverse impact on:

- Natural heritage, particularly sites of international/national or local nature conservation importance;
- The historic environment;
- Landscape/seascape character and visual amenity;
- The water environment;
- Public safety, human health and amenity of people living or working nearby; and
- Road safety and convenience of road users.

There will be a presumption against minerals development in Areas of Constraint on Mineral Development in accordance with Policy MIN2 unless the proposal constitutes an 'exception' as specified in the policy. In such circumstances, the proposal must demonstrate there is no unacceptable adverse impact on the six criteria outlined above.

All proposals must include details relating to the restoration and management of the quarry site in accordance with Policy MIN7.

### Justification and Amplification

The Council will seek to balance the need for a particular mineral working proposal against the need to protect and conserve the environment, taking account of all environmental, economic and other considerations. Minerals development by its nature impacts on the environment, the Council will therefore seek to minimise these impacts, mitigate where possible and support those proposals that comply with all aspects of the policy. Extensions to existing mineral workings which minimise environmental disturbance in the countryside will normally be preferred to new workings on green field sites.

### Natural Heritage

Minerals development proposals within or in close proximity to areas such as Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites, Areas of Special Scientific Interest (ASSIs), National Nature Reserves (NNRs) or other natural heritage assets which have been designated (or are proposed for designation) will not normally be granted permission where this would prejudice the essential character of such areas. Minerals proposals in these areas should also accord with Natural Heritage Policies NH1-NH7.

A significant proportion of the district is also designated as AONB, the impact of the proposal on the integrity of the designation will be carefully considered to ensure that the rationale for the designation is not undermined by the minerals development proposal (see Policy MIN2 Areas of Constraint on Mineral Development).

Within Special Countryside Areas (see Policy LA1) and the Undeveloped Coast (see Policy CO2) there will be a presumption against the exploitation of minerals (see Policy MIN2) with the exception of valuable minerals which are of national or regional importance (see Policy MIN3).

### Historic Environment

Minerals exploration and workings have the potential to impact on sites of unknown archaeological or historic interest. The early identification of such sites, structures and remains liable to be affected by proposed mineral development is important. In consultation with DfC Historic Environment Division applicants should take appropriate steps to ensure their proposals preserve such sites. Minerals development proposals within or in close proximity to areas which have been designated (or are proposed for designation), scheduled or listed because they contain features of archaeological or historic interest will not normally be given permission where they would prejudice the essential character of such areas.

### Landscape/Seascape Character and Visual Amenity

To minimise their visual impact minerals development proposals should take advantage of existing landforms and features. Particular regard will be paid to the preservation of skylines and to the proposed location of plant, the proposed locations of plant/structures, stockpiles and overburden/waste within the working. The visual impact of extraction can be further mitigated through the use of temporary screen bunding, planting and phased restoration. The district contains 3 designated Areas of Outstanding Natural Beauty (AONBs), which reflect the high-quality of the district's

landscape. Applications for new mineral workings and extensions to existing workings in these areas will be subject to rigorous examination with particular attention being given to the landscape and seascape implications of the proposals.

The district is home to a number of sand and gravel operations, due to the distribution of sand and gravel deposits extraction activity is focused in particular geographical locations. In assessing the visual impact of such proposals, the Council will consider the cumulative effect of aggregate extraction over time and its impact on the landscape setting and the seascape setting in the case of coastal extraction.

### Water Environment

The water environment is made up of ground water, surface water, watercourses and coastal and marine waters. It has an important role to play in biodiversity, supporting a variety of wildlife, including protected species, birds and aquatic species and as a source of drinking water or a component in industrial processes. It is therefore important that minerals development avoid sensitive water environments, and measures to prevent water pollution are included in applications for minerals extraction and processing. Where development proposals affect or might affect the whole of any part of the marine area, they must accord with the UK Marine Policy Statement and draft Marine Plan for Northern Ireland.

Any minerals development that could impact hydrologically on a European Designated Site will require an assessment under the Habitats Regulations, commonly referred to as a Habitat Regulations Assessment (HRA).

Similarly, minerals development that could impact hydrologically on a Marine Conservation Zone will require an assessment under the Marine Act (Northern Ireland) 2013, referred to as a Marine Conservation Zone Assessment.

### **Public Safety, Human Health and Amenity of People Living or Working Nearby**

The amenity of people living and working in close proximity to minerals development can be adversely impacted upon as a result of noise, vibration, or dust arising from the excavation, processing or transportation of materials. Where such impacts are judged incompatible, with standards of amenity acceptable to the Council, planning permission will be refused, unless the developer can demonstrate adequate means of mitigation.

The Council will seek to reduce the potential for conflict by requiring a degree of separation to be kept between minerals working and other developments particularly where minerals operations involve blasting. The distance required will be informed through consultation with relevant consultees.

In relation to proposals to extract minerals by underground methods, careful consideration will be paid to the effect developments are likely to have on the stability of the surface lands directly above and surrounding the mine area. In these circumstances planning permission would only be considered where there are appropriate safeguards proposed. Conversely, proposals to develop the surface lands directly above or surrounding areas from which minerals have been or are being extracted by underground methods will be carefully considered in relation to the attendant risks. Developments which involve the erection of buildings will not normally be permitted in the interests of public safety.

### **Road Safety and Convenience of Road Users**

If a proposal is likely to generate significant amounts of traffic and or heavy vehicles and or would use roads of limited width or poor alignment, early engagement with DfI Roads is recommended. A Transport Assessment should be submitted where there is likely to be significant impact upon the existing transport network<sup>168</sup>. Where traffic from minerals development would prejudice the safety and convenience of road users, planning permission will normally be refused unless the access roads and/or local road network can be satisfactorily improved.

When considering applications for new mineral developments with access onto the main traffic route network, particular attention will be paid to the importance of the mineral to the economy of the area, alternative sources of the mineral, the availability of an alternative access and the suitability of the access having regard to the standards of sight lines, radii, gradients etc.

Vehicles transporting materials from a mineral site may be directed to use particular routes in order to avoid environmental disturbance to people living adjacent to other roads in the locality. Where appropriate, conditions will be applied to prevent dirt on wheels of vehicles being deposited on the public road.

<sup>168</sup> See DfI Guidance on Transport Assessments: [www.infrastructure-ni.gov.uk/publications/transport-assessment](http://www.infrastructure-ni.gov.uk/publications/transport-assessment).



# Policy MIN2

## Areas of Constraint on Mineral Development

Areas of Constraint on Mineral Development (ACMD) are designated to protect areas of intrinsic landscape value.

Within Areas of Constraint on Mineral Development (ACMD) there will be a presumption against the granting of planning permission for the extraction and/or processing of minerals, other than those considered to be 'valuable' in accordance with Policy MIN3.

Subject to Policy MIN1, a proposal for mineral development within a designated Area of Constraint on Mineral Development (other than those considered valuable) may be granted planning permission when either of the following exceptional circumstances apply:

- a For minor expansion of an existing mineral working; or
- b Where the mineral is of limited occurrence in Northern Ireland and there is no reasonable alternative source outside the Area of Constraint on Mineral Development.

The on-site processing of excavated material is unlikely to be permitted.

### Justification and Amplification

In order to protect the district's sensitive upland landscapes and coastal landscapes and seascapes, any minerals development areas of constraint on mineral development are proposed covering the Special Countryside Area (SCAs), parts of the AONB and the Undeveloped Coast. Development proposals within these areas will be subject to the policy provisions set out in this policy.

The Plan Strategy designates an ACMD within the Strangford Lough and Lecale AONB, Slieve Croob, The Mourne AONB and Slieve Gullion AONB (see designation ACMD1 in Part 1 of the Plan Strategy).

Exceptions to this policy may be made where the Council is satisfied that the proposed operations are short-term and the environmental and amenity implications are not significant. In line with Policy MIN3 there will not be a presumption against the exploitation of valuable minerals within an ACMD. These applications will be assessed on a case by case basis.

## Policy MIN3

### Valuable Minerals

Proposals for the exploitation of valuable minerals will be permitted where they comply with the criteria listed in Policy MIN1. Where the minerals site is within a landscape designated for their landscape quality, nature conservation importance or its historic environment, due weight will be given to the reason for designation.

Within designated Special Countryside Areas or the Undeveloped Coast permission will only be granted where proposals are of national or regional importance, so as to outweigh any potential detrimental impact on the designation.

### Justification and Amplification

Unlike hard rock aggregates and sand and gravel mineral deposits only a very small fraction of the extracted high value mineral has economic value. In such cases a mineral resource is first established through exploration. A mineral reserve can only be declared after extensive evaluation of the target mineral has proved that the material can be economically extracted. This evaluation must be carried out under a recognised reporting code.

Special Countryside Areas have been designated to protect the district's exceptional upland landscapes where the quality of the landscape and unique amenity value is such that development should only be permitted in exceptional circumstances. Within these landscapes minerals development will have a significant impact and should therefore only be permitted where it is of such national or regional importance as to outweigh any potential detrimental impact on the unique qualities of the upland landscapes.

In order to conserve the natural character and landscape (including seascape) of the district's undeveloped coast and protect it from obtrusive development, a presumption against minerals development will also apply within the district's undeveloped coast unless it is demonstrated that the valuable mineral to be extracted is of national or regional importance.

## Policy MIN4

# Unconventional Hydrocarbon Extraction

In relation to the unconventional extraction of hydrocarbons, the Council will apply a presumption against their exploitation until there is sufficient and robust evidence on all environmental effects.

### Justification and Amplification

In line with the SPPS, the Council will apply a presumption against unconventional hydrocarbon extraction methods such as hydraulic fracturing (fracking). Current understanding of the geological conditions required for hydrocarbon formation suggests that the Newry, Mourne and Down area is unlikely to have the geology requirements necessary for a hydrocarbon target to form.

Please note that policy for conventional exploitation of hydrocarbons must be in accordance with Policy MIN1 and is undertaken under license from the Department of the Economy. The licensing regime and the granting of planning permission for hydrocarbon extraction are separate processes, however the Council will liaise with the Department for the Economy in assessing any proposals for the extraction of hydrocarbons.

# Policy MIN5

## Mineral Safeguarding Areas

**Mineral Safeguarding Areas (MSAs) may be defined around mineral reserves in Newry, Mourne and Down that are considered to be of economic or conservation importance. In the case of high value minerals, the economic importance will be demonstrated following assessment under a recognised reporting code. Surface development which would prejudice future exploitation of these mineral reserves will not be permitted.**

### Justification and Amplification

Detailed boundaries of Minerals Safeguarding Areas and associated policy on how applications within MSAs will be treated will be brought forward at Local Policies Plan (LPP) stage if it is considered appropriate to do so following an assessment of known mineral reserves. In the case of high value minerals, a mineral reserve can only be declared after an extensive evaluation that the mineral can be economically extracted, and this must be carried out under a recognised reporting code. The identification of the physical extent of MSAs will be undertaken using current available geological and mineral resource information, in consultation with the Department for the Economy Minerals and Petroleum Branch and the minerals industry.

The following types of development will be exempt from the policy:

- The improvement, extension or replacement of dwellings which comply with Policy COU2 Replacement Dwellings and Policy HOU3 Residential Extensions and Alterations;
- Applications for alterations and extensions to existing non-residential buildings and for change of use, unless intensifying activity on the site;
- Applications for Reserved Matters, including subsequent applications after Outline Planning Permission has been granted;
- Applications for advertisement consent;
- Certificates of Lawful Use or Development (CLUD); and
- Applications for temporary permissions.



## Policy MIN6

### Peat Extraction

There will be a presumption against commercial peat extraction. Exceptions may be allowed where the peatland is already degraded and not reasonably capable of restoration or where it can be demonstrated that peat extraction is linked to a management and restoration plan which will deliver improved peatlands over the longer term.

#### Justification and Amplification

Commercial peat extraction will only be permitted from bogs where the peatland is not reasonably capable of restoration and therefore is no longer deemed active and which have little or no conservation/scientific interests. It should be noted that where the hydrology can be repaired and where, with appropriate rehabilitation management, there is a reasonable expectation of re-establishing vegetation with peat forming capability within 30 years, commercial peat extraction will not be permitted. In addition, peatland damaged by fire would not be considered a permanent obstacle to regeneration and would not be considered an exception to this policy.

Commercial peat extraction may be permitted where its removal forms part of a management plan for the conservation and restoration of peatlands. The developer will be required to demonstrate that the proposed management structures and finance are in place. In such instances the Council will normally require the developer to enter into a Section 76 Planning Agreement.

# Policy MIN7

## Restoration and Aftercare

Subject to meeting Policy MIN1, all applications for mineral development must be accompanied by restoration proposals to ensure the appropriate future land use following cessation of minerals extraction and/or processing operations.

Restoration proposals should take account of the specific characteristics of the site and its locality and restore and/or enhance the landscape character of the area. Opportunities for enhancing biodiversity, community recreation and access should be considered as part of the restoration scheme.

A Site Management Plan must be submitted which includes satisfactory proposals for:

- The final restoration scheme and proposed future land use;
- Timescales for completion of restoration including details of completion of individual phases of restoration where a progressive scheme is proposed;
- Aftercare arrangements once restoration is complete; and
- Site management arrangements including security during and after the process of restoration.

The Council will require a restoration and aftercare bond or other financial provision to ensure full restoration and reinstatement of the site should the developer fail to implement the previously agreed restoration plan. Restoration proposals should make use of materials from within the site, wherever practicable.

### Justification and Amplification

Minerals extraction has the potential, without proper management, to have a detrimental visual impact on the landscape and seascape. It is important that land that has been used for mineral extraction is appropriately restored, and that restoration takes place as soon as possible after extraction has finished. Minerals sites which have finished producing minerals offer a valuable opportunity for community, environmental and economic enhancement and improvement. The potential to enhance biodiversity should be explored, and the Council will be supportive of proposals which follow best practice guidance such as the RSPB publication 'Habitats Creation for Minerals Industry'.

The preferred types of restoration and aftercare depend on a range of factors, these include the characteristics of the deposits, nature of excavation, availability of fill materials, the surrounding landscape, the needs of the local community and the potential for nature conservation on the site.

Applications for the extraction of minerals must include satisfactory restoration proposals. Where practicable such proposals should provide for progressive restoration of sites.

The Council will normally secure restoration proposals through the requirement for a management plan, underpinned by conditions and/or a Section 76 Planning Agreement. A financial guarantee will be considered necessary where the implementation of a restoration scheme is in doubt.

# 15 Transportation

## Policy TRA1

### Creating an Accessible Environment

Where appropriate, the external layout of development will be required to incorporate:

- Facilities to aid physical accessibility e.g. provision of dropped kerbs and tactile paving etc, together with the removal of any unnecessary obstructions;
- Convenient movement along pathways and an unhindered approach to buildings;
- Pedestrian/cycling priority to facilitate pedestrian/cycle movement within and between land uses; and
- Ease of access to reserved car parking, public transport facilities and taxi ranks.

The development of a new building open to the public, or to be used for employment or education purposes, will only be permitted where it is designed to provide suitable access for all, whether as customers, visitors, or employees. In such cases, the Council will operate a presumption in favour of a level approach from the boundary of the site to the building entrance and the use of steps, ramps or mechanical aids will only be permitted where it is demonstrated that these are unavoidable and can be facilitated from the public footway without overly impairing available width.

Development should be designed to facilitate ease of physical access for all pedestrians including wheelchair users, not only to the building entrance but also to and from the pedestrian environment around the building.

The Council will also seek to ensure that physical access to existing buildings and their surroundings is improved as opportunities arise through alterations, extensions and changes of use.

A Design and Access Statement may be required to accompany development proposals.

### Justification and Amplification

The Council is committed to improving opportunities for the mobility of those who are socially excluded and in greatest need. The changing state of our built environment - whether by new development, redevelopment or the upgrading and refurbishment of existing buildings - provides an opportunity to secure a more accessible environment for everyone. In assessing development proposals, the Council will therefore seek to facilitate improved accessibility for all people, and in particular will require that the specific needs of people with disabilities and others whose mobility is impaired be addressed.

The integration of good accessibility in all aspects of design will benefit everyone in society through a better thought out, easier and more accessible environment and the matter should be considered at an early stage in the design process. The quality of such access is just as important as its availability. For example, suitable access should be provided for all through the main entrance of a building to ensure that everyone's dignity is respected.

There is also a need to ensure that special attention is paid to areas outside buildings. The siting of buildings and the layout of associated car parking, vehicular access and circulation roads can often act as a barrier to convenient movement. Development should therefore be designed to facilitate ease of access for all pedestrians and wheelchair users, not only to the building entrance but also from the pedestrian environment, streets and spaces around buildings and where necessary should provide for priority for such movement over vehicles.

The design of a new building should seek as far as possible to meet the Council's presumption of providing a level approach from the site boundary to the building entrance. The detailed design features for access into the building, such as a level threshold, remains a matter for consideration under the Building Regulations.

It is recognised that many existing buildings were not designed with disabled people in mind. Accordingly, it may not always be possible for development involving the alteration

or change of use of an existing building which is open to the public to provide level access. In such cases there will be a presumption that suitable access for all should be incorporated as far as reasonably possible. Designing suitable access in these circumstances may call for imagination and creativity.

In the case of historic or listed buildings, if a flexible and pragmatic approach is taken, it should often be possible to plan suitable access for all without compromising the building's special interest or character.

A Design and Access Statement will be required for certain developments which are defined within Section 6 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 and Section 4 of the Planning (Listed Building) Regulations (Northern Ireland) 2015 and sets out what the statement must address.

Further guidance on the preparation of Design and Access Statements is provided within the Department for Infrastructure's Development Management Practice Note 12: Design and Access Statements.



## Policy TRA2

### Access to Public Roads

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 people and goods; and
- b The proposal does not conflict with the Policy TRA3 Access to Protected Routes

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.

### Justification and Amplification

The planning system has an important role to play in promoting road safety and ensuring the efficient use of the public road network. New development will often affect the public road network surrounding it, and it is part of the function of planning control to seek to avoid or mitigate adverse impacts. In assessing development proposals, the Council will therefore seek to ensure that access arrangements for development proposals are safe and will not unduly interfere with the movement of people and goods. In addition, the Council considers it essential to restrict access to Protected Routes in order to facilitate the efficient and safe movement of people and goods over long distances (see Policy TRA3 Access to Protected Routes).

### New Access

New development will generally require vehicular access to a public road, either in the form of a new access or by the use of an existing one. A properly located and well-designed access is essential for the safety and convenience of all road users – those proceeding on the public road, including cyclists and pedestrians, as well as those using the access.

The proximity of the proposed access to junctions, other existing accesses and the total number of accesses onto a given stretch of road are relevant matters in the assessment of traffic hazards. The combining of individual access points along a road will be encouraged as this can help to improve road safety.

Whatever the type of access, good visibility is also essential for the safety and convenience of all road users. The Council will expect applicants to have control over the land required to provide the requisite visibility splays and ensure that they are retained free of any obstruction. A condition will normally be imposed requiring that no development shall take place until the works required to provide access, including visibility splays, have been carried out.

Development Control Advice Note 15 'Vehicular Access Standards'<sup>169</sup> sets out the current standards for sight lines, radii, gradient etc. that will be applied to both new access and intensified use of an existing vehicular access onto existing public roads. DCAN 15 also includes guidance on special requirements for access onto a Trunk Road. The current standards for access within new residential developments are set out in the 'Creating Places' design guide<sup>170</sup>.

<sup>169</sup> DCAN 15 is to be retained unless/until replaced by the Department for Infrastructure.

<sup>170</sup> Creating Places is regional in focus and will be retained unless/until replaced by the Department for Infrastructure.

It is recognised that it may not always be practicable to comply fully with the appropriate visibility standards. Such standards, like all material considerations, need to be assessed in light of the particular circumstances of the individual case. Exceptionally a relaxation in standards may be acceptable in order to secure other important planning objectives. Visibility standards, however, will not be reduced to such a level that danger is likely to be caused. Further guidance is provided within DfI's published Guidance DCAN 15 Vehicular Standards - Tables A and B.

### Use of an Existing Access

In circumstances where an existing access (for the purposes of the LDP, a field gate is not an access) is available to facilitate development proposals, the Council will generally expect this to be used, unless there is an opportunity to provide a more acceptable access arrangement, having regard to both road safety and local amenity considerations. Where an existing access is to be used, but is sub-standard, a condition requiring its improvement prior to the commencement of the development will normally be imposed on a grant of planning permission. In cases where a new access is considered acceptable in preference to the intensified use of an existing access a condition requiring the existing access to be closed may be imposed.

### Access for Rural Replacement Dwellings

In relation to development proposals for a replacement dwelling<sup>171</sup> in the countryside, where an existing access is available, but this does not meet the current standards, the Council would encourage applicants to consider the potential for incorporating improvements to the access in the interests of road safety.

### Access Within Settlement Limits

There is a need to secure a higher level of design, layout and landscaping for residential development within settlements.

Access means much more than simply the 'entrance' or 'way in'. It also takes account of the physical connections of a development to its surroundings, considering how people use the space around the buildings and how they travel to it, preferably by walking, cycling and public transport. This is outlined within Development Management Practice Note 12: Design and Access Statements.

The design of many housing developments historically tended to be dominated by roads considerations. Properties have often backed onto nearby roads or other public areas and created unsightly views. This has, in part, resulted from the practice of minimising the number of access points onto the public road.

Minimising access onto the public road needs to be balanced with the greater emphasis placed on the overall quality of design and sustainability of development. The residential design guide 'Creating Places' advocates the creation of permeable layouts with an interconnected network of carriageways and a number of access points. This should also include specific access points for walking and cycling. This will not only help improve quality, but it can also enhance safety by ensuring that vehicle flows are well distributed and low in most places by creating the shortest practicable routes to destinations. It will also provide alternative means of access for the emergency services.

Accordingly, the Council considers that greater attention should be given to the potential adverse impact that minimising the number of vehicular accesses on to the public road can have on the visual and environmental qualities of a development scheme.

### Access for Emergency Services

The suitability of access arrangements for the fire service and ambulance service can be an important consideration in the layout and design of development, particularly in relation to back land development or sites with restricted access. Designers should therefore consider the needs of the emergency services early in the design process and may be required to submit information to accompany their proposals indicating how the matter has been addressed.

<sup>171</sup> Proposals for replacement dwellings in the countryside are assessed against the relevant countryside policies within the Plan Strategy.

# Policy TRA3

## Access to Protected Routes

The Council will restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes.

### Motorways and High Standard Dual Carriageways – All Locations

Planning permission will not be granted for development proposals involving direct access to motorways and high standard dual carriageways. An exception may be considered for motorway service areas where there is demonstrable need.

### Petrol Filling Stations in the Countryside

Proposals for new petrol stations in the countryside, within 12 miles of existing services, will not be acceptable. It is considered reasonable to expect car users to travel at least 12 miles along the Trunk Road system before reaching a petrol filling station or service area (on either side of single carriageway roads). Where a Trunk Road is already adequately served by existing services the creation of new petrol filling stations will not be acceptable. All such development proposals for petrol filling stations should meet normal planning environmental and road safety considerations.

### Protected Routes Designed to an Appropriate Standard as Dual Carriageways, Ring Roads, Through-Passes, By-Passes – All Locations

Planning permission will only be granted for a development proposal involving direct access or the intensification of the use of an existing access in exceptional circumstances or where the proposal is of regional significance.

### Other Protected Routes – Outside Settlements Limits

Outside settlements, where the principle of development accords with the relevant countryside policies of the Plan Strategy, the following access arrangements regarding protected routes will be acceptable.

- A replacement dwelling where there is an existing vehicular access onto the protected route.
- A farm dwelling where access cannot reasonably be obtained from an adjacent minor road, then use of an existing vehicular access onto a protected route will be permitted.
- A dwelling serving an established commercial or industrial enterprise where access cannot reasonably be obtained from an adjacent minor road, then use of an existing vehicular access onto a protected route will be permitted.

Approval may be justified for other developments which would meet the criteria for development in the countryside, and where access cannot be reasonably obtained from an adjacent minor road, proposals will be required to make use of an existing vehicular access onto the protected route.

### Other Protected Routes – Within Settlement Limits

Planning permission will only be granted for a development proposal involving direct access or the intensification of an existing access onto a protected route where:

- Access cannot reasonably be taken from an adjacent minor road; or
- In the case of residential development only where it is demonstrated to the Council's satisfaction that this will significantly assist in the creation of a quality environment without compromising road safety standards or result in an excessive number of access points.

## Justification and Amplification

In Northern Ireland there has been a long-established policy of restricting access onto the main roads that facilitate the efficient movement of people and goods over long distances. These roads contribute significantly to economic prosperity by providing efficient links between all the main towns, airports and seaports, and with the Republic of Ireland.

The roads onto which this policy of access control is exercised are known as 'Protected Routes' and comprise:

- Primary routes;
- Routes between the principal town in each district and/or cross-border;
- Routes to ports and airports; and
- Selected routes with high flows of people and goods.

This encompasses the roads element of the Regional Strategic Transport Network contained in the Regional Development Strategy.

DfI has prepared a map<sup>172</sup> identifying the existing roads throughout Northern Ireland established as Protected Routes. As new roads continue to be constructed DfI will update the Protected Routes map as necessary. This is available on DfI's online data services.

The Protected Routes network has progressively been improved over the years, including the building of motorways, ring roads, through-passes, bypasses and dual carriageways. Such improvements to the strategic road network in Northern Ireland will continue in the future as part of DfI's ongoing programme of investment. This will include the provision of High Standard Dual Carriageways, similar in design terms to a motorway. It is important that a new access or intensified use of an existing access onto a Protected Route does not compromise their function of facilitating the free and safe movement of people and goods or does not significantly add to congestion. Additionally, on stretches of Protected Routes designed specifically to facilitate the efficient and safe movement of people and goods, it is essential that access which would compromise road safety or prejudice their design standards, is severely restricted.

In all cases, where access to a Protected Route is acceptable in principle it will also be required to be safe in accordance with Policy TRA2.

172 <https://dfi-ni.maps.arcgis.com/apps/webappviewer/index.html?id=cbe2552e0d348b8839f9c2aecb050d1>



## Policy TRA4

### Protection of New Transport Schemes

Planning permission will not be granted for development that would prejudice the implementation of a transport scheme identified within the Local Development Plan or Transport Plan to include major proposals for road, rail and public transport provision, park and ride/share proposals and cycle/pedestrian networks.

#### Justification and Amplification

It is important to ensure that land needed to facilitate a new transport scheme (such as a road scheme, a park and ride scheme, improvements to pedestrian or cycle networks or a public transport scheme and associated facilities) is protected from development that would prejudice its implementation. Such land will be identified in the Local Development Plan and Local Transport Plan. These will include protection of routes for transport infrastructure beyond the Local Development Plan period where they are of strategic importance.

The following matters will be taken into account in assessing whether the implementation of a particular scheme would be prejudiced by a development proposal:

- The nature of the proposal;
- The programming of the transport scheme; and
- The extent to which implementation of the scheme would be compromised by the carrying out of the proposed development.

# Policy TRA5

## Disused Transport Routes

Planning permission will not be granted for development that would prejudice the future re-use of a disused transport route, such as former railway lines and canals for future transport purposes, including active travel, or were identified within the Local Development Plan or Transport Plan.

Where this is not the case, future use will be protected for alternative purposes such as a recreational, nature conservation or tourism related use as identified within the Local Policies Plan.

### Justification and Amplification

Newry, Mourne and Down District historically had an extensive transport network comprising roads, railway lines and stations, canals and associated towpaths, locks etc. Many of these former transport routes have potential for re-use either for transportation purposes or for recreation, leisure or tourism.

A number of disused rail and canal facilities offer important opportunities through the re-opening of their former transportation mode, while other former transport routes may present opportunities for alternative transport modes. This could include new public transport corridors or use as pedestrian routes or for cycle networks as Greenways which promote active travel.

Many of the district's disused railway lines and inland waterways have great potential for public access, recreation and tourism. Some have already been reclaimed for such purposes, such as the Newry Canal.

The Local Policies Plan and Local Transport Plan will identify those disused transport routes, together with any associated facilities, where proposals exist for their re-use and disused routes of strategic importance which offer potential in the longer term for future transport use.

# Policy TRA6

## Transport Assessment

In order to evaluate the transport implications of a development proposal likely to generate a significant volume of travel, regardless of the size, the Council will require the developer to submit a Transport Assessment so as to facilitate assessment of the transport impacts.

For development proposals with significant travel generating uses, a Transport Assessment may need to be accompanied by a Travel Plan.

### Justification and Amplification

The management of development offers the opportunity to consider proposals in terms of their impact on existing transport movements and infrastructure within the context of wider government policy aimed at achieving more sustainable travel patterns through a change in transport behaviour. This can best be achieved through the process of Transport Assessment (TA). The primary aim of the TA is to firstly assess transport accessibility by sustainable modes and to develop measures to maximise use of sustainable modes. Only subsequently should the residual traffic be assessed, and its impacts addressed.

The coverage and detail of a TA should reflect the scale of development and the extent of the transport implications of the proposal. In applications for significant travel generating uses, a TA may need to be accompanied by a Travel Plan. A Travel Plan should set out a clear set of targets, measurable outputs and should set out the arrangements for monitoring the progress of the plan, as well as arrangements for the enforcement in the event that agreed objectives are not met. Responsibility and time period for monitoring should

be made clear in the means by which the Travel Plan is to be enforced by attaching a condition to the planning consent or any legal agreement. The developer/occupier will be responsible for meeting the costs of monitoring. A Travel Plan may also be used for small developments as a mitigation measure to reduce car dependency.

The document Transport Assessment: Guidelines for Development Proposals in Northern Ireland, published in November 2006 provides detailed information on this process and should be referred to directly.

Developers will be required to bear the costs of transport infrastructure necessitated by their development. Contributions from developers will be based around securing improved accessibility to sites by all modes, with an emphasis on maximising access by walking, cycling and public transport. The details of developer requirements will depend on the individual circumstances of each site and the precise nature of the proposal.

Planning conditions may be imposed, or a Section 76 Planning Agreement may be required, to ensure the appropriate phasing and implementation of any necessary improvements to transport infrastructure.

# Policy TRA7

## Car Parking and Servicing Arrangements

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 DfI's published standards or any reduction provided for in an area of parking restraint designated in the Local Policies Plan.

Proposals should not prejudice road safety or significantly inconvenience the flow of people and goods.

Beyond areas of parking restraint identified in the Local Development Plan, a reduced level of car parking provision may be acceptable, or preferable in the following circumstances:

- Where through a Transport Assessment and/or Travel Plan, it forms part of a package of measures to promote alternative transport modes; or
- Where the development is in a highly accessible location well served by public transport; or
- Where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking; or

- Where shared car parking is a viable option; or
- Where the exercise of flexibility would assist in the conservation of the built or natural heritage, would aid rural regeneration, facilitate a better quality of development or the beneficial re-use of an existing building.

Proposals involving car parking in excess of the DfI's published standards or which exceed a reduction provided for in the Local Policies Plan will only be permitted in exceptional circumstances.

In assessing car parking provision, the Council will require that a proportion of the spaces to be provided:

- Are reserved for people with disabilities in accordance with best practice; and
- Meet any other specified requirements in accordance with best practice.

Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided.

### Justification and Amplification

The availability of car parking is a major influence on the means of transport people choose for their journeys, even for those locations well served by public transport. This combined with increasing car ownership levels is contributing to a growth in traffic congestion in our city and town centres. The provision of car parking in association with development therefore needs to be considered within the context of wider government policy aimed at achieving more sustainable travel patterns.

The Council may designate an area of parking restraint in the Local Policies Plan or Transport Plan, within which a reduction in the DfI's published car parking standards will be applied. Beyond these areas of parking restraint there may also be situations where a reduction in car parking provision in association with new development will be acceptable.



A reduction in parking provision may be accepted, and/or preferable where it forms part of a package of measures to promote alternative transport modes, particularly where this has been demonstrated and accepted through the Transport Assessment/ Travel Plan process. Reduced parking provision may also be acceptable, and/or preferable in locations which have substantial convenient walk and/or cycle catchments and are well served by public transport.

On occasion, reduced parking provision may be appropriate where new development is proposed close to existing public car parking and it is demonstrated there is available spare capacity. Reduced parking provision may also be acceptable where schemes propose shared parking arrangements, particularly in town centres or as part of major proposals. For example, office and leisure uses (such as cinemas) where shared car parking is a viable option because the peak levels of use do not coincide.

It may also be acceptable for small-scale developments, which do not generate significant parking demand, to rely on using on-street parking for a proportion of their parking provision. In assessing these options, the Council will require evidence to demonstrate the capacity and availability of such alternative parking provision.

In assessing developments affecting Conservation Areas, Areas of Townscape Character, or the surroundings of listed buildings, it may not always be possible or desirable to provide the full standard of parking provision. In order to protect the character and appearance of these features of the historic environment, or assist with the retention of trees, a reduction in parking provision may be considered acceptable. There may also be occasions where flexibility in the level of car parking provision will help facilitate a better-quality development or facilitate the beneficial re-use of an existing building.

Where parking reduction is considered acceptable in principle, the Council will negotiate the precise level of reduction with developers. Account will be taken of the specific characteristics of the development, its location and its accessibility to means of travel other than the private car, including any measures proposed to promote alternative transport modes.

In many locations however, it will remain important that development makes adequate provision for car parking. This is particularly important in rural areas and those towns and villages where the potential for using public transport is limited. Accordingly, with the exceptions outlined above, development proposals in areas not subject to parking restraint in the Local Policies Plan or Transport Plan process will generally be expected to meet the DfI's published parking standards.

Parking provision in excess of the published standards will only be permitted in exceptional circumstances where the need is identified in the Local Policies Plan or Transport Plan. For example, it is recognised that in city and town centres a balance has to be struck between encouraging new investment by providing adequate levels of parking and potentially increasing traffic congestion caused by too many cars. Accordingly, where major retail or leisure developments are proposed in a town centre or an edge of centre site, parking provision additional to the normal standard may be considered acceptable. In such instances it must be demonstrated that the parking facilities will genuinely serve the town centre as a whole and a legal agreement to this effect under section 76 of the Planning Act (Northern Ireland) 2011 will be required before planning permission is granted.

Given that the car is often the only form of transport available to many people with disabilities, developers will be required to reserve an appropriate proportion of parking spaces to meet the needs of people with disabilities. Such designated parking spaces should be conveniently located to facilitate ease of access to the buildings they serve in order to take account of the limited mobility range of many disabled people. Applicants should refer to regional best practice guidance.

As the UK Government move to ban the sale of petrol, diesel and hybrid cars, there will be an increasing need for electric car charging points and other necessary infrastructure associated with new technologies. The Council may require that a proportion of parking provision includes designated electric car parking spaces which are equipped with the necessary infrastructure for battery charging. This should be in line with any published Council Car Parking Strategy and regional best practice guidance.

Consideration should also be given to the provision of public transport facilities for able-bodied people and people with disabilities who do not have access to a car. In larger schemes provision should be made for appropriately located bus stops, including set-down and pick-up bays for vehicles such as public and private hire taxis which are wheelchair compatible.

For retail, leisure and community uses consideration should be given by developers to the provision of 'parent and child' parking spaces. As with spaces reserved for people with disabilities these should be located in a manner, which facilitates ease of access to the buildings they serve.

The Council's policy for parking associated with residential development is set out in its residential planning policies and parking standards are currently contained in the design guide 'Creating Places'. Levels of provision lower than those set out in Creating Places may be appropriate. For example, in urban contexts where there is good pedestrian access to local facilities and public transport, or where townscape character would be undermined.

Servicing arrangements are also important and can exert a major influence on the quality of the urban environment and its attractiveness to shoppers and other visitors. In city and town centre locations, developers will normally be expected to include proposals for the provision of rear servicing facilities where practicable. It is recognised, however, that historic settlement patterns may be a constraint upon the provision of rear servicing.

## Policy TRA8 Active Travel

Planning permission will only be granted for new development where walking, cycling, and linkages with public transport provision has been taken into account and, where possible, forms part of the development proposal. Where appropriate, provision of the following may be required:

- a Safe and convenient walking and cycle access;
- b Safe, convenient and secure cycle parking having regard to DfI's published standards; and
- c Safe and convenient walking and cycle links to existing or programmed walking and cycle networks and public transport services where they adjoin the development site.

In addition, major employment generating development will be required to make appropriate provision for shower and changing facilities.

### Justification and Amplification

Walking and cycling are popular modes of travel for an increasing number of people and are healthy, pollution free and make relatively small demands on land. Exercise, Explore, Enjoy: A Strategic Plan for Greenways was published by the Department for Infrastructure in 2016 and sets out its aim to 'encourage a substantial increase in the number of people walking and cycling as a regular part of everyday life.'

Northern Ireland Changing Gear: A Bicycle Strategy for Northern Ireland states that 1 in 6 of all the journeys we make is less than one mile; another 1 in 6 is between one and two miles. Cycling is a relatively inexpensive transport mode and the cost of infrastructure provision is low in comparison to other modes. Measures to support cycling can be readily integrated with both new development and existing private and public transport. The promotion of cycling as a travel opportunity is also part of the drive to promote alternatives to the private car and encourage more sustainable means of travel. One step in this process will be to improve the provision, safety, convenience and general environment for cycling by ensuring that the needs of cyclists are fully taken into account in the development process.

To help promote cycle use the amount of good quality cycle parking needs to be increased. It is important therefore that secure cycle parking is provided as an integral part of development providing jobs, shopping, leisure and services. It should also be available in town and district centres, at

educational institutions and public transport interchanges, including Park and Ride and Park and Share sites. Proposals will be assessed against the DfI's published parking standards.

Fully secure, weather protected parking will normally be required for employee cycle parking. Weather protection will also be required for visitor parking where space for ten or more cycles is provided or in cases where medium to long-term cycle parking is required, for instance at public transport interchanges.

Security is a major consideration in determining the location of cycle parking areas which should be provided closer to a building's entrance than car-parking. They should be well lit and located where staff or the public can provide informal surveillance. Staff parking can best be provided within a building.

Major employment generating developments will be expected to provide shower and changing facilities conveniently located to the provision of cycle parking to encourage and facilitate those who travel to work by bicycle.

Cycle parking provision in association with residential development is addressed in Local Development Plans Residential planning policies and the design guide 'Creating Places'.

Walking and cycling have the potential to replace the car for short journeys and to form part of a longer journey when linked to onward travel by sustainable public transport. The policy should support active travel by promoting the provision of safe, and convenient linkages to and from development proposals to wider sustainable transport networks.

# Policy TRA9

## Design of Car Parking

The Council will expect a high standard of design, layout and landscaping to accompany all proposals for car parking. Planning permission will only be granted for a proposal where all the following criteria are met:

- It respects the character of the local townscape/landscape;
- It will not adversely affect visual amenity; and
- Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists, including people with disabilities and others whose mobility is impaired, within the site.

### Justification and Amplification

The amount and arrangement of car parking can have a significant impact on the quality of both the built and natural environment. All proposals for parking and associated facilities should therefore be well designed, respect local character and their wider setting. They should also provide for safe and convenient access and direct and safe internal movement for cyclists and pedestrians, including people with disabilities and others whose mobility is impaired.

Security is of particular importance in the design of car parks. The Council will therefore expect developers to address this matter, particularly in relation to multi-storey and basement car parking, and would encourage developers to seek advice from the Police Service of Northern Ireland.

### Surface Level Car Parks

Surface level car parking should generally be broken up to avoid the creation of a vast expanse of underutilised space. This can be achieved by way of a well-designed landscape scheme, which includes appropriate boundary and surface treatments. In urban situations the re-arrangement of buildings and space within the layout may in some instances be a more appropriate solution.

### Temporary Car Parks

In assessing proposals for temporary car parks on sites awaiting redevelopment the Council will normally still require a landscaping scheme incorporating details of boundary and surface treatments.

### Multi-storey Car Parks

The design of multi-storey car parks should reflect the character and appearance of the surrounding townscape in terms of form, scale, massing and use of materials. Building lines should adhere to those already established, while public facades in particular, should be designed to create visual interest. Blank screen walls will not be acceptable as these can have a negative impact on the street scene.

### Parking within Buildings

The design of basement or semi-basement car parks requires careful attention to ensure that they are safe to use and do not have a negative impact at street level by the creation of dead frontage.

Surface parking underneath a raised ground floor can create the same effect to an even greater extent, particularly where ground floor elevations are entirely made up of metal grids or finished in an unimaginative way. This can effectively remove life from the street and contribute to the creation of a threatening and unpleasant environment. Such an approach to the provision of car parking will be unacceptable.

### Rural Car Parks

The amount and arrangement of car parking in rural locations can have a significant impact on the natural environment, particularly in sensitive locations. The development of larger schemes in the countryside, such as those to serve tourist or recreational facilities, need particular care in respect of their scale and design. Overflow parking to cater for increased demand for special events should not generally be a hardened surface and use should be made of concrete grass pavers with pockets of soil which encourage the growth of grass, general vegetation or shrubs to hide the concrete.

The design, layout and landscaping of rural car parks should seek to retain the open nature and visual amenity of the countryside. In addition, matters such as floodlighting, will require careful design in order to minimise their impact on visual amenity.



# Policy TRA10

## Provision of Public and Private Car Parking

Planning permission will only be granted for the development or extension of public or private car parks, including park and ride and park and share where it is demonstrated that:

- They do not significantly contribute to an increase in congestion;
- They are not detrimental to local environmental quality;
- They meet a need identified by the Local Transport Plan or the Council's Parking Strategy, or accepted by the Council and DfI following a robust analysis provided by a developer;
- Within defined areas of parking restraint, they are only used for short-stay parking and are appropriately managed to deter long stay commuter parking; and
- They are compatible with adjoining land uses.

### Justification and Amplification

Appropriately located public parking facilities can act as a stimulant for the encouragement of walking, wheeling and cycling and reduction in town centre congestion, pollution and an enabler for better place making. Public car parking facilities normally comprise:

- On-street car parking controlled by DfI;
- Public car parks operated by the Council; and
- Public car parks operated by the private sector including temporary car parks on sites awaiting redevelopment (these include long and short-stay parking and the leasing of contract spaces).

Of critical importance to the supply of public car parking facilities is the type of parking to be provided. Within town and city centres in particular it is essential that sufficient short-stay public parking facilities are available to maintain economic vitality and viability and to allow them to compete with out-of-centre developments. An ever-increasing supply of car parking spaces solely serving long-stay commuter demand in such locations on the other hand can act as an impediment to economic growth by contributing to increased congestion, creating a barrier to accessibility to goods and services, and the erosion of environmental quality.

Accordingly, the Council considers that public parking provision in future should focus on meeting the demand generated by centres for short-stay spaces. However, the overall transportation objective will nevertheless be to restrain the use of the car and encourage shoppers and commuters to use public transport and Park and Ride initiatives, where available.

The development and operation of public car parks by the private sector, including multi-storey provision and temporary car parks should seek to complement existing parking provision and the Council's approach to meeting short-stay needs. In locations where a proposal is considered acceptable, the Council will require developers to enter into a Planning Agreement under Section 76 of the Planning Act (Northern Ireland) 2011 to control the use of parking spaces in order to deter long-stay commuter parking. This will normally include restrictions on the leasing of contract spaces.

### Park and Ride/Park and Share

The Council will promote the development of Park and Ride and Park and Share facilities in appropriate locations where these will reduce the number of cars entering central urban areas and promote the use of public transport.

Government Transportation Policy places greater emphasis on alternatives to the private car and on more effective use of motorised transport. Promotion of park and share to increase the occupancy of cars entering urban areas can contribute to a reduction in traffic. Where clear benefits can be identified the Council will promote the creation of park and share sites.

The establishment of Park and Ride sites and associated services will also be an important contribution to integrated transport. Such schemes seek to persuade car users to change to public transport (bus or train) for the final part of their journey to major urban centres thereby reducing the level of congestion and pollution in the centre. They should also contribute to the economic viability of the centre by avoiding the use of land at the centre for car parking which, for economic and environmental reasons, would be better put to other purposes.

Park and Share should normally be sited at key junctions on the motorway and trunk road network. Park and Ride sites should preferably be located within settlements. Ideal locations are public transport interchanges. It is recognised however that there may be occasions where a countryside location may be needed for such development and this may be appropriate provided that all the following are met:

- A comprehensive assessment of potential sites, to meet the identified need, has been carried out;
- The assessment establishes that the proposed countryside site is a sustainable option taking account of all relevant factors including travel impacts;
- The proposal is contained within the local transport plan or based on a thorough assessment of travel impacts; and
- Any buildings forming part of the development proposal are essential to the operation of the park and ride/share scheme.

The layout, design and landscaping of Park and Ride and Park and Share sites is particularly important in rural locations (see also Policy TRA9 Design of Car Parking). Provision of facilities, such as floodlighting, which are generally considered essential to the safe operation of such sites, will need careful design to ensure that they are not visually intrusive.

# Policy TRA11

## Temporary Car Parks

Planning permission will not be granted for the development of a temporary car park unless it is demonstrated that:

- It complies with Policy TRA10 and the developer can show that a need exists which cannot be met in the short term by the Council or the private sector; and
- It is submitted in conjunction with programmed proposals to develop/ redevelop the site in question.

Planning permission if granted will be subject to a time-limited condition for a period of 1 year.

### Justification and Amplification

Developers often seek approval for temporary car parking on sites which have been acquired for development. This must be seen as a short-term expediency and the long-term existence of such car parks may be contrary to both transportation and broader environmental objectives.

While planning applications for temporary car parks, including public car parking, will be assessed in the light of all relevant factors, there will be a presumption against such development where it is considered unnecessary and is not linked to firm proposals for the development of the site. Developers should note that a time limited planning permission for temporary use of land for car parking will not normally be renewed.

# 16 Telecommunications and other Utilities

## Policy TCU1

### Control of Telecommunications Development

The Council will permit proposals for telecommunications development where such proposals, together with any necessary enabling works, meet the requirements of GP1 General Policy and other provisions of the LDP and will not result in unacceptable damage to visual amenity or harm to environmentally sensitive features, landscapes or locations.

Applicants will therefore be required to submit sufficient information to demonstrate that proposals for telecommunications development, having regard to technical and operational constraints:

- Have been sited and designed to minimise visual and environmental impact; and
- Avoid environmentally sensitive features, landscapes or locations, unless it is clearly demonstrated to the satisfaction of the Council, why this cannot be achieved and how the impacts have been thoroughly assessed and mitigated.

Proposals for telecommunications development will not normally be considered in Special Countryside Areas (SCA). However, where they are submitted, they will be required to meet the provisions of Policy LA1.

Proposals for the development of a new telecommunications mast will only be considered acceptable by the Council where the above requirements are met and it is reasonably demonstrated that:

- a The sharing of an existing mast or other structure has been investigated and is not feasible; or
- b A new mast represents a better environmental solution than other options.

Applications for telecommunications development by Code System Operators or broadcasters will need to include:

1. Information about the purpose and need for the particular development including a description of how it fits into the operator's or broadcaster's wider network;
2. Details of the consideration given to measures to mitigate the visual and environmental impact of the proposal; and

3. Where proposals relate to the development of a mobile telecommunications base station, a statement:

- indicating its location, the height of the antenna, the frequency and modulation characteristics, details of power output; and
- declaring that the development when operational will meet the ICNIRP guidelines for public exposure to electromagnetic fields; and
- indicating that the development shall not cause undue interference to other radio spectrum users.

Applicants will also be required to ensure that upon decommissioning, telecommunications apparatus, including any associated infrastructure shall be removed and the site restored to an agreed standard appropriate to its location. These matters will need to be agreed with the Council before planning permission is granted and appropriate conditions applied to any approval.

Where information on the above matters is not made available or is considered inadequate, the Council will refuse planning permission.



## Justification and Amplification

This policy seeks to facilitate the development of telecommunications infrastructure in appropriate locations to support sustainable economic growth whilst minimising the environmental and visual impacts. The aim is that the equipment should become an accepted and unobtrusive feature of urban and rural areas.

Telecommunications are essential in order to improve the quality of life of our citizens, grow our economy and enable more sustainable practices such as working from home.

### Technical and Operational Constraints

The Council recognises that telecommunications code system operators are obliged to provide their services to the public and have to work within the constraints of the technology to meet their licence requirements. For example, masts and antennas often require a particular operating height to allow signals to clear trees and buildings. Telecommunications development may therefore need particular locations in order to work effectively. Certain development may also be significant as part of the overall network. In assessing proposals, the Council will therefore take into account the technical constraints associated with telecommunications development. There is also however a corresponding need for the Council to adequately control telecommunications development so that rural landscapes,

urban skylines and townscape character are not unduly spoiled.

Applicants will therefore be expected to provide information about the purpose and need for the particular apparatus or equipment at this location.

### Minimising Visual and Environmental Impact

Proposals must be sited and designed to minimise visual and environmental impact, particularly in sensitive areas where development should be avoided. In such instances it must be clearly demonstrated to the satisfaction of the Council why these locations cannot be avoided and how the visual and environmental impacts have been thoroughly assessed and mitigated. Individual circumstances will determine how this can best be achieved.

A new mast should only be considered when other options are not feasible or it represents a better environmental solution than other options (see mast sharing below).

In all cases applications will need to include details of what measures have been considered to mitigate the visual and environmental impact of the proposal. In designated or other sensitive areas more detailed information will be required to assess the application such as photomontages or a visual impact assessment. In addition, where existing infrastructure is being replaced, operators should consider the scope for improved designs that would be less visually intrusive than that which it replaces.

### Minor Telecommunications Development

Wherever practicable, operators and others should seek to provide telecommunications infrastructure through the use of smaller, more unobtrusive and lower powered equipment. In built-up areas, such equipment can be integrated into street furniture, CCTV equipment or even placed inconspicuously on shop fronts. This can significantly reduce visual impact.

### Larger Telecommunications Development

To facilitate the ongoing roll-out of modern telecommunications networks the Council acknowledges that there will continue to be a need for larger telecommunications equipment and apparatus, such as masts and roof based antenna systems in appropriate locations.

Where such larger telecommunications infrastructure is required all the components of the proposed development should be considered together. This includes the antennas (even if they will not all be in service initially), mast or other supporting structure, equipment housing, cable runs, fencing, planting, landscaping, access, power supply and land lines. They should all be sited and designed to minimise their visual and environmental impact. In some cases, such as those that involve the installation of a mast over 15m in

height or located in an environmentally or visually sensitive area further information on visual impact will be required, such as a photomontage to show the proposed equipment in its wider setting. Exceptionally in designated or other sensitive landscapes a landscape or visual impact assessment may be needed.

There is a range of different design and camouflage techniques for masts, antennas, equipment housing and cable runs which can help to disguise or conceal them. These include apparatus coloured to match building materials and masts designed to look like street furniture. The Council will expect operators to discuss what different design options are available. There may also be opportunities to design a mast and/or antenna as a positive feature.

In built-up areas, operators should wherever possible seek to locate and disguise larger apparatus on existing buildings and structures so that it is not conspicuous. Design should be sympathetic to the architectural form of the building. Any additional equipment whether on an existing mast, building or other structure should be designed and positioned sensitively in order to complement the visual ensemble already in place.

In the countryside telecommunications development has to be sited and designed carefully. Skylines can be easily broken and habitats and species easily disturbed. If telecommunications infrastructure is located in prominent positions it can change the character of a landscape and detract from its quality. Cumulative impacts can also

cause concern. Areas designated for their landscape quality and other sensitive landscapes, such as the undeveloped coast, will pose particular challenges in finding an acceptable solution. The approach to finding the optimum solution may include disguising the antennas, sharing a site or existing infrastructure, minimising the size of a new mast, using stealth designs, and landscaping and appropriate screen planting. Hilltop or skyline sites should only be used as a last resort and evidence of why these sensitive areas cannot be avoided must be provided to the satisfaction of the Council and clearly demonstrate how the impacts have been thoroughly assessed and mitigated.

In countryside areas operators should also seek to use existing lanes or tracks to provide access to their sites as a new access road may cause greater visual impact or environmental damage than the actual installation. For example, it may open up an otherwise undisturbed area to unwanted visitors. The construction of new access roads and other less formal access arrangements can also be damaging to archaeological sites and nature conservation interests. As a result, the Council will only permit new access roads where they are absolutely necessary. Where they are required, great care should be taken to ensure that they will not appear as a scar on the landscape through careful siting, choice of surfacing materials and where necessary appropriate planting. In exceptional cases, the Council may require the use of a helicopter for the construction, installation and ongoing maintenance of a base station.

In assessing the requirements for visibility splays at accesses to installations the Council will engage with DfL Roads and will bear in mind that in many cases these are unlikely to give rise to traffic hazards as maintenance visits should not be more than quarterly. Where it is considered necessary to remove existing hedges to facilitate visibility splays replanting of appropriate species will be required to maintain rural character.

### **Environmentally Sensitive Features and Locations**

All telecommunications development should seek to avoid sensitive features and locations of archaeological, historic or natural heritage value. This includes archaeological remains, Historic Monuments, Listed Buildings, Conservation Areas and Areas of Townscape Character, Areas of Outstanding Natural Beauty, Sites of Nature Conservation Importance, sites where there are protected species, Local Landscape Policy Areas and other environmental designations which may include mature trees and woodlands (see policies HE1-HE14 and NH1-NH7). Applicants should submit suitable evidence to show that alternative locations in less sensitive areas have been investigated and cannot be used. Where such locations cannot be avoided, extra care will be required to ensure that the visual and environmental impact of the telecommunications apparatus and any ancillary works, such as an access track or power line, has been thoroughly assessed and mitigated to ensure it is minimised.

Proposals for telecommunications development will not normally be considered in Special Countryside Areas (SCA). However, where they are submitted they will be required to meet the provisions of this policy and Policy LA1.

There may be a need to obtain a separate listed building consent, for any internal or external works to a listed building that would affect its character. Similarly, any works to, or affecting the site of, a scheduled monument require scheduled monument consent from the Department for Communities, Historic Environment Division.

### **Mast and Site Sharing**

In order to limit visual intrusion, the Council attaches considerable importance to keeping the numbers of radio and telecommunications masts, and the sites for such installations to a minimum, consistent with the efficient operation of the network.

The sharing of masts will be strongly encouraged where it represents the best environmental option in a particular case. Additional equipment should be designed and positioned as sensitively as possible, though technical constraints may limit the possibilities. In some circumstances the shared use of an existing mast might require an increase in the height, and therefore the visibility, of that mast. The Council will therefore seek to ensure that the cumulative visual impact of antennas on masts is kept at an acceptable level. Alternatives to mast sharing will be preferable where additional antennas would lead to undue clutter, detract from the aesthetics of the existing installation, or increase mast height to an unacceptable level.

Depending upon the characteristics of the location, site sharing (both rooftop and ground based sites) as opposed to mast sharing may represent a more appropriate solution. A second installation located alongside or behind the principal installation may, for example, provide a more beneficial solution in environmental and planning terms.

All applications for new masts will need to be accompanied by evidence that the possibility of erecting antennas on an existing building, mast or other structure has been explored and should outline the specific reasons why this course of action is not possible. Where the evidence regarding the consideration of alternative options is not considered satisfactory, planning permission may be refused. In such circumstances, the Council will give clear reasons why it considers the evidence to be unsatisfactory. In reaching its decisions, the Council will of course be mindful of the technical constraints on network development.

Where a new ground based mast is considered necessary, the siting and design must have regard to the character of the local landscape or townscape and its sensitivity and capacity to accommodate the proposed development. Where appropriate existing features should be used to help minimise the visual impact, while the boundaries of the site should be drawn large enough to accommodate any necessary landscape works. Depending on location, the Council will also bear in mind that an appropriately designed single operator mast may be less intrusive in the environment than a mast designed to facilitate sharing.

The Council will co-operate with operators in seeking to find the optimum environmental and network solution on a case-by-case basis.

Where it is agreed that the future sharing of a particular mast or site is desirable, the Council will wish to be satisfied that the site can accommodate any additional apparatus that would be required.

### **Removal of apparatus**

Applicants will be required to provide details on future decommissioning. This should include proposals for the removal of telecommunications apparatus, including any associated infrastructure and site restoration.

Apparatus and associated infrastructure should be removed as soon as reasonably practicable after it is no longer required for telecommunications purposes.

The land or site should be restored to its condition before the development took place, or to any other condition as may be agreed with the Council. These matters will need to be agreed with the Council before planning permission is granted and appropriate conditions will be applied to any approval.

### **Aerodromes**

Applications for masts within 3 kilometres of the perimeter of an aerodrome or aircraft landing site, including helipads, within the district will be required to include evidence that the Civil Aviation Authority, the Ministry of Defence or the aerodrome operator, as appropriate, has been notified of the proposal. The Council will take into account any relevant views expressed.

## Planning and Health Considerations

The planning system is not the place for determining health safeguards. It is for the Department of Health to decide what measures are necessary to protect public health. With regard to health concerns raised about emissions associated with mobile telecommunications it considers that the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for public exposure to electromagnetic fields<sup>173</sup>, as accepted by the World Health Organisation<sup>174</sup>, are based on the best evidence available to date. Accordingly, where there is concern raised about the health effects of exposure to electromagnetic fields, it is the view of the Department of Health that if the proposed mobile telecommunications development meets the ICNIRP guidelines in all respects it should not be necessary for the Council to consider this aspect further.

All mobile phone base stations in the UK are expected to meet the ICNIRP public exposure guidelines. However, all applications for mobile telecommunication base stations will be required to be accompanied by a declaration that the development when operational will meet the guidelines. Similarly, where it is intended to place additional antennas onto an existing

mast or site, the operator will need to confirm in a declaration to accompany the application that the cumulative exposure will not exceed the ICNIRP guidelines.

## Electromagnetic Interference by Telecommunications Development

In any development, significant and irremediable interference with other electrical equipment of any kind can be a material planning consideration. Only if there is clear evidence that significant electromagnetic interference will arise, or will probably arise as a result of a telecommunications development, and that no practicable remedy is available, will there generally be any justification for the Council taking it into account in determining a planning application.

## Satellite Television Antennas

The Planning (General Permitted Development) Order (Northern Ireland) 2015 includes a range of permitted development rights for the installation of satellite television antennas. In cases however where planning permission is required, the Council, having regard to technical and safety requirements, will seek to ensure that a satellite dish is sited in the least obtrusive position and respects any architectural features

and appearance of the building or structure. Where appropriate equipment will be required to be coloured or painted to help it blend in with its background. The installation of dishes in close proximity to the doors or windows of neighbouring houses is likely to lead to complaints and will generally be unacceptable. The Council would encourage the installation of shared systems for apartments and flats as this can help avoid the impact of an otherwise likely proliferation of dishes on walls and roofs.

## Amateur Radio, Taxi Firms and Private Users

Proposals to install the masts often used by amateur radio operators, radio taxi firms and other private and commercial users will also be subject to the provisions of TCU1. These masts usually present few potential planning problems in terms of size and visual impact over a wide area. Such masts need to be high enough for technical efficiency and located as far as possible from other antennas, in order to minimise the possibility of interference. However, they will not normally be of such a scale as to have a serious impact on local amenity. Such applicants will generally have less scope for using alternative sites or for sharing sites, and masts will often need to be located on the premises.

<sup>173</sup> The public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP), as expressed in the EU Council recommendation of 12 July 1999 (Reference: 1999/519/EC) on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz). There is a publication that replaces and supersedes the 100 kHz to 300 GHz part of the ICNIRP (1998) radio frequency guidelines, as well as the 100 kHz to 10 MHz part of the ICNIRP (2010) low-frequency guidelines. See [www.icnirp.org/cms/upload/publications/ICNIRPrfgdl2020.pdf](http://www.icnirp.org/cms/upload/publications/ICNIRPrfgdl2020.pdf).

<sup>174</sup> WHO Electromagnetic fields.



## Policy TCU2

# Future Proofing of New Developments for Telecommunications Infrastructure

**Planning permission will only be granted for new development where it is demonstrated that the proposal has fully considered, and where necessary, provided for the need for telecommunications infrastructure at the design stage.**

**All new developments, where appropriate, must provide suitable service ducting to enable future connection to digital services.**

**In all instances the proposals must not result in unacceptable damage or harm to environmentally sensitive features or locations.**

### Justification and Amplification

The UK Government, through the Department for Digital, Culture, Media and Sport, is committed to improving the availability of high-quality, reliable connectivity that businesses and communities need and rely upon. It has set ambitious targets for 5G and fibre broadband which will rely upon the industry deploying digital infrastructure efficiently. The Council can play a role in ensuring this is achieved in the district.

Connectivity and service provision vary across the district with rural areas much more likely to suffer from poor connectivity. The Council, through its Community Plan, recognises the importance of improving digital connectivity to enable all people in the district to fulfil their lifelong potential.

It is important to ensure that new developments in the district are future proofed for connection or upgrading of existing services. The Council considers it important that the telecommunication requirements of new development are fully considered at the design stage to facilitate the roll-out of technology but also to ensure the environmental impacts are fully considered and where necessary mitigated. This will facilitate the installation of new or upgraded technology in a manner that employs collaborative working and front loading the system. It is intended that this will ensure a 'dig once' approach will be employed thereby avoiding unnecessary excavation of footpaths and roadways not only reducing cost and time spent but also the inconvenience to communities and businesses across the district.

The Council will work collaboratively with DfL as necessary.

All applications for new buildings will be required to submit a utilities plan indicating the necessary service ducting. Exceptions will be limited to those buildings that will not be inhabited or occupied by people for residential or business purposes, i.e. agricultural buildings.

Applications that require footpaths and roadways to be excavated, such as public realm improvements, will also be required to demonstrate that future telecommunication needs have been considered and provided for either by providing the service ducting or by

working in collaboration with service providers and others as necessary to accommodate the installation of infrastructure through the adoption of a 'dig once approach'.

A guide to the standardised locations of such service ducting is given in Section 12 of the Department for Infrastructure's Supplementary Planning Guidance 'Creating Places - Achieving Quality in Residential Developments'.

While the installation of service ducting will be ancillary to the development which requires planning permission it is important to ensure it does not cause unacceptable damage or harm to environmentally sensitive features or locations. This includes archaeological remains, Historic Monuments, Listed Buildings, Conservation Areas, Areas of Townscape Character, Areas of Outstanding Natural Beauty, Sites of Nature Conservation Importance, sites where there are protected species, Local Landscape Policy areas and other environmental designations which may include mature trees and woodlands. In such cases, where the development is considered acceptable, extra care should be taken to ensure the environmental impact of service ducting installation has been thoroughly assessed and mitigated. Details of this assessment and the measures to mitigate the environmental impact should be submitted with the proposal.

## Policy TCU3

### Public Services and Other Utilities

Planning permission will be granted for the installation of new, or the upgrading/replacement of existing infrastructure for the supply of water, gas or electricity where it is demonstrated that the proposal:

- a Is designed to minimise visual intrusion;
- b Will not prejudice public safety either by itself or its impact on existing utilities infrastructure;
- c Meets an identified regional or local need;
- d Will not adversely affect features of natural or historic environment, landscape or biodiversity; and
- e In the case of all proposals for electricity lines, are accompanied by a certificate that the proposal meets the ICNIRP guides for exposures to electro-magnetic fields.

In urban areas and sensitive landscapes such as Special Countryside Areas and Areas of Outstanding Natural Beauty, as well as those close to prominent ridgelines or summits, the Council will seek the provision of underground electricity lines, unless the applicant can demonstrate to the Council's satisfaction that an alternative to an overhead cable is not feasible. In addition, the Council will require the removal of redundant apparatus as a condition for the installation of replacements.

### Justification and Amplification

The district plays an important part in Northern Ireland's utility infrastructure; the Mourne Mountains are the source of freshwater for the Belfast Metropolitan Area, as well as for County Down and part of County Armagh. The South-North Pipeline which runs through South Armagh connects Northern Ireland to the gas transmission network in the Republic of Ireland. There is also significant, but currently underutilised, potential for renewable and low carbon energy from on land and from offshore wind in the Irish Sea, development of this potential will likely require the provision of significant new infrastructure to connect it to the supply grid.

Utilities operators have extensive Permitted Development Rights under Part 14 of the Schedule to the Planning (General Permitted Development) Order (NI) 2015, however the expansion of the gas supply network as well as the provision of new electricity infrastructure to decarbonise the economy will require the provision of new infrastructure. In determining such proposals, the Council will assess them against the need to prevent unacceptable harm to issues such as residential amenity, public safety, natural heritage, the historic environment, landscape and biodiversity.

Developments such as new water sources or electricity generation, the supply of these resources and gas can all be of vital importance not only to industry and commerce but to society as a whole and play a key role in encouraging economic development. The benefits of such new infrastructure must be balanced against the need to protect the natural assets of the area and to encourage sustainable development.

### Major Projects

Certain types of infrastructure projects are of such a scale that they fall within the requirements of the Planning (Environmental Impact Assessment) Regulations (NI) 2017. Such proposals will be assessed taking account of:

- The contribution of the proposal to the national or regional economy or to meeting national or regional needs;
- Its environmental effects, and
- The availability of alternatives.

An applicant will need to demonstrate that there is an overriding national or regional reason for the development and, where appropriate, that a thorough exploration of alternatives has been made and that the alternatives are unsuitable.

It will be the responsibility of the applicant to explore all environmental impacts both local and of wider consequence. The Council will consider not only the immediate needs and benefits but the wider long-term environmental effects of the proposal.

In cases where adverse impacts are identified but there is considered to be an overriding national or regional need for the proposal, the applicant will be required to agree with the Council measures to mitigate these impacts before planning permission is granted. Such measures may also include the removal of redundant plant, structures or buildings or the decommissioning of sites at the end of their lives and the restoration of the area to an agreed standard. These measures will be implemented using planning conditions, or where necessary, by a Section 76 Planning Agreement.

It is recognised that where infrastructure, such as electricity sub-stations and water pumping stations or storage reservoirs etc. are already in place it will not be feasible, for operational reasons, to relocate them and any upgrade must occur on the current site. In such circumstances the applicant must set out clearly that relocation is not feasible.

### Public Safety

There are well documented hazards associated with the supply of utilities, particularly electricity and gas. Operators are required to comply with industry regulations for the design and operation of infrastructure and for ensuring that members of the public cannot access them.

The South-North Pipeline is classed as a Major Accident Hazard Pipeline (MAHP). Consultation will be carried out with the Health and Safety Executive and the pipeline operator on any planning applications falling within a buffer zone on either side of the pipeline or on any new MAHP that may be installed in the district.

In all cases potential applicants should consult with a relevant utility operator at an early stage to identify any potential issues.

# 17 Waste

## Policy WM1

## Waste Management Development

Proposals for the development of a waste management facility will be permitted where it meets the requirements of GP1 General Policy and other relevant provisions of the LDP and can also be demonstrated that all of the following criteria, specifically relating to waste management, can be met:

- The proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment and neighbouring land use that cannot be controlled through mitigation measures;
- The proposal is designed to be compatible with the character of the surrounding area and adjacent land uses;
- The visual impact of the waste management facility, including the final landform of landfilling or land raising operations, is acceptable in the landscape and the development will not have an unacceptable visual impact on any area designated for its landscape quality;
- In the case of a regional scale waste or landfill facility its location relates closely and benefits from access to key transport corridors wherever practicable the use of alternative transport modes, in particular, rail and water, has been considered;
- Significant mineral reserves are not sterilised;
- The types of waste to be deposited or treated and the proposed method of disposal or treatment will be managed in such a way to limit a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures; and
- In the case of landfilling the proposal includes suitable, detailed and practical restoration, landscaping and aftercare proposals for the site.

### Justification and Amplification

The key aim of the NI WMS and the Council's WMP (arc21) alongside this policy as set out above, is to achieve fully sustainable waste management. Consequently, there is a need to ensure that as far as possible all waste management facilities are developed to the highest standards so that waste can be dealt with in a way, which minimises impacts on the environment. In addition, the development of modern facilities can help bring environmental benefits by encouraging more sustainable waste management practices. In considering proposals for new, or extensions to existing, waste management facilities the Council will ensure adequate protection and conservation of the environment. In determining the acceptability of the

environmental impact of a proposal the Council will seek advice from relevant expert consultees.

### Environmental Information

Under Section 23 of the Planning Act (Northern Ireland) 2011 planning permission is required for waste disposal on land whether it consists of engineering operations to infill land, the temporary deposit or the final disposal of waste material on land. Sufficient information should be submitted with a planning application to allow the Council to make an assessment of the potential environmental impact of each proposal. The amount of information required will depend upon the nature, scale and location of the proposal. In general the bigger, or the more technically complex, the scheme the more information that will be required. Where appropriate the Council will use its powers contained in the Planning (General Development Procedure) Order (NI) 2015 to request applicants to supply such additional information as is considered necessary to allow proper determination of planning applications.

### Environmental Impact Assessment

Certain waste management projects fall within the scope of the Planning (Environmental Impact Assessment) Regulations (NI) 2015. Under these Regulations the Council is prohibited from granting planning



permission to EIA development unless environmental information, adequate for the particular scheme, has been provided and considered. In such cases a formal Environmental Statement will be required. Environmental Impact Assessment is a method of ensuring that the likely effects of new development on the environment are taken into account as part of the consideration of planning applications. Waste disposal installations for the incineration, chemical treatment or landfill of hazardous waste require an Environmental Impact Assessment in every case. Certain other waste management projects, which fall within the scope of the EIA Regulations, may require an assessment where the Council considers that the development will have significant environmental effect. (see Development Control Advice Note 10 (revised 2012) Environmental Impact Assessment).

### Precautionary Principle

Many waste management facilities by reason of their size, nature or location have the potential to cause significant damage to the environment in terms of visual intrusion, habitat or heritage destruction and pollution. In assessing all proposals for waste management facilities, the Council will be guided by the precautionary principle that, where there are significant risks of damage to the environment, its protection will generally be paramount, unless there are imperative reasons of overriding public interest.

In considering proposals for new, or extensions to existing, waste management facilities there are a large number of matters which require to be considered. These include the following:

### Health Considerations

In assessing the public health impact of waste management facilities the Council will be guided by advice from the Environmental Health Department Section within the Council and, where appropriate, the HSC Public Health Agency.

### Compatibility with Adjacent Development

Certain waste management facilities, such as landfill sites or incinerators can cause significant amenity problems for the occupiers of neighbouring properties. However, it is not always necessary or appropriate to separate waste management facilities, especially small-scale developments such as civic amenity sites and recycling plants, from residential or other sensitive uses, provided they will not cause detriment to amenity by reason of noise, dust or noxious emissions. The Council will not therefore restrict development solely because it differs from the predominant land use in the locality.

### Visual Intrusion and Impact on the Landscape

Consideration must be given to the potential effects waste management facilities may have on the landscape and waste management facilities will only be permitted where it can be demonstrated that they will not have an unacceptable visual impact on areas designated in development plans for their landscape value i.e. Areas of Outstanding Natural Beauty and Special Countryside Areas (SCAs).

Comprehensive landscaping plans and details must accompany all planning applications for waste management facilities, including details of the landscape treatment and a landscaping scheme. Successful site screening may be achievable by landscaping works and amenity bunds and may include advance planting of trees, shrubs or hedges around the periphery of a site. The planting plan should recommend suitable tree and shrub species and planting distances.

### Transport, Traffic and Access

Most modern waste management facilities depend on a large throughput of materials, often generating a substantial volume of traffic, which may be a significant environmental issue. In most cases a Traffic Impact Assessment/ Transport Assessment will be required and applicants will have to identify lorry routes proposed to service the site, the movement of waste, staff and visitors as well as quantifying construction traffic. The Council may specify the use of a particular route or require certain routes to be upgraded and/or strengthened

to accommodate additional traffic movements, particularly if HGV's are involved. Where the road network cannot accommodate the numbers of vehicle movements likely to be generated, the application will be refused or where appropriate, planning permission will condition the quantities of materials or the number of vehicle movements over specified periods.

Provision of safe access from the site to the local road network, which meets access standards, will be required. Developers should also indicate the arrangements proposed for servicing and car parking at the site to meet the needs of both staff and visitors.

### **Nature Conservation and Heritage**

Waste management development can cause unacceptable harm to both natural heritage and the historic environment. Such damage can be incurred directly through physical destruction or indirectly through pollution, alteration of water tables, dust and other disturbance to sensitive species e.g. floodlighting. Equally unacceptable damage can occur to historic assets including archaeologically sensitive sites.

In determining applications for waste management facilities, the Council will not grant approval where a proposal will cause unacceptable adverse impact to an area or site which has been designated for its natural heritage or historic environment importance.

### **Environmental Pollution**

Potential sources of environmental pollution which are linked to waste management facilities include the following:

#### **Noise**

The operation of many waste management facilities is likely to produce noise from both inside and outside buildings. It will often be necessary to impose planning conditions relating to noise levels during operations and limiting times of operation.

#### **Dust and Airborne Pollution**

The nature of any dust particulate from waste management facilities will depend on the type of facility and can be minimised through the use of appropriate, well-maintained and managed equipment and vehicles. It may be appropriate to impose a planning condition, which requires waste operators to prepare a scheme, or to indicate what measures will be undertaken, to suppress dust on a site.

Many waste management facilities have the potential to produce unpleasant odours and other airborne pollution. Good practice requirements are normally incorporated into the terms of waste licences and waste management facilities are highly regulated in terms of design, operation and permitted emissions.

### **Litter**

Litter can often be a serious problem on waste management sites especially landfills and is normally controlled by conditions attached to the waste licence.

### **Vermin and Birds**

Waste management sites, especially landfills, are likely to attract vermin and birds. Vermin control is usually covered by the waste licence.

### **Land Instability**

It is important that waste management and disposal sites and their environs are not liable to be affected by land instability. Operators must satisfy themselves that the stability of proposed sites has been properly investigated and that, where necessary, appropriate precautionary or remedial measures have been taken in the design.

### **Hours of Operation**

The hours of operation of a waste management facility are linked closely to the issues of noise control and traffic movements, but are also relevant, for example, to levels of lighting. Where appropriate, the Council will attach a condition to planning approvals setting out the hours of working, to the extent that they may affect surrounding land use.

### Duration of Operations

A planning permission for a waste management facility must normally be commenced within 5 years. However, different periods may be appropriate depending on the circumstances, for example, in the case of temporary approvals. The impacts of innovative proposals may need to be monitored carefully, especially during the initial stages. In some cases a time limit may be placed on the completion of operations, to allow full consideration of environmental issues in the light of the circumstances then prevailing. The duration of a consent will relate to the particular waste management proposal.

Sites for the storage and processing of construction and demolition waste, prior to recycling, particularly in relation to large scale construction developments, may have a limited life. The Council will specify an end date for the removal of waste for recycling and restoration of the site.

Landfill operations are normally undertaken in accordance with a prearranged programme of phases, in order to minimise environmental disturbance. Where operations are envisaged to continue for some years, adequate time should be allowed for review of detailed restoration proposals prior to completion of the site. Conditions will normally be applied to ensure proper completion of the site. These will also give the operator the opportunity to apply to the Council to vary the working programme and other details at a later

date if changed site conditions, or other new circumstances require. The Council will give prime importance to minimising the overall environmental impacts of the remaining stages of the development permitted. In considering such variations the Council will consult with the licensing authority.

Landfill and land raising operations are essentially transitory although some last for fairly long periods. If ancillary waste management facilities, not necessarily tied to the life of the landfill, are also proposed at such sites the longer-term environmental benefits and harm of the whole development must be considered. It will be necessary in some circumstances to limit the period of planning permissions for some co-located activities to match the date of closure of the “parent” landfill operation. In other cases it may be necessary to re-assess the environmental impact of co-located facilities when the parent facility closes.

### Protection of Surface and Groundwater

In assessing proposals, the Council must have regard to the need to protect the quality of surface water and groundwater. Whilst modern containment and drainage engineering has significantly reduced the likelihood of water contamination, waste development has the potential to pollute surface and groundwater resources if operations are not properly controlled and monitored. In particular problems can arise from surface water runoff, landfill leachate and the discharge of wastewater from waste management

operations such as composting and recycling plants. Developers must ensure that a suitable drainage system is proposed which will prevent contaminants from reaching surface water drains or groundwater resources.

Proposals for waste management facilities will only be permitted where they would not have an unacceptable impact on the quantity or quality of surface or groundwater resources.

### Flooding from Rivers

The Department for Infrastructure’s Rivers Agency should be consulted on applications for development which would have drainage implications – such as those affecting watercourses or where land is subject to flooding. Waste management proposals will not be acceptable where the proposed development would exacerbate the risk from flooding on site or would be likely to increase the risk of flooding elsewhere. Works required to alleviate flood risk may result in unacceptable damage to visual amenity, nature conservation interest or the historic environment. On the limited occasions where exceptions to this policy arise and planning permission is granted, conditions may be imposed:

- To require necessary alleviation works; and
- To ensure adequate access to watercourses.

In addition, Schedule 6 of the Drainage (NI) Order 1973, requires the consent of Rivers Agency for any discharge into a waterway.

### Reinstatement of the Site

When a waste management site comes to an end NIEA will seek to ensure that ground contamination is minimised or kept to an acceptable level. There is a legal requirement for waste license holders to provide financial provision for waste management facilities, which can be used to secure appropriate provision of drainage layers, protective soils and capping of landfill sites upon cessation of waste management operations. The financial provisions required under waste licensing regulations do not however cover Planning requirements.

In the case of landfill and land raising operations appropriate and careful restoration and aftercare is required to prepare the site for a use, which is compatible with the surrounding area. All applications for landfill and land raising operations must be accompanied by drawings illustrating typical cross-sections through the site and indicating depth of fill, capping details, final restoration contours, planting, and other relevant details. Where appropriate, proposals to promote biodiversity, tree and shrub planting should be included. Applications for hazardous and non-hazardous landfill and land raising operations must also be accompanied by details of leachate and landfill gas management including utilisation of landfill gas to produce energy where possible.

If considered appropriate financial and legal arrangements may need to be put in place in advance of planning permission being granted to ensure that adequate site restoration takes place in a timely manner. Appropriate conditions will be attached to the planning permission addressing restoration of the site.



## Policy WM2

### Waste Collection and Treatment Facilities

Sites and proposals for waste collection and treatment facilities will be permitted where they comply with Policy WM1 and:

- a There is a need for the facility as established through the NI WMS and the Council's WMP (arc21), except in the case of Wastewater Treatment Works (WwTWs) where the need must be demonstrated to the Council's satisfaction; and
- b The proposed facility complies with one or more of the following locational criteria:
  - it is located within an industrial or port area of a character appropriate to the development; or
  - it is suitably located within an active or worked out hard rock quarry or on the site of an existing or former waste management facility including a landfill site; or
  - it brings previously developed, derelict or contaminated land back into productive use or makes use of existing or redundant buildings; or
  - in the case of a civic amenity and similar neighbourhood facilities the site is conveniently located in terms of access to service a neighbourhood or settlement whilst avoiding unacceptable adverse impact on the character, environmental quality and amenities of the local area; or
- where the proposal is in the countryside, it involves the reuse of existing buildings or is on land within or adjacent to existing building groups. Alternatively, where it is demonstrated that new buildings/plant are needed these must not have an unacceptable visual and environmental impact; and
- c The following criteria are also met:
  - proposals involving the sorting and processing of waste, are carried out within a purpose-built or appropriately modified existing building, unless it can be demonstrated that part or all of the proposed operation can only be carried out in the open;
  - the built development associated with the proposed methods of handling, storage, treatment and processing of waste is appropriate to the nature and hazards of the waste(s) concerned; and
  - proposals for the incineration of waste and other thermal processes, shall incorporate measures to maximise energy recovery both in the form of heat and electricity, taking account of prevailing technology, economics and characteristics of the waste stream involved.

### Justification and Amplification

The targets contained within the NI WMS require a significant shift away from landfill. Waste treatment facilities reuse, recycle and recover waste materials and can significantly reduce the amount of waste going to landfill. They can also have benefits in relation to the co-location or provision of integrated facilities close to waste arisings, close to where waste is reused or close to other waste treatment facilities. Applicants must demonstrate that the proposal is consistent with the NI WMS and the Council's WMP (arc21).

Proposals for Waste Collection and Treatment Facilities will be required to meet one or more locational criteria. Within industrial and port areas there may be a diverse range of uses and it should be demonstrated that the proposed waste treatment or collection facility will not have a detrimental impact on established uses within that area.

For the purpose of this policy waste treatment projects include waste separation, recycling, transfer, composting, the treatment and transfer of special waste, the thermal treatment of waste including incineration and relatively new techniques such as pyrolysis, gasification, and fluidised bed combustion and other energy recovery facilities such as anaerobic digestion. Proposals for the development of wastewater treatment works, including extensions to existing facilities are also considered under this policy as are planning applications for the recycling of construction and demolition waste.

### **Waste Separation and Recycling**

Waste separation and recycling facilities may range from small community schemes to multi-stream separation, material recovery facilities. Also included is the recycling of construction and demolition waste. The potential impacts of modern facilities may be limited but noise, dust, odour and other emissions are likely to require careful consideration as is the heavy goods traffic generated by such facilities. Due to the industrial nature of commercial facilities suitable sites include port and docklands, general industrial areas, within a hard rock quarry or where the impact of the operations will not have a detrimental effect on residential amenity or the environment. An applicant may also seek to demonstrate that other material considerations should be taken into account, such as the reuse

of previously developed, derelict or contaminated land or the use of existing or redundant buildings.

Larger commercial facilities can require significant site areas to facilitate operations, on site parking and traffic circulation. They should also be well located in terms of access to the catchment area and to the main traffic system as the processes involved include separation and bulking up of material for onward delivery. Sites in the vicinity of residential areas can give rise to householder complaints about traffic, noise, dust and visual untidiness.

In the case of community schemes, careful location and good access, proper screening and on site parking can significantly reduce environmental problems. Whilst the provision of bring banks by private operators will require permission on a stand-alone basis, they may be suitably located within a larger development such as a retail centre or business park, where they may be deemed to be ancillary to the main land use. The Council will assess the provision of bring banks on a case-by-case basis to ascertain whether they can be considered as permitted development under the Planning (General Permitted Development) Order (Northern Ireland) 2015.

### **Composting**

Composting schemes vary widely from the operations carried out by private households that do not require planning permission to larger scale commercial operations such as those developed by local authorities, the private sector or as joint ventures. The scale of commercial composting facilities can also vary from a small facility requiring only an area of hard standing for composting, a covered area for screening or storing of materials to large scale facilities, which will require large open areas and buildings. Larger scale facilities will, as a result be more visually intrusive and increase traffic in the vicinity.

Due to the potential for the generation of odour, dust, noise and bioaerosols (including bacterial and fungal spores) the operation of commercial composting facilities can present problems in the vicinity of residential areas and workplaces. While noise and dust can be adequately controlled through operational measures, both odour and bioaerosols have the potential to impact on the public at some distance from the operations. These considerations require that composting facilities are located on suitable industrial land, within or adjacent to a waste management facility or in the rural area. In rural areas such sites will have to be satisfactorily assimilated into the landscape and the operation shall either use existing buildings or new buildings provided

that they are in scale with and adjacent to an existing non-residential building group. Distance from waste arisings can be offset by on farm use, otherwise the proximity principle suggests locations close to urban areas.

### Civic Amenity Sites

Civic Amenity Sites should, normally, be located within settlements. As they provide a facility for householders it is important that they are sited in locations that have good accessibility from the main road network, allow for easy access and parking on site by the public and can be properly screened. It is important that sites are not located where their operation would have a detrimental impact on residential amenity due to noise, odour or dust. In rural areas with a dispersed settlement pattern it may be necessary to seek a rural location that meets the above criteria. A transport node may be an appropriate location in terms of accessibility.

### Wastewater Treatment Facilities

Wastewater is not controlled waste and therefore the NI WMS and the Council's WMP (arc21) do not apply to proposals for wastewater treatment works (WwTWs) and related facilities. In the case of a Wastewater Treatment Works (WwTWs) the applicant must demonstrate to the Council's satisfaction that there is a need for the facility.

### Regional Scale Waste Treatment Facilities

Regional scale treatment facilities depend on a large throughput of materials, often generating a substantial volume of traffic, which may be a significant environmental issue. As a result, applicants will be required to demonstrate that the proposed location relates to key transport corridors and, where practicable makes use of the alternative transport modes of rail and water. Transport by water, however, may require particularly stringent containment, due to any risks of accidentally contaminating the water system involved.

### Internal v External Waste Treatment

The recycling and/or treatment of industrial, commercial and household waste should take place in suitable buildings to secure higher environmental standards for the management of waste and to minimise the impact on adjoining land-uses. Where proposals do not include the provision or use of a building, then the Council will expect the applicant to demonstrate how the proposed development meets the exception outlined above. Some operations can reasonably only be conducted outside, for example windrow composting. The policy also allows for circumstances when it is reasonable for parts of the operation to be carried out in the open. For example, to allow the open-air storage of wastes and recycled products, as long as they are controlled so that they would not become windblown or produce odours or leachate.

### Hazardous Waste

Hazardous Waste is defined by European Council Directive 91/689/EEC (the Hazardous Waste Directive). The Hazardous Waste Regulations (Northern Ireland), 2005 implement the Hazardous Waste Directive into domestic legislation for Northern Ireland. The nature of hazardous waste and the need to protect the public from any harmful effects associated with noise, smell, fumes and dust emphasise the importance that needs to be placed on the safe treatment of such waste and to reducing the amount that requires disposal. Clinical waste may include hazardous waste and developers should seek advice from the relevant authority.

A range of specialist treatment facilities may be needed to handle Northern Ireland's hazardous waste. In determining applications for managing hazardous waste consideration will be given to the compatibility of the operation with other nearby land uses. It must be demonstrated that the built development associated with proposed methods of handling, storage, treatment and processing of waste is appropriate to the nature and hazards of the waste(s) concerned. Local impacts, including the comparison of alternative sites, should be addressed through Environmental Impact Assessment when specific sites are being sought.

### **Waste Treatment and Energy Recovery (Energy from Waste)**

Incineration is an established method of treating waste to reduce its volume and weight before disposal or to remove the hazardous content of materials. Incinerators range from small plants serving factories or hospitals to large scale installations for the treatment of municipal and other wastes. Incinerators have the potential for energy recovery in the form of electricity and/or heat and power which may provide additional environmental benefit and is higher up the waste hierarchy than treatment without energy recovery. Incinerators and other thermal treatment facilities such as pyrolysis and gasification will be expected to maximise energy recovery in the form of electricity and/or heat and power, subject to the feed waste stream and prevailing technology and economics. This policy relates to all incineration facilities with the exception of those designed to be ancillary to an existing development and special waste facilities where energy recovery is not practical.

In considering incineration facilities the visual impact of the proposed plant is an important consideration. Modern energy from waste incineration plants comprise substantial buildings with a high chimney stack and may form a prominent feature in the local townscape. When proposed within the rural area careful consideration will be given to the impact of the facility on the landscape. In all cases a suitable landscaping scheme will be required.

Other emerging thermal treatment technologies include gasification and pyrolysis. Anaerobic digestion is a further technology which produces energy from the treatment of organic wastes. These technologies involve processes carried out in enclosed plant which limit emissions to the atmosphere. The Council's WMP (arc21) recognises that recovery from residual waste will be required to play an integral role in the future management of wastes in the arc21 region.

For all Energy from Waste (EfW) facilities, proximity to waste arisings, the significant traffic generated and heat and energy considerations point to locations within or close to urban areas with good accessibility to the main road network. It is important that waste is delivered and residues removed in properly designed vehicles to ensure the avoidance of spillages. Significant environmental and economic advantages may accrue when large EfW facilities are located adjacent to rail heads and ports.

### **Integrated Waste Management**

Integration or co-location of waste treatment facilities provides the opportunity to optimise environmental and economic benefits. Such integration may, however, have cumulative negative effects, for example in terms of excessive traffic generation, noise and dust. These must be balanced against consistency with the Council's WMP (arc21). Where treatment facilities are ancillary to another waste management development it is important that they do not prejudice restoration and afteruse. Ancillary facilities should be removed when the main facility is complete unless material considerations support their retention.



## Policy WM3 Waste Disposal

Proposals for the development of landfill or land raising facilities for the disposal of waste will only be permitted where all of the following criteria are met:

- a There is a need for the facility as established through the NI WMS and the Council's WMP (arc21);
- b No feasible option for the management of waste at a higher level in the waste hierarchy is possible; and
- c The proposed facility complies with all of the following criteria:
  - it is suitably located within an active or worked out hard rock quarry or it brings land that is despoiled, derelict or contaminated back into productive use; and
  - The proposal complies with the requirements of Policy WM1.

In line with the NI WMS, prior to the establishment of an integrated network of waste management facilities, the development of interim landfill or land raising facilities for the disposal of waste will be permitted where the criteria under (c) are met and the proposed facility:

- i Provides essential interim capacity;
- ii Is likely to form part of a co-ordinated regional or sub-regional network; and
- iii As far as possible does not lead to an increase in the number of active landfill sites.

### Justification and Amplification

Landfilling is the disposal of waste into void spaces in the land often left as a result of mineral extraction. Land raising is the disposal of waste by depositing on land thereby raising its level. This policy applies to all proposals for the disposal of household, industrial and commercial waste with the exception of the deposition of inert waste which is suitable for the purposes of land improvement (see Policy WM4). This policy seeks to ensure that the need for any landfill or land raising facilities for the disposal of waste is established through the NI WMS and the Council's WMP (arc21) and that the approval of such facilities will not have an unacceptable environmental impact, include appropriate restoration measures, are well sited and meet standard planning requirements.

Landfilling and land raising of municipal waste are at the bottom of the waste management hierarchy and they are usually the least sustainable waste management option. Particular issues associated with these methods include the risk of release of methane gas into the air and adjoining ground or leachate into the soil, groundwater and surface water. Compliance with the siting, engineering and operational requirements of the EU Landfill Directive (1999/31/EC) is an essential pre-requisite and strict controls will be applied under waste management licensing and Integrated Pollution Prevention and Control (IPPC) permitting. These requirements are outside the remit of the Council and should be obtained from NIEA.

Waste disposal proposals will be expected to include a statement identifying the waste implications of the development, measures taken to minimise and manage the waste generated, a critical analysis of the alternative methods of treatment for the particular waste material and its potential for recycling, composting or energy recovery.

### Need for Waste Disposal Sites

While waste disposal through landfill or land raising will have a continuing role it is important that provision made is consistent with need as identified in the NI WMS and the Council's WMP (arc21). Otherwise, alternative facilities may not come forward as required and the completion of existing sites may be delayed. The need identified in the Council's WMP (arc21) will depend on a whole series of variables which may change over a substantial period of time. Consequently, it will be open to applicants to demonstrate need for their proposal taking account of current waste arisings.

Applicants will have to demonstrate that their proposal meets a need that cannot be met by other facilities, and that it is consistent with the key requirements of the EC Landfill Directive for the landfilling of wastes. The Council will also take into account any planning gain associated with proposals such as the remediation of contaminated land.

The disposal of inert wastes does not have the same potential to adversely impact on the environment. Again, the opportunity for the establishment of recycling facilities will exist.

### Environmental Impact

It is essential that all waste disposal facilities that contain putrescible waste are well designed and operated. Applications for municipal waste landfill and land raising operations must be accompanied by details of leachate and land fill gas treatment. Proposals for the disposal of waste materials will not be permitted where the development would lead to an unacceptable impact on the environment or unacceptable pollution problems. Planning conditions may be required to mitigate potential adverse effects. The Landfill Directive bans the codisposal of inert, hazardous and non-hazardous waste and all waste going to landfill must be pre-treated. In addition, certain wastes are banned from land filling as a disposal method altogether.

### Mineral Reserves

Due to the nature of landfill and land raising operations, waste disposal sites may be suitably located within a hard rock quarry or where the impact of the operations will not have a detrimental effect on residential amenity or the environment. It is important that Waste Disposal Projects do not sterilise mineral reserves considered to be of particular value to the economy. In addition to the environmental benefit provided by the restoration of an active or worked out hard rock quarry, in other locations, an applicant may seek to demonstrate that the productive reuse of despoiled, derelict or contaminated land should be taken into account.

### Land Raising

Land raising, in that it creates a new landform, has the potential to significantly impact on the landscape and environmental assets. As a result, careful consideration will be given to the proposed landform and scale of land raising activities to ensure that these can satisfactorily be assimilated into the existing landscape.

### Regional Scale Landfill

The location of regional scale landfill or land raising sites must closely relate to and allow for easy access to key transport corridors and, where possible, should make use of the alternative transport modes of rail and water. Transport by water may require particularly stringent containment measures, to avoid the risk of accidentally contaminating the water system involved.

### Restoration

Careful restoration and aftercare is essential to prepare landfill or land raising sites for a use which is compatible with the surrounding area. Proposals should be detailed, comprehensive, practical and achievable and they should help promote or enhance biodiversity on the finished landform and the surrounding area. All applications for landfill and land raising operations must be accompanied by drawings illustrating typical cross-sections through the site and indicating depth of fill, capping details, final restoration contours, planting and other relevant details. Without the submission of all the required information and necessary detailed plans, the Council is likely to refuse planning permission.

## Policy WM4 Land Improvement

Development proposals for the disposal of inert waste by its deposition on land will only be permitted where it is demonstrated that it will result in land improvement and all of the following criteria are met:

- It will not result in an unacceptable adverse environmental impact that cannot be prevented or appropriately controlled by mitigating measures (see Policy WM1); and
- There is a local need for the development and;
- Only the minimum quantity of fill necessary to achieve the proposed improvement shall be deposited; and
- Detailed measures are included for the appropriate restoration and aftercare of sites that will help to enhance biodiversity.

### Justification and Amplification

The disposal of inert waste<sup>175</sup> by its deposition on farmland and elsewhere has in the past often been inappropriate in terms of sustainable development in that the waste involved was capable of being moved up the waste hierarchy and recycled or reused. Furthermore, the purpose behind such development has, on many occasions, been to dispose of waste in the cheapest way possible and avoid payment of landfill tax, rather than to improve agricultural land quality or facilitate other necessary development.

Nevertheless, the deposition of inert waste on agricultural or other land can result in an improvement in land quality, for example where steep gradients are reduced and the land re-graded with an adequate surface layer of topsoil. On occasion, deposition of inert waste can facilitate land reclamation for necessary development. The Council recognises, however, that care needs to be taken to ensure that such schemes do not adversely affect nature conservation and heritage interests nor have an unacceptable impact on the landscape.

Vacant land or land of low agricultural value often provides important habitats for flora and fauna.

Where it is demonstrated that there is a local need for the deposition of inert waste it will also be necessary to consider the environmental impacts for such a proposal.

Planning permission will be refused where a proposal would have an unacceptable impact on the environment.

The main purpose of the proposal should clearly be to improve land quality rather than the disposal of waste. In this regard the quantity of waste to be deposited should be the minimum required to achieve the proposed improvement. Where this is not the case, the Council will consider the proposal under Policy WM3 Waste Disposal.

It should be noted that, under the Planning (General Permitted Development) Order (Northern Ireland) 2015, a planning application is not normally required for the carrying out, on agricultural land comprised in an agricultural unit, of engineering operations reasonably necessary for the purposes of agriculture.

<sup>175</sup> Inert waste is waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health.

## Policy WM5

### Development in the Vicinity of Waste Management Facilities

Proposals involving the development of land in the vicinity of existing or approved waste management facilities and wastewater treatment works (WwTWs), will only be permitted where all the following criteria are met:

- It will not prejudice or unduly restrict activities permitted to be carried out within the waste management facility; and
- It will not give rise to unacceptable adverse impacts on people, transportation or the environment.

#### Justification and Amplification

Waste management facilities carry out an important function in the treatment and disposal of waste and will be approved in appropriate locations. However, such facilities often undertake complex operations that can impact adversely on the environment. While environmental standards are continually improving nevertheless there may be potential risks at individual sites, for example, in relation to odour, windblown litter or birds.

The potential adverse impact of existing or approved facilities upon neighbouring land uses will be a material consideration in the determination of planning applications for the development of that land. The Council must consider the acceptability of development in proximity to potential sources of pollution. Consideration will therefore need to be given to the sensitivity of development proposed in the vicinity of waste management facilities and WwTWs, particularly sensitive uses such as residential development or areas of public use.

In relation to development proposed in the vicinity of WwTWs the potential adverse impact of existing or approved infrastructure upon neighbouring land uses will be a material consideration in the determination of planning applications for the development of that land. In particular, planning applications involving land within the vicinity of WwTWs will not be approved where there would be a loss of amenity from odour nuisance.

Applications will be approved or refused depending on the circumstances prevailing at particular locations. Relevant considerations will include the nature and capacity of the treatment works, local topography, prevailing wind direction, screening and disposition of existing development, the nature of the proposed development, the precise position of actual odour sources within the boundaries of the works and advice on relevant environmental health matters. In all cases, specific advice will be sought from the Environmental Health Department within the Council.



# 18 Renewable and Low Carbon Energy

## Policy RE1 Renewable and Low Carbon Energy

### General Criteria

Development that generates energy from renewable and low carbon resources will be permitted provided the proposal, and any associated buildings and infrastructure, are in accordance with the requirements of GP1 General Policy and other relevant provisions of the LDP and will not result in an unacceptable adverse impact on any of the following:

- a Public safety, human health, or residential amenity of sensitive receptors (including the future occupants of committed developments);
- b Visual amenity, landscape character and designated landscape areas;
- c Biodiversity, nature conservation or historic environment assets;
- d Local natural resources, such as air quality, water quality or quantity;
- e Public access to the countryside;
- f Roads, rail or aviation safety; or
- g Flood risk.

Proposals will be expected to be located at, or as close as possible to, the source of the resource needed for that particular technology, unless, in the case of a Combined Heat and Power scheme or a biomass heating scheme, it can be demonstrated that the benefits of the scheme outweigh the need for transportation and an end user is identified.

Where any project is likely to result in unavoidable damage during its installation, operation or decommissioning, the application will need to indicate how such damage will be minimised and mitigated, including details of any compensatory measures, such as a habitat management plan or the creation of a new habitat. These matters will need to be agreed before planning permission is granted.

The wider environmental, economic and social benefits of all proposals for renewable and low carbon energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted.

A cautious approach will apply within designated landscapes which are of significant value such as Areas of Outstanding Natural Beauty and their wider settings.

Proposals will not normally be considered in Special Countryside Areas (SCAs). However, where they are submitted, they will be required to meet the provisions of Policy LA1.

Any development on active peatland will not be permitted unless there are imperative reasons of overriding public interest as defined under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 as amended.

Applicants will also be required to ensure that upon decommissioning, all above ground redundant structures, plant, buildings and associated infrastructure shall be removed and the site restored to an agreed standard appropriate to its location. These matters will need to be agreed with the Council before planning permission is granted and will be the subject of conditions, or where appropriate a Section 76 Planning Agreement.

The publication 'Best Practice Guidance to Planning Policy Statement 18 Renewable Energy' (August 2009) (or as amended) and the Landscape Character Assessment, (Technical Supplement 7 – Countryside Assessment) will be taken into account in assessing proposals.

## Wind Energy

In addition to the requirements of the general criteria above, all applications for wind energy development, including proposals for repowering of existing developments, will also be required to meet all of the following criteria:

- The development has taken into consideration the cumulative impact of existing wind turbines, those which have permissions and those that are currently the subject of valid but undetermined applications;
- The development will not create a significant risk of landslide or bog burst;
- No part of the development will give rise to unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems; and
- The development will not cause significant harm to the safety or amenity of any sensitive receptors (including future occupants of committed developments) arising from noise; shadow flicker; ice throw; and reflected light.

For all wind turbines a separation distance of 10 times rotor diameter to any sensitive receptor, with a minimum distance of not less than 500m for wind farms (defined as two or more turbines) will generally apply.

The supplementary planning guidance 'Wind Energy Development in Northern Ireland's Landscapes' (August 2010) (or as amended) will be taken into account in assessing all wind turbine proposals.

## Solar Energy

In addition to the requirements of the general criteria above, all applications for solar energy development will also be required to meet all of the following criteria:

- The development will not result in an unacceptable adverse impact on public safety (including road, rail and aviation safety) or residential and visual amenity through glint and glare;
- The development has taken into consideration the cumulative impact of existing solar farms, those which have permissions and those that are currently the subject of valid but undetermined applications;
- Where development is proposed on agricultural land it should allow for the continued agricultural use where possible and/or encourage biodiversity improvements around arrays; and
- Where necessary development should be screened using native hedging.

## Anaerobic Digestion

In addition to the requirements of the general criteria above, all applications for anaerobic digesters will also be required to meet all of the following criteria:

- The feedstock and the relevant waste codes, where appropriate must be specified; and
- Details of the source of feedstock, including its transport to the proposed site should be specified (to enable the Council will take account of "the proximity principle" in its consideration of proposals).

## Justification and Amplification

### General Criteria

Increased development of renewable and low carbon energy resources is vital to facilitating the delivery of international and national commitments on both greenhouse gas emissions and renewable energy. It will also assist in greater diversity and security of energy supply. The Council will therefore support renewable and low carbon energy proposals unless they would have unacceptable adverse effects which are not outweighed by the local and wider environmental, economic and social benefits of the development. This includes wider benefits arising from a clean, secure energy supply; reductions in greenhouse gases and other polluting emissions; and contributions towards meeting Northern Ireland's target for use of renewable energy sources.

This policy is intended to apply to all renewable and low carbon energy technologies such as wind, solar, moving water/tidal (hydropower), heat extracted from the air, ground and water (including geothermal) and biomass and includes new developments or the repowering or expansion of existing projects. Technologies are constantly being researched and developed. Developments utilising other renewable technologies, not presently viable, but which become viable will also be assessed against the requirements of Policy RE1.

Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised or mitigated through careful consideration of location, scale, design and other measures. In some instances, a renewable energy developer may wish to provide community benefits. These may be offered voluntarily by developers to communities likely to be affected by a development. They cannot be considered material considerations in the Council's decision making.

### Natural Heritage and Historic Environment Considerations

In all cases careful consideration will be given to the scale, siting, design and layout of the proposal. The significance of environmental effects may depend on the type and scale of the renewable and low carbon energy development and the sensitivity of the location. As the sensitivity of location between and within different designated areas can vary, each proposal will be assessed against the specific reason for designation, taking into account uniqueness, beauty, and character of landscape, habitat and species, physiographic, geological, heritage and cultural features. Policy relating to these matters is set out in the Natural Heritage and Historic Environment chapters of the LDP.

A cautious approach will apply within designated landscapes which are of significant value such as Areas of Outstanding Natural Beauty and their wider settings. In such sensitive landscapes, it may be difficult to accommodate renewable energy proposals without detriment to the district's cultural and natural heritage assets. Proposals will not normally be considered within our most exceptional and sensitive upland areas that are designated as Special Countryside Areas. However, where they are submitted, they will be required to meet the provision of Policy LA1.

Where a renewable and low carbon energy development is likely to have an adverse effect on natural heritage or nature conservation interests, the Council will require developers to bring forward mitigation measures, and where appropriate the scope for compensatory measures may be considered. Such proposals will also have to comply with policies NH1-NH4 of the LDP.

### Peatland

Active peatland, comprising blanket and raised bog, i.e. peatland on which peat is currently forming and accumulating, is identified as a priority habitat for Europe in Annex 1 of the EC Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora (the 'Habitats Directive').

The cutting and drainage associated with the development of, in particular, wind turbines and their associated infrastructure, has the potential to severely impact on the hydrology of a large area of active bog.

In addition, development in peatland involves a risk of a mass of peat or bog movement, resulting in land slide or bog burst. Where development is proposed on peatland, the onus is on the developer to provide comprehensive information identifying existing, potential and construction induced peat landslide hazards.

Where complete avoidance of risk is not possible the proposed design should be modified to incorporate engineering options for mitigation of risk. Development proposals may be declined due to the level of hazard identified or where engineering solutions have the potential to significantly increase the level of disturbance or drying out of the peat and release of carbon.

Where the hydrology of other peatland sites has been negatively impacted upon through previous interventions, measures may be taken to restore such areas to active peatland. In promoting mitigation/compensatory measures for renewable energy developments the Council may require developers to restore areas to active peatland that are within or adjacent to the development site.

### **Landscape and Visual Effects of Renewable Energy Development**

The landscape and visual effects of particular renewable and low carbon energy developments will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. Some of these effects may be minimised through appropriate siting, design and landscaping schemes, depending on the size and type of development

proposed. Some landscapes may be able to accommodate development such as wind farms or solar farms more easily than others on account of their topography, landform and ability to limit visibility. To assist assessment by the Council, proposals should be accompanied by objective descriptive material and analysis wherever possible even though the final decision on the visual and landscape effects will be made by professional judgement. The Landscape Character Assessment (Technical Supplement 7 – Countryside Assessment) will be taken into account in assessing all applications.

### **Decommissioning**

In relation to renewable and low carbon energy developments which become redundant, such as wind farms and solar farms, applicants will be required to provide details on future decommissioning. This should include proposals for site restoration to an agreed standard appropriate to its location. In such cases, the Council will use planning conditions (or a Section 76 Planning Agreement where appropriate).

For wind turbines and solar farm development, it is likely that the duration of the planning permission will be linked to the expected operational life of the apparatus. However, during this period, proposals may be forthcoming to extend the life of the project by re-equipping or to replace the original apparatus with new equipment (a process termed repowering). While there are obvious advantages in utilising established sites, such cases will have to be determined on their individual merit and in the light of the then prevailing policy and other relevant considerations.

### **Information Requirements**

All applications will be expected to be accompanied by sufficient information to enable the Council to make a well-informed consideration. The amount of information and the level of detail required will depend on the nature, scale, location and type of technology proposed. For instance, in many cases more detailed information on visual impact will be required in the form of photomontages or a Landscape Visual Impact Assessment. Other examples of the information that may be required include noise assessment, glint and glare assessment and additional information relating to potential odours or other emissions to air, ground and watercourses.

Where connection to the National Grid is proposed, information of all electricity infrastructure required will need to be submitted for consideration.

Developers will also be expected to outline the benefits arising from the development in terms of the energy produced in order to enable a balanced assessment of the proposal to be carried out.

Certain renewable and low carbon energy developments, depending on their scale or location, may require assessment through Environmental Assessment (EIA) and Habitat Regulations Assessment. Further information on the need for EIA for the various renewable energy technologies is set out in the Best Practice Guidance to Planning Policy Statement 18 'Renewable Energy'.



The Council would highlight that failure to supply adequate environmental information to enable the determination of renewable and low carbon energy development planning applications will result in a delay in determining such proposals.

### Wind Energy

Of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. Wind energy can only be exploited where wind speeds are sufficiently fast. By its very nature the wind resource is likely to be greatest in upland areas, which may be particularly sensitive in terms of their landscape and nature conservation value. It is also recognised that larger-scale wind energy developments are likely to be visible over distances.

However, in assessing planning applications, the Council recognises that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved. The impacts associated with such developments may be considered acceptable for example because they are minor or because mitigation measures may be put in place. Some of these impacts may be considered to be temporary if conditions are attached to planning permissions which require future decommissioning of turbines.

The document 'Wind Energy Development in Northern Ireland's Landscapes' (Supplementary Planning Guidance published by the Northern Ireland Environment Agency) identifies

landscape characteristics that may be sensitive to wind turbine development. This document provides supplementary planning guidance on the landscape and visual analysis process, and the indicative type of development that may be appropriate. While the guidance will be taken into account in assessing all wind turbine proposals it is not intended to be prescriptive.

The cumulative impact of turbines will require careful consideration. Applicants will be required to demonstrate that existing turbines, those which have permissions and those that are currently the subject of valid but undetermined applications have been fully considered and there is no unacceptable adverse impact.

In order to fully assess the visual impact of proposals a Landscape Visual Impact Assessment may be required.

Wind turbines can impact negatively on the amenity of nearby properties, particularly sensitive receptors, through 'shadow flicker' and noise. In order to fully assess these impacts, the Council will require a shadow flicker assessment for properties within 500 metres and that lie 130 degrees either side of north of a turbine and may require a noise impact assessment.

Wind turbines also give rise to safety issues such as ice throw and reflected light. All proposals will be required to demonstrate how these issues have been considered.

Consultation with the Civil Aviation Authority may be necessary.

### Solar Energy

Active solar technology, (photovoltaic and solar thermal panels) on or related to a building is often permitted development. Where they require planning permission proposals should ensure the size, scale and design of the development is appropriate to its location.

Solar Energy Installations in the form of ground mounted solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of proposals can be minimised and mitigated with appropriate siting and design and the use of native hedging to provide screening. Applicants should ensure that any associated buildings or infrastructure, including security measures such as fencing and lighting should be designed to be of minimal visual impact.

The cumulative impact of solar farms will require careful consideration as the number of solar energy installations increases. Applicants will be required to demonstrate that existing solar farms, those which have permissions and those that are currently the subject of valid but undetermined applications have been fully considered and there is no unacceptable adverse impact.

In order to fully assess the visual impact of proposals a Landscape Visual Impact Assessment may be required.

Where development is proposed on agricultural land it should allow for the continued agricultural use where possible and/ or encourage biodiversity improvements around arrays. There are many examples of livestock being able to graze directly underneath PV installations, or of arrays being used to provide shade to crops growing beneath them, a practice known as “agrivoltaics,” and all such proposals should take this into account.

Although solar panels are designed to absorb as much light as possible and not reflect it, they can cause glint and glare where sunlight is reflected from the surface of the solar PV panel. Glint can be described as a momentary flash of bright light while glare is described as a continuous source of bright light. Both can give rise to visual and residential amenity impacts and public safety issues (by causing a distraction to drivers or pilots). In order to fully assess these impacts a glint and glare assessment may be required.

Proposals will also need to take account of whether there may be additional impacts if solar arrays are to follow the daily movement of the sun.

Consultation with the Civil Aviation Authority may be necessary.

### Anaerobic Digestion

Anaerobic Digestion uses biological processes to extract energy and other by products from organic material, in most cases the feedstock is agricultural waste such as slurry, but it can also accept other material such as brewery waste. The process can also be used to generate electricity through the heat produced by the biological process, there have been a number of such projects established across the district and increased utilisation of the technology can contribute both to an increase in renewable energy production and a reduction in waste in accordance with regional policy.

Anaerobic proposals give rise to a number of planning issues including visual and landscape impacts; potential odour; noise; air emissions and traffic impacts. All applications will be required to demonstrate how proposals have considered and, where necessary, mitigated against any environmental impacts.

The Council will have regard to “The Proximity Principle” in relation to both the source of the feedstock and the location of the anaerobic digester to minimise transportation and carbon emissions.

The cumulative impact of anaerobic digesters will require careful consideration as the number of developments increase. Applicants will be required to demonstrate those which have permissions and those that are currently the subject of valid but undetermined applications have been fully considered and there is no unacceptable adverse impact.

The Draft Supplementary Planning Guidance to Planning Policy Statement 18 ‘Renewable Energy’ Anaerobic Digestion (June 2013) (or as amended) will be taken into account in assessing all anaerobic digester proposals.

Applicants will be required to demonstrate to the Council that they comply with all other necessary licensing regimes.

## Policy RE2

# Renewable Energy and Energy Efficiency Measures in all Development

Planning permission will be granted where it is demonstrated that the proposal has fully considered and, where possible, incorporates renewable energy technology and energy efficiency measures including micro-generation and passive solar design into its design, siting and layout and where it meets the provisions of Policy RE1.

### Justification and Amplification

As part of its overall efforts to promote renewable energy and enhance energy efficiency, the Council wishes to facilitate and encourage greater integration of renewable energy technologies and energy efficiency measures into all developments in both the design of new buildings and through appropriate retrofitting of existing buildings.

For many buildings this will mean increased consideration of the benefits of small-scale renewable energy technologies (often referred to as 'micro-generation'). In addition, it will entail greater consideration of complementary measures in the design of new buildings, such as the application of Passive Solar Design principles, to help achieve energy gains. Proposed measures should be proportionate to the development proposal and where measures have been discounted justification for this must be provided.

#### Micro-generation

Micro-generation is widely accepted to be the production of heat and/or electricity from low or zero carbon energy sources. In addition to the carbon benefits, increased use of micro-generation plays an important part in diversifying our energy mix and ensuring security of energy supply. It can allow energy to be produced and consumed locally, help alleviate fuel poverty (especially in off-gas network areas) and play a part in meeting renewable energy targets. Examples of micro-generation include air source heat pumps, ground source heat pumps, solar PV panels and solar thermal panels.

Some forms of micro-generation development currently benefit from permitted development rights under the Planning (General Development) Order (Northern Ireland) 2015 and therefore do not require an application for planning permission.

#### Passive Solar Design

Passive Solar Design (PSD) refers to the use of solar energy for the heating and cooling of buildings. Using this approach, the building itself or some part of it will take advantage of the natural energy in materials and air created by exposure to the sun. PSD needs to be considered at the design stage as it provides effectively a one-off opportunity to save energy during the lifetime of a building, generally at no cost.

Optimising use of natural heat and light through PSD can displace energy which would otherwise have been generated from fossil fuel sources. Solar heated air and wind can also be used in natural ventilation or cooling systems. Planning decisions on site selection, road access arrangements, building orientation and spacing and landscape design can all influence the ability of new development to employ PSD techniques effectively. PSD can be used in conjunction with other efficiency measures including increasing insulation, installation of high-performance windows and frames, draught proofing to achieve improvements in air tightness, use of energy efficient appliances and fittings including smart controls and air or ground source heat pumps.

Technology and energy efficiency measures have evolved and enabled passive housing and more recently energy positive housing which produces more energy than it requires. The Council will expect proposals to employ renewable energy technology and energy efficiency measures that are proportionate to the proposed development and appropriate to its location.

# 19 Water and Wastewater Infrastructure

## Policy WW1 Development Relying on Non-Mains Sewerage

Planning permission will only be granted for development relying on non-mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem.

Applicants will be required to submit sufficient information on the means of sewerage to allow a proper assessment of such proposals to be made.

In those areas identified as having a pollution risk development relying on non-mains sewerage will only be permitted in exceptional circumstances.

### Justification and Amplification

Water is one of our most vital natural resources. Not only is it essential to sustain life itself, but it also plays a crucial role in our economic development and social wellbeing. Some uses can however threaten the very water quality on which they depend. Pollution can arise from point sources such as industrial or sewage effluent discharges or can be diffuse such as road or agricultural runoff. It is important therefore that our water bodies - rivers, lakes, estuaries and coastal waters, groundwaters and reservoirs - are protected from pollution and managed as a sustainable resource for all of the activities that depend on them.

Planning permission will be refused for development relying on non-mains sewerage where the physical arrangements proposed for on-site sewage treatment are unsatisfactory or in cases where 'Consent to Discharge' under the Water Order is unlikely to be forthcoming due to pollution risks.

### Information to Accompany Planning Applications

Where connection to mains sewage is not possible, either because of the location of development or the capacity of existing WwTWs, sufficient information on the means of sewage treatment must be submitted for consideration.

The method of non-mains sewage disposal must be to the satisfaction of the Council's Environmental Health Department and the Northern Ireland Environment Agency. A consent to discharge under the Water (Northern Ireland) Order 1999 will also be required from DAERA and the onus is on the applicant to ensure such consent is or can be agreed for the development proposed.



# 20 Flood Risk and Drainage

## Policy FRD1 Development in Flood Plains

A proposal for development will not be permitted within the 1 in 100 year fluvial flood plain (AEP<sup>176</sup> of 1%) plus climate change allowance or in the 1 in 200 year coastal flood plain (AEP of 0.5%) plus climate change allowance unless the applicant can demonstrate that the proposal constitutes an exception to the policy.

Where the principle of development is accepted by the Council through meeting the 'Exceptions Test', as set out below under the Exceptions heading, the applicant is required to submit a Flood Risk Assessment for all proposals. Planning permission will only be granted if the Flood Risk Assessment demonstrates that:

- a All sources of flood risk to and from the proposed development have been identified; and
- b There are adequate measures to manage and mitigate any increase in flood risk arising from the development throughout its operational life.

### Exceptions

#### Defended Areas

- a Development of previously developed land that is protected by flood defences that are confirmed by DfI Rivers, as the competent authority, as structurally adequate in a 1 in 100 year plus climate change allowance fluvial flood event, or a 1 in 200 year plus climate change allowance coastal flood event:
  - Due to the residual flood risk there will be a presumption against development where proposals include essential infrastructure, storage of hazardous substances, bespoke accommodation for vulnerable groups or development located close to flood defences;
  - Proposals involving significant intensification of use will be considered on their individual merits and will be informed by the Flood Risk Assessment.

#### Undefended Areas

- b New development within settlements in the coastal floodplain where the land is raised (through infilling), to an acceptable level above the flood

plain and subject to meeting all of the following criteria:

- The proposal is not dependant on the provision of new coastal flood defences or likely to require such protection as a result of anticipated climate change;
  - The site is not in an area likely to be at risk from coastal erosion or land instability and the proposed development will not significantly increase such risks in the locality;
  - The elevation of development above the flood plain will not unduly disrupt the provision and ongoing delivery of essential services including access, power, water and sewerage; and
  - The Flood Risk Assessment demonstrates that the development will not cause or exacerbate flood risk elsewhere.
- c Replacement of an existing building:
    - Proposals that include essential infrastructure or bespoke accommodation for vulnerable groups or that involve significant intensification of use will not be acceptable.

<sup>176</sup> As defined in Glossary.

d Development for agriculture use, transport and utilities infrastructure, which for operational reasons has to be located within the flood plain.

e Water compatible development such as for boat mooring, navigation and water based recreational use, which for operational reasons has to be located within the flood plain.

f The use of land for sport and outdoor recreation, amenity open space, walking and cycling or for nature conservation purposes, including ancillary buildings. This exception does not include playgrounds for children.

g The extraction of mineral deposits and necessary ancillary development.

### **Development Proposals of Overriding Regional or Sub-Regional Economic Importance**

A development proposal within the flood plain that does not constitute an exception to the policy may be permitted where it is deemed to be of overriding regional or sub regional economic importance and meets both of the following criteria:

- Demonstration of exceptional benefit to the regional or sub-regional economy; and
- Demonstration that the proposal requires a location within the

flood plain and justification of why possible alternative sites outside the flood plain are unsuitable.

Where the principle of development is established through meeting the above criteria, the Council will steer the development to those sites at lowest flood risk. The applicant is required to submit a Flood Risk Assessment for all proposals.

### **Minor Development<sup>177</sup>**

Minor development will be acceptable within defended and undefended flood plains subject to a satisfactory flood risk assessment<sup>178</sup>.

### **Flood Protection/ Management Measures**

The following flood protection and management measures proposed as part of the planning application, in order to facilitate development within flood plains, will not be acceptable:

- New hard engineered or earthen bank flood defences; or
- Flood compensation storage works; or
- Land raising (infilling) to elevate a site above the flood level within the undefended fluvial flood plain.

Within coastal flood plains development proposals must also accord with Strategic Policy CDS1 Coastal Development and Policy DAR1 Development at Risk from Land Instability or Coastal Erosion.

## **Justification and Amplification**

Flood plains store and convey water during times of flood and are thus of vital importance in the wider flood management system. New development within a flood plain will not only be at risk of flooding itself but it will add to the risk of flooding elsewhere. The cumulative effect of piecemeal development within a flood plain can also redirect flows and will also undermine its natural function in accommodating and attenuating flood water. Accordingly, to minimise flood risk and help maintain their natural function it is necessary to avoid development within flood plains wherever possible.

### **Definition of a Flood Plain**

Fluvial flood plain – the extent of a modelled flood event with a 1 in 100-year probability (AEP of 1%), plus the latest climate change prediction.

Coastal flood plain – the extent of a modelled tidal event with a 1 in 200-year probability (AEP of 0.5%), plus the latest climate change prediction. Flood plains, so defined, are depicted on the latest version of Flood Maps NI available on the DfI Rivers website.

This policy seeks to ensure that development within the floodplains of rivers or the sea is permitted only in exceptional circumstances. The Council will adopt a precautionary approach in assessing proposals in areas that may be subject to flood risk presently or in the future as a result of climate change. Current information on flooded areas,

<sup>177</sup> Refer to Glossary.

<sup>178</sup> The need for a Flood Risk Assessment for residential extensions and alterations will be determined on a case-by-case basis.

including present day river and coastal floodplains and those which take account of climate change predictions, is available on the Flood Maps NI: [www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni](http://www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni)

It should be noted that Flood Maps NI information is subject to regular updates as more detailed mapping becomes available.

### Defended Areas

A defended area is that part of the flood plain where flooding would normally occur except for the presence of flood defences. Development of previously developed land protected by flood defences that are confirmed by DfI Rivers, as the competent authority, as structurally adequate and provide a minimum of 1 in 100 year fluvial flood plain (AEP of 1%) plus climate change allowance or in the 1 in 200 year coastal flood plain (AEP of 0.5%) plus climate change allowance. Previously developed land protected by existing flood defences, either cored earthen flood banks or hard engineered walls, constructed to the appropriate standard and height, will generally be considered acceptable for development.

The height of a flood defence to top level should have a freeboard which is normally 600mm above the design flood level, which has included allowances for climate change, to accommodate factors such as wave action, storm surge.

The flood risk within a defended area cannot be entirely eliminated. Flood defences are designed to protect land from a specific height of flood water such as a 100-year fluvial or 200-year

coastal event. The possibility of a flood event exceeding the design limit of the defence and overtopping them (the residual flood risk) will always remain. Another risk arises through the potential for structural collapse and breaching of the defences which could result in sudden and rapid inundation of flood water. There is also the potential for back drainage systems to become overwhelmed as they are unable to discharge effectively when water levels remain high during flood conditions.

Development close to flood defences will be resisted as such land will often be low lying and therefore the most susceptible to flooding. Also, it may need to be available for temporary flood storage in a flood event. Before progressing proposals in proximity to flood defences, developers are advised to seek guidance from DfI Rivers on acceptable separation distances.

Due to the residual flood risk, the policy restricts certain types of development for which the consequences of a flood event could be serious, either in terms of the direct threat to vulnerable groups, or the secondary impacts on the general population arising through damage or disruption to essential infrastructure or pollution.

Vulnerable groups would generally include the young, old and infirm. Flood warning and evacuation procedures may be difficult to implement for people with disabilities or those whose mobility is otherwise impaired. Development associated with vulnerable groups includes children's nurseries, schools, residential care/nursing homes, sheltered housing and hospitals. This list is not exhaustive.

Development proposals for essential infrastructure, such as for emergency services/emergency depots, power supply and telecommunications will be resisted because access and uninterrupted operation cannot be guaranteed in locations where there is a residual flood risk.

Development likely to give rise to significant levels of environmental pollution in the event of damage caused by flooding will be discouraged because of the residual flood risk in defended areas. Therefore proposals for development associated with the storage of hazardous substances, fuel storage depots, sewage treatment works or other development likely to give rise to environmental pollution in the event of flooding will only be granted planning permission where it is demonstrated that an alternative lower risk location is not available and that adequate provision is made for pollution containment so as to prevent a pollution incident in the event of flooding.

Development involving a significant intensification of use, such as the conversion of a single dwelling unit to a number of apartments, would be liable to expose more people to the residual flood risk in defended areas. However, the risk must be balanced against other material considerations, for example planning policy relating to the provision of higher density development in urban areas. Accordingly, the Council will determine each application on its own merits taking account of the scope for mitigation of the residual flood risk.

There will be a presumption against development of green field sites in defended areas. As well as exposing more people and property to the residual flood risk, this from of development could remove valuable flood storage should the defences overtop or breach.

### Undefended Areas

An 'Undefended Area' is an area within the flood plain that is not protected by flood defences. This applies to the vast majority of fluvial and coastal flood plains. Undefended areas are at much higher flood risk than defended areas, although the flooded areas are usually more predictable and flood water usually recedes more quickly.

In order to protect flood storage areas and limit exposure of people and property to flood risk there is a general presumption against development within undefended flood plains. It is recognised however that in certain cases development or infrastructure needs to be in such locations as alternative lower flood risk sites would be neither practical nor available. Exceptions to this policy are therefore set out for a range of development types, including for example, agricultural development, minerals development and transport or utilities infrastructure. In regard to agricultural and minerals development, this exception will only apply where the unit is located wholly in the flood plain or where the use of other land outside the flood plain would not be feasible and available.

Any built development within a flood plain can cause its piecemeal reduction and remove valuable flood storage which may cause or exacerbate flooding elsewhere. The infilling or land raising within the undefended fluvial flood plain is not considered acceptable because the loss of flood storage area may well cause or exacerbate flooding elsewhere.

The policy provides opportunity for new development in the undefended coastal flood plain on the basis that infilling and land raising to an appropriate level above the flood plain within settlements will have a negligible effect on the extent of the coastal flood plain, now or in the future, taking account of climate change. Accordingly, such development will not result in additional flood risk elsewhere in the coastal flood plain. In order to minimise the potential incidence of coastal erosion to the development (or elsewhere as a result of it), particularly in areas of 'soft' coastline, the exception applies only within settlements where a built footprint will have already been established.

Replacement of an existing building may be considered on the basis that this should not normally result in any material increase in the flood risk to the development or elsewhere. The adoption of suitable flood proofing measures through resistance and resilience construction will normally be expected. However, the replacement of a building to provide bespoke accommodation allowing for the introduction of vulnerable groups to

the flood risk area is unacceptable. Similarly, replacement of a building to accommodate essential infrastructure will be unacceptable as continual access and egress for operational activities will no longer be acceptable when the area has been cut off during a flood event. Finally, a replacement proposal which involves significant intensification of use, for example through increasing the existing footprint or change of use, will be resisted if this would have the effect of introducing more people to a high flood risk area.

This policy allows for the provision of areas for amenity open space, sports, outdoor recreation and nature conservation purposes on the basis that such areas are not generally occupied and are unlikely to incur major damage as a result of flood inundation. Greenways can offer enhanced provision for walking and cycling and recreational activities whilst protecting natural habitats and reducing the impact of flood events in flood risk areas. Provision of synthetic sports pitches may however increase the flood risk to the site or elsewhere, they are prone to damage by flooding and subsequent repair can be expensive or impossible. Children's playgrounds are not included in this exception to the policy as such proposals would have the effect of exposing vulnerable groups to flood risk. Ancillary development such as changing facilities and job-related accommodation for caretakers and staff may be acceptable where justified by the flood risk assessment.



Even though these areas are intermittently occupied, proposals will be required to demonstrate mitigation providing for adequate flood warning procedures and safe means of evacuation from the site.

Where a proposal for residential development includes land adjacent to or partially within a flood plain, it will normally be acceptable to utilise the flood plain land for public open space associated with the housing. This will only be acceptable where there is no infilling of the open space and suitable mitigation measures such as signage are in place to facilitate safe access and egress.

### **Development Proposals of Overriding Regional or Sub-Regional Economic Importance**

While most economic development is best located outside flood plains, it is accepted that certain projects because of their nature, size, or site-specific requirements, may require a site that happens to fall within a flood plain. In such circumstances the policy allows for development that is demonstrated to be of significant regional or sub-regional economic importance. Normally such a proposal will be expected to demonstrate its particular contribution to the regional economy. However, a proposal may also be considered acceptable if it provides employment for a substantial number of people living in the Newry, Mourne and Down District and potentially adjoining council areas.

In regard to such proposals, the applicant must justify the need for a location within the flood plain.

As part of this process, there will be a requirement to demonstrate that a thorough search for sites outside the flood plain has been undertaken and to justify why these are considered unsuitable. Subject to the principle of development in the flood plain being accepted by the Council, the applicant will be prompted to identify a suitable site in the least vulnerable parts of the flood plain. The development of greenfield sites in the undefended fluvial flood plain will rarely be acceptable as these areas pose the greatest flood risk.

### **Flood Management and Mitigation Measures**

Where the Council determines that development is acceptable in principle in the flood plain, then the onus is on the applicant to submit a Flood Risk Assessment. This must demonstrate measures to be taken to manage and mitigate the identified risks to the proposed development and elsewhere as a result of the development. These measures will be proportionate to the flood risk and generally will be more rigorous in undefended areas than in defended areas where the flood risk (residual) is lesser. Technical details and methodology relating to Flood Risk Assessments and Drainage Assessments are set out in Appendix 8.

Flood compensation storage involves the replacement of flood plain land lost through infilling for development, with compensatory land at the same level and in a close location. This compensatory land is provided through excavation. Due to the cumulative effect and

unknown implications associated with infilling and excavation, flood compensatory storage in itself is not considered as justification for development in the flood plain. In exceptional circumstances, where infilling may be permitted to facilitate key infrastructure, such as a road embankment, flood compensatory storage may be acceptable as a flood mitigation measure.

New hard engineered or cored earthen bank flood defences, publicly funded and constructed, are seen as a necessary and acceptable flood mitigation method to protect existing property that is already in the flood plain and is liable to repeated flooding and resulting damage. However new hard engineered or earthen bank flood defences, proposed by the applicant, will not be seen as justification to allow development in the flood plain to proceed. This is because the defences will remove valuable storage from the flood plain, which may put other locations at increased risk, and also introduce people to an area where the threat of residual flooding by overtopping or collapse will always remain.

Infilling within the undefended coastal flood plain will be considered as an acceptable flood mitigation measure as the loss of storage area, will have a negligible effect on the extent of the coastal flood plain. However, development relying on raising of land will need to address other factors such as freeboard and safe access and egress to the site which may limit sites to those areas of lower risk close to the extremities of the flood plain.

## Policy FRD2

### Protection of Flood Defence and Drainage Infrastructure

A development proposal that would impede the operational effectiveness of flood defence and drainage infrastructure, or hinder access for maintenance or emergency purposes, will not be permitted. This includes the erection or other structures over the line of a culverted watercourse.

#### Justification and Amplification

This policy seeks to ensure that a development proposal will not restrict access to infrastructure and watercourses for improvement or maintenance purposes. Where a new development proposal is located beside a flood defence, control structure or watercourse it is essential that a working strip should have a minimum width of 5 metres, but up to 10 metres where considered necessary to provide clear access and egress at all times.

Under this policy, there is also a presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations.

## Policy FRD3

# Development at Surface Water (Pluvial) Flood Risk Outside Flood Plains

A Drainage Assessment will be required for all development proposals that exceed any of the following thresholds:

- A residential development comprising of 10 or more dwelling units; or
- A development site in excess of 1 hectare; or
- A change of use involving new buildings and/or hard surfacing exceeding 1000 square metres in area.

A Drainage Assessment will also be required for any development proposal except for minor development, where:

- The proposed development is located in an area where there is evidence of a history of surface water flooding; or
- Surface water runoff from the development may adversely impact upon other development or features of importance to nature conservation or the historic, archaeology or the historic environment.

Development will only be permitted where it is demonstrated through the Drainage Assessment that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere.

Where a Drainage Assessment is not required but there is the potential for surface water flooding as indicated by the surface water layer of the Flood Maps NI, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.

Where the proposed development is also located within a fluvial or coastal flood plain, then Policy FRD1 will take precedence.

## Justification and Amplification

Pluvial or surface water flooding occurs as a result of high intensity rainfall which overwhelms natural or man-made drainage systems resulting in water flowing overland and ponding in depressions in the ground. It is a particular issue in urban areas which are often dominated by non-permeable surfaces, the infilling of green spaces and cumulative effects of minor development such as house extensions and the paving of gardens to provide for patios and car parking. Such development inhibits the natural runoff process, often removing opportunities for surface water storage and restricting infiltration of water into the ground. As a consequence, surface water runoff increases, placing additional pressures on the drainage network, particularly during periods of high intensity rainfall. It is not uncommon for drainage systems to become overwhelmed during such rainfall events particularly where blockages occur.

This policy seeks to ensure that development proposals likely to be at risk from surface waterflooding or to exacerbate the risk elsewhere, are only permitted where a Drainage Assessment demonstrates that the flood risk can be effectively controlled and mitigated and that it will not create greater potential for surface water flooding elsewhere.

In carrying out the Drainage Assessment, the applicant must use sustainable drainage systems (SuDS) as the preferred drainage solution where feasible (see Policy FRD6 Sustainable Drainage Systems). Details relating to Drainage Assessments can be found in Appendix 8.

In assessing the need for a Drainage Assessment, the Council may consult with DfI Rivers or other relevant bodies as appropriate. Even in circumstances where a Drainage Assessment is not required it remains the responsibility of the applicant to assess the flood risk and drainage impact of the proposed development and to mitigate the risk to their development and that beyond the site.

To assist applicants, areas where surface water flooding could be a potential problem are identified on the Flood Maps NI website:

[www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni](http://www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni)

or by contacting DfI Rivers staff for further information or clarity.

## Policy FRD4

# Artificial Modification of Watercourses

A proposal for the artificial modification of a watercourse, including the culverting or canalisation operations, will only be permitted in either of the following exceptional circumstances:

- Where the culverting of a short length of watercourse (maximum 10m) is necessary to provide access to a development site (or part thereof); or
- Where the applicant can demonstrate to the satisfaction of the Council that a specific length of watercourse needs to be culverted for engineering reasons and that there is no reasonable or practicable alternative course of action.

### Justification and Amplification

Culverting and/or canalisation of watercourses, whether undertaken as an operation in its own right, or as works associated with the development of land usually requires planning permission.

Some culverting operations may constitute permitted development as set out under the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 and subsequent amendments. In some cases, it may be necessary to remove permitted development rights where culverting is likely to increase flood risk elsewhere.

Any artificial modification of a watercourse as part of a flood alleviation or drainage infrastructure scheme carried out by a public body in pursuance of its statutory responsibilities will normally be exempt from planning permission.

However, approvals may still be required from the relevant authority.

Where culverting is proposed for other than development purposes, for example a change in agricultural use, then approval may also have to be sought from other relevant authorities.

The artificial modification of watercourses is likely to have impacts which run contrary to the objectives of sustainable development as embodied in the Water Framework Directive, the Floods Directive, the Northern Ireland Sustainable Development Strategy and Sustainable Water – A Long-Term Water Strategy. Such operations can adversely impact upon visual amenity in the built environment and can damage or impair the landscape quality, ecological integrity and biodiversity of watercourses.

Culverting may in some instances alleviate local flood risk, however it can also increase flood risk downstream by the accumulation of higher flows. The installation of protective grilles at culvert inlets may reduce the incidence of blockages within the culvert, but these can often become blocked themselves and cause flooding as a result of high intensity rainfall event or lack of maintenance.

If part of a watercourse is already culverted prior to the commencement of any development, this does not mean it can automatically be lengthened or upgraded to meet the site discharge requirements.

Applicants will have to demonstrate to the satisfaction of the Council, through consultation with DfI Rivers, that there are no reasonable or

practicable alternative courses of action. It is acknowledged that in exceptional circumstances, culverting of a section of a watercourse may be unavoidable. This may apply where there are inherent structural problems such as slope stability and land slippage. In these instances, alternative solutions such as bank reinforcement and underpinning should be considered first. Where there are health and safety concerns arising from open access to watercourses or hazardous riverbanks, the construction of solid barriers such as fencing or planting of 'soft' landscape barriers should still be investigated before considering culverting.

Good layout and design should promote the retention of open watercourses as a central amenity feature, although re-alignment or diversion to enhance the quality of the site layout will normally be acceptable where there are no overriding environmental concerns. Where possible the removal of culverts and the re-introduction of the natural watercourse should be encouraged.

The adoption of sustainable drainage systems (SuDS), in accordance with Policy FRD6, should be the preferred drainage solution for the disposal of stormwater as it may be a more sustainable alternative than culverting or other options involving the artificial modification of watercourses. The use of SuDS source control solutions, particularly soft SuDS such as ponds and swales and their integration into new development schemes as amenity features will therefore be encouraged. Such solutions, by negating increased site discharges will reduce the need for flood alleviation/ culverting works downstream and any associated maintenance.

# Policy FRD5

## Development in Proximity to Reservoirs

### New Development

A proposal for new development will only be permitted within the potential flood inundation area of a controlled reservoir<sup>179</sup> as shown on the Flood Maps (NI), if:

- It is demonstrated that the condition, management and maintenance regime of the reservoir is appropriate to provide sufficient assurance regarding reservoir safety, so as to enable the development to proceed; or
- Where sufficient assurance on the condition, management and maintenance regime of the relevant reservoir/s is not demonstrated, the application is accompanied by a Flood Risk Assessment or other analysis, which assesses the downstream flood risk in the event of an uncontrolled release of water due to reservoir failure as being acceptable to enable the development to proceed.

### Replacement Buildings

Where the proposal is for the replacement of an existing building(s) and the assurance on the condition, management and maintenance regime of the relevant reservoir/s is not demonstrated, planning approval will be granted for the replacement of an existing building(s) within a potential flood inundation area of a controlled reservoir provided that there is no material increase in the flood risk to the development or elsewhere.

### All Development

There will be a presumption against development within the potential flood inundation area for proposals that include:

- Essential infrastructure; or
- Storage of hazardous substances; or
- Bespoke accommodation for vulnerable groups.

### Justification and Amplification

Water impounding structures such as reservoirs or dams constitute a potential source of flood risk that can have serious consequences for downstream areas if the structure fails or is overtopped or during the controlled release of water from the reservoir. In any of these circumstances there is the potential for rapid inundation of downstream areas and response times are likely to be short.

As stated within the policy wording new development within the flood inundation area of a controlled reservoir will only be permitted where the condition, management and maintenance regime of the reservoir is appropriate to provide sufficient assurance regarding reservoir safety. Such assurance must be provided by an All Reservoirs Panel Engineer and supported by DfI Rivers.

There are a significant number of controlled reservoirs in the district, the precise number of which may change over the lifetime of the Plan. Details of Controlled Reservoirs in the district are available on Reservoir Flood Maps produced by DfI Rivers and are available to view on its website<sup>180</sup>. These provide the location of each controlled Reservoir and the flood extent in the event of an uncontrolled release of water due to dam failure.

<sup>179</sup> Reservoirs with an individual or combined capacity greater than 10,000 cubic metres above the natural level of any part of the surrounding land.

<sup>180</sup> [www.infrastructure-ni.gov.uk/articles/what-reservoirs-bill-northern-ireland](http://www.infrastructure-ni.gov.uk/articles/what-reservoirs-bill-northern-ireland).



# Policy FRD6

## Sustainable Drainage Systems

The provision of a sustainable drainage solution (hard or soft SuDS) for the management of surface water runoff will be required for all development that requires the submission of a Drainage Assessment (DA) under Policy FRD3 where feasible.

### Management and Maintenance

**An appropriate maintenance and management plan for all SuDS will be required to be agreed with the Council before planning permission will be granted. A Section 76 Planning Agreement may also be sought.**

### Justification and Amplification

Taking into account research findings on climate change which predict more frequent and higher intensity rainfall events it is imperative that increased flood risk, particularly in urban and built-up areas, is properly managed. Sustainable drainage is a key element in future climate change adaptation planning.

Conventional drainage seeks to remove runoff from development as quickly as possible. SuDS seeks to slow the discharge of water and reduce the amount of surface water runoff by storing water in hard and soft landscaped areas. SuDS should, where feasible, be integrated into the site design from the outset and determined by the local characteristics of each site reflecting the topography, geology, hydrology and drainage discharge points.

Research has shown that the capital, operational and maintenance costs of SuDS solutions on new developments can be lower than the costs of comparable traditional piped drainage solutions.<sup>181</sup>

It is recognised that in most cases hard SuDS will be the preferred drainage solution for developers as these are currently adopted by NI Water. Examples of hard SuDS are solutions such as attenuation tanks, permeable paving, and oversized pipes for storm water that are separated from the wastewater system.

Soft SuDS are usually in the form of swales, ponds, wetlands and infiltration beds carved into the landscape to collect water and let it soak naturally down into the ground where it replenishes the water table. All SuDS features, including inlets and outlets, should be easily accessible for maintenance purposes. See Appendix 9 for more detail on SuDS.

A combination of hard and soft SuDS can deliver resilient drainage systems which provide multiple benefits for flood risk reduction, improved water quality, enhanced amenity and wellbeing, alongside greater nature conservation provision and biodiversity within new developments.

An appropriate maintenance and management plan for SuDS will be required to be submitted with the planning application to ensure continuity in the future operation of SuDS. This plan will be required to be agreed with the Council and may involve a Section 76 Planning Agreement where necessary to ensure ongoing maintenance.

Lands susceptible to surface water flooding are identified on the Flood Maps NI website:  
[www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni](http://www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni)

<sup>181</sup> Welsh Government Written Statement: Implementing Sustainable Drainage Systems on New Development.

# Environmental: Protecting and Enhancing the Environment

# 21 Historic Environment

## Policy HE1

### The Preservation of Archaeological Remains of Regional Importance and Their Settings

**The Council will operate a presumption in favour of the physical preservation in situ of archaeological remains of regional importance and their settings. These comprise monuments in state care, scheduled monuments and Areas of Significant Archaeological Interest (ASAs), including candidate ASAs, and other important sites and monuments which would merit scheduling. Development which would adversely affect such sites of regional importance or the integrity of their settings will not be permitted unless there are exceptional circumstances.**

#### Justification and Amplification

State Care and scheduled monuments, along with ASAs together represent those archaeological sites, monuments, and archaeological areas which are of greatest importance within the district, and as such benefit from statutory protection. It is particularly important that they are preserved in situ and within an appropriate setting. Accordingly, the Council will operate a presumption against proposals which would damage or destroy such remains, or which would have an adverse impact on their setting. While the Council will take into account all material considerations in assessing development proposals affecting sites of regional importance, exceptions to this policy are likely only to apply to proposals of overriding importance in the Northern Ireland context.

Monuments in State Care are protected and managed as a public asset by the Department for Communities (DfC) Historic Environment Division on behalf of present and future generations. They represent that part of the rich archaeological and historic heritage of the district which is presented for public access, education and enjoyment. In assessing proposals for development in the vicinity of these monuments the Council will pay particular attention to the impact of the proposal on:

- The critical views of, and from the site or monument;
- The access and public approaches to the site or monument; and
- The understanding and enjoyment of the site or monument by visitors.

Once a site or monument has been scheduled it benefits from statutory protection and scheduled monument consent is required from the Council for any works affecting it. Accordingly, where applications for planning permission are submitted which involve works affecting a scheduled monument the Council would encourage the submission of an application for scheduled monument consent to DfC Historic Environment Division, in order that these may be considered concurrently. Both planning permission and scheduled monument consent are required in order for works affecting a scheduled monument to proceed. Early engagement with DfC Historic Environment Division is encouraged and applicants should refer to the guidance document 'Development and Archaeology: Guidance on Archaeological Works in the Planning Process' (DfC Historic Environment Division April 2019).

There are three Areas of Significant Archaeological Interest (ASAs) in the district, located at The Dorsey, Downpatrick and Dundrum. There are two candidate ASAs located at Greencastle and Slieve Gullion. Specific policies will be brought forward at the LPP stage to address the particular characteristics of each of these areas and the types of development which may be acceptable, however generally there will be a general presumption against large-scale developments within the ASAs, such as quarrying or mining operations, waste disposal, industrial units, major tourism schemes and the erection of masts, pylons or wind turbines as it is considered the scale and overall impact of such proposals have the potential to be damaging to the distinctive appearance, character and heritage interests of the area.

Not all important archaeological remains meriting preservation are yet scheduled. Accordingly, in assessing development proposals affecting sites which would merit scheduling, the Council will proceed as for state care and scheduled monuments and only permit development in exceptional circumstances.

## Policy HE2

### Protection of Archaeological Remains of Local Importance and Their Settings

**Development proposals which would adversely affect archaeological remains of local importance or their settings will only be permitted where the Council considers the need of the proposed development or other material considerations outweigh the value of the remains and/or their settings.**

#### Justification and Amplification

While the majority of archaeological sites and monuments in the district are not scheduled, they are all capable of providing evidence about our past. Many are archaeologically important in the local context or valued by the community and therefore require safeguarding through the planning process. The Council considers a number of factors in assessing the local significance of archaeological sites and monuments. These factors should be viewed as indicators which contribute to a wider judgement based on the individual circumstances of a case and may include one or more of the following:

- Appearance: distinctive features in the landscape/townscape or local landmarks;
- Quality: well-preserved or extensive buried remains;
- Folklore/historical interest: association with a person or event in local tradition or legend;
- Group value: one of a number of locally important sites; and
- Rarity: a locally rare example.

In cases where development proposals affect archaeological sites and monuments or their settings which are not of regional or local importance the Council will still have regard to the desirability of preserving such remains and their settings. On many occasions it will be possible to avoid conflicts with archaeological interests, particularly through seeking suitable alternative sites for development. However, where it is decided that development may proceed this will be conditional on appropriate archaeological mitigation measures (see Policy HE4).



## Policy HE3

# Archaeological Assessment and Evaluation

Where the impact of a development proposal on important archaeological remains is unclear, or the relative importance of such remains is uncertain, the Council will normally require developers to provide further information in the form of an archaeological assessment or an archaeological evaluation. Where such information is requested but not made available the Council will adopt a precautionary approach and refuse planning permission.

### Justification and Amplification

Prospective developers need to take into account archaeological considerations and should deal with them from the beginning of the development management process. The needs of archaeology and development can often be reconciled, and potential conflict avoided or much reduced, if developers discuss their proposals with the Council at an early stage. Flexibility is much more difficult and expensive to achieve once detailed designs have been drawn up and finance arranged.

It is therefore in the developers own interests to establish whether a site is known or likely to contain archaeological remains as part of their assessment of its development potential prior to submitting a planning application. The first step will be to consult the Historic Environment Record of Northern Ireland which contains database information on all known archaeological sites and monuments and which is maintained by the DfC. Informal discussions at this time will help to provide prospective developers with advance warning of the archaeological sensitivity of a site.

In certain cases, following submission of a planning application the Council may use its powers contained in the Planning (General Development Procedure) Order (Northern Ireland) 2015, to request further information in the form of an archaeological assessment or an archaeological evaluation. An archaeological assessment normally entails a desk-based study, by a qualified archaeologist, of existing information including records of previous discoveries, historic maps or geophysical surveys. An archaeological field evaluation involves ground surveys and limited and targeted licensed excavation which is quite distinct from full archaeological excavation. Evaluations of this kind help to define the importance, character and extent of the archaeological remains that may exist in the area of a proposed development and thus indicate the weight which should be attached to their preservation. They may also provide information useful for identifying potential options for minimising or avoiding damage. Such information will permit informed and reasonable planning decisions to be taken by the Council.

# Policy HE4

## Archaeological Mitigation

Where it is decided to grant planning permission for development which will affect sites known or likely to contain archaeological remains, the Council will impose conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development. Where appropriate, this may involve the preservation of remains in situ, or a licensed excavation, recording examination and archiving of the archaeology by way of planning conditions.

### Justification and Amplification

In some circumstances it will be possible to permit development proposals which affect archaeological remains to proceed provided appropriate archaeological mitigation measures are in place which preserve the remains in the final development or ensure excavation recording prior to destruction. Archaeological excavations may only be carried out under the provision of a license granted by the Department for Communities under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995.

Mitigation may require design alterations to development schemes, for example, the use of foundations which avoid disturbing the remains altogether or minimise the potential damage, or by the careful siting of landscaped or open space areas. There are techniques available for sealing archaeological remains underneath buildings or landscaping, thus securing their preservation for the future even though they remain inaccessible for the time being.

The excavation recording of remains is regarded by the Council as a second-best option to their physical preservation. The science of archaeology is developing rapidly, and excavation means the total destruction of evidence (apart from removable objects) from which future techniques could almost certainly extract more information than is currently possible. Excavation is also expensive and time consuming, and discoveries may have to be evaluated in a hurry against an inadequate research framework. The preservation in situ of important archaeological remains is therefore always to be preferred.

There will however be occasions, particularly where archaeological remains of lesser importance are involved when the Council, in consultation with Historic Environment Division, may decide that the significance of the remains is not sufficient when weighed against all other material considerations, including the importance of the development, to justify their physical preservation in situ and that the development should proceed. In such cases developers will be required to prepare and carry out a programme of archaeological works using professional archaeologists and working to a brief prepared by the Council, in consultation with DfC Historic Environment Division.

It should be noted that an offer to facilitate excavation by developers will not justify a grant of planning permission for development which would damage or destroy archaeological remains whose physical preservation in situ is both desirable (because of their level of importance) and feasible.

### **Discovery of Previously Unknown Archaeological Remains**

Archaeological research continues, and new and exciting discoveries are made. The discovery of archaeological remains, which have not been previously known, may therefore represent a material change which can affect the nature of development which will be permitted in respect of an area within a settlement, or in the countryside.

The Local Development Plan will highlight, for the information of prospective developers, those areas within the historic cores of towns and villages, where, on the basis of current knowledge, it is likely that archaeological remains will be encountered in the course of continuing development and change. These will be referred to as Areas of Archaeological Potential. Further areas of Archaeological Potential (AAP) may be identified during the lifetime of the LDP, therefore developers should check whether prospective sites are located within an AAP.

Indeed, in spite of the best pre-planning application research there may be occasions when the presence of archaeological remains only becomes apparent once an approved development has actually commenced. Developers may wish to consider insuring themselves against the risk of a substantial loss while safeguarding the interest of historic remains unexpectedly discovered on site<sup>182</sup>. On rare occasions the importance of such remains may merit their scheduling. In that event developers would need to seek separate scheduled monument consent before they continue work. In the majority of cases, however, it should prove possible for differences to be resolved through voluntary discussion and for a satisfactory compromise to be reached.

<sup>182</sup> *The Historic Monuments and Archaeological Objects (NI) Order 1995 requires the reporting of the discovery of any archaeological object.*

## Policy HE5

### Historic Parks, Gardens and Demesnes

**The Council will not permit development that would lead to the loss of, or cause harm to, the overall character, principal components or setting of historic parks, gardens, and demesnes. Where planning permission is granted, this will be conditional on the accurate recording of any distinctive features of interest which will be lost before development commences.**

#### Justification and Amplification

The character and appearance of the modern landscape of the district owes much to planned landscape enhancement carried out since the 17th century, and many of the hedgerow trees or tree stands which are seen in the countryside today were once planned and planted as part of land management measures. This has resulted in a rich legacy of gardens, parks and demesnes of archaeological, historical and botanical interest. Demesnes with their distinct boundary features also make a valuable contribution to the quality and character of the local landscape, whether or not the original house survives, while those parks, gardens and demesnes that are open to the general public provide an important

informal recreational resource.

The Council considers it important therefore that these valuable features of our historic environment are protected from development which would harm their historic character.

In assessing proposals for development in or adjacent to parks, gardens and demesnes of special historic interest particular attention will be paid to the impact of the proposal on:

- The archaeological, historical or botanical interest of the site;
- The site's original design concept, overall quality and setting;
- Trees and woodland and the site's contribution to local landscape character;
- Any buildings or features of character within the site including boundary walls, pathways, garden terraces or water features; and
- Planned historic views of or from the site or buildings within it.

In assessing proposals which would affect those parks, gardens and demesnes which retain only some elements of their original form i.e. those supplementary sites identified as an appendix to the proposed register<sup>183</sup>, the Council will consider the need to retain distinctive elements of such sites as features within the changing landscape.

Where a decision is taken to permit development which would result in the loss of any distinctive features of parks, gardens and demesnes, the Council will normally require developers to carry out recording, working to a brief prepared by the Council in consultation with DfC Historic Environment Division, so that knowledge of this part of our landscape heritage is not entirely lost.

The definition of setting is set out within DfC Historic Environment Division's Guidance on Setting and the Historic Environment (published by HED, February 2018) where it states that "the term 'setting' applies to the physical space that is part of – and contributes to – the significance and distinctive character of a heritage asset, and through which the asset may be seen, experienced, understood and enjoyed".

The document provides further guidance on setting and assessing the potential impacts upon the settings of heritage assets.

<sup>183</sup> The Register of Historic Parks, Gardens and Demesnes can be found at the following link: <https://www.communities-ni.gov.uk/articles/historic-parks-gardens-and-demesnes>.

## Policy HE6

### Change of Use of a Listed Building

**The Council will normally permit a change of use of a listed building where this secures its ongoing viability and upkeep and respects the essential character and special architectural or historic interest of the building and its setting and that features of special interest would remain intact and unimpaired.**

**Proposals for a change of use should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.**

### Justification and Amplification

The key to the ongoing viability and upkeep of listed buildings is to keep them in active use. While the most appropriate use of an historic building will often be that for which it was designed, the Council accepts that new compatible uses should be found for historic buildings where they can no longer reasonably be expected to serve their original use and where the integrity of their built fabric is under threat.

In an effort to increase public awareness of historic buildings in need of restoration, the Historic Environment Division in partnership with Ulster Architectural Heritage (UAH) funds and manages a Heritage at Risk Register for Northern Ireland which highlights properties of architectural or historic merit that are considered to be at risk or under threat. It is likely that the survival of such buildings will only be achieved through sympathetic schemes for their appropriate re-use. In most cases this will mean a use which is economically viable and may necessitate some degree of adaptation to the building.

The range and acceptability of possible uses is therefore one of the most important considerations for all those involved in considering the future of a listed building. There should be an assessment of the building and how best to plan a new use which respects the features and characteristics of that building. To find a use first and then seek to adapt the building to accommodate it is likely to result in difficulties and expense as well as an unnecessary loss of historically and architecturally important material. Any assessment therefore requires balancing the economic viability of possible uses against the effect of any changes they entail in the special architectural or historic interest of the building in question. The impact of the proposed new use to the established character of the building and the surrounding area should also be assessed. In principle the aim should be to identify the best viable use that is

compatible with the fabric, setting and character of the building and it should be noted that this may not necessarily be the most profitable use.

The conversion of a listed building to a new use will therefore normally only be acceptable to the Council, where it safeguards the future interest of the building, and any alterations proposed meet the criteria set out in Policy HE7. While the Council will also consider the potential impact of the proposed use on its other land use policies it is acknowledged that a flexible approach may be necessary on occasion to secure a building's survival. Where a particular compatible use is preferred, but restoration for that use is unlikely to prove economically viable, the availability of grant assistance should be investigated to redress the financial loss.

If a building is so sensitive that it cannot sustain any alterations to keep it in viable economic use, its future may nevertheless be secured by charitable or community ownership. The building could be preserved for its own sake for local people and visitors, where possible with non-destructive community uses such as meeting rooms. The National Trust and local building preservation trusts have rescued many buildings in this way. The voluntary sector is well placed to help in heritage matters and much can be achieved by tapping into local support, resources and loyalty. Buildings preserved in this manner can make an important contribution to community life, local education and the local economy.



## Policy HE7

# Extension or Alteration of a Listed Building

The Council will normally only grant consent to proposals for the extension or alteration of a listed building where all the following criteria are met:

- The essential character and special architectural or historic interest of the building and its setting are respected;
- Features of special interest remain intact and unimpaired;
- The works proposed make use of traditional and/or sympathetic quality building materials and techniques which match or are in keeping with those found on the building; and
- The architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.

### Justification and Amplification

Many listed buildings can tolerate some degree of thoughtful alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership have contributed to the special interest of some buildings. Nevertheless, listed buildings do vary greatly in the extent to which they can accommodate change without loss of special interest. Some may be sensitive even to slight alterations, especially those buildings with important interiors and fittings. Some listed buildings are subject to successive applications for alteration or extension. In such cases it should be borne in mind that minor works of indifferent quality, which may seem individually of little significance, can cumulatively reduce a listed building's special interest.

The Council, in consultation with DfC Historic Environment Division, will consider whether the works proposed would cause unnecessary damage to the historic fabric, including structure, whether the additions are of a very high standard of design, in keeping with other parts of the building and if any new internal or external features harmonise with their surroundings. Applicants should justify their proposals and show why alteration of a listed building is desirable or necessary.

In judging the effect of any alteration or extension the Council, in consultation with DfC Historic Environment Division, will assess the impact of the proposal on the elements that make up the special interest of the building in question. They may comprise not only the obvious visual features such as a decorative facade or, internally, staircases or decorated plaster ceilings, but also the spatial layout of the building, the archaeological or technological interest of the surviving structure and the use of materials. These elements are often as important in the district's simple vernacular buildings as in its grander architectural set pieces. All proposals for alteration should also be based on a proper understanding of the structure of the listed building, because it is vitally important that new work does not weaken the structural integrity of the building.

The listing grade of a building is not of itself a reliable indicator of its sensitivity to alteration or extension. Many Grade B, B1 or B2 buildings may have been specifically listed because they are relatively unaltered examples of a once common vernacular building type. Accordingly, they can as readily have their special interest ruined by an inappropriate alteration or extension as can Grade A or B+ structures.

Where a building forms part of an architectural group, for example as part of a terrace, then it may not be possible to make even minor external alterations without disrupting the architectural unity of the group. Even painting or stone cleaning of only one unit in a terrace can have this effect.

By adopting a flexible and imaginative approach historic buildings can be adapted to new beneficial uses without destroying their architectural and/or structural integrity. For example, maximum office floor loadings are never needed in all parts of a building, so any unusually heavy loads can often be accommodated in stronger areas such as basements.

Further detailed guidance on alterations to listed buildings is provided within the DfC Historic Environment Division's 'Guidance on making changes to Listed Buildings: Making a better application for Listed Building Consent' last updated in March 2019. The Council would also draw attention to BS 7913:2013 which provides advice, information and guidance on the principles of the conservation of historic buildings. For guidance on the retrofitting of listed buildings for the purposes of energy efficiency the Council would draw attention to Historic England's guidance document 'Energy Efficiency and Historic Building: How to Improve Energy Efficiency' (June 2018).

### **The Needs of People with Disabilities**

The Council recognises the importance of allowing people with disabilities dignified and easy access to and within listed buildings. If access requirements are treated in an integrated and systematic way, and a flexible and pragmatic approach is taken, then it is normally possible to plan suitable access for people with disabilities without compromising a listed building's special interest. Design and Access Statements should demonstrate why the alteration is necessary and justify their proposals, paying due regard to the special interest of the building, its features of special architectural or historic interest and its setting. In the case of a disabled person living in a listed building, then the Council will be sympathetic to their special needs when considering applications for listed building consent.

## Policy HE8

# Advertisements on a Listed Building

The Council will normally only grant consent for advertisements or signs on a listed building where these are carefully designed and located to respect the architectural form and detailing of the building. Proposals should also meet the requirements of Policy AD1 Outdoor Advertisements.

### Justification and Amplification

Many listed buildings are in commercial use and already display signs or advertisements of some sort. These in themselves may be of historic interest or of some artistic quality, and where this is the case, their removal or significant alteration will not normally be permitted.

New signs or advertisements can have a major impact on the appearance, and thus the character of a listed building. Where a proposal to display signs or advertisements on a listed building is considered acceptable in principle, they should be designed to complement the age and architectural style of the building. They should also be carefully located and should not obscure, overlap or cut into any architectural detailing or structural divisions of the building. These considerations will to a large extent dictate the scale of any signage. In many cases a handwritten timber board or a brass plate will provide the most acceptable solution. The use of standard corporate signage by major companies will generally be inappropriate.

Projecting signs can often adversely affect the appearance and character of listed buildings and will therefore require very careful consideration. Where their presence is considered acceptable particular attention will be paid to size, design and materials. In most situations signs and advertisements displayed on listed buildings should not be illuminated. Where illumination is justified it should be achieved unobtrusively: light fittings mounted above and projecting forward of the sign will not normally be acceptable. Digital Advertisements are normally considered inappropriate on or within the setting of a listed building as they can create a competing focus and detract from their appearance, setting and heritage value.

## Policy HE9

### Demolition of a Listed Building

There will be a presumption in favour of retaining listed buildings. The Council will not permit proposals for the total demolition of a listed building or any significant part of it unless there are exceptional reasons why it cannot be retained in its original or a reasonably modified form.

Where, exceptionally, listed building consent is granted for demolition, this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building prior to its demolition.

#### Justification and Amplification

The destruction of historic buildings is very seldom necessary for reasons of good planning; more often it is a result of neglect or the failure to make imaginative efforts to find new uses for them or to incorporate them into a new development.

There are many outstanding buildings for which it is in practice almost inconceivable that consent for demolition would ever be granted. The demolition of any Grade A or Grade B+ building should be wholly exceptional and should require the strongest justification. Indeed consent will not be given for the total or substantial demolition of any listed building without clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and these efforts have failed; that preservation in some form of charitable or community ownership is not possible or suitable; or that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition.

While it is acknowledged that very occasionally demolition of a listed building will be unavoidable, consent will not be given simply because redevelopment is economically more attractive to the developer than repair and re-use of the building, or because the developer acquired the building at a price that reflected the potential for redevelopment rather than the condition and constraints of the existing historic building.

Accordingly, where proposed works would result in the total demolition of a listed building, or of any significant part of it, the Council, through consultation with DfC Historic Environment Division, will address the following factors:

- a The condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use. Any such assessment will be based on consistent and long-term assumptions. Less favourable levels of rents and yields cannot automatically be assumed for historic buildings. Also, they may offer proven technical performance, physical attractiveness and functional spaces that, in an age of rapid change, may outlast the short-lived and inflexible technical specifications that have sometimes

shaped new developments. Any assessment will also take account of the possibility of tax allowances and exemptions and of grants from public or charitable sources. In the rare cases where it is clear that a building has been deliberately neglected in the hope of obtaining consent for demolition, less weight will be given to the costs of repair. The applicant will need to demonstrate how alternatives have been considered in efforts to retain the building and that structural issues have not arisen through a lack of maintenance or failure to secure the building. Reports submitted for consideration on the structural integrity of the building must be undertaken by suitably qualified consultants with building conservation expertise;

- b The adequacy of efforts made to retain the building in use. The Council will require to be satisfied that genuine efforts have been made without success to continue the present use or to find compatible alternative uses for the building. This includes the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition (the offer of a lease only, or the imposition of restrictive covenants, would normally reduce the chances of finding a new use for the building); and

- c The merits of alternative proposals for the site. Whilst these are a material consideration, the Council's view is that subjective claims for the architectural merits of proposed replacement buildings will not in themselves be held to justify the demolition of any listed building. There may very exceptionally be cases where the proposed works would bring substantial benefits for the community, which have to be weighed against the arguments in favour of preservation. Even in these circumstances it will often be feasible to incorporate listed buildings within new development.

It is preferable that proposals for the demolition of a listed building are not considered in isolation from proposals for subsequent redevelopment. The Council may therefore request developers to submit detailed drawings illustrating the proposed redevelopment of the site to accompany a listed building consent application for demolition.

In the rare cases where the Council decides to grant consent for demolition of a listed building conditions will normally be imposed:

- Prohibiting demolition of the building until planning permission has been granted and, where appropriate, a contract has been signed for the approved redevelopment of the site; and
- Requiring, where appropriate, the recording of the building prior to its demolition.



## Policy HE10

### Development Affecting the Setting of a Listed Building

**The Council will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:**

- a The detailed design respects the listed building in terms of scale, height, massing and alignment;**
- b The works proposed make use of traditional or sympathetic quality building materials and techniques which respect those found on the building; and**
- c The nature of the use proposed respects the character of the setting of the building.**

### Justification and Amplification

The setting of a listed building is often an essential part of the building's character. This is particularly the case where a demesne, landscaped parkland, garden or grounds have been laid out to complement the design or function of the building. The economic viability as well as the character of listed buildings within such planned settings may suffer where inappropriate new development isolates them from their surroundings or degrades their landscape setting. This can effectively rob such buildings of much of their interest and the contribution they make to the local

countryside or townscape. Where a listed building has no ancillary land, for example in a town or village street, its setting may include a number of other properties or even the whole street. These buildings may not necessarily be of great individual merit but combine to produce a visual harmony which enriches the setting of the listed building.

Any proposals for development which by its character or location may have an adverse effect on the setting of listed buildings will require very careful consideration. This will apply even if the development would only replace a building which is neither itself listed nor immediately adjacent to a listed building. Development proposals some distance from the site of a listed building can sometimes have an adverse effect on its setting e.g. where it would affect views of an historic skyline, while certain proposals, because of the nature of their use, can adversely affect the character of the setting of a listed building or group of buildings through noise, nuisance and general disturbance.

The design of new buildings planned to stand alongside historic buildings is particularly critical. Such buildings must be of a very high-quality, designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment and use appropriate

materials. This does not mean however that new buildings have to copy their older neighbours in detail. Some of the most interesting streets in our towns and villages include a variety of building styles, materials and forms of construction of several different periods, which together form a visually harmonious group.

The extent to which proposals will be required to comply with the criteria in Policy HE10 will be influenced by a variety of factors: the character and quality of the listed building; the proximity of the proposal to it; the character and quality of the setting; and the extent to which the proposed development and the listed building will be seen in juxtaposition.

Where it is considered that a development proposal may affect the setting of a listed building the Council, in consultation with DfC Historic Environment Division, will normally require the submission of detailed drawings which illustrate the relationship between the proposal and the listed building. Where appropriate the Council will use its powers contained in the Planning (General Development Procedure) Order (Northern Ireland) 2015 to request applicants to supply such additional information on the proposed development as is considered necessary to allow proper determination.

## Policy HE11

# New Development in a Conservation Area or Area of Townscape Character

### Conservation Areas

In a Conservation Area, the Council will normally only permit new development where the proposal enhances the character or appearance of the area where an opportunity to do so exists, or preserves its character or appearance where an opportunity to enhance does not arise.

In addition to the above requirement, development proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of a Conservation Area are required to meet all of the following criteria:

- a The proposal is sympathetic to the characteristic built form of the area;
- b The proposal respects the characteristics of adjoining buildings in the area by way of its scale, form, materials and detailing;
- c The proposal does not result in environmental problems such as noise, nuisance or disturbance;
- d The proposal protects important views within, into and out of the area;
- e The proposal protects trees and other landscape features contributing to the character or appearance of the area; and
- f The proposal conforms with the guidance set out within any published Conservation Area Design Guide.

### Areas of Townscape Character (ATC)

In an Area of Townscape Character (ATC) the Council will normally only permit new development where the development will maintain or enhance the overall character of the area and respects its built form.

In addition to the above requirement, the Council will also require that any trees, archaeological or other landscape features which contribute to the distinctive character of the area are protected and integrated in a suitable manner into the design and layout of the development.

### Justification and Amplification

#### Conservation Areas

The Council does not wish to stifle development in Conservation Areas. The emphasis will be on the careful control and positive management of change, to enable the area to remain alive and prosperous, but at the same time to ensure that any new development accords with the area's special architectural or historic interest.

Designation as a Conservation Area puts an onus on prospective developers to produce a very high standard of design, which enhances or preserves the particular qualities of the area in question. Notwithstanding the acceptability of proposals in terms of other planning issues, where any proposed development would harm the character, appearance or setting of a Conservation Area it will not be permitted.

#### Areas of Townscape Character

It is important to protect the distinctive character and intrinsic qualities of Areas of Townscape Character (ATC). Sensitive planning controls are therefore necessary to ensure that both the individual and cumulative effects of development do not detract from the character, appearance and quality of these areas.

Designation as an ATC puts an onus on prospective developers to produce a high standard of design, which respects and is sympathetic to the particular qualities of the area in question. Notwithstanding the acceptability of proposals in terms of other planning issues, the Council will operate a presumption against development that would detract from or fail to maintain the character of the distinct townscape displayed within an ATC.

In effect, new development in an ATC should seek to reinforce local identity and promote quality and sustainability in order to respect and, where possible, enhance the distinctive character and appearance of the area.

### General Criteria in Conservation Areas and ATCs

General issues to be taken into account in assessing development proposals in a Conservation Area or ATC include the appropriateness of the overall massing of the development, its scale (the expression of size indicated by the windows, doors, floor heights, and other identifiable units), its proportions and its relationship with its context i.e. whether it sits comfortably. Development should be in harmony with, or complimentary to, its neighbours having regard to the adjoining architectural styles. The use of materials generally matching those which are historically dominant in the area is important, as is the need for the development not to have a visually disruptive impact on the existing townscape. It should also, as far as possible, fit into the "grain" of the Conservation Area or ATC, for example, by respecting historic

layout, street patterns or existing land form. It is also important where new uses are proposed that these respect the unique character and general ambience of a Conservation Area or ATC, for example certain developments may adversely affect the character of an area through noise, nuisance and general disturbance.

### New Buildings

The development of new buildings in a Conservation Area or ATC should be a stimulus to imaginative, high-quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Therefore, while development of a gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area in other cases modern designs sympathetic and complimentary to the existing character of the area may be acceptable.

### Alterations and Extensions

Proposals for the alteration or extension of properties in a Conservation Area or ATC will normally be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the particular area and will not prejudice the amenities of adjacent properties. Extensions should be subsidiary to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property. Very careful consideration

will be required for alterations and extensions affecting the roof of a property as these may be particularly detrimental to the character and appearance of the area.

### Change of Use

In assessing applications for the change of use of a property within a Conservation Area or ATC, consideration will be given to both the general land use policies of the Council and the impact of the proposed use on the character and appearance of the area. New uses will normally only be acceptable where any associated external alterations, for example new shopfronts, are sympathetic to their setting and relate in scale, proportions and materials to the remainder of the building and the local street scene.

### Trees

Trees often make an important contribution to the appearance and character of Conservation Areas and ATCs. In assessing development proposals affecting a Conservation Area or ATC, the Council will therefore take into account their potential impact on existing trees. Where such trees make an important visual, historic or amenity contribution to the area and should be retained the Council will seek appropriate protection measures through the imposition of planning conditions or may consider making a tree preservation order. Within Conservation Areas, trees are automatically protected as if a Tree Preservation Order is in place. In some instances, development may be acceptable subject to conditions requiring new tree planting or replanting.

**The Setting of Conservation Areas**

Special care is also needed in the location and design of development proposals close to a Conservation Area. Inappropriate development outside a Conservation Area can have a detrimental effect on the character and setting of the area. In such cases new development will be expected to enhance or preserve the character and appearance of the adjacent Conservation Area while the Council will also seek to retain important views in and out of the area.

**Design Guides**

Design Guides constitute supplementary planning guidance and are considered to be an important material consideration. The Council will therefore attach great weight to the need for proposals for new development to accord with the specific guidance drawn up for each particular Conservation Area.

**Information to accompany  
Planning Applications**

The Council will normally require detailed drawings to accompany all planning applications in a Conservation Area or ATC, which illustrate the proposal in its context. Where outline applications are submitted information on matters such as levels, materials/

finishes, colouring, landscaping, access and parking may also be required to ensure that the Council can make a full assessment of the impact of development proposals. Where appropriate the Council will use its powers contained in the Planning (General Development Procedure) Order (Northern Ireland) 2015 to request applicants to supply such additional information on the proposed development as is considered necessary to allow proper determination. Where, on the basis of illustrative details submitted, the Council decides to grant outline permission for development a condition will then normally be imposed requiring that any reserved matters application be based on such details.

Further guidance on the preparation of Design and Access Statements is provided within the Department for Infrastructure’s Development Management Practice Note 12: Design and Access Statements.

The Council would draw attention to best practice conservation guidance and codes that can assist developers and their professional advisors in preparing proposals affecting buildings within a Conservation Area or ATC. For example, British Standards (BS) 7913:2013: Conservation of Historic Buildings.

## Policy HE12

# Advertisements in a Conservation Area or Area of Townscape Character

In a Conservation Area the Council will normally only grant consent for the display of advertisements in, or close to, a Conservation Area which would not adversely affect the overall character, appearance or setting of the area.

In an Area of Townscape Character the Council will normally only grant consent for the display of an advertisement where the overall character and appearance of the area will be maintained.

All proposals should also meet the requirements of Policy AD1 Outdoor Advertisements.

## Justification and Amplification

### Conservation Areas

Many Conservation Areas include thriving commercial areas where the normal range of advertisements is to be expected, provided they do not detract from visual amenity. The Council accepts that such outdoor advertising is essential to commercial activity, but in view of the statutory duty to pay special attention to the desirability of enhancing or preserving the character or appearance of Conservation Areas, it is also considered reasonable that more exacting standards of advertisement control should apply within such areas.

In assessing proposals for advertisements in a Conservation Area the Council will give careful consideration to the impact of the proposal on the visual amenity and overall character of the area. Particular regard will be paid to the scale and proportions of the sign, the materials used and whether it is illuminated. Digital advertisements are normally considered inappropriate as they can seriously harm the character, appearance or setting of the area. Consent will not normally be granted for advertisements which are inappropriate to the architectural style or character of the building on which it is proposed or which would detract from the area in general. Similarly, signage on the upper floors of buildings and the internal illumination of signs will not normally

be acceptable. Proposals for large advertisement hoardings or which would result in a proliferation of signs can seriously harm the character and appearance of a Conservation Area and will therefore normally be refused consent. Additional guidance for the display of advertisements in particular Conservation Areas is set out in the relevant designation documents and design guides.

### Areas of Townscape Character

Areas of Townscape Character (ATC) may contain commercial areas or individual business premises where outdoor advertising is essential to their activities. It is important however to exercise appropriate control over advertisements to ensure they do not detract from the distinctive characteristics and amenity of these areas or prejudice public safety.

In assessing the impact of an advertisement or sign on amenity within an ATC, particular regard will be paid to the scale, size, proportions, dominance and siting of the sign, the materials used, whether it is illuminated, and whether the proposal will result in clutter. An advertisement should also respect the building onto which it is to be fixed and in particular have regard to any architectural detailing. Digital advertisements are normally considered inappropriate as they can seriously harm the character, appearance or setting of the area. General guidance on advertisements is set out in the LDP Supplementary Planning Guidance (SPG).



# Policy HE13

## Demolition in a Conservation Area or Area of Townscape Character

Within a Conservation Area, the Council will only normally consider the demolition of an unlisted building, where the building makes no material contribution to the character or appearance of the area. This requirement will only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in public interest.

Within an Area of Townscape Character (ATC), the Council will normally only permit the demolition of an unlisted building where the building makes no material contribution to the distinctive character of the area.

Where permission for demolition is granted within a Conservation Area/ATC, this will normally be conditional on prior agreement for the redevelopment of the site and, in the case of Conservation Areas, appropriate arrangements for the recording of the building before its demolition.

### Justification and Amplification

#### Conservation Areas

The demolition of even a single building and the construction of a new building or buildings in its place could result in the character or appearance of a Conservation Area, or part of it, being severely prejudiced. In such circumstances the whole purpose of designating the Conservation Area could be undermined.

The Council will operate a presumption in favour of retaining any building which makes a positive contribution to the character or appearance of a Conservation Area. In determining proposals for demolition of unlisted buildings the Council will therefore take account of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the Conservation Area as a whole. In assessing proposals, the Council will have regard to the same broad criteria for the demolition of listed buildings (see Policy HE9).

In cases where demolition may be appropriate, for example where a building does not make any significant contribution to a Conservation Area, the Council will normally require full information and detailed plans about what is proposed for the site after demolition to accompany Conservation Area consent applications.

The preservation of the public elevations alone of an unlisted building in a Conservation Area which makes a material contribution to its appearance or character will only be acceptable in exceptional circumstances, provided the scale of the overall development proposal will not be detrimental to the area's character or appearance and the scheme can be implemented without serious risk to the retained structure. In such cases the Council, in addition to requiring detailed plans of the proposed development, will require the submission of a structural engineer's report by a suitably qualified consultant with building conservation expertise, indicating what measures are to be taken to protect those parts of the building to be retained during construction work.

### Areas of Townscape Character

Areas of Townscape Character (ATCs) exhibit a distinct character normally based on their historic built form or layout. For the most part this derives from the cumulative impact of the area's buildings, their setting, landscape and other locally important features.

The demolition of a building or buildings in an ATC can significantly erode the character, appearance and integrity of such areas. Demolition can be particularly damaging in cases where it is proposed in isolation, that is, where there are no proposals for the redevelopment of the site. In order to prevent demolition damaging the distinctive character and appearance of an ATC, the Council will operate a presumption in favour of retaining any building which makes a positive contribution to the character of the area.

To help secure the upkeep, vitality and appearance of ATCs the Council will permit proposals for the appropriate renovation and refurbishment of existing buildings for their continued use, or for alternative uses which accord with the Council's policies for the area. Any external alterations associated with such proposals will be required to maintain or enhance the overall character of the area and respect the built form of the ATC (see Policy HE11).

Where the demolition of an unlisted building in an ATC is proposed the key considerations that will be taken into account are:

- The contribution of the building to the ATC and the effect of its demolition on the distinctive character of the area; and
- Whether the quality of proposals for the redevelopment of the site will maintain or enhance the distinctive character of the area.

### Conditions

Where the Council decides to permit demolition of a building in a Conservation Area or Area of Townscape Character, conditions will normally be imposed:

- Requiring the redevelopment of the site to be based on previously agreed detailed proposals; and
- Prohibiting demolition of the building until planning permission has been granted and, where appropriate, a contract has been signed for the approved redevelopment of the site; and
- In the case of Conservation Areas requiring, where appropriate, the recording of the building prior to its demolition.

# Policy HE14

## The Re-Use of Non-Listed Vernacular and Locally Important Buildings

The Council will normally permit the sympathetic conversion and re-use, with adaption if necessary, of a non-listed vernacular building or suitable locally important building to other appropriate uses, where this would secure their upkeep and retention.

Such proposals will be required to be of a high design quality and to meet all of the following criteria:

- a The building is of permanent construction; and is structurally sound and capable of conversion;
- b The reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality;
- c Any new extension is sympathetic to the scale, massing and architectural style and finishes of the existing building;
- d The reuse or conversion would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land or buildings;
- e The nature and scale of the use is appropriate to its location;
- f All necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and
- g Access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic.

### Justification and Amplification

Vernacular buildings reflect the local 'folk tradition' and are typical of a common type of building in a particular locality, generally pre-1925. For more detail refer to 'A Sense of Loss - The Survival of Rural Traditional Buildings in Northern Ireland' (DoE March 1998). A locally important building (such as former schoolhouses, churches, and older traditional barns and outbuildings), is a building, structure or feature whilst not statutory listed, is considered by the Council to be an important part of heritage, due to its local architectural or historic significance. For more detail refer to 'Historic Buildings of Local Importance - A guide to their Identification and Protection' (DfC May 2017).

The Council encourages the re-use of such vernacular or locally important buildings by sympathetic renovation or conversion for a range of appropriate uses. This may include proposals for tourism or recreation

use. All development proposals for the conversion of a vernacular building should involve a minimum of work and should maintain or enhance the existing character of the building and its setting. Approval will not normally be given to a scheme involving substantial demolition or extensions which significantly alter the appearance or character of the building. Design therefore is particularly important and where extensions or external alterations are proposed, these must reflect the scale, massing, materials and detailing of the existing property. All proposals will therefore be assessed considering the scale of harm or loss to the significance of the heritage asset alongside their contribution to the conservation of the building to be converted.

Where there are concerns regarding the structural condition of the building to be converted, a structural report prepared by a suitably qualified professional will be required to demonstrate the building is structurally sound and capable of conversion.

Where a conversion scheme to residential use in the countryside is considered acceptable any residential curtilage to be created, as part of the proposal should not have a harmful effect on the character of the countryside, particularly in Areas of Outstanding Natural Beauty and other areas of landscape quality. In certain cases, it may be necessary to remove permitted development rights to protect the character of the converted buildings or the landscape generally.

A former dwelling previously replaced and retained as an ancillary building to the new replacement dwelling will not be eligible for conversion back into residential use under this policy.

Consideration may be given to the sympathetic conversion of a locally important building to provide more than one dwelling where the building is of sufficient size; the conversion involves minimal intervention; and the overall scale of the proposal and intensity of use is considered appropriate to the locality.

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

The Council would therefore stress that a grant of planning permission for conversion of a non-residential building to residential use will not in itself be considered sufficient grounds to subsequently permit the replacement of the building with a new dwelling, unless the proposal meets the requirements of Policy COU2.

In some cases, vernacular buildings may include an archaeological interest and may require an element of archaeological investigative work. In these instances, the relevant archaeology policies should apply.

# Policy HE15

## Enabling Development

Proposals involving enabling development relating to the re-use, restoration or refurbishment of significant places will only be permitted where it can be demonstrated by the applicant in the submission of a Statement of Justification to accompany an application for planning permission that all of the following criteria are met:

- a The significant place to be subsidised by the proposed enabling development will bring significant long-term benefits according to its scale and location;
- b The conservation of the significant place would otherwise be either operationally or financially unviable;
- c The impact of the enabling development is precisely defined at the outset;
- d The scale of the proposed enabling development does not exceed what is necessary to support the conservation of the significant place;
- e Sufficient subsidy is not available from any other source;
- f The public benefit decisively outweighs the disbenefits of departing from other planning policies;

- g It will not materially harm the heritage values of the significant place or its setting;
- h It avoids detrimental fragmentation of the management of the significant place;
- i It will secure the long-term future of the significant place and, where applicable, its continued use for a sympathetic purpose; and
- j It is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than circumstances of the present owner, or the purchase price paid.

In considering enabling development proposals developers are encouraged to enter into pre-application discussions with the Council.

In all cases proposals must not prejudice road safety.

The benefits to be derived from the conservation of the significant place will be secured either by conditional grant of planning permission or conditional grant accompanied by a Section 76 Planning Agreement.

### Justification and Amplification

For the purposes of this policy, 'significant place' means any part of the historic environment that has heritage value including scheduled monuments, archaeological remains, historic buildings (both statutorily listed or of more local significance) together with any historically related contents, industrial heritage, Conservation Areas or a historic park, garden or demesne.

The Best Practice Guidance 'Assessing Enabling Development' (former DoE document, updated 2019) will be taken into account in considering proposals.

It is intended that this policy will only be used as a last resort where the long-term public benefit of securing a significant place decisively outweighs the disadvantages of departing from normal policy presumptions. It allows for assessment of these proposals as a preliminary requirement and is not to be implemented if the Council is not convinced that the public benefit will be gained.

Enabling development will often be located close to the principal development. In some instances, however, it may be more appropriate for the enabling development to be located elsewhere in the vicinity, as long as cross-funding measures are secured by way of a Section 76 Planning Agreement.



### Pre-application discussion

Developers are encouraged to enter into pre-application discussions with the Council to assess the impact of the enabling element of the proposed development; to establish the level of detail required; to discuss the need to submit a 'full' as opposed to 'outline' planning application; and to avoid unrealistic expectations.

In some instances, planning conditions attached to a permission will be sufficient to ensure that the public benefits are delivered. In other, more complex cases, and where there is a need to secure the long-term management arrangements, a Planning Agreement as set out in Section 76 of the Planning (Northern Ireland) Act 2011 will be required. The pre-application process will assist in identifying which option is best suited to the particular proposal.

### Statement of Justification

Applications incorporating enabling development should be accompanied by a Statement of Justification. This statement should include a conservation statement or plans, and sufficient, detailed financial information as is necessary to allow the Council, and/or its consultees to make an informed decision upon

the application. In particular, the information provided on the enabling development component should be sufficiently detailed to allow the Council to validate the need for, and assess the scale of the enabling development; and consider the impact on private concerns where this coincides with the public interest.

The information supplied by the developer should cover all the financial aspects of the proposed enabling development, in a sufficient degree of detail to enable scrutiny and validation by the Council in consultation with its economists. This applies both to the assessment of need and the assessment of the scale of the enabling development necessary to meet that need. The onus is on the developer to demonstrate that sufficient funds are not available from any other source, such as grant aid.

Enabling development must always be justified by the inherent lack of viability of the heritage asset, not an owner's inability to fund a commercially viable scheme.

Before purchasing a site, a developer will typically undertake an appraisal to determine the appropriate purchase price that will provide the desired capital return upon their investment. In some cases, a developer may pay a higher price for a development

opportunity (hope value) than is justified by market conditions. Alternatively, market conditions may change to such an extent that the developer may not be able to realise the anticipated return on their investment. Both of these scenarios may give rise to calls for enabling development proposals, but cannot justify them.

Since this financial assessment is central to the question of whether enabling development is required, failure by the applicant to provide such information may result in refusal of planning permission. Developer concerns regarding the disclosure of commercially sensitive information do not outweigh the need for accurate financial information to be provided, as it is the financial case for the enabling development which forms a key part of any assessment.

Planning policies will not be departed from for only short-term or temporary public gains. The Statement of Justification will demonstrate that the benefits to be derived from the principal proposal shall be retained. Therefore, it must be clear that once completed, the principal proposal can meet recurring costs or, if it cannot, that suitable financial provisions are in place to provide sufficient funds to guarantee its long-term sustainability.

# 22 Natural Heritage

## Policy NH1

### European and Ramsar Sites – International

Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on:

- A European Site (Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance); or
- A listed or proposed Ramsar Site.

Where a development proposal is likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains, the Council will carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Appropriate mitigation measures in the form of planning conditions may be imposed. In light of the conclusions of the assessment, the Council shall agree to the development only after having ascertained that it will not adversely affect the integrity of the site.

In exceptional circumstances, a development proposal which could adversely affect the integrity of a European or Ramsar Site may only be permitted where:

- There are no alternative solutions; and
- The proposed development is required for imperative reasons of overriding public interest; and
- Compensatory measures are agreed and fully secured<sup>184</sup>.

As part of the consideration of exceptional circumstances, where a European or Ramsar site hosts a priority habitat or priority species listed in Annex I or II of the Habitats Directive, a development proposal will only be permitted when:

- It is necessary for reasons of human health or public safety or there is a beneficial consequence of primary importance to the environment; or
- Agreed in advance with the European Commission.

## Justification and Amplification

It is stipulated in the provisions of the SPPS that the Council is required by law to carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites as these are afforded the highest form of statutory protection. A list of existing international sites and further information can be found at:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

<sup>184</sup> Through conditions or a Planning Agreement – "legal certainty" as required by ECJ case law.

# Policy NH2

## Species Protected by Law

### European Protected Species

Planning permission will only be granted for a development proposal that is not likely to harm a European protected species. Developers will be required to undertake an ecological appraisal, including where necessary surveys for protected species, where there is potential, or evidence to suggest, that they are present on site or may be affected by a proposed development.

In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:

- There are no alternative solutions; and
- It is required for imperative reasons of overriding public interest; and
- There is no detriment to the maintenance of the population of the species at a favourable conservation status; and
- Compensatory measures are agreed and fully secured.

### National Protected Species

Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against.

Development proposals are required to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration and destruction of their breeding sites or resting places.

Seasonal factors will also be taken into account.

### Justification and Amplification

It is a criminal offence to harm a statutorily protected species. The presence of species protected by legislation is a material consideration when a Council is considering a development proposal that if carried out, would be likely to result in harm to the species or its habitats. Steps must be taken to establish whether a protected species is present. The requirements of the species must be factored into the planning and design of the development, and any likely impact on the species must be fully considered prior to any determination.

European protected species are listed under Annex IV of the Habitats Directive (transposed under Schedule 2 of the Habitats Regulations) and must be subject to a system of strict protection. Other national protected species are listed under the Wildlife Order under Schedules (1), (5) and (8).

The granting of planning permission does not exempt the holder from ensuring legal compliance with other legislative requirements. Seasonal factors will also be taken into account and will determine when surveys should be carried out to establish the presence of species on site.

Lists of all protected species of animals and plants can be found at:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

## Policy NH3

### Sites of Nature Conservation Importance - National

Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of:

- An Area of Special Scientific Interest;
- A Nature Reserve;
- A National Nature Reserve; or
- A Marine Conservation Zone.

A development proposal which could adversely affect any of the above-mentioned sites of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site.

In such cases, appropriate mitigation and/or compensatory measures will be required.

#### Justification and Amplification

Areas of Special Scientific Interest (ASSIs) are designated under Part IV of the Environment (Northern Ireland) Order 2002 (as amended). There is a legal duty to take reasonable steps to further the conservation and enhancement of the features by which the ASSI is of special scientific interest. Further information is available on ASSIs at the following link:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Nature Reserves including National Nature Reserves are declared under the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

Marine Conservation Zones are sea areas, including the inter tidal zone, designated by DAERA under Part 3 of the Marine Act (Northern Ireland) 2013. They are established for the conservation of marine flora and fauna, habitats, and features of geological or geomorphological interest.

The Marine Act (Northern Ireland) 2013 repealed the legislation (the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985) which previously designated Marine Nature Reserves (MNRs). Strangford Lough was Northern Ireland's only Marine Nature Reserve designated in 1995 and it became an MCZ the day after the Marine Act (Northern Ireland) 2013 received Royal Assent. The boundary for Strangford Lough MCZ is the same as that for the MNR. There are now two MCZs within Newry, Mourne and Down: Strangford Lough and Carlingford Lough.

A list of existing national sites and their locations can be found at:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Further guidance is available on Marine Protected Area assessment, including MCZ assessment, at the following link:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

## Policy NH4

### Sites of Nature Conservation Importance – Local

Planning permission will only be granted for a development proposal that is not likely to have a significant adverse impact on:

- A Local Nature Reserve; or
- A Wildlife Refuge.

A development proposal which could have a significant adverse impact on a site of local importance should only be permitted where the benefits of the proposed development outweigh the value of the site.

In such cases, appropriate mitigation and/or compensatory measures will be required.

#### Justification and Amplification

Local Nature Reserves and Wildlife Refuges can be established by councils under the provisions of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. DAERA can also provide a Wildlife Refuge under the Wildlife (Northern Ireland) Order 1985.



## Policy NH5

### Habitats, Species or Features of Natural Heritage Importance

Planning permission should only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:

- Priority habitats;
- Priority species;
- Active peatland;
- Ancient and long-established woodland;
- Features of earth science conservation importance;
- Features of the landscape which are of major importance for wild flora and fauna;
- Rare or threatened native species;
- Wetlands (includes river corridors); or
- Other natural heritage features worthy of protection, including trees and woodland.

A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features listed above may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.

In such cases, appropriate mitigation and/or compensatory measures will be required.

There will be a presumption in favour of retaining trees where they make a valuable contribution to the wider environment and local amenity.

#### Justification and Amplification

Priority habitats and species may fall within and beyond designated sites. They include both European (as identified under Annex I and II of the Habitats Directive and Annex I of the Birds Directive) and Northern Ireland priority habitats and species, identified through the Northern Ireland Biodiversity Strategy (NIBS)<sup>185</sup> (in pursuance of the statutory duties under the Wildlife and Natural Environment (NI) Act 2011).

‘Other’ natural heritage features worthy of importance are most likely to include trees and woodland which do not fall under the priority habitat or long-established woodland categories but are in themselves important for local biodiversity. Certain other features which make a significant contribution to biodiversity may also be included.

It is important to acknowledge that there are some priority habitats for which compensatory measures for their loss would be incommensurate e.g. ancient and long-established woodlands.

Trees can also be afforded statutory protection under the Planning Act (Northern Ireland) 2011 through a TPO (Tree Preservation Order). Trees within a Conservation Area are also protected in the same way they would be if a TPO were in place.

To ensure international and domestic responsibilities and environmental commitments with respect to the management and conservation of biodiversity are met, the habitats, species and features mentioned above are material considerations in the determination of planning applications.

The latest Northern Ireland Priority Species List is available to view at the following link:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

<sup>185</sup> [www.daera-ni.gov.uk/publications/biodiversity-strategy-northern-ireland-2020-0](http://www.daera-ni.gov.uk/publications/biodiversity-strategy-northern-ireland-2020-0).

# Policy NH6

## Protection of Main River Corridors and Open Water Bodies

Planning permission will only be granted for a development proposal adjacent to designated main river corridors and open water bodies where it is demonstrated that all the following criteria can be met:

- 1 There is no unacceptable adverse impact on key landscape features and nature conservation;
- 2 The proposal will not compromise or impact on the natural flooding regime of the river or open water body (proposals must accord with Policy FRD1 Development in Flood Plains); and
- 3 The development will not prejudice existing or the potential for future public access and recreation.

Outside settlements, proposals adjacent to designated main river corridors and open water bodies must provide a biodiversity strip of at least 10 metres from the edge of the river or open water body, accompanied with an appropriate landscaping management proposal.

Development proposals which have the potential to impact upon the tidal stretches of the district's main rivers must accord with the UK Marine Policy Statement and Marine Plan for Northern Ireland.

### Justification and Amplification

The policy is primarily aimed at protecting the landscape adjacent to the district's main rivers, reducing the risk to them from pollution and minimizing the impacts from flood events and infilling from development adjacent to these rivers. Designated rivers are those designated by the Drainage Council (NI) as 'Main' rivers<sup>186</sup>. These include the Newry and Clanrye Rivers, the Blackstaff River, the Quoile and Annacloy Rivers. This policy also applies to open water bodies such as Camlough Lake, Ballylough Lake, Annsborough and McAuley's Lake, Drumaness. The policy will be applied on a case-by-case basis, based on the determination of what can reasonably be considered 'adjacent'. Fields adjoining a river or water body will be considered to be 'adjacent' for the purposes of this policy.

Development proposals should take into account the landscape character context of the river corridors as set out in the Council's Landscape Character Assessment. Proposals should also recognise the habitat importance of the river corridors and their floodable margins for relevant flora and fauna.

All development proposals will need to ensure that the capacity of the flood plain to store and carry flood water is not hindered, as this could result in increased flooding problems downstream, (proposals must also comply with Policy FRD1 Development in Floodplains).

The policy seeks to ensure access to our main rivers and water bodies is maintained and where possible enhanced. All new development adjacent to river corridors and open water bodies should provide a direct, safe and clear pedestrian access. Proposals must also provide for adequate access for the purposes of maintenance and emergency access in accordance with Policy FRD2 Protection of Flood Defence and Drainage Infrastructure.

River corridors provide an important biodiversity resource and new development should preserve or enhance biodiversity through the following measures:

- Provide a biodiversity strip of at least 10 metres from the edge of the river;
- Provide appropriate landscaping that utilises native species of trees and shrubs;
- Provide measures to minimise light spillage over the water body; and
- Make use of environmentally sensitive engineering methods.

Within settlements development opportunities can address riverside areas which have been impacted by dereliction and under-use. The Council would welcome proposals that improve these riverside environments and enhance the district's townscapes.

Development proposals must also accord with Strategic Policy CDS1 Coastal Development and Policies CO1-02 and DAR1 as applicable where they are located within the developed or undeveloped coast.

186 See DfI Mapping Portal - [dfi-ni.maps.arcgis.com](http://dfi-ni.maps.arcgis.com)

# Policy NH7

## Sites of Local Nature Conservation Importance (SLNCIs)

**Planning permission will not be granted to development that would be liable to have an adverse effect on the nature conservation interests of a designated Site of Local Nature Conservation Importance (SLNCIs).**

### Justification and Amplification

SLNCIs have been designated on the basis of their flora, fauna or earth science interest. SLNCIs may include non-statutory nature reserves managed by public agencies or voluntary conservation bodies. Technical Supplement 7 - Countryside Assessment contains details of each SLNCI.

In assessing development proposals on or adjacent to these sites, priority will be given to the protection of their intrinsic nature conservation interest. Exceptionally, where a development proposal is permitted which might adversely affect the nature conservation interests, the Council will endeavour to ensure that such effects are kept to a minimum.

Should planning permission be granted, conditions will be imposed in order to protect, manage and enhance the conservation interest or to require appropriate mitigation measures. Where appropriate, developers will be asked to enter into a Planning Agreement under Section 76 of the Planning Act to secure these outcomes.

Existing SLNCI designations and potential new SLNCI designations will be reviewed and identified at the Local Policies Plan Stage.

# 23 Landscape Assets

## Policy LA1 Special Countryside Areas

Special Countryside Areas (SCAs) are designated in order to safeguard their landscape character, amenity value, natural heritage and historic environments.

Planning permission within an SCA will only be permitted for development proposals which are:

- Of such national or regional importance as to outweigh any potential detrimental impact on the unique qualities of the upland environment; or
- For the consolidation of existing development providing it is in character and scale, does not threaten any nature conservation or historic environment interest and can be integrated with the landscape.

Proposals for telecommunications and renewable energy developments in SCAs should be read alongside Policies TCU1 and RE1.

### Justification and Amplification

The Plan recognises that there are some areas of the countryside that have exceptional landscapes where the quality of the landscape and amenity value are so high that development should only be permitted in the most exceptional circumstances. Such areas have been identified through the Landscape Character Assessment, in which the Ring of Gullion is characterised as Volcanic Uplands and the Mourne and Slieve Croob as Rugged Uplands and therefore merit designation as Special Countryside Areas (SCAs).

Proposals in such areas will be required to be accompanied by supporting information such as photomontages that will set out the extent of any impact, visual or otherwise of the proposal. Where necessary, the Council will require the implementation of mitigation measures through planning conditions.

## Policy LA2

### Areas of Outstanding Natural Beauty

Areas of Outstanding Natural Beauty (AONBs) are designated<sup>187</sup> primarily for their high landscape quality, wildlife importance and rich cultural and architectural heritage.

Planning permission for new development within an AONB will only be permitted if 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 AONB in general and of the particular locality;
- b It respects or conserves biodiversity, wildlife and features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
- c The proposal respects:
  - local architectural styles and patterns;
  - traditional boundary details, by retaining features such as hedges, walls, trees and gates; and
  - local materials, design and colour.

#### Justification and Amplification

There are three AONBs within the district, The Mourne; Ring of Gullion; and Strangford and Lecale.

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

The quality, character and heritage value of the landscape of an AONB lies in their tranquillity, cultural associations, distinctiveness, conservation interest, visual appeal and amenity value.

In assessing proposals, including cumulative impacts in such areas, account will also be taken of the Landscape Character Assessments and any other relevant guidance such as countryside assessments produced as part of the development plan process as well as AONB Management Plans and local design guides.

Large scale proposals such as mineral, renewable or telecommunication developments are unlikely to be acceptable within an AONB.

Further information on statutory natural heritage designations can be found at:

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

<sup>187</sup> Designated by DAERA under the Nature Conservation and Amenity Lands (NI) Order 1985 (NCALO).



## Policy LA3

### Local Landscape Policy Areas

Local Landscape Policy Areas (LLPAs) are designated to maintain the intrinsic landscape, environmental value and character of such areas.

**Planning permission for new development within LLPAs will only be permitted where it is demonstrated that they do not adversely impact on their amenity value, landscape quality or local significance.**

### Justification and Amplification

Local Landscape Policy Areas consist of those features and areas within and adjoining settlements considered to be of greatest amenity value, landscape quality or local significance (this includes environmental or historic significance) and therefore worthy of protection from undesirable or damaging development. They may include but is not limited to:

- Archaeological sites and monuments and their surroundings;
- Listed and other locally important buildings and their surroundings;
- River banks and shore lines and associated public access;
- Attractive vistas, localised hills and other areas of local amenity importance; and
- Areas of local nature conservation interest, including areas of woodland and important tree groups.

LLPAs have been designated to ensure that new development does not dominate their distinctive landscape and townscape characteristics. They may also function as buffer zones between different uses and help to reduce the likelihood of over- intensive development. LLPAs located outside settlement limits help to protect those features considered of greatest importance to the local landscape setting.

Existing LLPA designations and potential new LLPA designations will be reviewed and identified at the Local Policies Plan Stage.

# Policy LA4

## Areas of High Scenic Value

Areas of High Scenic Value (AoHSV) are designated to recognise areas of local landscape quality.

Planning permission for new development within the AoHSV will only be permitted where the development proposal demonstrates it will conserve and enhance the landscape of the AoHSV, having particular regard to the siting, massing, scale and design, materials, finishes and landscaping of proposals in order to ensure that development will:

- Integrate well into the topography and landscape of the local environment; and
- Respect the scale of, and materials used in, existing vernacular and traditional buildings in the surrounding area.

### Justification and Amplification

Within the Council's designated AoHSV, high design standards will be required of developments and re-use of traditional buildings and vernacular features may be preferred to new build or replacement. Landscape analysis should accompany development proposals to indicate the likely effects of the proposed development on the landscape. Planting of indigenous tree species should generally be an integral part of these proposals, and the site must be large enough to accommodate any mitigation measures identified.

Where the boundary of the AoHSV follows the line of a road, the outer edge of the AoHSV is defined at 100m beyond the road line. The landscapes of the proposed AoHSV are considered to be of local and regional importance. Planning applications in these areas will be considered within the context of prevailing policy, but in addition, a proposed development must demonstrate that it can further satisfy the above criteria to ensure that it will not result in adverse changes to the character or quality of the landscape.

Existing AoHSV designations and potential new AoHSV designations will be reviewed and identified at the Local Policies Plan Stage.

# 24 Coastal Policies

## Policy C01 The Undeveloped Coast

There will be a presumption against all new development other than in exceptional circumstances within the undeveloped coastal zone. A proposal must fully demonstrate that it constitutes one of the exceptions listed below and that it meets Strategic Policy CDS1:

- a The proposed development is for the in-situ replacement of an existing dwelling or agricultural building, provided that:
  - the size and structure of the building would not have a visual impact significantly greater to the building it is to replace; or
- b The proposed development is for the off-site replacement of an existing dwelling or agricultural building beyond the undeveloped coast provided it is in close proximity to the site of the building that it replaces, and:
  - the size and structure of the building would not have a visual impact significantly greater to the building it is to replace;
  - the development is in proportion to and respects the character, form and appearance of the surrounding area; or
- c The proposal relates to the extension or alteration of an existing dwelling; or
- d The proposed development relates to the provision of appropriate open space, pathways or recreational facilities for the enjoyment of the public; or
- e The proposed development is a Council led or supported tourism project at an existing tourist/visitor site; or
- f The proposal is for maintenance and/or replacement of an existing water compatible development such as for boat mooring, navigation, and water based recreational use; or
- g The proposal relates to development for agriculture, aquaculture and fisheries use, transport or utilities infrastructure, which demonstrates that for operational reasons an undeveloped coastal location is necessary and that there is no suitable alternative site outside the undeveloped coast; or
- h Proposals for a new harbour, port or marina or the extension of an existing harbour, port or marina within or into the undeveloped coast must demonstrate that:
  - the development requires a harbour/port/marina-side location or is ancillary to activities taking place within the harbour/port/marina area;
  - the proposal would not adversely affect the commercial viability or efficient working of any existing harbour, port or marina for commercial marine related uses.

Where a proposal constitutes an exception, it must not result in an adverse impact on the landscape or seascape character, including archaeological, historic environment, natural heritage or earth science features. Where development is permitted in sensitive locations, particularly in the undeveloped coast, any adverse impacts will be mitigated through the use of appropriate conditions.

### Development proposals of Overriding National or Regional Economic Importance

A development proposal within the undeveloped coast that does not constitute an exception to the policy may be permitted where it is deemed to be of overriding national or regional economic importance and meets both of the following criteria:

- Demonstration of exceptional benefit to the national or regional economy; and
- Demonstration that there is no feasible alternative site within an existing urban area.

## Justification and Amplification

In line with regional policy, the Council will apply a presumption against all new development within the undeveloped coast. It is recognised that the Newry, Mourne and Down coastline, with its diversity of landscapes, heritage and biodiversity, is an important but non-renewable resource.

Many sections of the undeveloped coast are nature conservation sites, protected by International (including European), National, Regional or Local designations. The district's undeveloped coast is also designated as an Area of Outstanding Natural Beauty. Proposals within the undeveloped coast which meet an exception, as listed above, must also comply with any relevant natural heritage policies (NH1-NH7).

The impact of development on both wildlife and the beauty of the landscape can be serious and widespread. This policy therefore seeks to protect the tranquillity and natural beauty of the undeveloped coast from the visual and environmental adverse impacts of development. The extent of the Undeveloped Coast designation can be viewed on the LDP Map Viewer.

The district's coast contains important coastal and marine heritage assets which make an important contribution to the district's sense of place, health and wellbeing and identity as well as the economy. This ranges from port and harbour infrastructure and lighthouses to coastal and intertidal archaeology covering a wide range of artefacts, structures and deposits that originated from inhabitation or use of the coast. Many heritage sites (historic harbours and lighthouses) are in commercial use while others generate economic value from tourism. The historic environment around the coasts and seas is vulnerable to a wide range of marine activities, developments and natural processes. The Council will seek to ensure that development proposals do not therefore adversely impact on these important heritage assets.

In order to protect the visual and environmental qualities of the coastline, there is a general presumption against development within the Undeveloped Coast. However, the Council recognises that in certain cases development or infrastructure needs to be in such locations as alternative sites would be neither practical nor available.

In the assessment of all applications, weight will be given to the landscape and seascape character of the coast. Applications that have adverse impact on this special character, including its archaeological, historic or natural heritage, will not be accepted, unless they are of national or regional economic importance.

To avoid the proliferation of coastal infrastructure and adverse cumulative impacts, permanent new residential development is not appropriate within the undeveloped coast.

The potential impact of an in-situ replacement building should be carefully considered. The visual impact of the development must not be significantly greater than the original building and the overall size should integrate well into the landscape. The design of the replacement should be of a high-quality appropriate to its coastal setting with regard to the landscape and seascape character. All in-situ proposals will be required to be constructed within the established curtilage of the site.

The Council recognises the benefits of allowing the off-site replacement of dwellings and agricultural buildings from the Undeveloped Coast to another nearby site located outside the Undeveloped Coast. In one instance, this allows for a proactive relocation in response to the effects of coastal change before immediate action is necessary, such as when coastal erosion encroaches on a building. In addition, this policy supports the restoration of the landscape and seascape character of the coast to one of wild, idyllic beauty. This policy requires that in the instance of off-site replacement, the site of the former dwelling be cleared and restored. The replacement building must be situated in close proximity to the site from which it was removed and must respect the character of the new location in terms of size and structure.

Proposals for the extension or alteration of a dwelling must be minor, sympathetic and subordinate to the existing dwelling and respect the character of the landscape, seascape and surrounding area. The overall size of the new dwelling should allow it to integrate into the surrounding coastal landscape and would not have a visual impact significantly greater than the existing building. All extensions in the undeveloped coast must accord with HOU3 (Residential Extensions and Alterations). If the original dwelling is considered to be a Non-Listed Locally Important or Vernacular Building, consideration must also be given to preserving particular features of architecture or historic interest (see Policy HE14 The Conversion and Re-Use of Non-Listed Vernacular Buildings and Locally Important Buildings).

Integrating ecosystems and soft engineering in coastal development results in societal and ecological benefits and also provides coastal protection services by attenuating waves and stabilizing sediments. Recreational space within the undeveloped coast should utilise nature-based design methods as opposed to hard infrastructure in order to realise these benefits. Where pathways are constructed, they should be created on existing desire lines to reduce erosion by visitors to the coast, for example, the Douglas fir boardwalk, Murlough Nature Reserve.

This policy makes provision for Council-led/supported tourism projects within existing visitor sites to allow for the maintenance and/or enhancement of these attractions. Such proposals should demonstrate a sustainable approach to development and must not diminish the quality of the landscape or seascape character. These proposals should incorporate innovative, sustainable design methods that preserve and enhance the coastline whilst also fostering the economic and social wellbeing of local communities. In addition, proposals that promote opportunities for the understanding and enjoyment of the maritime environment, biodiversity, natural and cultural heritage of the coast will be favoured.

Proposals for the maintenance and/or replacement of water-compatible development may be related to onshore buildings in association with a marine use, such as boathouses or development within the inter-tidal area for marine-related uses. Development located in the inter-tidal area may require a marine licence. Applicants should familiarise themselves with DAERA's current planning guidance for development within the coastal area.<sup>188</sup> The development must meet the requirements of the Marine Planning Statement and the draft Marine Plan for NI. Early consultation with the Marine and Fisheries Division within DAERA is recommended when planning such development to allow coordination of information required for any assessments as part of the planning process.

Proposals for development relating to agriculture, aquaculture and fisheries use, transport or utilities infrastructure must demonstrate, upon application, the operational reasoning for an undeveloped coastal location and that there is no suitable alternative site outside the undeveloped coast. The Council will determine this need based on information supplied.

Where a proposal is of such national or regional importance as to outweigh the potential detrimental impacts to the coastal environment, the applicant will be required to submit a Coastal Impact Study alongside the application which demonstrates:

- The economic contribution to Northern Ireland or the region and how this outweighs any detrimental impacts;
- The extent of the potential impacts on the environment and measures taken to limit these adverse impacts; and
- That there is no feasible alternative site within an existing urban area.

This requirement ensures that the landscape and seascape character and the heritage and biodiversity value of the area have been fully considered allowing adequate mitigation and compensatory measures to be agreed with the Council.

<sup>188</sup> DAERA, (2017). *Planning in the Coastal Area. A developer's guide to planning considerations and environmental responsibilities. Version 2.1/June 2017.*



## Policy CO2

### The Developed Coast

Proposals for development within an existing harbour, port or marina area must demonstrate that all of the following criteria can be met:

- a The development requires a harbour/port/marina-side location or is ancillary to activities taking place within the harbour/port/marina area;
- b The proposal would not adversely affect the commercial viability or efficient working of any existing harbour, port or marina for commercial marine related uses; and
- c There are no significant adverse impacts on the coastal landscape and seascape character, including archaeological, historic environment, natural heritage or earth science features or the development is of such economic importance as to outweigh any adverse impacts.

There will be a presumption against inappropriate development on green space and open space adjacent to the coast within coastal settlements.

Proposals will be positively supported where they result in any of the following:

- The creation or enhancement of public access to the coast for example through new or extended walkways or cycleways; or
- The enhancement of the public enjoyment of the coast for example through increased provision of coastal amenity open space or the opening up of additional views of the sea; or
- An environmental benefit through protection of existing wildlife habitats and where appropriate creation of opportunities for new habitat creation.

All proposals for development within the Developed Coast must comply with Strategic Policy CDS1.

#### Justification and Amplification

Many Newry, Mourne and Down settlements have a coastal location. These towns, villages and small settlements exhibit a wide range of character and use. Each settlement on the coast is significant in terms of its recreational and amenity value, natural heritage and historic environment, and landscape and seascape character. The Developed Coast includes the district's existing coastal settlements and other infrastructure development, for example, Carlingford Lough Ferry Terminal and Greencastle. All other coastal areas are considered the Undeveloped Coast, as delineated on the LDP Map Viewer.

Ports and harbours are key economic generators in Newry, Mourne and Down. They are essential to the operation of a range of different industries such as fishing, aquaculture and renewable energy. Warrenpoint Port is an essential gateway, as identified in the RDS, while Ardglass and Kilkeel fishing ports provide the necessary infrastructure to support the fishing industry. They provide a range of facilities for onshore storage, working areas, berthing, maintenance and operations. They are key locations for the seafood processing industry and marine engineering sector. In addition, marinas, ports and harbours support leisure and tourism sectors such as sailing and pleasure trips through the provision of berthing and operational

facilities. They are also important to the transportation sector by supporting the bulk movement of goods for industries via coastal shipping.

Proposals for harbours, ports or marinas must demonstrate well-executed cost-benefit analyses of alternative sites and designs. Justification for the preferred option should take into consideration environmental, social and economic factors and should be consistent with a sustainable approach to coastal development. As these schemes are likely to constitute as major development, reports and assessments such as an Environmental Impact Assessment will be required along with submission. Early consultation with the Marine and Fisheries Division within DAERA is advised.

It is important to protect existing ports, harbours and marinas from development and uses that might compromise their operational and commercial viability whilst at the same time supporting proposals that would enhance, upgrade, or support the existing facilities. Evidence should be submitted alongside a proposal within a harbour, port or marina area demonstrating the requirement for a harbour, port or marina location, the impact of the development on the commercial viability of the harbour or port and that there are no potential adverse impacts, unless it is of such economic importance to outweigh the negative impacts. This evidence must be proportionate to the scale of the proposal and potential impact. Large scale infrastructure proposals will require submission of an Environmental

Impact Assessment; the need for this will be identified through consultation with DAERA. The Council will support a proposal, when satisfied that it will not have any unacceptable adverse impacts on the marine area, its ecosystem services and other marine users.

In preparing and developing any coastal proposal consideration should be given to the Integrated Coastal Zone Management Strategy for NI 2006-2026 and to Article 15 of the Wildlife (NI) Order 1985 (as amended). Article 15 contains information as to when it is regarded as an offence to release or allow to escape into the wild specific plants or animals. These requirements are outside the remit of the Council and further information should be obtained from NIEA.

This policy will support appropriate development that avoids adverse impacts on the landscape and seascape character and where possible protects any natural resources. In order to protect amenity value within the Developed Coast there will be a presumption against inappropriate development on green areas and open space.

It is also recognised that marine heritage and other forms of historic environment can provide social, economic and environmental benefits to a settlement or location by contributing to an area's sense of place, character and history. Consultation with Historic Environment Division (HED) and DAERA Marine and Fisheries Divisions will therefore be required to ensure marine archaeological sites are managed and protected for future generations. A position statement produced by HED sets out their objectives in conserving the marine heritage of Northern Ireland and obligations under UK historic environment legislation and policy<sup>189</sup>. Legislation and policy for marine heritage sites can be found on the DfC website.

There are various benefits to be realised by improving public access to the coast. Equitable access will increase the settlement's value as a visitor attraction, enhance the wellbeing of local communities and incentivise the public to become more physically active. In addition, psychologically restorative effects of water will be gained through enhancing coastal amenity open space and opening views of the sea.

Proposals will be favoured when they respect the coastal location and setting, promoting public access to and enjoyment of the developed coast, hence enhancing public health and wellbeing alongside strengthening local communities.

Waterfront regeneration schemes are opportunities to enhance the Developed Coast. They can open up access to the coast, encourage people to engage with the water setting and enhance the environment through landscaping. Consultation with relevant stakeholders and the community is important when undertaking regeneration and will ensure that designs meet the needs of the community and visitors. Applicants should incorporate soft engineering and nature-based design that will result in multifaceted benefits, from enhancing health to habitat creation. Subject to meeting all other relevant policies, there will be favourable consideration given to proposals for schemes that enhance urban waterfronts through these methods.

189 [www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-conserving-the-marine-heritage-hed-statement.pdf](http://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-conserving-the-marine-heritage-hed-statement.pdf).

# 25 Land Instability or Coastal Erosion

## Policy DAR1

### Development at Risk from Land Instability or Coastal Erosion

The Council will not permit development in known<sup>190</sup> areas of land instability and/or coastal erosion and will apply a precautionary approach to development in locations which may be susceptible to land instability and/or coastal erosion.

Where the risk from land instability and/or coastal erosion is uncertain, the applicant will be required to submit a land instability assessment and/or coastal vulnerability assessment addressing the following matters:

- The extent of land at risk from land instability and/or coastal erosion, considering the effects of climate change; and
- Any remedial management measures required to deal with any potential land instability and/or coastal erosion.

New development will not be permitted on land at risk of land instability and/or coastal erosion/change in any of the following cases:

- Development constraints arising from land instability and/or coastal processes cannot be sufficiently addressed to eliminate the risk to property and/or health and safety; or
- There is insufficient information to determine if the proposal will have a significant adverse impact on coastal processes or future land instability; or
- There is insufficient information as to the level of risk and the threat to property and/or health and safety; or
- Where the nature of the investigative work and/or the remedial measures to be employed would be likely to trigger or exacerbate land instability or coastal erosion elsewhere.

Coastal development proposals must accord with Strategic Policy CDS1 Coastal Development and Policies CO1-CO2.

Development at risk from flooding must accord with Strategic Policy FRDS1 and Policies FRD1-FRD6.

<sup>190</sup> A known area of land instability or coastal erosion is one where the level of risk has been established by robust scientific evidence.

## Justification and Amplification

This policy applies a presumption against development in areas of 'known' risk of land instability across the whole district. Land instability is not limited to the coast and can also occur inland. This policy applies to development proposals on inland areas of land instability that may be at risk from landslides or the risks associated with compressible ground and abandoned mines. Geological Survey for Northern Ireland (GSNI) will be consulted on all applications within or close to areas that are considered to be at risk of land instability.

If it is suspected that land stability may be an issue, developers should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is evident or suspected.

A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed planning application is prepared. Applicants should ensure that any necessary investigations are undertaken to ascertain that their sites are and will remain stable or can be made so as part of the development of the site. A site needs to be assessed in the context of surrounding areas where subsidence, landslides and land compression could threaten the development within its anticipated life or damage neighbouring land or property.

The Council will consult with the Department for the Economy/GSNI and DAERA in assessing the potential risks from land instability and coastal erosion and any remedial management measures that are proposed to address these risks.

Given the lack of current information necessary to identify the vulnerable coast, this policy applies a precautionary approach to development on the whole Newry, Mourne and Down coast<sup>191</sup>. When robust scientific evidence emerges, this policy will then prohibit development within those sections of the coast known to be as at risk of land instability and/or coastal erosion.

Natural coastal processes involve coastal erosion, sediment transfer and deposition. Climate change is increasing the rate at which erosion is taking place in some locations due to sea level rise and the increased frequency of storms events. This is resulting in negative impacts such as risk to property and life. The cumulative effect of piecemeal development on the coast results in coastal squeeze which can reduce sediment availability and will also undermine the coast's natural function resulting in land and ecosystem loss. Accordingly, to minimise risk and help maintain its natural function it is necessary to avoid development on coastal land, especially in areas known to be at risk from the impacts of coastal change.

Proposals will only be acceptable when the applicant identifies the current level of instability and/or coastal change and demonstrates, if any, remedial measures, including design and nature-based solutions, which would be adequate to permit development. This information must be identified within a Vulnerability Assessment, submitted alongside the application. These assessments should be appropriate to the degree of risk and the scale, nature and location of the development (see Appendix 10).

Where solutions are proposed to enable safe development, regard will be had to the implications for land instability and coastal change elsewhere. Development must not affect the natural balance and stability of the coastline or exacerbate the rate of shoreline change to the extent that changes to the coastline increase nearby or elsewhere. Hard engineered defences can damage habitats important for wildlife by removing the vegetated transition from shore to land. In addition, hard engineered coastal defences, such as sea walls and rock armouring, work against natural processes, having displacing effects, making erosion worse elsewhere and increasing the risk of flooding. These consequences have long-term cost implications, requiring ongoing spending on inspections and the maintenance of defences. This places a long-term financial and resource burden on the responsible authority. Therefore, the proposal of new hard engineered

<sup>191</sup> For the purposes of this policy the Newry, Mourne and Down coast entails both the developed and undeveloped coast, see coastal policies CO1-2.

flood defences, will not be seen as justification to allow development in an area of risk to proceed.

In carrying out site investigations, applicants must take account of potential impacts on landscape and seascape character, biodiversity and archaeology. Any unresolved threat to property or health and safety due to instability or coastal change will preclude development, as will insufficient information about the level of risk. All terrestrial planning authorisation and enforcement decisions that affect or might affect the marine area, must be in accordance with the Marine Planning Statement and the draft Marine Plan for Northern Ireland.

Proposals will not be acceptable if they impair the ability of communities and the natural environment to adapt sustainably to the impacts of a changing climate.





# 7

# Monitoring and Review

## Legislative and Policy Context

The LDP provides a long-term planning framework for a council area. Therefore, a development plan document must be capable of responding to changing circumstances. The monitoring and review process is an essential component of the LDP, as it provides the basis to trigger any requirement to amend the Plan Strategy or Local Policies Plan.

## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

The Planning Act (Northern Ireland) 2011 (Section 21) outlines the requirements for the Council's Annual Monitoring Report. This report must specify how the objectives of the LDP are being achieved.

The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 outlines that this report must cover the period between 1 April to 31 March of each year (known as the reporting period). The annual monitoring report must specify:

- a the housing land supply at the beginning and end of the reporting period;
- b the number of net additional housing units built in the council's district for— (i) the reporting period, and (ii) the period since the local policies plan was first adopted or approved;
- c the supply of land for economic development purposes in the council's district; and
- d such other issues as appear to the council to be relevant to the implementation of the Local Development Plan.

Development Plan Practice Note 06 notes that in order to accurately monitor the above categories, councils may set up appropriate structures to monitor and assess housing and economic development and ensure appropriate delivery mechanisms.

As noted in the SPPS, the statutory requirement for all councils to undertake the monitoring and review process provides more flexibility and enables councils to adapt to changing circumstances within their district. The SPPS outlines that a council may revise its Plan Strategy or Local Policies Plan at any time after adoption, or through direction by DfI. The size and scale

of the amendments required could potentially result in a replacement of the full LDP.

Development Plan Practice Note 06 further advises that the monitoring process must show how objectives, policies and proposals for the area will be implemented.

Every council must also undertake monitoring requirements as part of the SA and EQIA of the LDP.

### Council approach to monitoring of the Local Development Plan

To assist in monitoring the objectives and policies in the Plan Strategy, and to meet the statutory requirements outlined above, Newry, Mourne and Down District Council have developed a Monitoring Framework which measures the Plan objectives and policies against a range of indicators and targets.

In accordance with the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Council's annual monitoring report will focus on the following indicators:

- a Housing land supply;
- b Number of net additional housing units built;
- c Supply of land for economic development purposes; and
- d Other issues the Council deem to be relevant to the implementation of the LDP.

The indicators may be revised, to allow for more responsive monitoring, in instances where new data or information becomes available to the Council. In addition, a range of other

indicators are provided for the various subject areas under the relevant Plan Objectives of Social, Economic and Environmental.

### Council approach to review of the Local Development Plan

The Council will use the Annual Monitoring Report, and any comments received from DfI to assess the ongoing need for review of the LDP. The results from the Annual Monitoring Reports will provide the information as to assess if the LDP is achieving the objectives outlined in the framework. During this review process, the Council will consider whether corrective action is necessary to the LDP.

As outlined in the Statement of Community Involvement, following adoption, a five-year review will also be carried out to ensure that the LDP is kept up to date and reflects emerging issues at the local or regional level. The scope of the Plan review will be greater than the Annual Monitoring Report. This review, which will be fully reflective of the monitoring framework, will consider whether the Plan's objectives remain relevant.

The following Table sets out a range of indicators, monitoring targets and review triggers which will inform the Council on the effectiveness of the Policy. The Council may consider if ongoing monitoring is sufficient or whether a review of the Plan Strategy is required.

## Social: Accommodating People, Creating Quality Places and Improving Health and Wellbeing

| Indicator                                                                                                                                                                                                                        | Monitoring Target                                                                                                                  | Review Trigger                                                                                                                                             | Source of Information                                                                                      | Relevant Policies                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>1. To further develop Newry City as a regional gateway city and Downpatrick as a main hub within the district.</b>                                                                                                            |                                                                                                                                    |                                                                                                                                                            |                                                                                                            |                                                                                                                       |
| <b>Focused population growth across the regional gateway city and main hub.</b>                                                                                                                                                  | To generally align the spatial distribution of new housing with Housing Land Allocation.                                           | Number of new dwellings approved in Newry and Downpatrick exceeds 10% of the targets set out in the Indicative Strategic Housing Land Allocation.          | <ul style="list-style-type: none"> <li>Census (NISRA)</li> <li>Annual Housing Monitor</li> </ul>           | <ul style="list-style-type: none"> <li>HS1-HS3</li> <li>SETT1-SETT2</li> <li>HOU1-9</li> </ul>                        |
| <b>Balanced economic growth across the settlement hierarchy.</b>                                                                                                                                                                 | No land zoned for economic development lost to alternative uses (excluding sui generis uses) in the SELs in Newry and Downpatrick. | Where more than 10% of the floor space within a SEL is approved for alternative uses (other than sui generis uses) in Newry and Downpatrick.               | <ul style="list-style-type: none"> <li>Annual Economic Land Monitor</li> <li>Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>EDS1-EDS2</li> <li>ED1</li> <li>ED8</li> </ul>                                 |
| <b>2. To protect and sustain the role of local and small towns so they act as local centres for housing and community services.</b>                                                                                              |                                                                                                                                    |                                                                                                                                                            |                                                                                                            |                                                                                                                       |
| <b>Balanced population growth across the settlement hierarchy.</b>                                                                                                                                                               | To generally align the spatial distribution of new housing with Housing Land Allocation.                                           | Number of new dwellings approved in local and small towns exceeds 10% of the targets set out in Indicative Strategic Housing Land Allocation.              | <ul style="list-style-type: none"> <li>Annual Housing Monitor</li> <li>Planning approvals</li> </ul>       | <ul style="list-style-type: none"> <li>HS1-HS3</li> <li>SETT1-SETT2</li> <li>HOU1-9</li> </ul>                        |
| <b>Balanced economic growth across the settlement hierarchy.</b>                                                                                                                                                                 | No land zoned for economic development lost to alternative uses (excluding sui generis uses).                                      | Where more than 30% of the floor space for employment zonings is approved for alternative uses (other than sui generis uses) in the local and small towns. | <ul style="list-style-type: none"> <li>Annual Economic Land Monitor</li> <li>Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>RS1</li> <li>RET1-RET4</li> <li>EDS1-EDS2</li> <li>ED1</li> <li>ED8</li> </ul> |
| <b>Balanced community services across the settlement hierarchy.</b>                                                                                                                                                              | No target - monitor.                                                                                                               | —                                                                                                                                                          | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                       | <ul style="list-style-type: none"> <li>CF1</li> </ul>                                                                 |
| <b>3. To provide for vital and vibrant rural communities in our villages and small settlements, which meet the daily needs of their rural hinterland, whilst protecting the countryside by accommodating sustainable growth.</b> |                                                                                                                                    |                                                                                                                                                            |                                                                                                            |                                                                                                                       |
| <b>Balanced population growth across the settlement hierarchy.</b>                                                                                                                                                               | To generally align the spatial distribution of new housing with Housing Land Allocation.                                           | Number of new dwellings approved in villages and small settlements exceeds 10% of the target set out in Indicative Strategic Housing Land Allocation.      | <ul style="list-style-type: none"> <li>Annual Housing Monitor</li> <li>Planning approvals</li> </ul>       | <ul style="list-style-type: none"> <li>HS1-HS3</li> <li>SETT1-SETT2</li> <li>HOU1-9</li> </ul>                        |

## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

| Indicator                                                                                                                       | Monitoring Target                                                                                                                                                                                                                                                                                                                    | Review Trigger                                                                                                                | Source of Information                                                                                                                                                                                                           | Relevant Policies                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Number of planning approvals for new developments.                                                                              | No target.                                                                                                                                                                                                                                                                                                                           | No trigger - monitor trend.                                                                                                   | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                                                                                            | <ul style="list-style-type: none"> <li>SP1</li> <li>CS1</li> <li>EDS1</li> <li>TS1</li> <li>COU1-8</li> <li>HE14</li> <li>ED2-7</li> <li>OS2-10</li> <li>TOU2-7</li> </ul> |
| Number of planning approvals for conversion or replacement of existing buildings in the countryside.                            | No target.                                                                                                                                                                                                                                                                                                                           | No trigger - monitor trend.                                                                                                   | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                                                                                            | <ul style="list-style-type: none"> <li>SP1</li> <li>CS1</li> <li>COU1-8</li> </ul>                                                                                         |
| 4. To provide for approximately 11,000 new homes by 2035 across a mix of housing type, size and tenure in accessible locations. |                                                                                                                                                                                                                                                                                                                                      |                                                                                                                               |                                                                                                                                                                                                                                 |                                                                                                                                                                            |
| Total number of planning approvals for new dwellings within: Settlements; and The countryside.                                  | To ensure that there is sufficient land remaining available in settlements to meet the Indicative Strategic Housing Allocation.                                                                                                                                                                                                      | Less than a 5-year supply of land to enable the Indicative Strategic Housing Allocation to be met.                            | <ul style="list-style-type: none"> <li>Annual Housing Monitor 1 April to 31 March</li> </ul>                                                                                                                                    | <ul style="list-style-type: none"> <li>SP1</li> <li>SETT1-SETT2</li> <li>HS1-HS3</li> <li>HOU1-9</li> </ul>                                                                |
| Total number of Affordable Housing approved/ built within: Settlements; and The countryside                                     | <p>Within Newry City and towns, on sites of 0.5ha or comprising 10 units or more, provision should be made for a minimum of 20% affordable housing.</p> <p>Within villages and small settlements, on sites of 0.2ha or comprising of 5 residential units or more, provision should be made for a minimum 20% affordable housing.</p> | Affordable housing provision more than 10% above respective targets set out in the Housing Needs Assessment for the district. | <ul style="list-style-type: none"> <li>Annual Housing Monitor 1 April to 31 March</li> <li>NIHE Housing Needs Assessment</li> <li>NIHE Strategic Housing Market Analysis (SHMA)</li> <li>NI Housing Statistics (DfC)</li> </ul> | <ul style="list-style-type: none"> <li>HOU5</li> </ul>                                                                                                                     |



| Indicator                                                                                                                                                      | Monitoring Target          | Review Trigger | Source of Information                                                                                                                                                          | Relevant Policies                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Total number of Traveller Accommodation approved/built.                                                                                                        | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>• Annual Housing Monitor 1 April to 31 March</li> <li>• NIHE Housing Needs Assessment</li> <li>• NI Housing Statistics (DfC)</li> </ul> | <ul style="list-style-type: none"> <li>• HOU9</li> </ul>                 |
| Total number of Specialist Accommodation approved/built.                                                                                                       | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>• Annual Housing Monitor 1 April to 31 March</li> <li>• NIHE Housing Needs Assessment</li> <li>• NI Housing Statistics (DfC)</li> </ul> | <ul style="list-style-type: none"> <li>• HOU8</li> </ul>                 |
| <b>5. To support the regeneration of disadvantaged and deprived areas.</b>                                                                                     |                            |                |                                                                                                                                                                                |                                                                          |
| Largely achieved through the number and variety of housing and employment zonings set out in the Plan Strategy (see 1–4 above).                                | —                          | —              | —                                                                                                                                                                              | —                                                                        |
| <b>6. To recognise the need of growing families, elderly and disabled by accommodating development which allows people to remain within their communities.</b> |                            |                |                                                                                                                                                                                |                                                                          |
| Number of dwellings approved which are adaptable and accessible homes or provide specialist residential accommodation.                                         | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>• Annual Housing Monitor 1 April to 31 March</li> <li>• NIHE Housing Needs Assessment</li> <li>• NI Housing Statistics (DfC)</li> </ul> | <ul style="list-style-type: none"> <li>• HOU7</li> <li>• HOU8</li> </ul> |

## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

| Indicator                                                                                                                                                                | Monitoring Target                                                                                                                                                                                                                                                                            | Review Trigger                                                                     | Source of Information                                                  | Relevant Policies                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>7. To facilitate the development of new community facilities at locations accessible to the communities they serve, through a variety of modes of transportation.</b> |                                                                                                                                                                                                                                                                                              |                                                                                    |                                                                        |                                                                                                           |
| Number of new community facilities approved in settlements and the countryside.                                                                                          | No target – monitor trend.                                                                                                                                                                                                                                                                   | —                                                                                  | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>• OSS1</li> <li>• CF1</li> <li>• CS1</li> <li>• OS1-10</li> </ul>  |
| <b>8. To protect and enhance the provision of open space across the district to support health and wellbeing.</b>                                                        |                                                                                                                                                                                                                                                                                              |                                                                                    |                                                                        |                                                                                                           |
| Total amount of open space                                                                                                                                               | Retain existing level of open space.                                                                                                                                                                                                                                                         | Loss of existing open space.                                                       | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>• SP1</li> <li>• OSS1</li> <li>• OS1-10</li> </ul>                 |
| New public open space delivered through housing development.                                                                                                             | Residential development of 25+ units must provide public open space as an integral part of the development. Residential development of 100 units or more, or for development sites of 5ha or more, an equipped children's play area will be required as an integral part of the development. | More than one proposal approved contrary to the specified open space requirements. | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>• SP1</li> <li>• OSS1</li> <li>• HOU1</li> <li>• OS1-10</li> </ul> |
| <b>9. To provide for quality public spaces and 'shared spaces' that are accessible to all.</b>                                                                           |                                                                                                                                                                                                                                                                                              |                                                                                    |                                                                        |                                                                                                           |
| Number of planning permissions granted on zoned Open Space.                                                                                                              | To limit the loss of quality public spaces and shared spaces.                                                                                                                                                                                                                                | Net loss of significant area of zoned open space to private use.                   | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>• SP1</li> <li>• OSS1</li> <li>• OS1-10</li> </ul>                 |

## Economic: Creating Jobs, Promoting Prosperity and Supporting Transport and Other Infrastructure

| Indicator                                                                                                                                                                                                                                                                                          | Monitoring Target                                                                                                    | Review Trigger                                                                                                                                                                                                                     | Source of Information                                                                                                                                                             | Relevant Policies                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 1. To ensure there is a generous supply of suitable land to meet economic development needs within the district over the Plan period, at a variety of locations where they are accessible to all members of the community, including those without a private car.                                  |                                                                                                                      |                                                                                                                                                                                                                                    |                                                                                                                                                                                   |                                                                                                |
| Quantity of land zoned for economic development (B1-B4 uses) within the district's settlements.                                                                                                                                                                                                    | No land zoned for economic development lost to alternative uses (other than sui generis uses).                       | Where more than 10% of a Strategic Employment Land (SEL) zoning is approved for alternative uses (other than sui generis uses) or 30% of a local employment zoning is approved for alternative uses (other than sui generis uses). | <ul style="list-style-type: none"> <li>Annual Economic Land Monitor</li> <li>Planning approvals</li> </ul>                                                                        | <ul style="list-style-type: none"> <li>EDS1</li> <li>EDS2</li> <li>ED1</li> </ul>              |
| 2. To encourage and accommodate entrepreneurship and innovation for large, medium, and small firms by ensuring a variety of sites based on size, quality and choice.                                                                                                                               |                                                                                                                      |                                                                                                                                                                                                                                    |                                                                                                                                                                                   |                                                                                                |
| Quantity of land zoned for economic development (B1-B4 uses) within the district's settlements.                                                                                                                                                                                                    | No land zoned for economic development lost to alternative uses (other than sui generis uses).                       | Where more than 10% of a SEL zoning is approved for alternative uses (other than sui generis uses) or 30% of a local employment zoning is approved for alternative uses (other than sui generis uses).                             | <ul style="list-style-type: none"> <li>Annual Economic Land Monitor</li> <li>Planning approvals</li> </ul>                                                                        | <ul style="list-style-type: none"> <li>EDS1</li> <li>EDS2</li> <li>ED1</li> <li>ED8</li> </ul> |
| 3. To facilitate Newry City to capitalise on its role as the South Eastern City Gateway, on the Belfast/Dublin economic corridor, similarly maximising Warrenpoint/Burren as a local hub and major port, whilst ensuring Downpatrick as our main town is strengthened as a main employment centre. |                                                                                                                      |                                                                                                                                                                                                                                    |                                                                                                                                                                                   |                                                                                                |
| Number of planning approvals within Newry City, Warrenpoint/Burren and Downpatrick which are related to economic development.                                                                                                                                                                      | To monitor economic growth of Newry City, Warrenpoint/Burren and Downpatrick outside of existing employment zonings. | —                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Job statistics (NISRA Quarterly Employment Survey)</li> <li>Annual Land monitor 1 April to 31 March</li> <li>Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>EDS1</li> <li>EDS2</li> <li>ED1</li> <li>ED8</li> </ul> |

## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

| Indicator                                                                                                                                                                        | Monitoring Target                                                                                                   | Review Trigger                                                              | Source of Information                                                                                   | Relevant Policies                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>4. To support the district as a major leisure destination which promotes sustainable tourism initiatives underpinned by tourism infrastructure in appropriate locations.</b>  |                                                                                                                     |                                                                             |                                                                                                         |                                                                                                                                                |
| <b>Number of tourist accommodation planning approvals in settlements and the countryside.</b>                                                                                    | To monitor tourist accommodation applications.                                                                      | —                                                                           | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• Tourism NI statistics</li> </ul> | <ul style="list-style-type: none"> <li>• SP1</li> <li>• TS1</li> <li>• OSS1</li> <li>• CS1</li> <li>• OS1-OS10</li> <li>• TOU1-TOU8</li> </ul> |
| <b>Number of tourism schemes planning approvals in settlements and the countryside.</b>                                                                                          | To monitor tourism development applications.                                                                        | —                                                                           | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• Tourism NI statistics</li> </ul> | <ul style="list-style-type: none"> <li>• SP1</li> <li>• TS1</li> <li>• OSS1</li> <li>• CS1</li> <li>• TOU1-TOU8</li> </ul>                     |
| <b>5. To achieve strong and vibrant city and town centres supported by a hierarchy of centres that sustainably meet the shopping, working and leisure needs of the district.</b> |                                                                                                                     |                                                                             |                                                                                                         |                                                                                                                                                |
| <b>Number of retail applications approved within Newry City and Downpatrick main hub, and the town centres (Newcastle, Ballynahinch, Kilkeel and Warrenpoint/Burren).</b>        | At least 90% of net additional retail floorspace by 2035 to be in Newry and the district's designated town centres. | More than 10% of retail floorspace approved outside Newry and town centres. | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul>                                  | <ul style="list-style-type: none"> <li>• SP1</li> <li>• RS1</li> <li>• RET1-RET7</li> </ul>                                                    |
| <b>Promotion of a 'Town Centre First' approach through restricting retailing and other town centre uses outside of designated town centres.</b>                                  | At least 90% of additional retail floorspace by 2035 to be in Newry and the district's designated town centres.     | More than 10% of retail floorspace approved outside Newry and town centres. | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul>                                  | <ul style="list-style-type: none"> <li>• SP1</li> <li>• RS1</li> <li>• RET1-RET7</li> </ul>                                                    |

| Indicator                                                                                                                                                                                                                           | Monitoring Target                                                                               | Review Trigger                                                                    | Source of Information                                                                                                          | Relevant Policies                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>6. To protect and sustain the role of local and small towns so they act as local centres for shops, employment and leisure of an appropriate scale and support our villages to meet the needs of the surrounding rural area.</b> |                                                                                                 |                                                                                   |                                                                                                                                |                                                                                         |
| Number of planning applications within local and small towns (Saintfield, Castlewellan, Crossmaglen, Crossgar and Killyleagh).                                                                                                      | At least 90% of net additional retail floorspace by 2035 to be in local and small town centres. | More than 10% of retail floorspace approved outside local and small town centres. | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                           | <ul style="list-style-type: none"> <li>SP1</li> <li>RS1</li> <li>RET1-RET7</li> </ul>   |
| <b>7. Provide for sustainable economic development in the countryside.</b>                                                                                                                                                          |                                                                                                 |                                                                                   |                                                                                                                                |                                                                                         |
| Number of planning applications for economic development in the countryside.                                                                                                                                                        | No target. Monitor trend.                                                                       | —                                                                                 | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                           | <ul style="list-style-type: none"> <li>SP1</li> <li>ED2</li> <li>ED7</li> </ul>         |
| <b>8. To promote integration between transportation and new development to reduce the need to travel and reduce dependency upon travel by car.</b>                                                                                  |                                                                                                 |                                                                                   |                                                                                                                                |                                                                                         |
| Active Travel schemes which provide improved linkages.                                                                                                                                                                              | Delivery of schemes which support Active Travel (walking, cycling and public transport).        | Consideration of modal shift to walking, cycling and public transport.            | <ul style="list-style-type: none"> <li>Statistics from DfI and Translink on modal shift</li> <li>Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>SP1</li> <li>TRS1</li> <li>TRA1-TRA10</li> </ul> |
| Number of new or extended park and ride/park and share facilities to reduce the need to travel by private car.                                                                                                                      | An increase in the current provision and usage of park and ride/park and share facilities.      | No increase in current provision and usage of park and ride/park and share.       | <ul style="list-style-type: none"> <li>Statistics from DfI and Translink on modal shift</li> <li>Planning approvals</li> </ul> | <ul style="list-style-type: none"> <li>SP1</li> <li>TRS1</li> <li>TRA1-TRA10</li> </ul> |



## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

| Indicator                                                                                                                                             | Monitoring Target                                                                                                          | Review Trigger                                                                     | Source of Information                                                                                                                                 | Relevant Policies                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>9. Promote opportunities for sustainable travel including walking, cycling, and public transport and reduce the need to travel by private car.</b> |                                                                                                                            |                                                                                    |                                                                                                                                                       |                                                                                         |
| <b>Active Travel schemes which provide improved linkages.</b>                                                                                         | Delivery of schemes which support Active Travel (walking, cycling and public transport).                                   | Consideration of modal shift to walking, cycling and public transport.             | <ul style="list-style-type: none"> <li>Statistics from DfI and Translink on modal shift</li> <li>Planning approvals</li> </ul>                        | <ul style="list-style-type: none"> <li>SP1</li> <li>TRS1</li> <li>TRA1-TRA10</li> </ul> |
| <b>Number of new or extended park and ride/park and share facilities to reduce the need to travel by private car.</b>                                 | An increase in the current provision and usage of park and ride/park and share facilities.                                 | No increase in current provision and usage of park and ride/park and share.        | <ul style="list-style-type: none"> <li>Statistics from DfI and Translink on modal shift</li> <li>Planning approvals</li> </ul>                        | <ul style="list-style-type: none"> <li>SP1</li> <li>TRS1</li> <li>TRA1-TRA10</li> </ul> |
| <b>10. To protect strategically important transportation routes.</b>                                                                                  |                                                                                                                            |                                                                                    |                                                                                                                                                       |                                                                                         |
| <b>Restriction of new accesses onto Protected Routes.</b>                                                                                             | No new accesses onto Protected Routes, except where justified through policy provision (exceptions listed in policy TRA3). | More than one application permitted in any one year, contrary to DfI Roads advice. | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                  | <ul style="list-style-type: none"> <li>TRS1</li> <li>TRA1-TRA10</li> </ul>              |
| <b>11. To support renewables infrastructure whilst affording protection to the environment.</b>                                                       |                                                                                                                            |                                                                                    |                                                                                                                                                       |                                                                                         |
| <b>Renewable Energy schemes in accordance with Government targets.</b>                                                                                | Compliance with Government targets on energy supply from renewable sources.                                                | —                                                                                  | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>Statistics from DfE and NISRA on renewable energy production and supply</li> </ul> | <ul style="list-style-type: none"> <li>SP1</li> <li>RES1</li> <li>RE1-RE2</li> </ul>    |
| <b>The number and height of wind turbines approved/operational outside of Special Countryside Areas.</b>                                              | No target – monitor trend.                                                                                                 | —                                                                                  | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                  | <ul style="list-style-type: none"> <li>SP1</li> <li>RES1</li> <li>RE1-RE2</li> </ul>    |

| Indicator                                                                                                                       | Monitoring Target                                                                                                                     | Review Trigger                                                        | Source of Information                                                                                           | Relevant Policies                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| The number and height of wind turbines approved/operational within Special Countryside Areas.                                   | No new wind turbines within Special Countryside Areas.                                                                                | Any wind turbine proposal approved within a Special Countryside Area. | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                            | <ul style="list-style-type: none"> <li>SP1</li> <li>RES1</li> <li>RE1-RE2</li> </ul> |
| 12. To support digital connectivity which meets the needs of business and private households while reducing the need to travel. |                                                                                                                                       |                                                                       |                                                                                                                 |                                                                                      |
| Provision of telecommunications and digital infrastructure.                                                                     | Delivery of a fit for purpose telecommunications and digital infrastructure which meets the needs of business and private households. | —                                                                     | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>Statistics and reports from Ofcom</li> </ul> | <ul style="list-style-type: none"> <li>TUS1</li> <li>TCU1-TCU2</li> </ul>            |
| 13. To accommodate appropriate investment in public utilities and sustainable waste management.                                 |                                                                                                                                       |                                                                       |                                                                                                                 |                                                                                      |
| Amount of municipal waste reduced and recycled.                                                                                 | Compliance with National and Local targets on waste management, including the Council's waste management plan.                        | —                                                                     | <ul style="list-style-type: none"> <li>Waste management statistics (DAERA)</li> </ul>                           | <ul style="list-style-type: none"> <li>WMS1</li> <li>WM1-WM5</li> <li>WW1</li> </ul> |

## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

## Environmental: Protecting and Enhancing the Historic Environment and Natural Heritage

| Indicator                                                                                                                                 | Monitoring Target                                                                                            | Review Trigger                                                                                                                       | Source of Information                                                                                                                    | Relevant Policies                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 1. To protect, conserve and, where possible, enhance the historic environment to achieve quality design and support economic opportunity. |                                                                                                              |                                                                                                                                      |                                                                                                                                          |                                                                                    |
| <b>Demolition of Listed Buildings.</b>                                                                                                    | No demolition of listed buildings approved over a five-year period contrary to advice received from DfC HED. | More than one application approved for the demolition of a listed building in any one year contrary to advice received from DfC HED. | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>PAC decisions</li> <li>Heritage at Risk Register (UAH/HED)</li> </ul> | <ul style="list-style-type: none"> <li>ENVS2</li> <li>HE9</li> </ul>               |
| <b>Demolition of buildings within Conservation Areas (CAs).</b>                                                                           | Monitor all applications for demolition in CAs approved over a five-year period.                             | More than 10% of applications for demolition in Conservation Areas approved over a five-year period.                                 | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>PAC decisions</li> <li>Heritage at Risk Register (UAH/HED)</li> </ul> | <ul style="list-style-type: none"> <li>ENVS2</li> <li>HE13</li> </ul>              |
| <b>Changes within Areas of Significant Archaeological Interest.</b>                                                                       | No inappropriate development contrary to policy provisions.                                                  | More than one application approved in any one year, contrary to HE1-HE2.                                                             | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>PAC decisions</li> </ul>                                              | <ul style="list-style-type: none"> <li>ENVS2</li> <li>HE1-HE2</li> </ul>           |
| 2. To protect, conserve and enhance the districts heritage assets and promote their sensitive re-use.                                     |                                                                                                              |                                                                                                                                      |                                                                                                                                          |                                                                                    |
| <b>Demolition of Listed Buildings.</b>                                                                                                    | No demolition of listed buildings approved over a five-year period contrary to advice received from DfC HED. | More than one application approved for the demolition of a listed building in any one year contrary to advice received from DfC HED  | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>PAC decisions</li> <li>Heritage at Risk Register (UAH/HED)</li> </ul> | <ul style="list-style-type: none"> <li>ENVS2</li> <li>HE9</li> </ul>               |
| <b>Demolition of buildings within Conservation Areas (CAs).</b>                                                                           | Monitor all applications for demolition in CAs approved over a five-year period.                             | More than 10% of applications for demolition in Conservation Areas approved over a five-year period.                                 | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>PAC decisions</li> <li>Heritage at Risk Register (UAH/HED)</li> </ul> | <ul style="list-style-type: none"> <li>ENVS2</li> <li>HE13</li> </ul>              |
| <b>Re-use of non-listed vernacular and locally important buildings; change of use of Listed Buildings.</b>                                | No target. Monitor trend.                                                                                    | —                                                                                                                                    | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>PAC decisions</li> </ul>                                              | <ul style="list-style-type: none"> <li>ENVS2</li> <li>HE6</li> <li>HE14</li> </ul> |

| Indicator                                                                                                                                                                                                                                                              | Monitoring Target                                                                 | Review Trigger                                                                                                                                                                                                                        | Source of Information                                                                                                                          | Relevant Policies                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>3. To protect, conserve and enhance townscape character, delivering high-quality design that helps to create a sense of place.</b>                                                                                                                                  |                                                                                   |                                                                                                                                                                                                                                       |                                                                                                                                                |                                                                                             |
| <b>Demolition of buildings within Areas of Townscape Character (ATCs).</b>                                                                                                                                                                                             | Monitor all applications for demolition in ATCs approved over a five-year period. | More than 10% of applications for demolition in Areas of Townscape Character approved over a five-year period.                                                                                                                        | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• PAC decisions</li> <li>• Heritage at Risk Register (UAH/HED)</li> </ul> | <ul style="list-style-type: none"> <li>• ENVS2</li> <li>• HE13</li> </ul>                   |
| <b>4. To protect, conserve, enhance and restore the district's natural heritage to support biodiversity in its habitats, species, landscapes and earth science features, and promote health and wellbeing.</b>                                                         |                                                                                   |                                                                                                                                                                                                                                       |                                                                                                                                                |                                                                                             |
| <b>Number of permissions on International, National, Local sites, designated sites and plan designations: Ramsar, ASSI, National Nature Reserve, Local Nature Reserve, Wildlife Refuge, Areas of High Scenic Value, SCAs, Local Landscape Policy Areas and SLNCIs.</b> | No inappropriate development contrary to policy provisions.                       | <p>For International sites – more than 1 application approved under exceptional circumstances in any one year (all sites).</p> <p>For National and Local sites – more than two applications approved in any one year (all sites).</p> | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• PAC decisions</li> </ul>                                                | <ul style="list-style-type: none"> <li>• ENVS1</li> <li>• NH1-5</li> <li>• LA1-4</li> </ul> |
| <b>Changes within Areas of Significant Archaeological Interest.</b>                                                                                                                                                                                                    | No inappropriate development contrary to policy provisions.                       | More than one application approved in any one year, contrary to HE1-HE2.                                                                                                                                                              | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• PAC decisions</li> </ul>                                                | <ul style="list-style-type: none"> <li>• ENVS2</li> <li>• HE1-HE2</li> </ul>                |

## PART 2: PLAN STRATEGY / 7. MONITORING AND REVIEW

| Indicator                                                                                                                                                                                                                                                              | Monitoring Target                                          | Review Trigger                                                                                                                                                                                                                   | Source of Information                                                                                              | Relevant Policies                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>5. To protect our sensitive landscapes from inappropriate development.</b>                                                                                                                                                                                          |                                                            |                                                                                                                                                                                                                                  |                                                                                                                    |                                                                                            |
| <b>Number of permissions on International, National, Local sites, designated sites and plan designations: Ramsar, ASSI, National Nature Reserve, Local Nature Reserve, Wildlife Refuge, Areas of High Scenic Value, SCAs, Local Landscape Policy Areas and SLNCIs.</b> | Monitor planning applications within sensitive landscapes. | Loss of designated sites protected or damage to sensitive landscapes and biodiversity through planning approvals.                                                                                                                | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• PAC decisions</li> </ul>                    | <ul style="list-style-type: none"> <li>• ENV51</li> <li>• NH1-5</li> </ul>                 |
| <b>6. To reduce vulnerability to climate change and prevent inappropriate new development in areas known to be at risk of flooding, coastal erosion or land instability.</b>                                                                                           |                                                            |                                                                                                                                                                                                                                  |                                                                                                                    |                                                                                            |
| <b>Development in flood plains.</b>                                                                                                                                                                                                                                    | No development contrary to policy provisions.              | More than one application approved in any one year, contrary to DfI Rivers advice, unless justified as being of overriding regional/ sub regional economic importance and the proposal requires a location within a flood plain. | <ul style="list-style-type: none"> <li>• Planning approvals</li> <li>• Strategic Flood Map (DfI Rivers)</li> </ul> | <ul style="list-style-type: none"> <li>• SP1</li> <li>• FRDS1</li> <li>• FRD1-6</li> </ul> |
| <b>Number of planning applications granted which includes SuDS measures.</b>                                                                                                                                                                                           | No target – monitor trend.                                 | —                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• Planning approvals</li> </ul>                                             | <ul style="list-style-type: none"> <li>• SP1</li> <li>• FRD6</li> <li>• OS8</li> </ul>     |



| Indicator                                                                                                                                                                                                                      | Monitoring Target          | Review Trigger | Source of Information                                                                                                                                  | Relevant Policies                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>7. To protect and sustainably manage the district's natural resources by avoiding impacts on water quality and managing the extraction of mineral reserves.</b>                                                             |                            |                |                                                                                                                                                        |                                                                                               |
| Annual mineral extraction rates in the council area.                                                                                                                                                                           | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>Planning approvals</li> <li>DfE Annual Monitoring Report on operational quarries in the council area</li> </ul> | <ul style="list-style-type: none"> <li>MS1</li> <li>MIN1-MIN7</li> </ul>                      |
| <b>8. To protect and enhance the network of blue and green infrastructure to support opportunities for active travel, recreation, health and wellbeing and creation of wildlife habitats.</b>                                  |                            |                |                                                                                                                                                        |                                                                                               |
| Total amount of open space for blue or green infrastructure.                                                                                                                                                                   | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                   | <ul style="list-style-type: none"> <li>SP1</li> <li>OSS1</li> <li>OS1-OS10</li> </ul>         |
| <b>9. To protect and enhance the natural character and landscape of the undeveloped coast protecting it from excessive, inappropriate or obtrusive development.</b>                                                            |                            |                |                                                                                                                                                        |                                                                                               |
| Number of permissions in designated undeveloped coastal area.                                                                                                                                                                  | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                   | <ul style="list-style-type: none"> <li>SP1</li> <li>CDS1</li> <li>CO1</li> </ul>              |
| <b>10. To facilitate appropriate development in coastal settlements and other parts of the developed coast that benefits local communities, contributes to a sustainable economy and is sensitive to its coastal location.</b> |                            |                |                                                                                                                                                        |                                                                                               |
| Number of permissions in designated developed coastal area.                                                                                                                                                                    | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                   | <ul style="list-style-type: none"> <li>SP1</li> <li>CDS1</li> <li>CO2</li> </ul>              |
| <b>11. To enable and support coastal development that is adaptive to coastal change through good design and siting.</b>                                                                                                        |                            |                |                                                                                                                                                        |                                                                                               |
| Number of permissions in designated developed and undeveloped coast.                                                                                                                                                           | No target - monitor trend. | —              | <ul style="list-style-type: none"> <li>Planning approvals</li> </ul>                                                                                   | <ul style="list-style-type: none"> <li>SP1</li> <li>CDS1</li> <li>CO1</li> <li>CO2</li> </ul> |





# Glossary

## A

### Active Travel

An approach to travel and transport by physically active, human powered modes, as opposed to motorised ones (e.g. walking and cycling).

### Areas of Constraint on Mineral Development (ACMDs)

Areas which are designated to protect our sensitive areas, because of their natural heritage, historic environment or scenic value, from the adverse effects caused by the development of mineral resources.

### Affordable Housing

Affordable housing is:

- a Social rented housing; or
- b Intermediate housing for sale; or
- c Intermediate housing for rent

that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively, there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing.

### Agriculture/Agricultural Activity

Defined by Article 4 of Regulation (EU) No. 1307/2013 of the European Parliament and of the Council:

- i production, rearing or growing of agricultural products, including harvesting, milking, breeding animals, and keeping of animals for farming purposes, [or]
- ii maintaining an agricultural area in a state which makes it suitable for grazing or cultivation without preparatory action going beyond usual agricultural methods and machineries based on criteria established by [the relevant authority].

### Agrivoltaics

The practice of using the same land to carry out agriculture and generate solar energy simultaneously.

### Annual Exceedance Probability

The percentage chance of a flood event occurring in a given year.

### Areas of Archaeological Potential (AAPs)

Comprise those areas, usually within historic settlements, which may require mitigating measures (including excavation) in order to safeguard remains when sites are being developed.

### Areas of High Scenic Value (AoHSV)

An area that has been designated through the plan for protection in recognition of its local landscape quality.

### Areas of Outstanding Natural Beauty (AONBs)

An area that has been designated due to its distinctive character and its significant landscape, heritage and wildlife quality. They also have an important amenity value in terms of recreation.

### Areas of Significant Archaeological Interest (ASAIIs)

Areas designated in order to protect not just the individual sites and monuments but the overall landscape setting within which they are located.

### Areas of Special Scientific Interest (ASSIs)

Sites that are protected by reason of their flora, fauna, geological or physiological features. Sites are protected to conserve biodiversity and geodiversity.

### Areas of Townscape Character (ATCs)

Areas which exhibit a distinct character often based on their historic built form or layout. For the most part this derives from the cumulative impact of the area's buildings, their setting, landscape and other locally important features.

## B

### Backland Development

The construction of new buildings immediately behind existing properties.

### Biodiversity

The variety of life that can be found on Earth (plants, animals, fungi and micro-organisms) as well as the communities that they form and the habitats in which they live.

### Brownfield Site

Land that is or was occupied by a permanent structure within a defined settlement limit. It may encompass vacant or derelict lands, infill sites, land occupied by redundant or underused buildings, a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated. It does not include the gardens of dwellings and apartments (broadly defined as those areas within the curtilage of a dwelling which do not contain any buildings).

## C

### Climate Change

Long-term shifts in weather patterns.

### Coastal Erosion

Loss or displacement of land along the coastline due to the action of waves, currents, tides, wind-driven water, waterborne ice, or other impacts of storms.

### Code System Operator

An operator of a telecommunications system under Schedule 2 of the Telecommunications Act 1984, known as the 'Telecommunications Code'.

### Community Greenways

These enhance existing open space provision by linking urban green space areas and the countryside. They can serve recreational, ecological, environmental, and visual amenity roles.

### Comparison Goods

In terms of retailing, goods such as furniture, consumer electronics and clothing, that typically require a longer journey to purchase than for convenience goods.

### Conservation Areas (CAs)

Areas of special architectural or historic interest that have been designated under Section 104 of the Planning Act (Northern Ireland) 2011.

### Convenience Goods

In terms of retailing, goods such as food, drink and household goods, which are typically able to be purchased within a short distance of a person's home.

## D

### Density (Residential Density)

Measure of the number of (residential) units per square hectare, calculated by dividing the total number of units by the total area of the site.

### Design and Access Statement

A single document that explains the design thinking behind a planning application. It provides a framework for applicants to explain and justify how a proposed development is a suitable response to the site and its setting. It explains the principals that will be used to guide the future development of a scheme to achieve good design, positive place-making and universal inclusivity.

### Marine Plan for Northern Ireland (Draft)

The draft Marine Plan for Northern Ireland is being under the Marine and Coastal Access Act, 2009 and is made up of two plans, one for the inshore region under the Marine Act (Northern Ireland) 2013 and one for the offshore region. Upon completion in conjunction with other marine policy it will inform and guide the regulation, management, use and protection of the Northern Ireland marine area.

### Drainage Assessment

Investigation and assessment of the most appropriate drainage solution for a development.



## E

**Environmental Impact Assessment (EIA)**

An assessment of the environmental impacts of a proposal which sets out the suggested measures for their mitigation, thresholds for developments which require EIA are set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.

**Equality Impact Assessment (EQIA)**

An assessment undertaken to ensure that public bodies comply with their obligations under Section 75 of the Northern Ireland Act 1998 to those groups identified by it.

## F

**Flood Risk Assessment (FRA)**

An assessment of the risk of flooding from all flooding sources.

## G

**Gateways**

Defined in the RDS as strategically important transport interchange points which connect ports and airports to the internal transport network.

**Green and Blue Infrastructure**

Green and Blue Infrastructure refers to the planning and management of natural and semi-natural areas, like parks, green spaces and waterways, to provide a range of benefits, including environmental protection, flood risk management and improved quality of life.

**Greenfield Site**

Undeveloped land or green space.

## H

**Habitats Regulations Assessment (HRA)**

An assessment of the impact of the Plan policies upon sites designated for nature conservation, as required by The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (As amended).

**Housing Association**

A housing association is an independent, not-for-profit social business that provides both homes and support for people in housing need, as well as key community services. Housing associations build virtually all NI's new affordable homes e.g. social rented or intermediate housing.

**Housing Growth Indicator (HGIs)**

An estimate of future housing need in Northern Ireland. HGIs are used in the preparation of the Local Development Plan as a guide to where development should be directed.

**Housing Needs Assessment**

An assessment by NIHE of local housing needs primarily in relation to general needs social rented, intermediate and supported housing and travellers.

**Hubs**

The RDS spatial framework guidance defines most towns in Northern Ireland as either main hubs or local hubs. A main hub is often a district town that is providing services at a higher level than its size suggests. A 'Hub Cluster' is defined as 'cities and towns which can work together to create a critical mass to attract economic development and deliver services.'

## I

**Independent Examination**

A public hearing contacted by persons appointed by the Department for Infrastructure, which will determine if the Draft Plan Strategy meets the requirements of regional policy and the soundness tests.

## L

**Landslip**

A slow movement of soil, rocks and other material down a slope.

**Listed Building**

A building, object or structure that has been judged to be of national importance in terms of architectural or historic interest that have been listed under Section 80 of the Planning Act (NI) 2011. Lists are subject to ongoing review.

**Local Centre**

Small grouping of shops, typically a general grocery store, a sub-post office, occasionally a pharmacy and other small shops of a local nature.

**Local Policies Plan (LPP)**

The second part of the LDP containing policies relating to settlement limits and zonings which will be prepared by the Council following the adoption of the Plan Strategy.

## M

**Major/Minor Development**

As defined by the Schedule to the Planning (Development Management) Regulations (NI) 2015.

**Material Consideration**

Matters or planning policies which legislation or the courts have determined should be taken into account in the determination of a planning application.

## N

**Natural Heritage**

A diverse range of landscapes, habitats, species and earth science features.

**Nature Reserves**

Areas of importance for flora, fauna, geological or other special feature for conservation purposes and to provide the opportunity for research.

**Northern Ireland Multiple Deprivation Measure**

The official measure of spatial deprivation in NI.

## P

**Planning Appeals Commission (PAC)**

An independent appellate body which may be appointed by the Department for Infrastructure to undertake the Independent Examination into the Draft Plan Strategy.

**Planning Policy Statements (PPSs)**

A suite of documents produced by Central Government that set out operational planning policies across a range of topics. Will be superseded upon adoption of the Plan Strategy.

**Planning Strategy for Rural Northern Ireland (PSRNI)**

Originally published in 1993, the PSRNI set out operational planning policy for areas outside of the Belfast Metropolitan Area and Derry/Londonderry. Now largely superseded by PPS's and SPG, the remaining provisions will be superseded upon adoption of the Draft Plan Strategy

**Programme for Government**

The highest-level strategic document of the NI Executive – setting out its priorities, and the most significant actions it will take to address them.

## R

### **RAMSAR Site**

A wetland site designated of international importance under the RAMSAR Convention of 1971 (in force since 1975).

### **Regional Development Strategy (RDS) 2035**

The RDS 2035 is the spatial strategy of the NI Executive. It is used to inform the spatial policies of all Government Departments until 2035.

### **Retail Impact Assessment**

Undertaken for an application for retail use to assess its impact on the vitality and viability of existing retailing centres within the catchment area of the proposed development.

### **Rural Needs Impact Assessment**

An assessment required by the Rural Needs (Northern Ireland) Act 2016, to ensure that public bodies have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services.

## S

### **Scoping Report**

Part of the Sustainability Appraisal and sets out the methodology that will be used in the SA.

### **Settlement Limit**

Also called "Statutory Development Limit" The boundary of a settlement as defined in a Local Development Plan.

### **Sites of Local Nature Conservation Importance (SLNCIs)**

Areas designated for their characteristic habitats, species or earth science features. As well as making a contribution to local natural heritage, they contribute to National and European biodiversity.

### **Special Areas of Conservation (SACs)**

Strictly protected sites of European importance, recognised for the threatened habitats and species they support.

### **Special Countryside Areas (SCAs)**

An area of countryside designated through the LDP, that provides stricter policy control to manage development in sensitive landscapes which are vulnerable to excessive development pressure.

### **Special Protection Areas (SPAs)**

Strictly protected sites of European importance, designated for their rare and vulnerable birds and for regularly occurring migratory species.

### **Statement of Community Involvement (SCI)**

A document that outlines how a local planning authority intends to engage with the community throughout the planning process, including methods for consultation, communication channels, and key stages where public input will be sought.

### **Strategic Planning Policy Statement (SPPS)**

The SPPS is a statement of the Department for Infrastructure's policy on important planning matters that should be addressed across Northern Ireland.

### **Sustainability Appraisal and Strategic Environmental Assessment (SA and SEA)**

The purpose of the Sustainability Appraisal is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of Local Development Plans. It incorporates the more environmentally focused considerations of Strategic Environmental Assessment and is used to assess the LDP documents against a set of objectives and criteria, to evaluate if it likely to have significant impacts on the environment.

### **Sustainable Development**

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. These needs are generally classified as social, economic and environmental.

### **Sustainable Drainage System (SuDS)**

A drainage solution that provides an alternative to the direct channelling of surface water through networks of pipes and sewers to nearby watercourses. SuDS mimic natural drainage regimes by lowering flow rates and increasing water storage capacity to reduce surface water flooding, improve water quality and enhance the amenity and biodiversity value of the environment.

## T

### **Tourist Accommodation**

Overnight sleeping accommodation for tourists provided by way of trade or business (Art 2 Tourism NI Order 1992).

### **Tourist Amenity**

An amenity, facility or service provided primarily for tourists but does not include tourist accommodation (Art 2 Tourism NI Order 1992).

### **Tourism Development**

Development of a tourist amenity or tourist accommodation.

### **Travellers**

A generic group as defined by the Race Relations (NI) Order 1997 i.e. "having a shared history, culture and traditions, including a nomadic way of life".

### **Travellers Accommodation**

Can include the following:

- 1 Grouped housing: residential housing developments with additional facilities and amenities specifically designed to accommodate extended families on a permanent basis;
- 2 Serviced sites: managed sites where caravans/'park homes' can be based. These sites provide electricity and other services together with communal or individual amenity;
- 3 Transit sites: sites to facilitate temporary or short-term location of caravans. Communal facilities are also provided.

## U

### **Undeveloped Coast**

A designated area of the coastline where a stricter policy control applies in order to prevent inappropriate development that would have a diminishing effect on the landscape and seascape.

### **Urban Capacity Study**

A study undertaken as part of the LDP process which provides a comprehensive analysis of the potential for future housing growth within the urban footprint/built-up areas of larger settlements.

### **Urban Footprint**

The continuous built-up area of the settlement for towns and cities throughout NI. The boundary will be represented by an uninterrupted line, often lying inside the planned settlement limit. The urban footprint contains land which has a formal urban use including land on the edge of the settlement where it forms part of the curtilage of a building. However, this does not necessarily imply that gardens are acceptable for housing development. Undeveloped zoned land at the edge of the settlement will be excluded.

### **Use Class**

A type of activity as defined in the Planning (Use Classes) Order (Northern Ireland) 2015.

## V

### **Viability**

A measure of a town centre's capacity to attract ongoing investment for maintenance, growth or changing needs.

### **Vitality**

A measure of how busy a town centre is.

## W

### **Waste**

Unwanted by-product of industrial, commercial and domestic activities or anything otherwise discarded.

### **Wastewater Treatment Works (WwTWs)**

A facility that removes waste from sewage that could harm the environment, so that the water can be returned to a river or the sea.

### **Windfall Sites**

Housing sites that were neither zoned nor anticipated during the formulation of the development plan but which have become available during the lifetime of the plan.

## Z

### **Zoning**

An area of land in a settlement designated for a particular use in a Local Development Plan.





## Part 2: Plan Strategy

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# Appendices

- 1 LDP Map Viewer/Proposals Map
- 2 Soundness Tests
- 3 Sustainability Statement
- 4 Maps Covering New and Amended Designations
- 5 Common Sources of Light Pollution
- 6 Sustainable Benefit Statement
- 7 Layout and Landscaping Plan for Holiday Parks and Glamping Accommodation
- 8 Flood Risk Assessments and Drainage Assessments
- 9 Sustainable Drainage Systems
- 10 Vulnerability Assessment

## PART 2: PLAN STRATEGY / APPENDICES

# Appendix 1

## LDP Map Viewer/Proposals Map

Relationship between draft Plan Strategy and Existing Area Plans, Banbridge, Newry and Mourne Area Plan (BNMAP) 2015 and Ards and Down Area Plan (ADAP) 2015 prior to the Adoption of the Local Policies Plan.

| Plan Strategy Policy | Designation                                | Approach to be Followed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SETT1<br>SETT2       | Settlement Hierarchy/<br>Settlement Limits | <p>The Settlement Hierarchy in Table 5 supersedes any classification of settlements contained within the BNMAP and ADAP.</p> <p>Settlement Limits remain unchanged from those outlined within BNMAP and ADAP, except for those de-designated settlements.</p> <p>The Settlement Hierarchy and Settlement Limits are shown on the LDP Map Viewer.</p>                                                                                                                                                           |
| HS1<br>HS2<br>HS3    | Land Zoned for Housing                     | Land zoned for housing will remain as shown within the BNMAP and ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                                                                                                                                                                                                                                                    |
| EDS1<br>EDS2         | Land Zoned for Employment                  | Land zoned for employment will remain as shown within the BNMAP and ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                                                                                                                                                                                                                                                 |
| OS1                  | Open Space                                 | Land zoned for open space will remain as shown within the BNMAP and ADAP until the adoption of the LPP. This is shown on the LDP Map Viewer.                                                                                                                                                                                                                                                                                                                                                                   |
| RET1                 | Town Centre Boundaries                     | <p>Existing Town Centre boundaries for Newry City, Downpatrick, Ballynahinch, Newcastle, Kilkeel, Warrenpoint/Burren remain as shown within the BNMAP and ADAP. These are shown on the LDP Map Viewer.</p> <p>Newtownhamilton has been de-designated to village tier – its town centre boundary will cease to exist upon adoption of the Plan Strategy.</p> <p>Three new town centres are proposed within Saintfield, Killyleagh and Castlewellan. These are shown as new proposals on the LDP Map Viewer.</p> |
| RET2                 | Primary Retail Core                        | Primary Retail Core designations for Newry, Downpatrick, Ballynahinch and Newcastle remain as shown within BNMAP and ADAP. These are shown on the LDP Map Viewer.                                                                                                                                                                                                                                                                                                                                              |
| RET2                 | Primary Retail Frontages                   | Primary Retail Frontage designation for Newry remains as shown within the designation within BNMAP. This is shown on the LDP Map Viewer.                                                                                                                                                                                                                                                                                                                                                                       |

| Plan Strategy Policy | Designation                                         | Approach to be Followed                                                                                                                                                                                                                                                                   |
|----------------------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MIN2                 | Area of Constraint on Mineral Development (ACMD)    | The ACMD supersedes Proposal COU 8 Areas of Constraint on Mineral Developments, as designated in ADAP. A new ACMD is shown as a new proposal on the LDP Map Viewer.                                                                                                                       |
| HE1                  | Areas of Significant Archaeological Interest (ASAI) | <p>The ASAs at the Dorsey (BNMAP), Downpatrick and Dundrum (ADAP) remain as shown until the adoption of the LPP. These are shown on the LDP Map Viewer.</p> <p>Two new ASAs are also proposed at Greencastle and Slieve Gullion and are shown as new proposals on the LDP Map Viewer.</p> |
| HE5                  | Historic Parks, Gardens and Demesnes                | Historic Parks, Gardens and Demesnes will remain as shown within BNMAP and ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                     |
| HE11<br>HE12<br>HE13 | Conservation Areas                                  | The Conservation Areas will remain as shown within BNMAP and ADAP. These are shown on the LDP Map Viewer.                                                                                                                                                                                 |
| HE11<br>HE12<br>HE13 | Areas of Townscape Character (ATCs)                 | ATCs will remain as shown within BNMAP and ADAP. These are shown on the LDP Map Viewer.                                                                                                                                                                                                   |
| LA1                  | Special Countryside Areas (SCAs)                    | <p>The SCAs supersede Policy COU 1 Special Countryside Areas, as designated in BNMAP.</p> <p>The existing SCA for Ring of Gullion will remain as shown in BNMAP; two amended SCAs for Slieve Croob and the Mourne are shown as new proposals on the LDP Map Viewer.</p>                   |
| LA2                  | Areas of Outstanding Natural Beauty (AONBs)         | AONBs will remain as shown within BNMAP and ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                                                    |
| LA3                  | Local Landscape Policy Areas (LLPAs)                | Local Landscape Policy Areas (LLPAs) will remain as shown within BNMAP and ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                     |
| NH7                  | Sites of Local Conservation Importance (SLNCIs)     | SLNCIs will remain as shown within BNMAP and ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                                                   |
| LA4                  | Areas of High Scenic Value (AoHSVs)                 | AoHSVs will remain as shown within ADAP until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                                                             |
| TRA3                 | Protected Routes                                    | Protected Routes remain unchanged from as previously shown at Annex A of PPS3: Clarification of Policy AMP3: Access to Protected Routes published in October 2006. These are shown on the LDP Map Viewer.                                                                                 |
| CO1                  | Undeveloped Coast                                   | A new area of Undeveloped Coast is shown as a new proposal on the LDP Map Viewer.                                                                                                                                                                                                         |
| N/A                  | Major Road Schemes                                  | The designated major road schemes from ADAP and BNMAP remain unchanged until the adoption of the LPP. These are shown on the LDP Map Viewer.                                                                                                                                              |

Designations of the Banbridge/Newry and Mourne Area Plan BNMAP 2015 and Ards and Down Area Plan ADAP 2015 that will no longer apply following the adoption of the Plan Strategy.

**Existing Plan Designation**

**Settlements designated in BNMAP and ADAP:**

- Carrickinab
- Derryboye
- Drumaghlis
- Tullyherron

Under SETT 1, these settlements have been declassified from small settlements to open countryside.

## Appendix 2 Soundness Tests

### Procedural Tests

| Test |                                                                                                                                              |
|------|----------------------------------------------------------------------------------------------------------------------------------------------|
| P1   | Has the Development Plan Document (DPD) been prepared in accordance with the Council's timetable and the Statement of Community Involvement? |
| P2   | Has the Council prepared its Preferred Options Paper and taken into account any representations made?                                        |
| P3   | Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?                                           |
| P4   | Did the Council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD?                          |

### Consistency Tests

| Test |                                                                                                                                                     |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| C1   | Did the Council take account of the Regional Development Strategy?                                                                                  |
| C2   | Did the Council take account of its Community Plan?                                                                                                 |
| C3   | Did the Council take account of policy and guidance issued by the Department?                                                                       |
| C4   | Has the plan had regard to other relevant plans, policies and strategies relating to the Council's district or to any adjoining council's district? |

### Coherence and Effectiveness Tests

| Test |                                                                                                                                                                                                        |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CE1  | The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils; |
| CE2  | The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on robust evidence base;                                              |
| CE3  | There are clear mechanisms for implementation and monitoring; and                                                                                                                                      |
| CE4  | It is reasonably flexible to enable it to deal with changing circumstances.                                                                                                                            |



## PART 2: PLAN STRATEGY / APPENDICES

## Appendix 3

# Sustainability Statement

A Sustainability Statement applies to major development as set out in the Planning (Development Management) Regulations (Northern Ireland) 2015.

The level of detail within the Sustainability Statement will depend on the size and nature of development proposals. It should summarise how criteria 1-8 within Strategic Policy SP1 have been addressed where relevant to the proposal, and outline proposed design measures to mitigate and adapt to climate change. Matters that could be addressed within the statement include the following:

- Choice of building materials, for example robust, local or sustainably sourced materials;
- Design to reduce energy demand summary of approach including consideration given to energy efficiency design (insulation, high thermal mass etc) and the use of passive ventilation (openable windows, solar shading);
- Energy efficient services, technologies and renewable energy generation, for example, the use of energy efficient plant and light installations, use of fossil-free technology to supply heating and power, including low and zero technologies (as detailed above) where possible;
- Adaptable and future proof design, ensuring buildings are adaptable, durable and resilient and allow for connection to future services;
- Urban greening and biodiversity, demonstrate proposals have been designed to protect existing trees and habitats, maximise urban greening (e.g. green roofs, trees and planters), enhance provision of native species and deliver biodiversity net gain where feasible;
- Water efficiency, for example incorporation of water saving devices and conservation measures through rainwater harvesting and grey water recycling;
- Mitigate flooding through adoption of the drainage hierarchy:
  - Store rainwater for later use;
  - Use infiltration techniques, such as porous surfaces;
  - Reduce the force of rainwater in ponds or open water features for gradual release;
  - Reduce the force of rainwater by storing in tanks or sealed water features for gradual release;
  - Discharge rainwater to a surface water sewer/drain;
  - Discharge rainwater to a combined sewer; and
- Design measures, which prioritise walking and cycling, as well as public transport, over vehicle movements within developments will encourage shorter internal journeys to take place by these modes. Safe and direct connections to external footpaths and cycle routes in the local area will support the creation of a sustainable travel network.

Where incorporated within a Design and Access or other statement, there should be a distinct and clearly identifiable section covering sustainable design issues.

The Sustainability Statement should outline how options to reuse and adapt existing buildings have been explored as part of the development, in particular where they involve historic buildings which contribute to local character and/or where demolition is proposed. In instances where demolition is proposed, the sustainability statement should address the carbon costs of demolition, see DfC Whole Life Carbon guidance.<sup>192</sup>

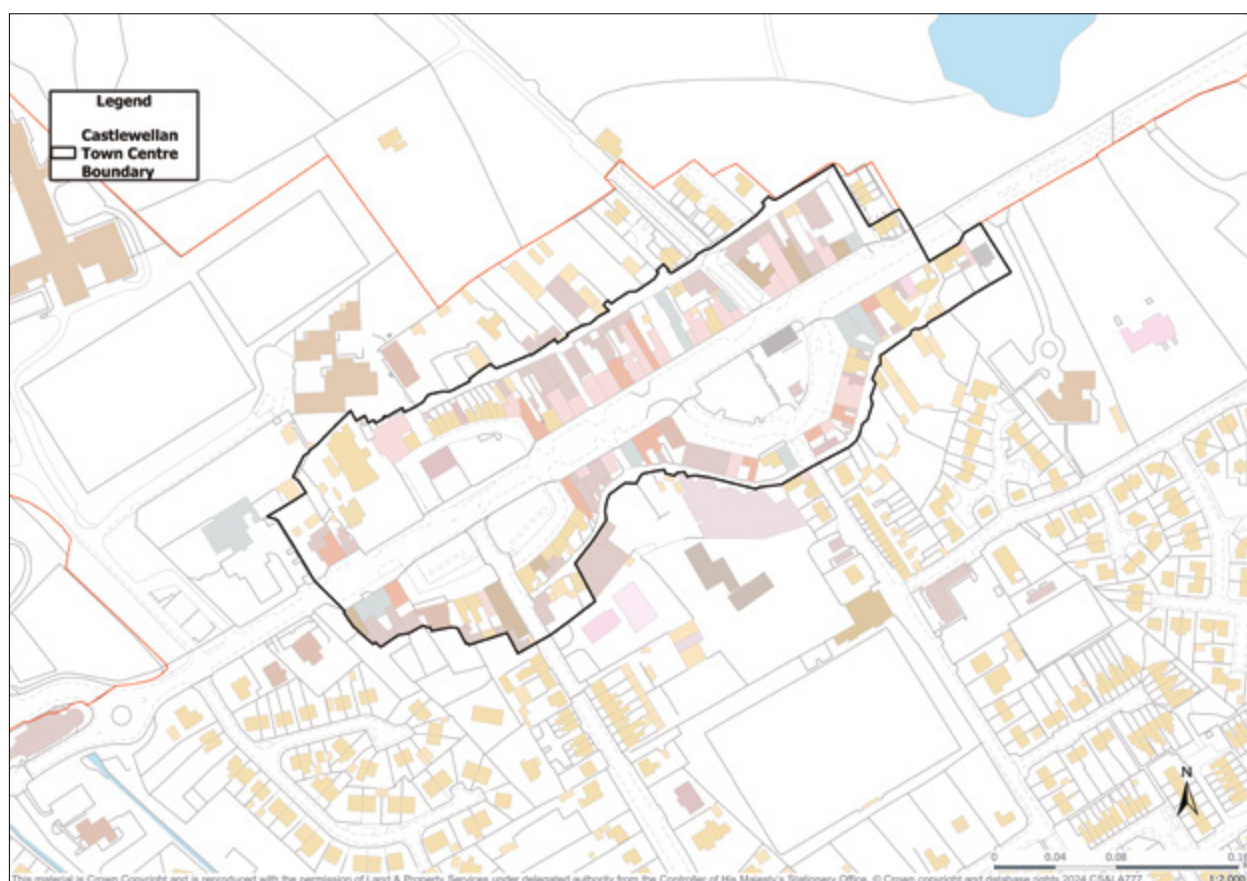
For retrofit proposals involving heritage assets or buildings of traditional construction, the Sustainability Statement must demonstrate a tailored and sensitive approach which safeguards the historic fabric and significance of the heritage asset.

<sup>192</sup> Whole Life Carbon Guidance, DfC, 2023.

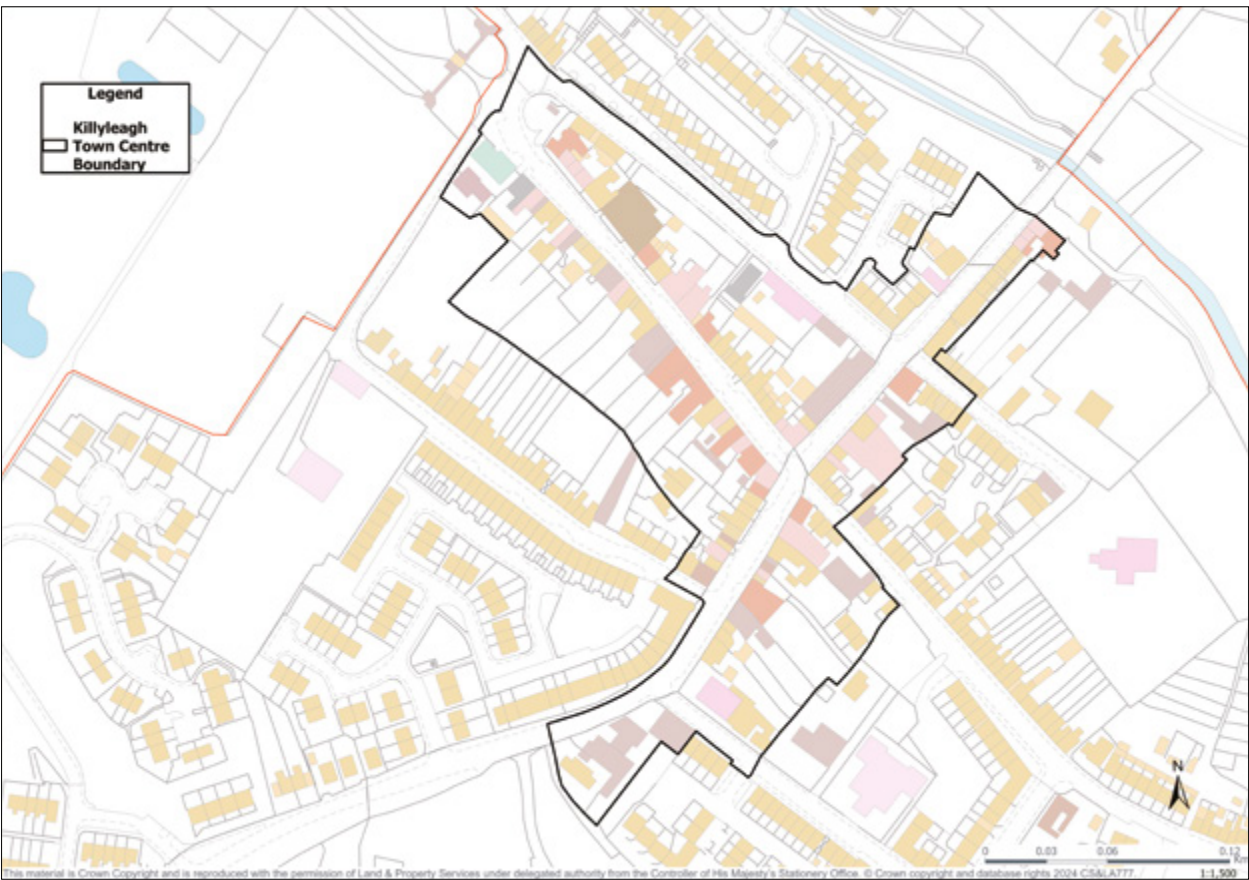
## Appendix 4

# New and Amended Designations

**Map 1:** *Proposed Castlewellan Town Centre Boundary*



**Map 2:** *Proposed Killyleagh Town Centre Boundary*

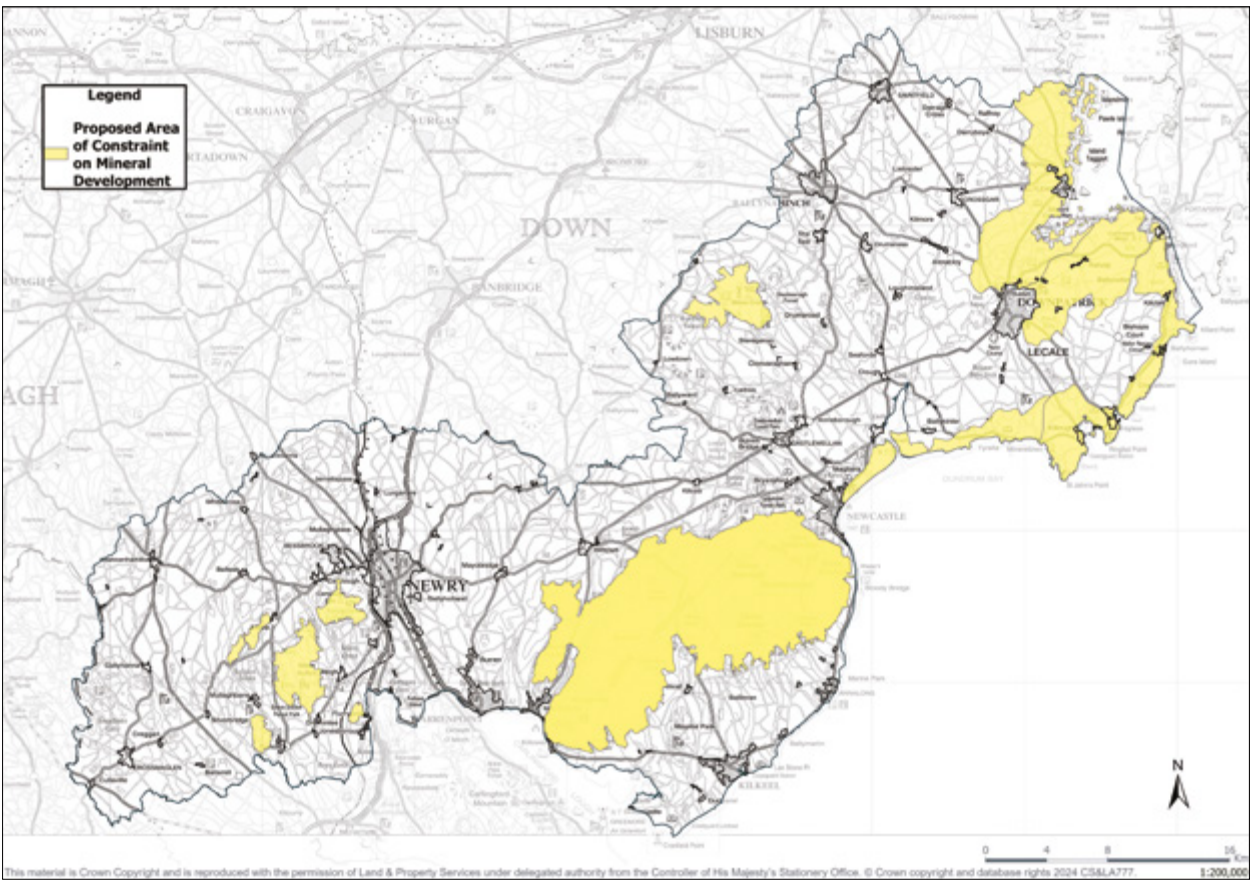


**Map 3:** *Proposed Saintfield Town Centre Boundary*



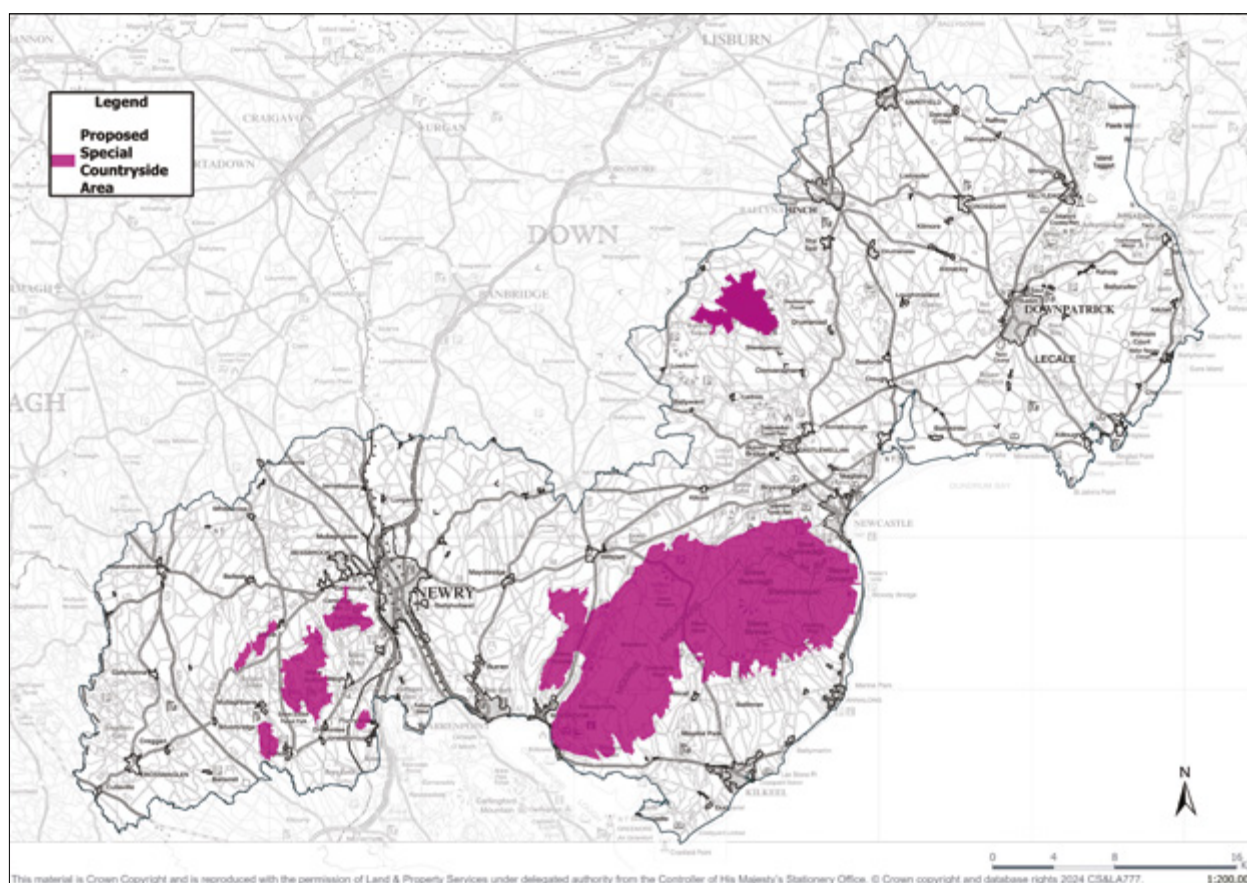


**Map 4:** *Proposed Area of Constraint on Mineral Development*

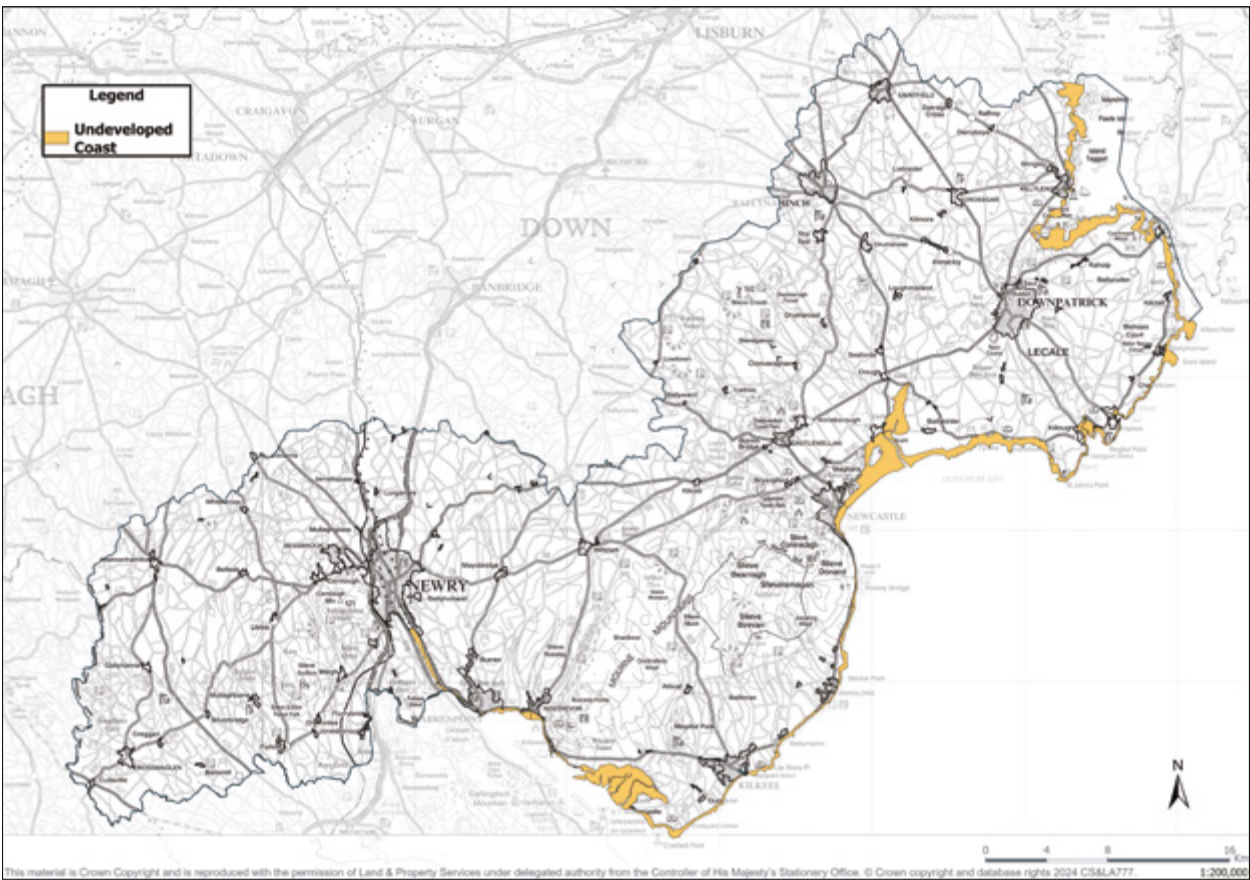




**Map 5: Proposed Special Countryside Area**



**Map 6: Proposed Undeveloped Coast**



# Appendix 5

## Common Sources of Light Pollution

### Advertising/Window Displays

High levels of illumination can cause a nuisance to adjacent residents, particularly where they remain in use throughout the duration of the night. Glare can affect motorists having clear views of traffic signs.

### Security lighting

Domestic lighting which is poorly angled can flood adjacent dwellings/gardens in bright light creating a nuisance to neighbours.

### Floodlighting of Games Pitches/Outdoor Sport

Poorly angled or inappropriate height of lighting can cause light pollution through spillage onto surrounding residential areas.

### Street Lighting

Inefficient installations which throw light upwards into the sky rather than downwards onto the road or pavement it is supposed to illuminate.

### Amenity Lighting

As with security and other forms of floodlighting poorly angled ground mounted lighting can cause pollution by spilling into the night sky.

## PART 2: PLAN STRATEGY / APPENDICES

## Appendix 6

# Sustainable Benefit Statement

### Principles of Sustainable Tourism Development

- Does not have an adverse impact on the landscape, protected landscape areas or features, heritage or biodiversity importance including listed buildings, scheduled monuments and Registered Historic Parks and Gardens.
- Avoids adverse impacts on undesignated features of the historic environment or includes appropriate measures to mitigate against any such impacts.
- Respects the special qualities/culture of the historic environment and natural heritage.
- Serve visitors and residents alike and generate benefits for the local economy and services.
- Be in a sustainable location within, or close to, existing settlements, or within an existing tourism attraction with existing facilities and infrastructure.
- Be accessible to different modes of transport e.g. train, bus, cycle tracks and walking routes.
- Have good connections with the existing road network.
- Consider all ability access.
- Makes appropriate use of existing buildings and previously developed land.
- Respects the setting of existing building(s) in terms of scale, design and materials.
- Is energy efficient and makes use of renewable resources without harming the environment.
- Conforms to the policies of the LDP.

In order to assist the determination of applications, the Council can request additional information where appropriate, such as:

- Landscape and Visual Impact Assessment for EIA development, or Appraisal (to demonstrate how the planning proposal positively addresses the development's landscape and visual context).
- Landscaping Plan.
- Ecological Assessment; including protected species survey.
- The proposed building materials, detailing and use of colour (to complement local building vernacular and/or achieve good landscape integration).
- Management Plan (for matters such as traffic/parking and restoration/remediation plan of any features should the use cease).
- Lighting scheme (to dark sky standards and to avoid intrusive night time effects beyond the site).
- Business Plan for an agricultural diversification scheme or for an existing visitor attraction.
- Community and Linguistic Statement and/or Impact Assessment.

## Appendix 7

# Layout and Landscaping Plan for Holiday Parks and Glamping Accommodation

Matters which need to be addressed in preparing a layout/landscaping plan include the following:

- 1 A site that is well screened by existing landforms and vegetation, where the units can be readily assimilated into the landscape and have an unobtrusive visual impact in the wider landscape. Supplementary landscaping would be welcomed where this adjoins with existing woodland, although should not be used to make an ineffectively screened development acceptable. The creation of an appropriate link with the surrounding landscape (e.g. a dense tree belt may be appropriate in a heavily treed part of the countryside, but in an open landscape may draw attention to the development rather than allowing it to blend into the surrounding countryside).
- 2 Appropriate boundary treatment, taking account of point 1 above and reflecting needs for shelter, screening and privacy. Buffer zones of at least 3 metres in width should be retained and kept free of development on the inside of all boundaries.
- 3 Informal layout of caravan units/motor homes/chalets characterised by the use small informal clusters separated by appropriate landscaping and the avoidance of 'regimented' rows of units that typically results in a detrimental visual impact (a 'sea' of caravans effect).
- 4 The avoidance of long straight lines for roads and paths with due regard to the protection of key views from the holiday park. An exception to this may arise where an avenue is an appropriate design element.
- 5 Integration of ancillary buildings, hard landscaping and facilities such as car parks and water points by reflecting local design characteristics, the use of local materials and appropriate planting. The use of muted colours (usually green tones) for caravan units/chalets may be appropriate particularly for those close to site boundaries.
- 6 The use of permeable surfaces for caravan pitches, hard landscaped areas and car parking in order to safeguard against flood risk through surface water runoff.
- 7 Appropriate planning and selection of planting taking account of function, suitability for prevailing soil and climatic conditions (e.g. coastal environments), durability, seasonal changes and ease of maintenance. Planting will be required for a variety of functions including:
  - linking the holiday park into its wider landscape setting;
  - enhancing the visual character of the development and promoting a distinctive sense of place;
  - boundary treatment and screening;
  - creating visual diversity in the layout;
  - integrating public and private open spaces into the design of the holiday park;
  - softening the visual impact of accommodation units and ancillary buildings and facilities; and
  - adding definition and interest to accesses, particularly footpaths and cycle tracks.
- 8 Retention and enhancement of existing natural features such as ponds, copses of trees and hedgerows. This may also apply in some instances to archaeology and features of the historic environment.
- 9 The provision of communal open space should be considered as an integral part of the design in order to:
  - meet formal and informal recreation and amenity open space needs;
  - contribute to the attractiveness of the development;
  - create a safe, convenient and accessible space for all holiday park users, particularly children, the elderly and people with disabilities;
  - reduce the need for people to seek open space outside the park; and
  - enhance security through providing opportunity for on site activity. Reliance on the use of residual areas of unused land for open space provision will not be acceptable.



## PART 2: PLAN STRATEGY / APPENDICES

## Appendix 8

# Flood Risk Assessments and Drainage Assessments

### When is a Flood Risk Assessment required?

#### When a more accurate definition of the flood plain and extents is needed.

Due to the nature of the Strategic Flood Map for Northern Ireland, the geographical extent of predicted flood areas cannot be precisely defined. A Flood Risk Assessment (FRA) to determine a more accurate extent of flooding is therefore necessary for development proposals located in proximity to the margins of the predicted flood plain, irrespective of whether the site lies just outside or just inside (wholly or partially) the extent as depicted on the Strategic Flood Map. Preliminary discussion with DfI Rivers is advisable to ascertain the type of information required.

#### When the proposed development is within the fluvial/coastal flood plain/reservoir flood inundation area but constitutes an exception listed under Policy FRD1.

In such circumstances, a FRA should be submitted to the Council as part of the planning application, so as to ensure the identification of all sources of flooding, the resulting flood extents and the means by which flooding is to be controlled and mitigated. A FRA should not be undertaken when a proposal is clearly unacceptable in principle under the policy, as this will invariably result in nugatory work and expense on the part of the developer.

### What information should be included within a Flood Risk Assessment?

- A location plan to a suitable scale, which clearly illustrates geographical features and identifies the catchment, watercourses in the vicinity and the built development;
- A site plan (and where appropriate, cross sections) showing existing levels related to Ordnance Datum Belfast, existing structures, watercourses in or bounding the site, internal site drainage and drainage outfalls;
- Data on historical flooding events, including photographs and media reports, supported by information on rainfall, flood return periods and the probability of storm surge occurrences, where appropriate. Evidence on trends in flood occurrences and changes in the local environment since the last event is particularly valuable;
- A plan of the site showing the extent of the predicted Q100/Q200 flood plain, and/or in the case of a reservoir, the extent of the predicted flood inundation area. This may require a local hydraulic model based on the topographical information, historical flood events and the assessment of design flow discharges at the site using industry standard methodologies.

### When the proposed development is within the fluvial/coastal floodplain

The FRA in these circumstances will typically be required to contain the following information relating to the assessment of the flood risk:

- A location plan as detailed above;
- A site plan (and where appropriate, cross sections) showing pre-development and post-development levels related to Ordnance Datum Belfast, existing structures, development proposals, watercourses in or bounding the site, internal site drainage and drainage outfalls;
- Details of any existing or proposed flood alleviation measures or flood defence structures that may influence the site including information on their structural condition, level of protection and maintenance regime;
- The identification of all sources of flooding pre and post-development;
- An assessment of the hydraulic capacity and structural integrity of all drains and sewers within or bounding the site. The methodologies for assessment must be clearly identified;

- Data on historical flooding events including photographs and media reports, supported by information on rainfall, flood return periods and the probability of storm surge occurrences, where appropriate. Evidence on trends in flood occurrences and changes in the local environment since the last event is particularly valuable;
- A plan of the site showing the extent of the predicted Q100/Q200 flood plain and/or in the case of a reservoir, the extent of the predicted flood inundation area. This will involve the production of hydraulic models requiring longitudinal/cross sections of the watercourse and the site, assessment of flood discharges using industry standard methodologies, and the inclusion of information such as finished floor levels, access road and car park levels, estimated flood water levels, flood depths and velocities and associated probability of flooding;
- A plan and description of features which may influence local hydraulics. For example, bridges, pipes or ducts crossing watercourses, culverts, embankments and walls;
- An assessment of the likely speed of potential flooding, the sequence in which various parts of the site may flood, the likely duration of a flood event, the potential consequences of a flood event, the depth and velocity of flood water;
- Where appropriate, the likely impact of any displaced water or increased runoff from the development site should be estimated and the consequences for neighbouring or other locations assessed.

Where the proposed development is located within the fluvial/coastal flood plain (or reservoir flood inundation area), the FRA will also be required to provide details of flood control and mitigation measures, as well as safety procedures that will address the flood risks identified. The following considerations may be relevant:

### **Flood Control Measures**

- Infrastructure and drainage design where it may be possible to limit the flow and duration of flood water to the proposed development by diversion of flow paths, culvert upgrading and introduction of control structures such as sluices, weirs and sealed manholes;
- Management of residual flood risk through keeping development a safe distance away from flood defence structures and introducing sacrificial flood storage areas at the rear of defences;
- Suitable maintenance and management procedures; and
- Ground water control and pumping.

### **Flood Mitigation Measures:**

- Site design and layout such as siting built development so as to avoid areas of the site liable to flooding and flood flowpaths;
- Raising finished floor levels of new buildings;
- Coastal infilling/land raising; and
- Flood resistant and resilient construction.

### **Safety Procedures**

- Flood and weather warning systems;
- Clear communication lines between those at flood risk and those with flood risk responsibilities;
- Emergency evacuation plans and procedures including safe access and egress for emergency rescue services;
- Capacity and procedures for the rapid movement of furniture and goods to locations outwith of the flood risk area;
- Safe shutdown of electrical supply for domestic and industrial use; and
- Pollution control procedures.

## When is a Drainage Assessment required?

Policy FRD3 requires a Drainage Assessment to be submitted to the Council, along with the planning application, for development proposals located outside the fluvial and/or coastal flood plain, in any of the following circumstances:

- Where the proposed development exceeds the thresholds specified in the policy, for example, a residential development comprising of 10 or more dwelling units ;
- Where runoff from the development may adversely impact upon other development or features of importance to nature conservation, archaeology or the historic environment; and
- Where there is evidence of a history of surface water flooding.

The Drainage Assessment, as well as addressing surface water flooding, may also need to identify control measures for storm water discharge from the site. The use of sustainable drainage systems to manage and limit site discharges to pre-development runoff rates is encouraged.

## What information should be included within a Drainage Assessment

A Drainage Assessment will typically be required to contain the following information relating to the assessment of surface water flood risk:

- A location plan to a suitable scale, which clearly illustrates geographical features and identifies the catchment, watercourses in the vicinity and the built development;
- A site plan (and where appropriate, cross sections) showing pre-development and post development levels related to Ordnance Datum Belfast, existing structures, development proposals, watercourses in or bounding the site, internal site drainage and drainage outfalls;
- Confirmation as to whether the proposed development is to be located on previously developed land (that may have minimal impact on the existing drainage network);
- Indication as to whether the local area has past flooding problems, which may limit site discharge to the local drainage and watercourses to pre-development runoff rates;
- Identification of likely overland flow paths including depth, velocities, timing and sequence of inundation;
- An assessment of hydraulic capacity and structural integrity of all drains and sewers within or bounding the site, which may result in out of sewer flooding. The methodologies for assessment must be clearly identified;
- Data on historical flooding events, including photographs and media reports, supported by information on rainfall, flood return periods and the probability of storm surge occurrences, where appropriate. Evidence of trends in flood occurrences and changes in the local environment since the last event is particularly valuable.

## Appendix 9

# Sustainable Drainage Systems

Careful design and incorporation of Sustainable Drainage Systems (SuDS) into new development or redevelopment schemes will deliver effective drainage, whilst at the same time, avoiding increased flood risk downstream.

Sustainable drainage effectively delivers on the three 'pillars' that define the concept, i.e. water quantity, water quality and amenity/biodiversity, as depicted below:

### Water Quantity

- Manage rainfall to mimic natural drainage;
- Reduce runoff rates;
- Reduce additional runoff volumes and frequencies;
- Encourage natural groundwater recharge; and
- Reduce the impact of short duration intense storm events, in particular helping to reduce the impact of 'out of sewer' flood/pollution events.

### Water Quality

- Minimise adverse impacts on water quality;
- Reduce pollution and protect the quality of receiving waters;
- Prevent direct discharge of spillage – SuDS used at the construction stage for a development is considered as 'best practice'; and
- Reduce the volume of surface waste runoff to sewers and so reduce storm overflows.

### Amenity and Biodiversity

- Contribute to the amenity and aesthetic value of the development and the wider environment; and
- Provide habitat for wildlife and enhance biodiversity

## Sustainable Stormwater Management Techniques

There is a wide range of sustainable drainage techniques available to developers, which can be applied, individually or in combination. A combination of techniques will deliver the best results – for example, a housing development where downpipes are fitted with water butts, the driveways use permeable paving, all connecting to conveyance swales, which in turn are linked to a pond or wetland area.

## Benefits of Sustainable Drainage

Sustainable drainage offers a wide range of benefits, including flood risk management, environmental, economic and social benefits.

### Flood Risk Management Benefits

With climate change predictions for more extreme rainfall events, sustainable drainage systems will provide more drainage capacity and will incorporate a design capacity considerably greater than traditional pipes. Accordingly, they offer greater flood protection. The main flood risk management benefits are outlined below:

- SuDS reduce peak flows through the use of appropriate sustainable drainage techniques and will reduce the impact of localised surface water flooding;
- The reduction of peak flows from new development sites incorporating SuDS means that less stormwater will discharge to downstream drainage networks or watercourses, thereby reducing flood risk;
- Effective sustainable drainage systems can reduce the demand for, and cost of flood emergency response and preparedness procedures;
- Sustainable drainage promotes a joined-up approach to flood risk management as it requires input from a range of responsible bodies (e.g. DfI Rivers, local councils, the land use planning authority, statutory undertakers) and a wide variety of disciplines (engineers, planners, architects/designers, hydrologists, water quality expertise and ecologists).

## PART 2: PLAN STRATEGY / APPENDICES

**Environmental Benefits**

While the flood risk element of the disposal of surface water and the impact on human health and safety has long been a material consideration in the determination of planning applications, environmental considerations such as amenity, ecology and water resource issues have historically had limited influence on drainage system design and the determination of development decisions. However, the EC Water Framework Directive now requires urban diffuse pollution to be regulated through the implementation of the Directive. This means that continuing to drain built-up areas without taking due account of wider environmental impacts, particularly on water quality, is no longer an option.

Sustainable drainage provides opportunity for the realisation of a number of environmental benefits. These include:

- Improved water quality. This can be delivered in a number of ways, including:
  - a natural treatment provided within the SuDS component – for example by filtering drainage thus reducing the level of sediment discharging to watercourses;
  - b absorbing of nutrients by plants growing within the SuDS system; and
  - c reduced volumes within the combined piped sewerage systems will mean fewer spills of storm sewage to watercourses.
- Increased capacity for water storage through retention of storm water, for example, in basins, ponds and water butts, provides opportunities for this water to be reused. This in turn creates potential for households and businesses to reduce their consumption of potable water;
- Conservation of biodiversity and ecology will be supported through the incorporation of SuDS features such as ponds and wetlands; and
- A well-designed SuDS system can connect into and support the existing drains and waterways located beyond the development site, thus extending biodiversity via new nature corridors.

**Economic Benefits**

Economic benefits likely to accrue from sustainable drainage include the following:

- The increased application of on-site sustainable drainage solutions by the developer will mean that less investment will be required in the provision and maintenance of traditional piped infrastructure. This should reduce costs for infrastructure providers such as DfI Roads, DfI Rivers and Northern Ireland Water and also the need to seek cost recovery from the developer;
- The removal of storm water from combined sewerage systems will reduce the running costs of sewage treatment works and costs associated with pollution of watercourses;
- Developer savings can accrue through the combination and integration of sustainable drainage with open space provision, particularly on residential sites where the latter is usually required for amenity reasons;
- Developer costs associated with designing and installing a sustainable drainage system are invariably less than with a traditional piped system;
- The retention of stormwater as a consequence of sustainable drainage may offer scope for rainwater harvesting and the reuse of this water can result in economic benefits. Considerations such as long-term water resource security and improved water supply efficiency are assuming greater economic importance in the face of continually increasing demands upon water resources;
- Buildings overlooking water features generally command higher than average premiums; and
- Although difficult to quantify, the benefits to societal health and wellbeing (see below) associated with sustainable drainage, particularly within urban areas, are likely to reduce public expenditure in such sectors as health and social services.



### Social/Amenity Benefits

Sustainable drainage also offers scope for the realisation of significant social, recreational and health/quality of life benefits. Examples include the following:

- The potential of some elements, such as swales, basins, ponds and wetlands to contribute to the provision and integration of green infrastructure<sup>193</sup> within the urban fabric helps to deliver the quality of life benefits associated with green infrastructure;
- The potential use of some elements, such as ponds, for active and passive recreational purposes and educational purposes;
- Improved water quality generally will benefit public health and enhance the enjoyment of water based recreational activities such as angling;
- The risks to those suffering from respiratory conditions, notably asthma, resulting from air pollution, have been shown to reduce through the chemical effect of certain sustainable drainage systems in trapping pollutants. Such benefits are particularly realised in large urban areas where levels of air pollution are usually highest.

### Feasibility and Design Considerations

There are a number of considerations which may influence the choice and design of sustainable drainage solutions for specific sites. These include the following, although the list is not exhaustive:

- The surface structures that may be needed can use more space than conventional systems, although it is usually possible for them to be integrated into the surrounding land use, for example in public open space or road verges;
- Infiltration may not be possible or is likely to be restricted in a number of circumstances; for example, if the permeability of the soil is limited, or the water table is high, or the land is contaminated or where there is ground instability. However, in all such situations, alternative SuDS solutions are usually available; and
- Safety and access considerations associated with surface water will always need to be considered as part of the overall design of the development in general and surface water SuDS features in particular, so as to minimise risks.

<sup>193</sup> Green infrastructure is defined by the European Commission as “the use of ecosystems, green spaces, and water in strategic land use planning to deliver environmental and quality of life benefits.

## PART 2: PLAN STRATEGY / APPENDICES

## Appendix 10

# Vulnerability Assessment

### When is a vulnerability assessment needed?

When the proposed development is within an area known to be at risk from the impacts of coastal change and/or land instability, but constitutes an exception listed under Policy DAR1. In such circumstances a Vulnerability Assessment (VA) should be submitted to the Council as part of the planning application, so as to ensure the identification of all sources of risk, the extent of the land affected and the means by which it is to be controlled and mitigated. A VA should not be undertaken when a proposal is clearly unacceptable in principle under the policy, as this will invariably result in nugatory work and expense on the part of the developer.

A VA may also be necessary where the level is vulnerability of that particular section of the coast is unknown.

### What information should be included within a Vulnerability Assessment?

It would be advisable for the developer to agree the scope of a Vulnerability Assessment (which should be appropriate to the degree of risk and the scale, nature and location of the development) in advance with the Council, and in consultation with the DAERA and any other relevant stakeholders.

- A location plan to a suitable scale, which clearly illustrates geographical features in the vicinity and the built development;
- A site plan;
- Description of the coastal site with detail on wave conditions including photos;
- Data on sea water levels both standard and at extreme;
- Incidences of historical storm events and erosion and detail on whether sea defences have been installed/ fixed. Using all available resources at the time to provide an understanding of the level vulnerability;
- Description of the potential impact of climate change on the site including data on sea level rise, wave climate and storminess; and
- An assessment of the impact of the development on coastal processes and the wider environment.

The assessment could also consider measures for managing the development at the end of its planned life, including any proposals for the removal of the development before the site is immediately threatened by shoreline changes.

The assessment should detail and explain the measures to be taken that will make the development safe and adaptive to change.

### When is a Coastal Impact Study necessary?

When a proposal for development within the coastal zone will have adverse impacts on the coastal environment but is likely to gain approval due to overriding economic importance. The applicant must submit this study alongside the application. This will include:

- The economic contribution to Northern Ireland or the region and how these outweigh the detrimental impacts;
- The extent of the potential impacts on the environment and measures taken to limit these adverse impacts.













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**Newry, Mourne and Down**  
District Council