March 19th, 2026

Notice Of Meeting

You are requested to attend the meeting to be held on **Wednesday, 25th March 2026** at **10:00 am** in **Mourne Room, Downshire Civic Centre.**

Committee Membership 2025-26

Councillor M Larkin **Chairperson**

Councillor G Hanna **Deputy Chairperson**

Councillor W Clarke

Councillor L Devlin

Councillor C Enright

Councillor C King

Councillor D McAteer

Councillor D Murphy

Councillor S Murphy

Councillor A Quinn

Councillor M Rice

Councillor J Tinnelly

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

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

4.0 Minutes of Planning Committee Minutes 25 February 2026

Planning Committee Minutes 2026-02-25.pdf ***Page 1***

5.0 Addendum List

Addendum list - 25-03-2026.pdf ***Page 34***

Development Management - Planning Applications for determination

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6.0 LA07/2023/3544/F - Carlingford Lodge 76 Upper Dromore Road Dromore Warrenpoint BT34 3PN - Proposed extension to existing private nursing home and internal reconfiguration creating 15No. additional bedrooms and the relocation of existing services. Location: Carlingford Lodge 76 Upper Dromore Road Dromore Warrenpoint, BT34 3PN

APPROVAL

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

LA07-2023-3544-F.pdf ***Page 35***

7.0 LA07/2022/0939/F - 180m north west of 22 Ringhaddy Road, Killinchy - Replacement boat house ancillary to existing camping tourism development to facilitate water sports

DEFERRED AT REQUEST OF THE PLANNING DEPARTMENT.

8.0 LA07/2023/2867/F - To the rear of 58 to 76 Canal Street, Newry - Proposed development of 4 dwellings on to Catherine Street and 2 dwellings to rear with access from Canal Street. (amended plans)

APPROVAL

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

LA07-2023-2867-F.pdf ***Page 51***

9.0 LA07/2025/0554/F - 150m W of 17 Billys Road, Ballyholland, Newry, BT34 2NA - Dwelling and detached garage on a farm

REFUSAL

On agenda as a result of the call in process

Speaking rights have been requested in support of the applicaiton by Mr Barney Dinsmore.

LA07-2025-0554-F.pdf ***Page 65***

9. LA07-2025-0554-F.pdf ***Page 78***

10.0 LA07/2025/0850/O - Immediately S of 16A Crossan Road, Mayobridge, Newry BT34 2HY - Infill site for dwelling and garage

REFUSAL

On agenda as a result of the call in process.

Speaking rights have been requested in support of the application by Mr Martin Bailie.

LA07-2025-0850-O.pdf ***Page 80***

10. LA07-2025-0850-O.pdf ***Page 90***

11.0 LA07/2025/0575/O - 90m north of 55 Ballyveaghbeg Road Ballymartin - Erection of a dwelling on a farm

REFUSAL

On agenda as a result of the call in process

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

LA07-2025-0575-O.pdf ***Page 92***

11. LA07-2025-0575-O.pdf ***Page 103***

12.0 LA07/2025/0691/F - Between 2 and 8 Keelstown Road, Downpatrick, BT30 9AD - Infill site for 2 dwellings and domestic garages

REFUSAL

On agenda as a result of the call in process

Speaking rights have been requested in support of the application by Mr Gerry Tumelty

LA07-2025-0691-O.pdf ***Page 105***

12. LA07-2025-0691-F.pdf ***Page 118***

13.0 LA07/2025/0111/O - Land 50m NE of 36 Strangford Road, Ardglass, BT30 7SH - Two infill dwellings with ancillary garages (PPS21 CTY 8)

REFUSAL

On agenda as a result of the call in process

Speaking rights have been requested in support of the application by Mr Ryan McBirney

LA07-2025-0111 -O.pdf ***Page 120***

13. LA07.2025.0111.O.pdf ***Page 136***

14.0 LA07/2024/1452/F - 150m E of 32 Convent Road, Cabra, Newry, BT34 5EU - 2 no. Glamping Pods with associated site works

REFUSAL

On agenda as a result of the call in process

Speaking rights have been requested in support of the application by Mr Declan Rooney.

LA07-2024-1452-F.pdf ***Page 138***

14. LA07-2024-1452-F.pdf ***Page 157***

15.0 LA07/2024/1017/F - On lands 70m East of No.66 Drumnaconagher Road, Downpatrick - Erection of house and garage on farm as per PPS21 CTY10

REFUSAL

On agenda as a result of the call in process.

Speaking rights have been requested in support of the application by Mr William Wallace.

LA07-2024-1017-F.pdf ***Page 159***

15. LA07-2024-1017-F.pdf **Page 171**

16.0 LA07/2023/3341/F - 22m East of no 16 Chancellors Hall, Newry - Proposed Dwelling

REFUSAL

On agenda as a result of the call in process

LA07-2023-3341-F.pdf **Page 173**

For Noting

17.0 Planning Historic Action Sheet

Planning Historic Tracking Sheet - 25-02-2026.pdf **Page 184**

Invitees

Cllr Terry Andrews

Cllr Callum Bowsie

Fionnuala Branagh

Cllr Jim Brennan

Mr Gerard Byrne

Cllr Pete Byrne

Cllr Philip Campbell

Cllr William Clarke

Edel Cosgrove

Cllr Laura Devlin

Cllr Cadogan Enright

Cllr Killian Feehan

Cllr Doire Finn

Ms Joanne Fleming

Cllr Conor Galbraith

Cllr Mark Gibbons

Cllr Oonagh Hanlon

Cllr Glyn Hanna

Cllr Valerie Harte

Cllr Martin Hearty

Cllr Roisin Howell

Cllr Tierna Howie

Ms Catherine Hughes

Cllr Jonathan Jackson

Joanne/Noelle Johnston

Cllr Geraldine Kearns

Miss Veronica Keegan

Mrs Sheila Kieran

Cllr Aurla King

Ms Elaine Kirk

Cllr Mickey Larkin

Cllr David Lee-Surginor

Cllr Alan Lewis

Cllr Oonagh Magennis

Mr Conor Mallon

Cllr Aidan Mathers

Mrs Annette McAlarney

Cllr Declan McAteer

Jonathan McGilly

Mr Martin McKibbin

Cllr Declan Murphy

Sinead Murphy

Cllr Selina Murphy

Cllr Kate Murphy

Cllr Siobhan O'Hare

Cllr Áine Quinn

Cllr Henry Reilly

Cllr Michael Rice

Mr Pat Rooney

Mr Peter Rooney

Cllr Michael Ruane

Donna Starkey

Sarah Taggart

Cllr David Taylor

Cllr Jarlath Tinnelly

Cllr Jill Truesdale

Mrs Marie Ward

Cllr Helena Young

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 25 February 2026 at 10am in the Council Chamber, Downshire Civic Centre, Downpatrick.

Chairperson: Councillor M Larkin 10am – 1.20pm
Councillor A Quinn 1.50pm – 3.56pm

Committee Members in attendance in Chamber:
Councillor W Clarke
Councillor C King
Councillor D Murphy
Councillor M Rice
Councillor G Hanna
Councillor D McAteer
Councillor A Quinn
Councillor J Tinnelly

Committee Members in attendance on Teams: Councillor L Devlin

Officials in attendance:
Mr C Mallon, Director of Economy, Regeneration & Tourism
Mr J McGilly, Assistant Director: Regeneration
Mr Pat Rooney, Principal Planner
Mrs B Ferguson, Senior Planning Officer
Mr M Keane, Senior Planning Officer
Ms P Manley, Senior Planning Officer
Ms E Kirk, Assistant Director: Legal & People
Mr Peter Rooney, Head of Legal Administration
Ms S Taggart, Democratic Services Manager
Ms F Branagh, Democratic Services Officer
Mr C Smyth, Democratic Services Officer

P/010/2026: APOLOGIES AND CHAIRPERSON'S REMARKS

An apology was received from Councillor S Murphy.

P/011/2026: DECLARATONS OF INTEREST

Councillor Devlin declared an interest in item 10 – LA07/2024/0462/O.

P/012/2026: DECLARATIONS OF INTEREST IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL- PARAGRAPH 25

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

There were no declarations of interest.

MINUTES FOR CONFIRMATION

P/013/2026: MINUTES OF PLANNING COMMITTEE MEETING OF WEDNESDAY 14 JANUARY 2026

Read: Minutes of Planning Committee Meeting of Wednesday 14 January 2026. **(Copy circulated)**

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor McAteer, it was agreed to adopt the Minutes of the Planning Committee Meeting of Wednesday 14 January 2026 as a true and accurate record.**

FOR DISCUSSION/DECISION

P/014/2026: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 25 February 2026. **(Copy circulated)**

Councillor Hanna proposed to defer Item 14 – LA07/2023/3341/F to a future Committee meeting as the agent was unaware the application would proceed straight to Committee, bypassing the Delegated List, and missed the speaking rights deadline. This was seconded by Councillor Rice.

Councillor Rice proposed to defer Item 18 – LA07/2024/1017/F to a future Committee meeting as the agent was on holiday and missed the speaking rights deadline. This was seconded by Councillor Hanna.

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor Rice, it was agreed to defer application LA07/2023/3341/F to a future Committee Meeting.**

AGREED: **On the proposal of Councillor Rice, seconded by Councillor Hanna, it was agreed to defer application LA07/2024/1017/F to a future Committee Meeting.**

AGREED: **On the proposal of Councillor Rice, seconded by Councillor Hanna, it was agreed to approve the officer recommendations in respect of the following applications listed on the Addendum List for Wednesday 25 February 2026:**

- **LA07/2023/3241/F** - Land adjacent to the rear of No 115 Chapel Street, Newry, BT34 2DP - Erection of two semi-detached dwellings including 4 no. car parking spaces and associated site works (amended description)
  APPROVAL

- **LA07/2025/0187/F -** Site falls between St Patricks Avenue Downpatrick and Dunleath Park and is approximately 11m to the east of Number 45 St Patricks

Avenue, Downpatrick Avenue - Proposed installation of DDA Access from St Patricks Avenue to Dunleath Park walking trail in the form of a ramp with complimentary steps to the side.
APPROVAL

- **LA07/2025/0171/F -** Beach Centre, Shop & Toilets Clanmaghery Road, Tyrella, Downpatrick, BT30 8SU - Provision of new disabled access pathway from amenity building to beach.
APPROVAL

- **LA07/2025/0431/F -** 24 Gantry Lane, Newry, BT35 6FX - Proposed Extension & Alterations to Existing Dwelling and Retention of Garden Room
APPROVAL

- **LA07/2024/0639/F -** Lands to the east of Camlough Lake, Newtown Road, Camlough, BT35 7JJ - Development of a 'Recreational Hub' to provide facilities for both water and non-water-based activities at Camlough Lake. Development includes a single storey multi-use building, outdoor space with external showers, changing facilities, slipway and floating pontoon, kayak storage, picnic areas, vehicular turning and separate bus and car parking areas. Upgrade of existing vehicular access off the Newtown Road for the provision of entrance of cars and buses, exit lane for cars and associated visibility splays. Separate bus exit point provided onto the Newtown Road to the northwest of the site. Vehicular access track and separate pedestrian pathways provided from the Newtown Road to the 'Hub' facility. Proposal includes landscaping scheme, boundary fencing, drainage system and all associated site works.
APPROVAL

DEVELOPMENT MANAGEMENT

P/015/2026: PLANNING APPLICATIONS FOR DETERMINATION

(1) LA07/2024/1288/F

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

Location:
3 Ballynahinch Road, Saintfield, BT24 7AE

Proposal:
Demolition of existing buildings and erection of 6 no. dwellings with associated landscaping, site works, car parking and access arrangements from Ballynahinch Road (amended proposal and plans)

Conclusion and Recommendation from Planning Official:
Approval

Power-point presentation:
Mrs Ferguson outlined the application, advising that the case officer's report had been taken as read and that the assessment was based on an amended and reduced scheme. She confirmed that 17 letters of objection had been received and fully considered, and that

consultations with all statutory consultees had resulted in no objections, subject to conditions. She noted the site was located within the settlement limits of Saintfield and comprised a large dwelling and outbuildings within a substantial plot.

Mrs Ferguson advised that the proposal sought demolition of the existing dwelling and its replacement with six two-storey detached dwellings, which the Planning Department considered appropriate in design, scale and appearance, with no unacceptable impact on residential amenity, that private amenity space, landscaping, access and parking arrangements were satisfactory and policy compliant, including PPS 3 and PPS 7 (QD1), with density and layout reflecting the character of the area in line with the PPS 7 Addendum and Policy LC1. She confirmed that Historic Environment Division (HED) had raised no concerns regarding nearby listed buildings, including the Second Presbyterian Church, and it was not considered that the proposal would adversely impact its setting under PPS 6.

Speaking rights:

In Objection:

Councillor Larkin invited Councillor Bowsie to make his presentation to the Committee, advising that he had five minutes for his address as the sole objector.

Councillor Bowsie stated that he was representing the 17 objectors referenced in the report, expressing his concern that the proposal involved demolition of the last remaining Victorian manse in Saintfield, which had stood opposite the Second Presbyterian Church for almost two centuries and had links to the 1798 Battle of Saintfield. While acknowledging the building was not listed, he noted that HED had indicated it was potentially worthy of local listing and raised concern that the planning report did not address its significance. He also questioned the assessment of the visual relationship between the church and the manse, particularly following the removal of mature trees previously identified as screening.

Councillor Bowsie further raised concerns regarding the biodiversity checklist, stating that trees and a hedge had reportedly been removed despite being recorded as present in submitted documentation, and queried whether such inaccuracies should be accepted. He stated that DFI Roads had initially objected and emphasised that access onto a protected route must be exceptional, which he did not consider had been demonstrated, particularly given the site's position on a bend. He also referred to concerns from residents of The Meadows regarding vehicle headlights affecting their property, which he stated had not been addressed in the Case Officer's report.

In Support:

Mr John Bronte spoke in support of the application, welcoming the recommendation for approval and referred to the detailed assessment contained within the case officer's report, which he stated clearly demonstrated compliance with all relevant local planning policies and guidance. He highlighted that all statutory consultees had considered the proposal and raised no objections, recommending conditions where appropriate, including NI Water which had confirmed sufficient network capacity to serve the development. He also noted that third-party representations had been fully considered in reaching the recommendation for approval.

Mr Bronte advised that the proposal comprised a high-quality residential scheme of six detached dwellings on a previously developed site within the settlement limit of Saintfield,

stating that the development had been sensitively designed to respect the surrounding streetscape of the Ballynahinch Road and the amenity of neighbouring residents, with all dwellings being two storeys in height and incorporating materials sympathetic to the local area. He advised that each unit would benefit from private amenity space exceeding Creating Places standards, together with appropriate parking provision. He indicated that construction was anticipated to commence later in the year, subject to the discharge of pre-commencement conditions, thanked the Planning Team for their engagement throughout the process, and respectfully requested that the Committee endorse the recommendation for approval.

Councillor Hanna queried the weight given to the manse by the Planning Department, noting that while HED had no objections, the building had been in place for over 200 years and had significant local history.

Mrs Ferguson advised that the building was located within the existing settlement limit and had been considered in line with the relevant policy context. She reiterated that HED had no objection to the proposal, the building was not listed nor was it located within the conservation area and that there was no policy that supported retention of the building.

Councillor Hanna queried whether the applicant had considered retaining the manse and incorporating it into the proposal, to which Mr Bronte advised that it had not been considered as it was not located in a conservation area or an Aera of Townscape Character (ATC), HED had no objections and noted that age did not directly correlate with architectural significance.

Following a further query from Councillor Hanna, a discussion ensued regarding the trees that the Planning Department considered created a visual separation from the manse to the Saintfield Presbyterian Church. The outcome was Councillor Bowsie noting that the trees were sited right around the garden, some were 200 years old and that the submitted biodiversity checklist referenced them as still standing while they had in fact already been removed.

Mrs Ferguson noted that the biodiversity report had been submitted in September 2024, a bat survey had been carried out, and NED had noted no objections. She confirmed that while the Planning Department did not endorse the removal of vegetation while an application was being considered, it had occurred and the case officer report noted the situation on the ground. She confirmed that compensatory planting was to be provided and the Planning Department was content with the landscaping included in the proposal to compensate for the loss of vegetation.

Councillor Hanna queried whether the Planning Department considered there to be visual link now that the trees had been removed to which Mrs Ferguson noted that the trees were not protected by a tree preservation order, and the proposed planting would provide screening for the proposal.

Councillor Hanna noted his disappointment that it appeared that work could begin on an application that was still being considered with no repercussions. He then queried the access for the proposal, querying his understanding that additional access would only be granted in exceptional circumstances.

Mrs Ferguson advised that the proposal was sited within the settlement limits and therefore fell under the category of other protected routes whereby the required criteria was that the

proposal did not involve intensification of use of the existing access in applications pertaining to residential development. She confirmed that DFI Roads had fully considered the application and had no objections.

Councillor Hanna queried what changes had occurred for DFI to have originally objected to the proposal to now have no objections.

Mrs Ferguson noted that DFI had responded to the initial consultation with standing advice regarding the proposed access, the applicant had amended the proposal, DFI were then content with the amended application and had recommended approval.

As there were no further questions, Councillor Larkin queried whether there were any inaccuracies that Councillor Bowsie or Mr Bronte wished to address.

Councillor Bowsie noted that he was content, while Mr Bronte reiterated that DFI had offered comments on the original application and changes had been made to the proposal, which they were subsequently content with.

Councillor Clarke proposed to accept the officer's recommendations, noting that the application complied with all relevant policies, HED had no objections and while the residents were understandably irritated at the removal of the mature trees, the Committee had to deal with the situation as it was on the ground. He stated that if the manse was important to the residents, the onus was on Elected Members to preserve the area through listed buildings and perhaps a tree protection order on the mature trees.

Councillor McAteer seconded the proposal, stating that the design was sympathetic to the local character.

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

FOR:	8
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Clarke, seconded by Councillor McAteer, it was agreed to issue an approval in respect of planning application LA07/2024/1288/F supporting officer recommendation as contained in the Case Officer Report.**

Cllr C King joined the meeting during the above discussion – 10.45am

Having previously declared an interest in the following item, Cllr Devlin did not partake in the following discussions.

(2) LA07/2024/0462/O

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

Location:

Adjacent to and 20m NE of 137 Tullybrannigan Road, Newcastle

Proposal:
Infill Dwelling and Garage

Conclusion and Recommendation from Planning Official:
Approval

Power-point presentation:
Mrs Ferguson outlined the application, confirmed that the case officer's report had been taken as read. She advised there was one letter of objection received, with the issues raised addressed within the report and advised that consultees had responded with no objections and provided standing advice. She advised that as the site lay within the countryside as designated in the Ards and Down Area Plan 2015, the relevant policies were CTY 1, 8, 13, 14 and 16 of PPS 21, with retained policies in PPS 2 and PPS 3 also applicable.

Mrs Ferguson explained that, as a requirement of CTY 8 the substantial and continuously built-up frontage (SCBUF) was met with Nos. 135, 137, 139, 143 and 145 Tullybrannigan Road. She noted that the average plot frontage was 59.6m with a building-to-building separation of 97.2m, and that the application site's frontage of 57m and plot size of 0.2ha were consistent with the surrounding pattern of development, which ranged from 0.1ha to 0.4ha. On this basis, she advised that an infill dwelling could be accommodated without adversely impacting the settlement pattern. She concluded that the proposal would not conflict with Policies CTY 8, 13 or 14, and that residential amenity matters could be addressed at the reserved matters stage through appropriate design and conditions.

Speaking rights:

In Objection:

Mrs Heather McClelland spoke in objection to the application, noting that in the summer of 2021, the client had applied for two houses with garages on the same large infill site, which had been strongly opposed by the Planning Committee. She explained that the site measured approximately 0.2 hectares and that surrounding plot frontages and building separations indicated that the proposal did not constitute a small gap capable of accommodating infill development in accordance with Policy CTY 8. She highlighted that the site was not bounded by substantial, continuous frontage and that some neighbouring buildings did not face the road, were unauthorised, or were irrelevant to the assessment, further noting that the site was occasionally used for sheep grazing and therefore did not support an active farm business.

Mrs McClelland argued that the proposal would result in ribbon development, cramming in a low-density area, and would conflict with Policies CTY 1, 8 and 14 of PPS 21. She emphasised that the site lay within an Area of Outstanding Natural Beauty (AONB) and that development would adversely affect the setting, integrity and visual amenity of the area. She also raised concerns regarding environmental impacts, biodiversity, and the long-term protection of rural character. She concluded by noting that previous applications for development on the site had been refused and respectfully requested that the Committee reject the current outline application as contrary to countryside protection policies.

In Support:

Mr Declan Rooney spoke in support of the application, noting that Planning Department had recommended approval, advising that the proposal complied with Policies CTY8, CTY13, and CTY14 of PPS21, as well as relevant provisions of PPS2 and PPS3. He noted that the site had previously been considered in 2021 for two dwellings, but that application had relied on unauthorised development at 133a Tullybrannigan Road to justify the principle of development and highlighted that the current proposal had been revised to one dwelling and no longer relied on the unauthorised works.

Mr Declan Rooney outlined that the Planning Department had assessed the site as forming part of a SCBUF, including Nos. 135, 137, 139, 143, and 145 Tullybrannigan Road, and concluded that the plot, measuring approximately 0.2 hectares, could accommodate an infill dwelling without overdevelopment. He confirmed that the proposal respected the established pattern of development, including siting, scale, and plot proportions, and was therefore consistent with Policy CTY8. He further advised that the proposal had been assessed under Policies CTY13 and CTY14 and PPS2 Natural Heritage given the AONB location and could be accommodated without unacceptable impacts on rural character or landscape quality, subject to conditions. Road safety, drainage, and environmental health matters had been reviewed, with no objections raised, and residential amenity considerations could be addressed at Reserved Matters stage. He concluded that the matters raised by the objector did not outweigh the professional planning assessment, which confirmed that the proposal was policy compliant and could be accommodated without harm to the rural character, residential amenity, or road safety.

Councillor Clarke requested clarification on the change of recommendation from the Planning Department on the application from a refusal a number of months ago, to an approval now.

Mrs Ferguson confirmed that a recommendation had been made without fully considering the context with regard to the site history and on reconsideration, it had been decided that No.135 did have frontage to the Tullybrannigan Road, and therefore the proposal was recommended for approval.

Following a query from Councillor Clarke, a discussion ensued regarding the SCBUF, and the discrepancy as laid out by the objector and agent. Mrs Ferguson utilised a powerpoint image to highlight the SCBUF being Nos. 135, 137, 139, 143 and 145 and confirmed that the assessment of plot frontage deemed the gap site was in keeping with the average plot size of the neighbouring dwellings.

Councillor Hanna requested clarification regarding the unauthorised dwelling that had been used as part of the SCBUF, to which Mrs Ferguson that the unauthorised dwelling was No. 133a and was not counted as part of the SCBUF.

Councillor Hanna queried No. 135 as having frontage to the road, stating that he believed that No. 135 could not be considered as having frontage to the road as it was sited behind another building.

Mrs Ferguson advised that No. 135 did have frontage to the road as it shared a common frontage and it was common practice for double fronted buildings to be considered to have frontage.

Councillor Hanna disagreed with this, reiterating that he believed he had been advised in the past by the Planning Department that buildings that did not face the road could be

considered as having frontage, to which Mrs Ferguson advised that frontage was not necessarily a building facing the road, but rather a common boundary facing a road.

Following a query from Councillor Hanna, a discussion ensued regarding the green space in front of No. 135, to which Mrs Ferguson confirmed that the green space was a separate fenced off area and therefore considered a field.

As there were no further questions, Councillor Larkin queried whether there were any inaccuracies that Mrs McClelland or Mr Declan Rooney wished to address, to which they advised that they were content with the discussions.

Councillor Hanna proposed that the Committee Members attend a site visit to gain a better idea of the SCBUF, which was seconded by Councillor Clarke.

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

FOR:	8
AGAINST:	1
ABSTENTIONS:	0

The proposal was declared carried.

Cllr Devlin did not partake in the vote, having previously declared an interest.

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor Clarke, it was agreed to issue defer planning application LA07/2024/0462/O to allow for a site visit.**

(3) LA07/2023/2695/F

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

Location:
Existing area of open space and car park to the west of Warrenpoint Bowling Green, Clonallon Park, Clonallon Road, Warrenpoint, BT34 3RR

Proposal:
Development of new 2-Storey community facility building and outdoor space to include children's terrace, community garden workshop, bin store area, hard and soft landscaped areas, street furniture, cycle parking, car parking, external lighting and new pathways connecting to the existing pedestrian network. Replacement of existing play park with 'health and wellbeing garden'. Works to include temporary construction compound, underground drainage system (NIE Substation) and all associated site works. Vehicular access to the site and bowling club retained off Clonallon Road (Amended Site Layout and Building Height).

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:

Mrs Manley presented the application for a new two-storey community facility building within Clonallon Park and explained that the 1.37-hectare site was located within a major area of existing open space as designated in the area plan and lay within the development limits of Warrenpoint and the Area of Outstanding Natural Beauty. She advised that Clonallon Park was identified as one of only two major areas of open space serving a population of approximately 10,000 people in an area of otherwise limited open space provision. She outlined the planning history, including previous pre-application discussions which had advised that any loss of open space and additional parking would require robust justification under PPS8, and referenced a historic refusal for a youth club on adjacent lands. She noted that the current proposal differed significantly in scale, siting and impact from earlier concepts presented at Pre-Application Discussion (PAD) stage.

Mrs Manley described the proposed building as centrally positioned within the park, with a frontage of approximately 86.4 metres, a width of 35 metres, a height of 10 metres and substantial underbuilding and retaining walls, including a 63-metre retaining wall along the eastern boundary. She highlighted the extent of engineering works required and the visual impact on the open parkland, including the removal of trees, the creation of new pathways dissecting the park, and the loss of an important visual break within the AONB, affecting wider views including those towards the Mournes. She advised that, while most consultees had raised no objection, DFI Roads had recommended refusal due to insufficient parking provision and concerns regarding road safety, identifying a significant shortfall even under the revised usage assumptions as detailed within the case officer's report. NI Water had also recommended refusal due to network capacity constraints, although a condition had been suggested should approval be granted. She confirmed that objections and letters of support had been received and assessed within the report. In conclusion, she stated that while the Planning Department did not object in principle to a community facility, it considered that there was no site-specific justification for the development at this protected open space location and recommended refusal for the reasons detailed within the planning report.

Speaking rights:

In Support:

Ms Sarah McDowell spoke in support of the application, stating that the application represented local investment to deliver a modern community facility, that had been developed following public consultation and feasibility work which identified a clear local need, and noted that the scheme had received strong public support throughout the planning process. She outlined that the development would provide a range of social, health, cultural and environmental benefits, including community facilities, wellbeing spaces, creative areas and landscaped outdoor environments and confirmed that the design team had responded to consultee feedback during the planning process and had addressed outstanding planning concerns through further submissions.

In response to the refusal reasons, she stated that the loss of open space was limited and outweighed by community benefits and argued that the proposal would enhance the park through improved pathways, landscaping and accessibility while retaining most of the open space. She maintained that the scale and design were appropriate to the park setting and would not harm the character of the area or views within the AONB, stated that she considered the required parking provision to be overestimated and stated that the proposed level of parking was appropriate given the town location, expected pedestrian access and existing underuse of parking areas.

Councillor Hanna queried the parking requirement on site, noting that the agent had referenced different figures to DFI and requested clarity on the staffing complement.

Mr Patterson noted the confusion relating to the parking requirement as the proposal had been amended, advised that the figures Ms McDowell had noted were a snapshot taken of the car park usage over a week and confirmed that there would be a staffing requirement of 5 people.

Councillor Hanna queried the activities referenced by Ms McDowell to include keep fit classes among other usage and queried whether the availability would be limited to ensure there would be no parking issues arising.

Mr Patterson advised that there was an activity schedule submitted as part of the application that detailed the planned use of the building.

Following a query from Councillor Hanna, a discussion ensued regarding the parking availability on site and the discrepancy with the numbers provided within the planning application and DFI Roads parking requirement. During the discussion, Ms McDowell stated that there would be 22 spaces used at peak times for one hour, as per the activity schedule submitted with the planning application.

Ms Manley, during the course of the discussion, advised that the Planning Department had assessed car parking requirements in consultation with DfI Roads using established parking standards. Initially, when the proposal had been presented as a community hub including a multi-use hall with capacity for approximately 250 people, all existing and proposed site uses, including the football pitch and other facilities, were factored into the assessment, resulting in a parking requirement of approximately 124 spaces. As the scheme was amended and the multi-use 250 seal hall would not be utilised, the projected parking demand was revised downward to reflect the reduced intensity of use. She noted that parking requirements varied depending on the proposed usage of the building. She confirmed that, based on the most recent information, the assessment took account of the existing provision of 22 unmarked parking spaces and the proposed extension providing 44 spaces, alongside existing recreational uses such as the pitch and bowling facilities. Future parking demand was calculated using an events timetable provided by the agent, resulting in an estimated requirement ranging from 54 spaces at minimum usage to 73 spaces at maximum usage.

Ms McDowell argued that the parking figures had been clearly set out in submitted reports and correspondence and had been calculated in accordance with the published parking standards. She explained that the first step to calculate parking requirement was to determine the appropriate use classification of the building and advised that as a community centre did not fall within a specific use class, it was treated as *sui generis*, requiring the application of comparable sports and leisure parking standards. She confirmed that, based on an anticipated maximum of 22 users at any one time, nine parking spaces were required for the facility itself. When combined with existing requirements for the open space, football pitches and basketball courts, the total parking requirement for the site was calculated at 39 spaces. She further noted that published parking standards did not vary according to whether development was located in an urban or rural setting and weight had to be given to the fact that the site was within approximately 1.5 kilometres of surrounding residential areas in Warrenpoint, it was considered likely that many users would access the facility on foot or by bicycle rather than by car. She therefore maintained that the level of parking

proposed was consistent with published standards and argued that the Planning Department had overestimated the parking requirement for the location.

Councillor Hanna queried the number of attendees on site for busy periods, citing the number of people attending for the use of the football pitch for games and events, the basketball courts alongside those making use of the proposed walking paths, noting he believed that there was a discrepancy in actual and predicted usage. He also queried the reason for the NI Water refusal recommendation and whether a solution had been found yet.

Mrs Manley advised that while NI Water had recommended refusal due to capacity issues within the network, she advised that the applicant was engaging with NI Water and had submitted a Wastewater Impact Assessment (WwIA) confirming that it was standard procedure that the Planning Department make use of pre-commencement conditions regarding satisfactory engagement with NI Water, which had been applicable in this application.

Ms McDowell advised that the site was appropriate for its own wastewater treatment system, which would be developer led, and would avoid any onsite connection to the NI Water sewer network. She confirmed that this was being progressed with NI Water.

Councillor Hanna confirmed that this was satisfactory to the Planning Department, to which Mrs Manley advised it was a pre-commencement condition and that works could not progress without satisfactory confirmation being received from NI Water.

Councillor Rice queried what weight had been given to the fact that the proposal was sited within an urban area, and whether the applicant referenced underutilisation of the current parking provision had been taken into consideration.

Mrs Manley confirmed that the information had been detailed within the case officer's report regarding the urban context, the potential for users making their way on foot or by bicycle in line with the Council Active Travel Plan. She confirmed that the parking consideration had been detailed within the report but stated that there would be many times when the facilities would be at maximum usage and it was the opinion of the Planning Department that there was not enough parking provision.

Ms McDowell countered that a digital parking survey had been undertaken in May 2025 that highlighted the underutilisation of the current car park.

Councillor Rice noted that while the loss of open green space was not necessarily a mathematical exercise, stating that 6% of open space would be lost within the current proposal. He queried why item 12 (LA07/2024/0639/F) had been recommended for approval while potentially losing 17% of green space.

Mrs Manley advised that Camlough was not a designated area of open space, while Clonallon Park was, which immediately led to policy resistance for the loss of open space. She further highlighted that the proposed build would be located within a pinch point within the park and would essentially segregate the north and south ends of the park and have a detrimental impact on the character and setting of the open space.

Councillor Rice queried whether the Planning Department had given any consideration to the statement by the applicant that the space was currently not being used and whether they would accept the proposal as a better use of the space.

Mrs Manley noted that it was detailed in the case officers report that the space was utilised by the public.

Ms McDowell countered that, in relation to open space policy, the relevant policy applied not only to zoned open space but also to other qualifying areas. She acknowledged that the building would be located within existing open space but explained that, in the context of Warrenpoint, the proposal would largely redistribute activity within the park rather than result in a loss of usable land. She advised that the building had been repositioned approximately 11 metres into the slope from its original location, occupying an area considered underutilised and less functional within the park. She further outlined that policy provisions allowed exceptions where development delivers substantial community benefits, which she considered had been demonstrated through the proposal. She noted that only a small proportion of the park, approximately six percent, would be occupied by the building and car parking and stressed that the scheme would also introduce a community garden, health and wellbeing garden, landscaped piazza areas, new pathways connecting to the existing network, additional planting and retention of grassed areas. She concluded that the scale and siting were appropriate within the urban park setting, integrated with surrounding housing and the bowling green, with no unacceptable impact on neighbouring properties or local character, and therefore considered the proposal compliant with Policy OS1 through the applicable exemption.

Councillor D Murphy queried the parking provision alongside the Active Travel policy, noting that the site was within walking distance for the local people.

Ms McDowell confirmed that submitted alongside the planning application was information regarding nearby bus stops, the provision of 16 cycle parking spaces and that the five access points to the park encouraged more than average foot traffic to the site.

Councillor McAteer queried the weight given by the Planning Department to the fact that Warrenpoint had a unique layout based on open spaces, the agent's statement that parking was underutilised and as the facility was sited on the edge of the town centre it was ridiculous to talk about bus routes as the users would be based in the surrounding densely populated areas. He also noted that there had been numerous District Electoral Area (DEA) meetings that noted anti-social behaviour (ASB) in the area and asked had any consideration been given to the fact that the proposal could improve the safety of the area.

Mrs Manley advised that the report detailed the considerations of the Planning Department regarding open spaces, noting that the land had been zoned for a reason, and that the proposal was going to change the character and setting of the area and could lead to further loss of open space. She noted that no evidence of ASB had been submitted or raised during the processing of the application.

Councillor McAteer stated that the loss of open space would not be detrimental as there was a lot of green spaces nearby, the town was a walking town and queried if the Planning Department had just applied a basic mathematical consideration to the loss of green space. Mrs Manley confirmed that Clonallon was zoned as open space and afforded all the policy protection that came with that zoning, and while there were other green spaces nearby, they were football pitches or similar and not open space for members of the public to avail

of for walking, jogging, etc or as uninterrupted green space, which was why the Planning Department were keen to retain the open space.

Councillor McAteer queried Ms McDowell's opinion, to which she advised that the proposal would enhance the open green space, would integrate into existing pathways. She advised that there was a portion of the slope that was considered dangerous and the proposal would improve the safety of the area.

Councillor McAteer queried whether the sewage pre-commencement condition had been resolved, noting that planning could not be approved with conditions until NI Water had confirmed that they were content.

The delegation noted that there would be a developer led on-site treatment that would negate a connection to the NI Water sewage system.

Councillor McAteer noted that there was local concern regarding the NI Water service provision and queried whether any agreement with NI Water had yet been reached.

The delegation stated that the latest response from NI Water had been in April 2025 but confirmed that there had been ongoing discussions and agreements since then and advised that stage 2 was almost agreed, therefore a planning condition could be applied.

Councillor Tinnelly noted that there were concerns regarding the small number of users per day, 22 users and 5 staff members. He queried the usage when the centre would be at capacity, with resource rooms, activity rooms, a dance studio, changing room facilities, forecourts, and numerous people of a winter evening potentially using the venue and requested confirmation that the use of the building would not be restricted considering the proposed small number of users.

Ms McDowell advised that the building would make use of a room booking system and confirmed that use of the existing changing facilities was already accounted for in the existing parking standards application. Mr Patterson confirmed that the use of the facility would not be restricted, noting that the proposed usage provided was based on an average usage of similar buildings within the District.

Councillor Tinnelly requested confirmation that the use would not be restricted, stating his hope that the building would be well utilised and clarified that no one could potentially turn up and be advised they could not enter the building as it was at capacity with 22 users inside.

Mr Patterson advised that room use would have to be booked in advance and there could potentially be circumstances where a room would be unavailable depending on predicted attendance at another booked event but stated that this would be an unlikely scenario.

Councillor Tinnelly then requested legal confirmation that should the application be recommended for approval by the Committee, DFI would be notified and could call the application in.

Ms Kirk confirmed that DFI would be notified of the decision of the Committee as the application was a Council led application, but noted that it would be a decision for DFI whether they would call the application in.

Councillor Larkin proposed to overturn the recommendation to an approval, stating that he believed the proposal would be a beneficial development for the town and that the community benefits would outweigh the loss of open green space, would not be detrimental to the area, would not have a detrimental impact on the park, would not prejudice the development of zoning due to the enhancement, was not unsympathetic to the special character of the AONB, and would benefit the community offering engagement with more health related activities. He stated that he was content that the current parking provision was underused and was content to accept that the proposed parking provision would be sufficient for the proposed usage of the building.

This was seconded by Councillor McAteer, who reiterated Councillor Larkin's statement, noting that he believed that DFI had exaggerated the parking requirements for the proposal and he accepted the sporadic nature of the parking figures quoted by Ms McDowell and that he believed that the community benefit would be greatly outweighed by the loss of open green space, especially given the addition of a path network for pedestrians.

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

FOR:	10
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Larkin, seconded by Councillor McAteer, it was agreed to issue an approval in respect of planning application LA07/2023/2695/F contrary to officer recommendation as contained in the Case Officer Report.**

Cllr Devlin left the meeting at this stage - 12.22pm

The meeting did then recess – 12.22pm
The meeting did then resume – 12.32pm

(4) LA07/2025/0330/O

On agenda as a result of the Call-in Process

Location:
Lands between 14 & 18 Drumsnade Road, Drumaness

Proposal:
2 new dwellings and garages on infill site under Policy CTY8 of PPS21

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Ferguson advised that the Case Officer's report had been taken as read, no objections had been received, and that consultees had offered no objections subject to standing

advice. She explained that the site lay within the countryside as designated in the Ards and Down Area Plan 2015 and was assessed under the SPPS and retained planning policies. In assessing Policy CTY 8, she outlined that the SCBUF comprised Nos. 14 and 18, the former dwelling at No. 20, and an outbuilding at No. 18. However, she noted that the gap between Nos. 14 and 18 measured approximately 137.5 metres, which was significantly greater than the average frontage width, even when considering different interpretations of the curtilage at No. 20. She stated that the gap was substantial and could accommodate more than two dwellings, indicating that it did not represent a small infill opportunity.

Mrs Ferguson further explained that the site formed an important visual break in the rural character of this stretch of road and that the proposed dwellings would be intervisible with the bookend properties. She reminded Members of the inherently restrictive nature of Policy CTY 8 in preventing ribbon development and preserving such visual breaks. In assessing Policies CTY 13 and CTY 14, she advised that the proposal did not qualify as an exception under CTY 8 and would create ribbon development and noted that the shared access arrangement was more typical of an urban setting and would be at odds with the established rural pattern, failing to comply with Criteria B, C and D of CTY 14. She concluded that the proposal failed to meet the requirements of the SPPS and Policies CTY 1, CTY 8 and CTY 14, and that refusal was therefore recommended.

Speaking rights:

In Support:

Mr Gerry Tumelty spoke in support of the application, arguing that he believed that the proposal complied with relevant policies as the development represented an acceptable infill opportunity within a small gap site and therefore fell within a category of development considered appropriate in the countryside. He stated that the site formed part of a substantial and continuously built-up frontage and argued that the proposal would not create or add to ribbon development but would instead utilise an existing infill opportunity in accordance with Policy CTY8. He further stated that, in light of the introduction of SPPS2, infill policy should be interpreted less prescriptively than under PPS21 and maintained that the site did not constitute a significant visual break but rather a gap suitable for development.

In response to concerns under Policies CTY14 and CTY13, Mr Tumelty stated that the proposal would not result in a suburban-style build-up, would respect the existing settlement pattern, and would not erode the rural character. He noted that mature roadside hedging would be retained to provide screening and that matters such as ridge height could be controlled by condition. He confirmed that DFI Roads had advised that the required visibility splays could be achieved, that Environmental Health had raised no objections and that there had been no objections from neighbours.

Councillor McAteer queried how much mature hedge would have to be removed to accommodate the proposal, to which Mrs Ferguson and Mr Tumelty advised that no hedging would have to be removed.

Councillor Larkin noted that the case officer's report contained two scenarios regarding frontage and requested clarity on why that was.

Mrs Ferguson advised that two assessment scenarios had been considered in evaluating the gap site, and both concluded that the proposal was not in keeping with the prevailing plot

sizes. In the first scenario, if No. 20 was treated as a separate unit with its own curtilage, the average frontage width would be approximately 36 metres. In the second scenario the average plot width would be approximately 54 metres. She confirmed that under both scenarios, the gap measured approximately 137 metres, which was more than twice the average plot width. It was therefore concluded that, regardless of how No. 20 was assessed, the gap was substantially larger than the prevailing pattern and was unacceptable in terms of its size and the established settlement pattern.

Councillor Hanna proposed to overturn the recommendation to an approval, stating that he believed the application satisfied the exception requirement of CTY8, was sustainable development in the countryside given the retention of the hedge, would integrate well within the area, would not result in suburban development and he was content that DFI Roads had no objections. This was seconded by Councillor Rice.

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

FOR:	9
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor Rice, it was agreed to issue an approval in respect of planning application LA07/2025/0330/O contrary to officer recommendation as contained in the Case Officer Report.**

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

(5) LA07/2024/0969/O

On agenda as a result of the Call-in Process

Location:
Approx 130m NE of 6 Ballydrumman Road, Derryneill, Ballyward

Proposal:
Proposed dwelling on a farm under Policy CTY10 of PPS21

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Ferguson advised that this was an application for outline planning permission for a proposed dwelling. No objections were received, and consultees raised no issues. DAERA confirmed that the site was not on lands claimed by the applicant's farm business but was being claimed by another business, and the applicant was not a member of that business.

She advised that the site lay within the countryside under the Ards and Down Area Plan 2015 and was assessed under the SPPS and retained planning policies. Under Policy CTY10(a), the applicant indicated that the field had been let in conacre. The field did not appear on the farm maps, and the land was not being farmed under the applicant's business ID. As the field was being claimed by another farm business, that business—not the applicant—would have been entitled to apply for a dwelling, subject to the six-year active farming requirement. She noted that similar issues had arisen in appeal 2024/A0025.

Mrs Ferguson advised that the applicant was not registered as part of the relevant farm business and had no formal association with it. She stated that ownership alone did not demonstrate entitlement to a farm dwelling, and the supporting letter from members of the business carried no determining weight, confirming instead that the land was being let for silage to another farmer.

Mrs Ferguson concluded that the land was being farmed under a different business and that the applicant did not form part of an active and established farm business. The Planning Department therefore recommended refusal for the reasons set out in the report.

Speaking rights:

In Support:
Mr Gerry Tumelty spoke in support of the application, stating that this was a unique circumstance. He explained that the 120-acre landholding, registered in the name of Herron, was owned by the applicant, Mr William Herron. The land had been farmed by Mr Herron's father, who was in his 90s and currently in hospital, and by Mr Herron's sister, while Mr Herron operated his own business elsewhere.

He stated that although Mr Herron had been involved in the farm, he had not previously been named on the farm business. Following issues raised during the application process, he had registered himself as replacing his father on 22 February 2026. He added that it was normal for farmers to lease land in conacre and that the field subject to the application formed part of this rotational arrangement, as the family could not farm the full 120 acres. He argued that, as landowner and now a registered member of the farm business, Mr Herron was entitled to a dwelling on the holding and asked the committee to overturn the recommendation.

Councillor Rice queried why the applicant had only recently been added to the farm business and noted that he operated another business. Mr Tumelty confirmed that Mr Herron had an engineering business but owned the farmland, which had been farmed jointly with his father and sister. He added that ownership had transferred to Mr Herron three to four years earlier.

Councillor Rice noted that the applicant had not been named on the farm business when the application was submitted. Mr Tumelty stated that the application had been made when the applicant's father was still in reasonable health and remained the main farmer, and that Mr Herron had not wished to remove his father's name.

Mrs Ferguson advised that entitlement to a farm dwelling under CTY10 required evidence of active farming by the applicant for the requisite six-year period. She stated that no such evidence had been provided, that the land was not on the applicant's farm map, and that DAERA had confirmed it was being farmed by another business.

In response to Councillor Rice, Mr Tumelty stated that evidence had been submitted, signed by the applicant's father, sister and the conacre tenant.

Councillor Larkin queried why the land had not been brought back into the family farm business before the application was submitted. Mr Tumelty stated that the conacre agreement pre-dated the application and could end at the end of the year, and that ownership had not changed.

Councillor McAteer asked whether planning policy recognised that farmers often rented out fields. Mrs Ferguson stated that the applicant must demonstrate active farming of the land under the business ID used for the application, and that no such evidence had been provided. She noted that the land was being claimed and farmed by another business and that the applicant was not a registered member of the farm business under which the application had been made.

Councillor McAteer suggested the parcel of land was being singled out. Mrs Ferguson stated that the issue was the absence of evidence of active farming by the applicant.

Councillor Hanna believed the Planning Department was being harsh and that the case was an exception. In response to his question, Mr Herron stated that he worked and farmed the land and sometimes let land out.

Mr Tumelty stated that it was common practice for a farmer to apply for a dwelling in a son's name and that, although Mr Herron was not an active member of the farm business, the case was unique because he owned the land.

Councillor Clarke asked why the application had not been submitted in the father's or sister's name. Mr Herron stated that the farm had been signed over to him in 2021, that he had allowed his father and sister to continue farming, and that he had been actively working the farm for ten years, investing heavily to keep it operational.

Councillor Hanna proposed overturning the recommendation and approving the application, stating that he considered the case to be an exceptional circumstance and believed it complied with all relevant policies, including CTY1 and PPS21, although not CTY10.

Councillor McAteer seconded the proposal, noting that DAERA had confirmed the farm business on which the application was made was active, established for six years, and that the field in question was owned by that business.

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

FOR:	6
AGAINST:	3
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Hanna, seconded by Councillor McAteer, it was agreed to issue an approval in respect of planning application LA07/2024/0969/O**

contrary to officer recommendation as contained in the Case Officer Report.

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

The meeting did then recess – 1.20pm
The meeting did then resume – 1.50pm

Cllrs Hanna, Larkin and Tinnelly left the meeting at this point – 1.20pm

Councillor Quinn assumed the role of as both the Chair and Deputy Chair had left the meeting

Councillor Quinn resumed the meeting, confirming that the meeting remained quorate.

(6) LA07/2025/0378/F

On agenda as a result of the Call-in Process

Location:
26 Lisburn Street, Electrotech, Ballynahinch

Proposal:
Change of use from commercial shop unit to 2-bedroom dwelling house

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Ferguson outlined the application, noted that the case officer's report was taken as read, with no objections were received. Consultees offered no objections, subject to conditions. She confirmed that the site was within Ballynahinch Town Centre under the Ards and Down Area Plan 2015 and confirmed that the loss of this small retail unit was considered acceptable as the site lay outside the Primary Retail Core.

In assessing Policy QD1(c), she referred to *Creating Places*, which required adequate private open space to ensure residential amenity and a quality living environment. Even for smaller dwellings, the guidance indicated that private amenity space below approximately 40sqm would generally be unacceptable. The proposal provided no private amenity space, and the agent's justification that based on town centre location and nearby long-established properties with limited amenity did not outweigh this policy requirement.

Mrs Ferguson concluded that the proposal failed to provide an acceptable residential environment and did not comply with Policy QD1 of PPS7.

Speaking rights:
In Support:
Mr William Getty advised that the blue lands shown on the block plan were owned by him and could not be amended within the application. He stated that although reference had

been made to a 40m² amenity space, he owned a significantly larger area to the rear of the property. He argued that a balanced approach to policy was required and referred to the SPPS as the primary material consideration, noting its support for housing within settlements, town-centre living and the reuse of existing buildings. He believed the proposal would add diversity to the housing stock in Ballynahinch, particularly given the limited demand for commercial premises, and would provide an option for under-represented groups. He noted that neighbouring properties also had limited or no amenity space.

He referred to PPS12 and the SPPS, highlighting their support for a range of house types and for smaller amenity areas where appropriate. He stated that the 40m² guidance was not absolute and that paragraph 5.19 of the SPPS recognised circumstances where reduced provision could be acceptable. He advised that the property had been a dwelling until the late 1990s and that returning it to residential use was appropriate and sustainable. He concluded that the wider objectives of the SPPS required consideration and that the proposal would benefit Ballynahinch town centre.

In response to a question from Councillor Murphy regarding whether the land to the rear formed part of the application, Mrs Ferguson confirmed that it did not, as it lay outside the red line. Mr Getty stated that a small amount of amenity space existed within the red line but was difficult to see on the images. He explained that the omission of the blue lands was an error by the architect and that he had been advised he would need to withdraw and resubmit the application to amend it.

In response to a query from Councillor McAteer regarding the level of amenity space, Mrs Ferguson confirmed there was none. Mr Getty referred to a small courtyard with a lean-to at the rear, which he considered to be amenity space. Mrs Ferguson advised that the red line wrapped around the building only and did not include a courtyard.

Mr Getty explained that a communal parking area lay between the red and blue lands, serving four buildings, two of which were already residential, and that he had a right of way through this area to the garden. Councillor McAteer asked whether the area could be enhanced to provide amenity space despite being outside the red line, and Mr Getty confirmed that it could. Mrs Ferguson advised that as it was outside the red line of the application, it could not be taken into account by the Planning Department.

Following extensive discussion regarding amenity space at the rear of the site, Councillor McAteer proposed a site visit, seconded by Councillor D Murphy.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor D Murphy, it was agreed to defer planning application LA07/2025/0378/F to allow for a site visit.**

(7) LA07/2024/1471/F

On agenda as a result of the Call-in Process

Location:
Lands Immediately S of No. 24 Lower Carrogs Road, Newry, BT34 2NQ

Proposal:
Proposed New Dwelling & Detached Garage

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mr Keane noted that the case officer's reports, including the site history and relevant appeals, were taken as read, the site was located in the countryside, and the provisions of PPS21 therefore applied. He advised that the Planning Department considered that the proposal failed to meet the policy requirements of CTY8, as it relied on two separate frontages, reminding Members of the inherently restrictive nature of CTY8. The application site was not considered to form part of a substantial and continuously built-up frontage, and the proposal did not represent a continuation of the same frontage, as it lay on a different laneway. He further noted that the site provided visual relief and a break in the developed appearance of the area, which should be protected. The proposal was considered contrary to policy, would result in ribbon development and further build-up, and was therefore recommended for refusal.

Speaking rights:

In Support:

Mr David Donaldson spoke in support of the application, supported by Mr Jonathan Matthews. He advised that there had been no objections from neighbours or statutory consultees, and that the design was satisfactory and compliant with CTY13. He stated that the proposal met integration policy and that the officer's view of two separate frontages was incorrect, as the lane formed one continuous frontage linking Nos. 20 and 24, despite a bend. He referred to appeal decisions confirming that buildings did not need to be in a straight line or share the same orientation.

Mr Donaldson noted that the Planning Committee had previously determined that development on this site was policy compliant and had been approved in March 2019 (LA07/2016/1486) following a site visit, despite an initial recommendation for refusal. He stated that Members had previously concluded that the lane provided a continuous frontage creating an infill site, and he emphasised the need for consistency and fairness.

Mr Donaldson referred to the earlier officer report, which had described the previous approval as a 'poor planning decision', noting that this comment had since been removed from the report. He stated that it was the role of Members to apply local knowledge and judgement, which they had done in 2017. He cited Mr Orbison KC's text on planning appeals, noting that where a site had a history of approval for similar development, a change in circumstances must be demonstrated to justify a different outcome and stated that no such change had occurred: the site, the applicant and the relevant policy remained

the same, and the Council had previously approved the earlier application. He believed the current report did not justify a different conclusion.

Mr Donaldson acknowledged that Mr Matthews had not submitted reserved matters within the required three-year period due to personal circumstances and advised that the proposed dwelling had been designed to meet the special needs of Mr Matthews' daughter, reiterated that there had been no change in policy since the previous approval, which he considered a significant factor.

In response to a question from Councillor Quinn, Mr Matthews described extensive family medical issues that had prevented the submission of reserved matters and stated that the family was now in a better position and focused on his daughter's care. Councillor Quinn asked whether the design included adaptations for her needs, and Mr Donaldson confirmed that it had been designed specifically for her condition.

Councillor Clarke stated that the application appeared similar to the previous proposal and noted that an appeal would require evidence of a change in circumstances and asked officers to comment. Mr Keane stated that the Planning Department had been consistent in its interpretation of policy, confirming that the previous application had also been recommended for refusal by the Planning Department but had been overturned by the Committee in 2017, and that the permission had expired in 2022. As there was no extant permission, the principle of development required reassessment.

Mr Keane confirmed that during processing, various appeal decisions had been referenced, including one where a key paragraph had been omitted, that being that the Commissioner had concluded that because the previous permission had expired and had not been implemented, it did not carry determining weight, and the principle could be revisited. He advised that it was still the opinion of the Planning Department that the proposal failed CTY8 and remained contrary to policy.

Councillor McAteer proposed to overturn the recommendation to an approval, citing the same reasons used in 2017. He stated that the previous site visit had confirmed that the building to the north had frontage onto the lane and that another building and garage formed part of a further frontage, leading Members to conclude that the plot constituted an infill site compliant with CTY8.

This was seconded by Councillor D Murphy.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor D Murphy, it was agreed to issue an approval in respect of planning application LA07/2024/1471/F, contrary to officer recommendation as contained in the Case Officer Report.**

(8) LA07/2024/1128/O

On agenda as a result of the Call-in Process

Location:
Lands adjacent and E of 84a Warrenpoint Road, Newry, Co Down, BT34 2PS

Proposal:
Proposed dwelling and garage (amended access)

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mr Keane outlined the application, noted that the case officer's report was taken as read. He confirmed that the Planning Department considered the proposal unacceptable for the reasons detailed in the report. While the farm business was active and established, the proposed siting did not visually link or cluster with the existing buildings on the farm and was considered unduly prominent. He also noted significant residential amenity concerns relating to the access arrangements, as well as character impacts arising from the proposed access, all of which were detailed in the officer's report and confirmed that the application was recommended for refusal

Speaking rights:

In Support:

Mr Declan Rooney spoke in support of the application, supported by Mr Bernard McLaughlin. He advised that the application had been recommended for refusal under CTY1, CTY10, CTY13, CTY14 and PPS21, disagreed with the assessment that the proposal did not visually link or cluster with the existing farm buildings and stated that it fully complied with CTY10. He argued that the separation distance between the site boundary and the farm buildings was 24 metres, noting that the officer's view that proximity alone was insufficient placed a higher test on the policy than intended. He referred to previous PCC and Council decisions which had accepted that physical proximity established clustering. He therefore considered that a distance of 24–35 metres was modest and demonstrated clear physical and visual linkage.

Mr Declan Rooney noted that the case officer considered the dwelling to read more closely with Nos. 84 and 84A Warrenpoint Road, noting that these dwellings were owned by the applicant's cousins, who assisted with farming the land. He stated that visual association with other dwellings did not preclude visual linkage with the farm buildings and that CTY10 imposed no such restriction.

Mr Declan Rooney used PowerPoint images to demonstrate compliance with CTY10 and to show that integration concerns were mitigated, as the site was barely visible from either approach due to existing roadside development. He stated that the proposal did not constitute back land development or suburban site build-up and therefore complied with CTY13 and CTY14.

He acknowledged concerns regarding access and amenity but explained that the proposal used an existing access onto Warrenpoint Road, as requested by DfI Roads, and required

limited additional hardstanding. He stated that the field was already accessed by the farmer and that the proposal would not create any greater impact. He accepted that the access lay 5 metres from the nearest dwelling but stated that this was common in rural areas and could be addressed by condition.

In response to queries from Councillor McAteer, Mr Rooney advised that the house type had not yet been determined and could be conditioned as part of the Reserved Matters stage, confirmed that there were no objections from the applicants' cousins and that the area between the entrance and the neighbouring dwelling was open.

Councillor Rice asked whether concerns regarding noise were immaterial given the existing farm use, to which Mr Keane responded that the access was not a laneway but the private driveway of No. 84A. He stated that any informal access to the field did not override residential amenity considerations and that the farm had a formal access further north.

Mr Declan Rooney reiterated that the access was owned by the applicant's cousin, who assisted with the farm and used it to access the field. He stated that the required works were minor, that DfI Roads had requested use of this access, with agreement being reached by all relevant landowners.

In response to a question from Councillor D. Murphy, Mr Keane advised that the distance from the farm buildings was approximately 30 metres. He stated that clustering was assessed on factors such as visual linkage and that visibility alone did not establish clustering, explained that the proposed dwelling, positioned behind existing houses not associated with the farm, would be read primarily with those houses from key viewpoints, and that the access arrangements reinforced this association.

Councillor McAteer proposed to overturn the recommendation to an approval, staging that he believed the proposal was visually linked, formed part of a cluster of buildings, and was difficult to distinguish from surrounding development. He considered the buildings to be screened and accepted the local understanding of the entrance. He concluded that the proposal demonstrated sufficient clustering to justify approval.

This was seconded by Councillor D Murphy.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor D Murphy, it was agreed to issue an approval in respect of planning application LA07/2024/1128/O contrary to officer recommendation as contained in the Case Officer Report.**

(9) LA07/2025/0808/O

On agenda as a result of the Call-in Process

Location:
2 Ballycoshone Road, Ballyaughian, Hilltown, BT34 5XB

Proposal:
Proposed infill dwelling

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mr Keane outlined the application, noting that the case officer's report was taken as read. He advised that the Planning Department considered that the proposal failed to meet the policy requirements of CTY8 for a gap site, as there was not a substantial and continuous built-up frontage comprising a minimum of three buildings. The intended access to serve the development opened onto a protected route, and the informal access that had been created had no permission, had not been made lawful, and was deemed unacceptable. He further noted that the proposal was considered contrary to policy, with no established principle for an infill dwelling. It was assessed as resulting in suburban build-up and ribbon development and would have created a new access onto a protected route. The application was therefore recommended for refusal.

Speaking rights:

In Support:

Mr Declan Rooney spoke in support of the application, supported by Ms Catherine Rooney. He noted that officers did not accept Building 3 as a building for the purposes of CTY8 but referred to application LA07/2023/3007/O, where a block plinth and slab foundation had been accepted as a building, and to PAC decision 2022/A0173, where a wooden shed on concrete blocks had qualified as a building. He stated that the structure on this site showed stronger indicators of permanence and therefore met the test previously accepted by the Council and the PAC. He argued that the site therefore represented a small gap within a substantial and continuously built-up frontage and was capable of accommodating up to two dwellings and he considered the proposal compliant with CTY8, CTY1 and CTY14 of PPS21.

On access and AMP3, Mr Declan Rooney advised that DfI Roads had no objections. While noting officers' concerns in relation to the creation of a new access on a protected route but stated that Google imagery showed the access in place since 2008. He stated that it was therefore immune from enforcement and constituted an established lawful access, meaning the proposal did not create a new access and complied with CTY8 and AMP3.

Mr Declan Rooney concluded that the permanent characteristics of the structure, including its concrete base, fixing to the ground, utility connections, former use as a salon and approximately 15-year presence, together with relevant Council and PAC precedents, supported the conclusion that the site formed a combined gap site. He stated that the proposal satisfied CTY8, CTY1, CTY14 and AMP3.

In response to Councillor McAteer, Mr Keane confirmed that he had visited the site several times, had viewed the concrete base and brick plinth and advised that such matters were assessed case by case. He stated that the Planning Department's position remained as set out in the report.

Mr Declan Rooney referred again to appeal decisions where fixed pipework connections had been deemed to indicate permanence and reiterated the building's longevity and fixed services.

In response to Councillor D Murphy, he confirmed that the building remained connected to electricity. Mr Keane stated that a power supply alone did not make a structure permanent. Mr Rooney added that the toilet and washbasin remained connected with running water.

Mr Keane further advised that Members were required to consider the purpose of the policy, which was restrictive and dealt with exceptions. He stated that the policy did not define a building but was intended to apply to permanent structures. He stated that the structure on site was of temporary shed-type construction, capable of deterioration, and that its longevity was not determinative. He advised that, in the professional planning view, it did not constitute a permanent building for policy purposes. He cautioned that accepting temporary or moveable structures as buildings could set an undesirable precedent by enabling infill opportunities through the placement of temporary structures.

In response to Councillor McAteer, Ms Kirk advised that applications of this nature required careful judgement. She reminded Members that they were the decision-makers and that each application must be determined on its own merits, although previous decisions could be referenced. She stated that it was for Members to decide what weight to give to the structures on site.

Councillor Rice proposed to overturn the officer's recommendation to an approval, stating that he believed the proposal complied with CTY8, CTY1 and CTY14, and that the building demonstrated a higher degree of permanence than suggested by officers. He noted that DfI Roads had no objections, accepted that the access had been formed in 2008, and did not accept that the proposal created a new access or conflicted with AMP3.

This was seconded by Councillor D Murphy.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Rice, seconded by Councillor D Murphy, it was agreed to issue an approval in respect of planning application LA07/2024/0808/O, contrary to officer recommendation as contained in the Case Officer Report.**

(10) LA07/2024/1315/F

On agenda as a result of the Call-in Process

Location:
Opposite and 42m SW of 41 Ballycoshone Road, Cabra, Newry, BT34 5XD

Proposal:
Erection of farm dwelling and garage

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mr Keane outlined the application, noting that the case officer's report was taken as read. He stated that the Planning Department considered the proposal unacceptable for the reasons detailed in the report. He advised that while the farm business was active and established, the primary concern related to the siting of the proposed dwelling, which did not visually link or cluster with the established buildings on the farm.

Speaking rights:

In Support:

Mr Martin Byrne spoke in support of the application, supported by Mr Shane Carr, stating that there was clear justification for departing from clustering in this case. He explained that although the proposal met the criteria for a dwelling on a farm, the nature of the farm business required consideration under CTY10(C), which allowed an alternative site removed from the existing farm buildings were supported by evidence from a competent and independent authority such as Environmental Health.

Mr Byrne advised that, based on Environmental Health guidance and previous experience, locating a dwelling close to poultry sheds and feed silos could expose occupants to odour, noise, dust and flies. He noted that impacts varied depending on distance, stocking levels, management practices and weather conditions. He stated that Environmental Health generally recommended a 75-metre separation distance and that they had raised no objection to the application on this basis. He further noted that the Planning Department had raised no concerns regarding the house type or design, which made use of the existing landform to integrate the dwelling, and that no alternative site had been suggested by officers.

Mr Carr advised that an odour assessment had been undertaken using guidance from the Clean Neighbourhoods Act, the SPPS and best-practice material from Air Quality Management and the Environment Agency. He stated that modelling at 25m, 50m and 75m showed that the odour standard was met only at 75m. He noted that Environmental Health responses in August and December 2025 identified 70m, but the initial August response recommended 75m. He stated that this aligned with their modelling and that the PAC case referenced in the planning report was not comparable. He confirmed, in response to Councillor Rice, that the assessment was site-specific.

Mr Keane stated that the agent had focused on CTY10(C) because they appeared to accept that the site did not visually link or cluster under CTY10. He advised that an alternative site

could only be considered once all other available sites on the farm had been ruled out. He noted that this was a sizeable holding with buildings in multiple locations and that those alternatives should have been discounted first. He advised that Environmental Health had been consulted before and after the odour assessment and their initial response raised no objection in principle, provided the dwelling was associated with the adjoining farm business. He stated that Environmental Health applied their standard 75-metre separation distance but raised no objection because the applicant controlled the source of odour. When the odour assessment was submitted, Environmental Health again raised no objection.

Mr Keane advised that the modelling predicted slight emissions at 75m, moderate at 50m and significant at 25m. He stated that a location 25m away on the opposite side of the field would have visually linked with the existing cluster and would not have raised the same policy concerns.

Mr Carr stated that he had raised the possibility of alternative locations with the Planning Department but that they had not been receptive. He referred to a previous approval with a greater separation distance.

In response to Councillor McAteer, Mr Keane outlined the requirements of CTY10 and confirmed that the 75-metre distance did not appear in planning policy.

Mr Byrne confirmed that the poultry unit operated as an egg-laying facility with doors closed at all times, and Mr Carr confirmed that the sheds required cleaning approximately every 50 days. Mr Carr added that odour modelling had been carried out in line with guidance indicating that three odour units could generally be accepted 98% of the time before residential amenity was affected.

Councillor Rice proposed to overturn the officer's recommendation to an approval, stating that he believed an exceptional case had been demonstrated under CTY10(C), supported by an independent report, and that CTY10 was therefore satisfied. He stated that CTY13 no longer stood as a refusal reason.

This was seconded by Councillor McAteer.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor Rice, seconded by Councillor McAteer, it was agreed to issue an approval in respect of planning application LA07/2024/1315/F contrary to officer recommendation as contained in the Case Officer Report.**

(11) **LA07/2024/1054/F**

On agenda as a result of the Call-in Process

Location:
Adjacent to and SE of 36 Clonallon Road, Warrenpoint, BT34 3PH

Proposal:
Proposed single storey dwelling and detached garage

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mr Keane stated that this was a full application for a new dwelling and that the case officer's report was taken as read. He advised that the Planning Department considered the proposal unacceptable for the reasons set out in the report and recommended refusal. The plot size, its forward siting in front of the existing dwelling and immediately beside the road, together with the form and general layout, were considered out of keeping with the character of the area. He further noted that the elevated siting, design and layout would have created residential amenity issues, including overlooking, overshadowing and an overbearing impact.

Mr Keane stated that the site formed part of the curtilage of No. 36 and that further subdivision of the plot, combined with the proposed siting and form, would result in a pattern of development considered out of keeping with the area.

Speaking rights:;

In Support:

Mr Barney Dinsmore spoke in support of the application, stating that in Northern Ireland a multi-dwelling permission remained live indefinitely where part of the approved development had been built. He noted that neighbour notifications and statutory consultees had raised no objections and that the site lay within the Burren/Warrenpoint settlement limits with an established planning history which, in his view, had been wrongly disregarded.

He presented PowerPoint material showing Outline Permission P3377 with three reserved matters approvals, two of which had been implemented, thereby keeping the remaining plot valid. He disputed the view that the proposal failed to respect local character, stating that Clonallon Road had no prevailing built form and reflected a typical suburban mix.

He referred to PPS7 QD1, stating that the proposal met Criteria A, G and H as a modest single-storey mobility dwelling set into the slope, similar to neighbouring properties, and designed to avoid overlooking, overshadowing or loss of amenity. He stated that the site was not part of the front garden of No. 36 and that historic approvals confirmed it as a separate plot capable of accommodating a third dwelling. Site sections showed a ridge height below No. 38 and similar to No. 36, with compliant separation distances.

Mr Dinsmore argued that if the proposal met QD1 Criteria A and H, Policy LC1 was not applicable, as density and the pattern of development had already been established. He highlighted recent comparable approvals on Clonallon Road and stated that refusal reason 2 was therefore unsustainable.

He noted that HED and NED had raised no concerns under PPS2 and that compliance with QD1 satisfied PPS2. He concluded that the application remained live and valid as part of a partially implemented three-dwelling permission, and that the fact the original approval pre-dated current policy was irrelevant, as duration provisions had not changed. He stated that the proposal also met current PPS7 requirements when assessed independently.

Mr Keane stated that an application for three bungalows had been approved in 1977. Planning records showed two subsequent reserved matters approvals, each with its own access, and both dwellings had been built. He stated that no reserved matters approval existed for the third plot. Mr Dinsmore disputed this and stated that he held documents evidencing outline permission and reserved matters for three dwellings.

In response to Councillor McAteer regarding the legal standing of the documents and whether reserved matters carried through in perpetuity, Ms Kirk advised that outline permission established the principle of development and formed part of the planning history. She stated that Members were entitled to regard this as a material consideration, particularly where outline permission had been specific to the site, noting that the Planning Department disagreed regarding the reserved matters position.

Mr Dinsmore stated that officers had referred only to two reserved matters when there were three. In response to Councillor Quinn, he confirmed that the 1977 reference numbers had been provided to the Planning Department.

Mr Keane explained that planning records showed an outline application in 1977 and two subsequent applications. He stated that, irrespective of whether there were two or three, commencement was required and only two dwellings had been built, with the third remaining undeveloped. He stated that the department considered the permission expired.

Following discussion on commencement, Mr Rooney stated that the issue had repeatedly caused difficulty for the committee. He noted that if a full permission for three dwellings had existed and two had been commenced, the permission would have remained extant. However, the approvals were outline permissions and reserved matters were required within three years. He stated that, in the department's view, commencement had not occurred, but that the application should be determined on its planning merits, with planning history considered separately.

Mr Dinsmore stated that there had been a misperception, asserting that outline permission and three reserved matters together represented full permission and that, as development had commenced, the site remained valid.

Ms Kirk advised that the 1977 outline approval formed part of the planning history and that the PAC would consider whether it had established the principle of development. She stated that Members were entitled to conclude that the principle had been established, given that two of the three reserved matters approvals had been implemented, but were equally entitled to take a different view based on current policy.

In response to Councillor McAteer, Mr Dinsmore confirmed that drawings existed for the third dwelling, though none were on record. On amenity, he stated that all possible steps had been taken to alleviate overshadowing and loss of light, noting that there were no windows on the affected elevation and that the ridgeline was lower.

Mr Keane advised that the site was undulating, with ground levels up to 2.5 metres higher than the nearest neighbouring property. He stated that although the dwelling was modest in height, the elevated ground levels and additional built form created an adverse impact on the neighbouring property, including overlooking of the dwelling and its amenity space.

Mr Dinsmore stated that he was willing to work with the planning department to achieve a design acceptable to both parties.

Councillor McAteer proposed overturning the officer's recommendation and approving the application. He also proposed that concerns regarding overlooking be delegated to Planning Officers

This was seconded by Councillor D Murphy.

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

FOR:	6
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor D Murphy, it was agreed to issue an approval in respect of planning application LA07/2024/1054/F contrary to officer recommendation as contained in the Case Officer Report.**

It was also agreed that Planning Officers be delegated authority to impose any relevant conditions.

FOR DECISION

P/016/2026: **RENEWABLE ENERGY WORKSHOP – CORRESPONDENCE FROM DFI**

Read: Correspondence from DFI re Renewable Energy Workshop **(Copy circulated)**

Mr McGilly advised that the correspondence related to an improvement programme being taken forward by councils in partnership with DfI. He stated that the proposal was to hold a renewable energy workshop as part of a series examining new technologies likely to feature in future planning applications across all local authorities. The workshop was scheduled for 11 March 2026 in Belfast and attendance was limited to approximately three representatives per council, including officers and at least one Planning Committee Member.

AGREED: **It was agreed on the proposal of Councillor McAteer, seconded by Councillor Quinn, to nominate the Chairperson to attend. If unavailable, a Member of the planning committee would be nominated.**

FOR NOTING

P/017/2026: **HISTORIC ACTION SHEET**

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

AGREED: **It was agreed on the proposal of Councillor D Murphy, seconded by Councillor McAteer, to note the historic action sheet.**

There being no further business the meeting ended at 3.56pm

Signed: _____ Chairperson

Signed: _____ Chief Executive

NB: 57% of decisions overturned

Item 5 – Addendum List

Addendum list - planning applications with no representations received or requests for speaking rights – Planning Committee Meeting on Wednesday 25 March 2026

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

- **LA07/2023/3544/F -** Carlingford Lodge 76 Upper Dromore Road Dromore Warrenpoint BT34 3PN - Proposed extension to existing private nursing home and internal reconfiguration creating 15No. additional bedrooms and the relocation of existing services. Location: Carlingford Lodge 76 Upper Dromore Road Dromore Warrenpoint, BT34 3PN
  APPROVAL

- **LA07/2023/2867/F** - To the rear of 58 to 76 Canal Street, Newry - Proposed development of 4 dwellings on to Catherine Street and 2 dwellings to rear with access from Canal Street. (amended plans)
  APPROVAL

- **LA07/2023/3341/F -** 22m East of no 16 Chancellors Hall, Newry - Proposed Dwelling
  REFUSAL

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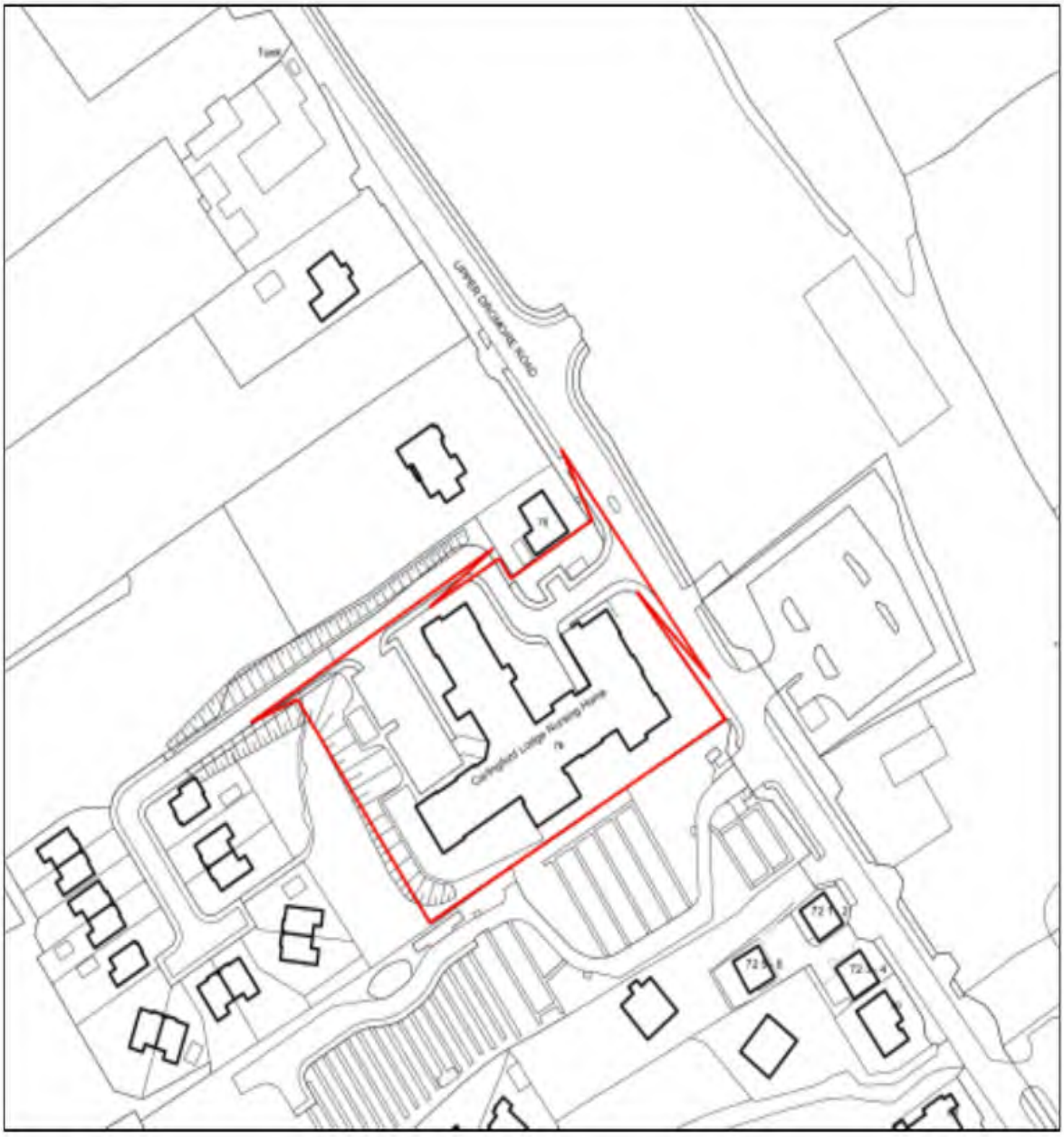
Delegated Application

Development Management Officer Report	
Case Officer: Richard McMichael	
Application ID: LA07/2023/3544/F	**Target Date:**
Proposal: Proposed extension to existing private nursing home and internal reconfiguration creating 15No. additional bedrooms and the relocation of existing services.	**Location:** Carlingford Lodge 76 Upper Dromore Road Dromore Warrenpoint BT34 3PN
Applicant Name and Address: Mr Gilbert Yates 1st Floor, Building 2 St. Helen's Business Park 130-134 St Helen's Court High Street Holywood BT18 9HQ	**Agent Name and Address:** TSA Planning 20 May Street Belfast BT1 4NL
Date of last Neighbour Notification:	10 March 2024
Date of Press Advertisement:	22 November 2023
EIA Determination:	
Consultations: NI Water (03/03/2024): Refuse. Recommendation may be reconsidered upon engagement with NI Water. Env. Health (20/03/2024): No objection, subject to condition. Dfl Rivers (31/05/2024): No objection. Dfl Roads (01/07/2025): No objection, subject to conditions.	
Representations: None received.	

Letters of Support	0
Letters of Objection	0
Petitions	0
Signatures	0
Number of Petitions of Objection and signatures	0

Site Visit Report

Site Location Plan:



Date of Site Visit: August 2024

Characteristics of the Site and Area

The approximately 0.85 ha site is a rectangular parcel of land accommodating the existing Carlingford Lodge Care Home. To the rear lies a grassed area with mature planting, beyond which is an adjoining residential scheme of 14 retirement dwellings. Warrenpoint Municipal Cemetery is situated immediately to the south, with a car park and areas of hardstanding on the opposite side of Upper Dromore Road to the east, and

a single detached dwelling to the north. The site rises gently westwards from Upper Dromore Road.

Description of Proposal
Proposed extension to existing private nursing home and internal reconfiguration creating 15No. additional bedrooms and the relocation of existing services.

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

Application Number: P/2006/1281/O
Decision: Allowed
Decision Date:
Proposal: Site for 75 bed nursing home with associated parking and siteworks

Application Number: P/2009/0713/RM
Decision: Permission Granted
Decision Date: 17 August 2009
Proposal: Erection of 75 bed nursing home with associated parking and siteworks

Application Number: P/2010/1006/RM
Decision: Permission Granted
Decision Date: 08 June 2011
Proposal: Minor amendment to building footprint and adjustment of windows and projecting bays on elevations and minor amendments to internal road layout of previously approved application P/2009/0713/RM

Application Number: P/2011/0691/F
Decision: Permission Granted
Decision Date: 14 December 2011
Proposal: 14no. 1.5 storey retirement dwellings, private landscaped communal garden and associated site and access works

SUPPORTING DOCUMENTS

- *Drainage Assessment*, Merrac Consulting (August 2023)
- *Assessment of Community Benefit*, O'Kane Commercial (October 2023)
- *Design & Access Statement*, TSA Planning (November 2023)
- *Transport Assessment Form*, MRA Partnership (November 2023)
- *Parking Statement*, MRA Partnership (November 2025)
- *NI Biodiversity Checklist & Ecological Statement*, AEC (February 2026)

PLANNING POLICIES & MATERIAL CONSIDERATIONS

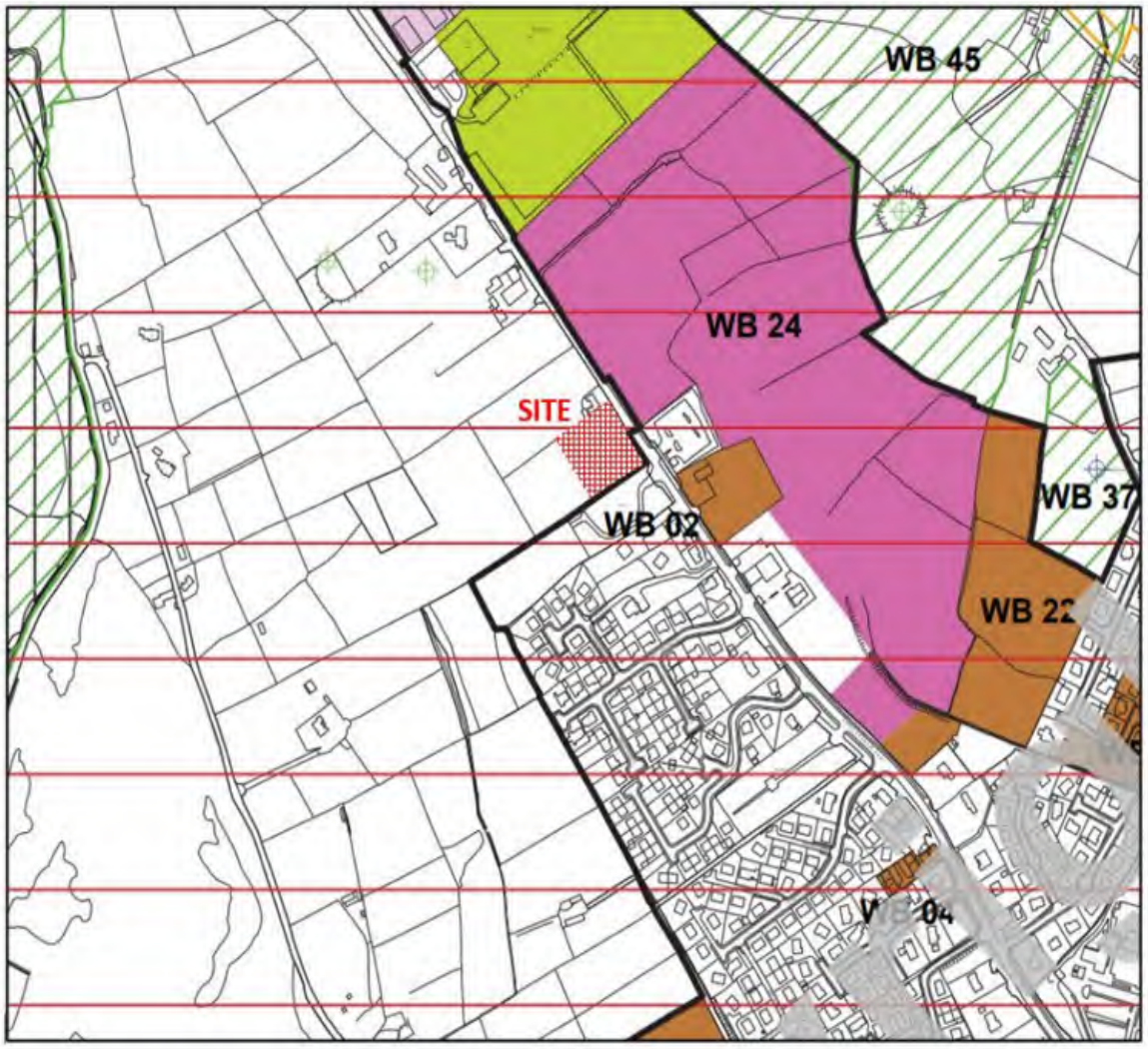
This application will be assessed against the following planning policies:

- Regional Development Strategy 2035
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge, Newry and Mourne Area Plan 2015
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 4: Planning and Economic Development
- PPS 15 (Revised): Planning and Flood Risk
- PPS 21: Sustainable Development in the Countryside
- DCAN 15: Vehicular Access Standards
- Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside

CONSIDERATION AND ASSESSMENT

Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is the Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The site is located outside of any development limits and is within the boundary of the AONB. There are no specific policies in the Plan relating to the proposed use therefore this application will be assessed against regional planning policy.



The Strategic Planning Policy Statement for Northern Ireland (SPPS)

As there is no significant change to the policy requirements for the nursing home development in the countryside following publication of the SPPS, the retained planning policy is PPS21: Sustainable Development in the Countryside. This policy will be given substantial weight in determining the proposal in accordance with paragraph 1.12 of the SPPS.

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

EIA Development

The planning application was assessed to determine whether it constituted Schedule 2 development under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. The proposal was considered to fall within Category 10(b) of

Schedule 2. In addition, the site is located within the Mourne Area of Outstanding Natural Beauty, which is identified in the Regulations as a 'sensitive area'.

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

PPS 21 – Sustainable Development in the Countryside

Policy CTY 1 – Development in the Countryside

Policy CTY 1 states that planning permission will be granted for industry and business uses in the countryside in accordance with PPS 4.

The use of this site as a residential home is well established, whereby this application seeks an extension, within those grounds.

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

Policy CTY 13 requires that development in the countryside is visually integrated into the surrounding landscape and is of an appropriate design. The proposal fully complies with these requirements for the reasons set out below.

(a) it is a prominent feature in the landscape

The extension is not a prominent feature in the landscape. It is positioned directly alongside the existing nursing home and forms a continuation of the established built form. The low-rise, single-storey scale and elongated profile ensure that it remains visually subordinate to the overall complex and does not project above or beyond the existing building envelope in a manner that would draw undue attention within the wider countryside.

(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

The site is defined by established boundary treatments and mature vegetation which enclose the existing nursing home and provide a strong visual framework. The extension is located within this contained envelope and benefits from the same boundary structure, ensuring that it is well screened and capable of visual integration without the need for extensive new planting.

(c) it relies primarily on the use of new landscaping for integration

The extension does not rely on new landscaping as the primary means of integration. It is visually absorbed by the existing built form and the established boundary features of the site. The relocated gas tanks, positioned adjacent to the site access, will be enclosed and screened by additional planting. This landscaping is not required to integrate the main building but is provided to soften the appearance of this service element and to ensure that it is effectively screened from passing traffic and from users of the internal road network.

(d) ancillary works do not integrate with their surroundings

All associated works, including paths and the relocation of the gas tanks are considered to be visually cohesive and integrate naturally with the surroundings.

(e) the design of the building is inappropriate for the site and its locality

The design is appropriate for both the site and its rural context. The extension adopts the same architectural language as the original nursing home, including its roof form, proportions, materials and window detailing. This consistency ensures that the building reflects local character and does not appear incongruous within its setting.

(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop
The extension follows the established building line and respects the existing landform. Its low profile, linear form and continuation of the existing roofline allow it to sit comfortably against the backdrop of the nursing home and surrounding landscape. The development therefore blends with, rather than competes against, the natural and built features of the site.

(g) in the case of a proposed dwelling on a farm
This criterion is not applicable, as the proposal does not involve a farm dwelling.

Overall, the proposal is visually integrated, appropriately designed for its rural setting, and fully compliant with the requirements of Policy CTY 13.

Policy CTY 14 – Rural Character
The proposed extension to Carlingford Lodge Care Home has been assessed against Policy CTY 14, which seeks to ensure that development in the countryside does not cause a detrimental change to, or further erode, the rural character of an area. The proposal fully complies with this policy for the reasons set out below.

(a) it is unduly prominent in the landscape
The extension is not unduly prominent. It is sited immediately adjacent to the existing nursing home and is visually read as part of the established complex rather than as a new standalone building. Its single-storey scale, continuation of the existing roof form and alignment with the current building line ensure that it remains visually contained within the developed envelope of the site.

(b) it results in a suburban style build-up of development when viewed with existing and approved buildings
The extension will read as that of the established nursing home. It does not extend development outward into the countryside. Instead, it consolidates built form within the existing nursing home site, maintaining a clear distinction between the developed area and the surrounding rural landscape.
(c) it does not respect the traditional pattern of settlement exhibited in that area
The nursing home is an established rural enterprise and forms part of the existing pattern of development in the area. The extension follows the same linear arrangement and building orientation as the original structure, reinforcing the established pattern rather than disrupting it. The proposal therefore respects the traditional settlement form of the locality.

(d) it creates or adds to a ribbon of development
The extension is not positioned along a public road frontage in a manner that would elongate built form or link separate buildings into a continuous strip. Instead, it remains set within the existing site and does not visually extend development along the roadside.

(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character

All ancillary works, including paths and the relocation of the gas tanks are confined within the established site boundaries. These works are designed to complement the existing development and will not introduce visually intrusive features.

Overall, the proposed extension maintains the rural character of the area by consolidating development within the existing nursing home site and by respecting its scale, form and relationship with the surrounding countryside.

PPS 4 – Planning and Economic Development

Policy PED 3 – Expansion of an Established Economic Development Use in the Countryside

Carlingford Lodge Nursing Home is an established economic development use in the countryside, providing residential care accommodation. The proposal therefore falls within the scope of Policy PED 3, which allows for expansion in principle, subject to the detailed criteria set out in the policy.

The scale and nature of the proposal do not harm the rural character or appearance of the area. The extension is confined within the developed envelope of the site and does not project into open countryside beyond the existing building line. Its positioning consolidates built form rather than spreading development across the site, ensuring that there is no major increase in the site area of the enterprise.

Policy PED 3 expects expansion to be accommodated through reuse or extension of existing buildings, and this requirement is fully met. The extension is physically connected to the nursing home and reads as an integral part of the overall complex, rather than a separate or freestanding structure. No new detached buildings are proposed.

The proposed elevations demonstrate that the extension adopts the same low-rise, single-storey form as the adjoining accommodation wing, with matching ridge and eaves heights, roof pitch and overall proportions. The regular window rhythm, gable forms and roof profile are continued, ensuring visual continuity. The darker shading on the drawings is used solely to distinguish the proposed works and does not indicate a different architectural treatment. In design terms, the extension fully respects the scale, form and materials of the original building.

The proposal does not constitute a major expansion. It represents a proportionate increase within the existing operational site and therefore does not trigger the exceptional tests relating to relocation, economic contribution or rural character harm.

The policy requires that measures are taken to aid integration into the landscape. As demonstrated in the preceding assessments of Policies CTY 13 and CTY 14, the extension is visually absorbed by the existing built form and established boundary features, while the relocated gas tanks are appropriately screened by landscaping. Together, these measures ensure that all elements of the proposal are satisfactorily integrated into the surrounding rural landscape.

For these reasons, the proposal is considered to fully comply with the requirements of Policy PED 3.

Policy PED 9 – General Criteria for Economic Development

Policy PED 9 states that a proposal for economic development use, regardless of its location, will be required to meet all the following criteria:

(a) it is compatible with surrounding land uses

The site is already in established use as a nursing home, which is a recognised form of economic and community development within the countryside. The proposal represents an extension to this existing use and does not introduce a new or incompatible activity. The surrounding land uses remain predominantly rural in character, and the continuation of a care facility on the site is compatible with this context, particularly given the existing presence of the nursing home.

(b) it does not harm the amenities of nearby residents

The extension is physically connected to the existing building and is located within the operational envelope of the nursing home. The scale, height and form of the extension match the existing structure and do not introduce overlooking, loss of light, or overbearing impacts, due to its siting, and separation distance and relationship to adjoining/adjacent properties. The nature of the use remains unchanged and therefore does not give rise to new amenity concerns. As such, the proposal does not harm the living conditions of any nearby residents.

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

The development is confined to the existing curtilage of the nursing home and does not encroach upon undeveloped or sensitive land. The design and materials reflect the established character of the building and ensure that the existing built heritage is respected.

(d) it is not located in an area at flood risk and will not cause or exacerbate flooding

The development is not located within any designated flood risk area. A drainage assessment has nevertheless been submitted in response to Policy FLD 3, which requires such information for residential developments of 10 or more units. While the applicability of this threshold to a care home extension may be open to interpretation, the assessment was provided in the interests of robustness and transparency. Dfl Rivers were consulted on the submitted information and have raised no objection to the proposal.

(e) it does not create a noise nuisance

The use of the building remains as a nursing home and does not involve noisy industrial or commercial processes. The extension will not generate levels of noise beyond those already associated with the lawful use of the site. Consequently, the proposal will not give rise to a noise nuisance to nearby land uses.

(f) it is capable of dealing satisfactorily with any emission or effluent

The development will connect to the existing foul and surface water drainage infrastructure serving the nursing home. No new or unusual emissions are created by the proposal, and the additional bedrooms will be accommodated within the existing

operational and servicing arrangements. NI Water were consulted and raised an issue with the foul sewer connection. This will be addressed in full later in this report.

(g) the existing road network can safely handle any extra vehicular traffic
DfI Roads were consulted on the proposal and raised no objection, subject to suitably worded conditions.

(h) adequate access arrangements, parking and manoeuvring areas are provided
The proposal will result in an increase in rooms, but a reduction in car parking spaces. A parking survey has been submitted to justify the loss of parking. This will be addressed in full later in this report.

(i) a movement pattern is provided that supports walking and cycling and meets accessibility needs
The existing internal layout provides level and step-free access within the site. The extension links directly into the internal circulation of the nursing home and is fully accessible for residents, staff and visitors, including those with reduced mobility. The movement pattern respects the operational needs of the nursing home and allows for safe pedestrian access throughout the site.

(j) the site layout, building design, infrastructure and landscaping are of high quality
The extension is designed as a direct continuation of the existing building, matching its scale, roof form, materials and architectural detailing. The site layout remains coherent and contained, and landscaping measures will reinforce the rural setting while promoting biodiversity. The proposal therefore achieves a high standard of design and sustainability.

(k) appropriate boundary treatment and screening are provided
The existing boundary treatments will be retained and strengthened where necessary, for example where the gas tanks are to be relocated adjacent to the main access. The extension will require only a new concrete retaining wall, which will have no adverse impact on the site, as it will be mostly screened by the extension itself.

(l) is designed to deter crime and promote personal safety
The extension integrates with the existing nursing home layout and benefits from natural surveillance, controlled access points and well-defined internal circulation. The design promotes a safe environment for residents, staff and visitors.

(m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape
The extension follows the established built form, scale and materials of the nursing home and is visually read as part of a single complex. Landscaping and boundary planting assist in softening the development and reinforcing its relationship with the surrounding rural environment. The proposal is therefore satisfactorily integrated into the landscape.

PPS 2 – Natural Heritage

PPS 2 seeks to safeguard biodiversity, geological features and natural landscapes from inappropriate development, while promoting the sustainable use and enjoyment of the

natural environment. The proposal has been assessed against the relevant provisions of PPS 2, having regard to the site's location within the Mourne AONB, as well as the supporting ecological information.

Ecological Statement

An Ecological Statement has been prepared following a desk study and a site visit/field survey undertaken by Richard Ayre on 29 January 2026. The assessment considered the potential impacts of the proposed detached infill dwelling and garage on habitats and protected species and identified appropriate mitigation measures to ensure compliance with PPS 2. It found that there would be:

- No impacts upon SAC, SPA, Ramsar, ASSI or local wildlife designated sites are predicted to arise should the current proposals be granted.
- No impacts upon priority habitat are predicted to arise should the current proposals be granted.
- No impacts upon roosting bats are predicted to arise in relation to the removal of existing trees to facilitate the construction of the extension
- No field evidence was identified to suggest the presence of badger or their sites of refuge within the site or the associated 25m buffer out with. No well-defined mammal trails, dung pits, latrines or foraging snuffle holes were identified while no actual or potential sites of refuge were recorded within the application site area or surrounding 30m buffer zone.
- No other habitats or site features are present with potential to support any other protected/priority species with the exception of the scrub growth and trees in the southwest that may support breeding birds

It concluded that vegetation clearance works should not be conducted during the bird breeding season and proposed the necessary mitigation measures required if works were to be undertaken during this period.

Subject to the inclusion of appropriately worded conditions addressing the recommended mitigation and best practice measures, the proposed development is not expected to have a significant adverse impact on natural heritage interests and is therefore considered compliant with policies NH 2 and NH 5 of PPS 2.

Policy NH 6

The proposed development is located within an Area of Outstanding Natural Beauty and has therefore been assessed against Policy NH 6 of PPS 21.

In this instance, the proposal relates to an extension to an existing nursing home rather than the introduction of a new or isolated form of development. The siting and form of the extension are directly related to the established building and the existing pattern of development along Upper Dromore Road, and it will read as a natural continuation of the current built group. It will not appear as an isolated or intrusive feature within the wider landscape.

The extension occupies a modest area within the existing developed curtilage and, by reason of its limited scale and subordinate form, is appropriate to its rural and landscape context. It is not considered that the development would appear prominent, dominant or visually intrusive when viewed from the surrounding area or from within the wider AONB.

The proposal will not result in the loss of important landscape features and will respect existing field boundaries, hedgerows and vegetation. No features of heritage, ecological or landscape value will be adversely affected by the proposal.

It is therefore considered that the proposed extension accords with the requirements of Policy NH 6. The development will not adversely affect the character, appearance or special qualities of the Mourne Area of Outstanding Natural Beauty.

Having regard to the domestic scale of the proposed extension and the findings of the Ecological Statement, the development will not result in unacceptable impacts on habitats, species or wider natural heritage interests. Subject to the implementation of the recommended mitigation and protection measures, the proposal is considered to comply with Policies NH 2, NH 5 and NH 6 of PPS 2 and is acceptable in natural heritage terms.

PPS 3 – Access, Movement and Parking

Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic.

The proposed development relates to an extension to the existing nursing home, which will be served entirely via the established internal road network within the site, with access taken from Upper Dromore Road. No new access points onto the public road network are proposed as part of the development. The continued use of the existing access arrangements ensures that traffic movements associated with the extension will be accommodated without adverse impact on road safety or the free flow of traffic on Upper Dromore Road. The internal road layout is already designed to appropriate standards and is capable of safely facilitating additional vehicle movements associated with the extended facility.

The proposal includes a reduction of two on-site car parking spaces from 30 to 28. As a result, the scheme does not strictly meet the minimum number of parking spaces normally required for a nursing home development. However, the applicant has submitted a detailed parking survey of the existing nursing home, which demonstrates that current levels of parking demand from staff and visitors are significantly below the maximum theoretical requirement. The survey indicates that the existing parking provision can comfortably accommodate staff and visitor parking associated with both the current operation and the proposed extension, without overspill onto surrounding roads.

The current nursing home includes 75 bedrooms and 30 car parking spaces. The existing parking requirement is 32 spaces based on 20 staff and 75 residents (1 space per 3 staff, plus 1 space per 3 beds).

Parking standards are one element of parking policy, with the location and characteristics of the development also be relevant considerations. As this is an existing nursing home, the actual parking requirements can be observed.

The applicant has confirmed that 13 new staff will be scheduled each week, operating on a rota comprising three day-shift staff and two night-shift staff. This arrangement would result in three additional day staff being present on any given day. The total number of day staff would therefore increase from 20 to 23, which equates to a requirement for one additional parking space. The increase of fifteen rooms would require an additional five parking spaces from 25 to 30. Therefore, there is a total increase of six spaces from 32 to 38. However, there will be a reduction of on-site parking from 30 to 28.

The parking survey showed that there were 9 vacant spaces, as a minimum. However, the reduction of two on-site parking spaces reduces the observed capacity from nine to seven.

On this basis, it is considered that the reduced level of parking provision will not give rise to unacceptable parking conditions or road safety issues. The proposal therefore complies with the aims of PPS 3 in terms of access, traffic movement, and road safety, and the justification provided by the submitted parking survey is sufficient to support a departure from standard parking requirements, in this instance.

PPS 15 (Revised) – Planning and Flood Risk

Policy FLD 3 requires a drainage assessment to be submitted for proposals involving residential developments of 10 or more units. While the applicability of this threshold to a care home extension may be open to interpretation, the assessment was provided in the interests of robustness and transparency.

The assessment offered the following conclusions:

- The storm drainage network will intercept, control and convey surface water runoff associated with the development.
- It is proposed to limit the discharge from the attenuated drainage network to a maximum of 1.0l/s.
- The storm sewer network will be privately maintained.
- The design has been undertaken in accordance with the requirements of Sewers for Adoption NI 1st edition.
- Discharge from the network will be limited by a vortex flow control device and attenuation storage within oversized drainage infrastructure.
- Hydraulic simulations have been undertaken to demonstrate performance of the storm sewer network.

Dfl Rivers have accepted the methodology and stated that there was no reason to dispute the conclusions reached. Therefore, based on the above conclusions and the response received, that the requirements of Policy FLD 3 have been met.

Water and Sewerage Infrastructure

NI Water were consulted and have issued a recommendation for refusal. However, they have noted that this is not necessarily a final decision and that they may reconsider their recommendation if the applicant consults directly with NI Water, by submitting an application to NI Water for a Wastewater Impact Assessment.

The Planning Department is content to proceed and deal with this issue by way of standard negative pre-occupation conditions to ensure that these foul/surface water drainage arrangements and water connection are approved prior to installation.

Neighbour Notification Checked Yes

Summary of Recommendation
Approve, subject to conditions.

Dwg. Nos.: 01 Rev. B, 08, 09, 10, 11, 12 Rev. B, P599/R01

Conditions:

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

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

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Site Location Map 01 Rev B, published 24th June 2025 & Scale Site Plan with Red Line (Inc. Visibility Splays 2x33m) 12B, published 24th June 2025, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. No part of the development hereby permitted shall be occupied until the drainage arrangements, agreed by NI Water and as required by Planning Condition No.3 has been fully constructed and implemented by the developer. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

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

5. Development shall not be occupied until a formal water connection application has been submitted to and approved by the relevant authority and constructed in line with approved design.

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

6. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out prior to the occupation of any part of the development.

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

7. No vegetation clearance, hedgerow removal, or similar works shall be undertaken on the site during the bird nesting season (1 March – 31 August inclusive). In the event that works are required during this period, a pre-works nesting inspection shall be carried out by a suitably qualified ecologist. If an active bird nest is found, works shall cease in that area and a minimum 5 metre exclusion zone shall be maintained around the nest until all young have fledged.

   Reason: To ensure that the development does not disturb or harm nesting birds, in accordance with PPS 2: Natural Heritage, and wildlife legislation.

Case Officer Signature:



Date: 9 March 2026

Appointed Officer Signature: M Keane

Date: 09-03-26

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

Application

Development Management Officer Report		
Case Officer: Wayne Donaldson		
Application ID: LA07/2023/2867/F		**Target Date:**
Proposal: Proposed development of 4 dwellings on to Catherine Street and 2 dwellings to rear with access from Canal Street. (amended plans)		**Location:** To the rear of 58 to 76 Canal Street, Newry
Applicant Name and Address: Mark Cooper 48 Newtown Road Rostrevor BT34 3JY		**Agent Name and Address:** John Cole 12A Duke Street Warrenpoint BT34 3JY
Date of last Neighbour Notification:		12 December 2023
Date of Press Advertisement:		4 October 2023
EIA Determination:		
Letters of Support	0.0	
Letters of Objection	0.0	
Petitions	0.0	
Signatures	0.0	
Number of Petitions of Objection and signatures	0.0	
Summary of Issues: The proposal shall be considered against all relevant planning policies along with any relevant material considerations including previous site history.		

Site Visit Report

Site Location Plan:



Characteristics of the Site and Area

The site is within the settlement limit of Newry City, as designated in the Banbridge, Newry & Mourne Area Plan 2015, is within an area of archaeological potential and located directly opposite and N of an Area of Townscape Character.



The site is located to the NW of the junction of Canal Street and Catherine Street. Lands were previously developed and used for a factory with buildings now cleared from the site and rubble currently within the site.

Existing development comprises of terrace housing found to the E and S of the site. A school is located on higher ground to the west and apartments contained within a listed building adjacent and NE of the site.

Description of Proposal
Proposed development of 4 dwellings on to Catherine Street and 2 dwellings to rear with access from Canal Street.

Planning Assessment of Policy and Other Material Considerations

The following policy documents provide the primary planning context for the determination of this application:
- The Planning Act (Northern Ireland) 2011
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Banbridge Newry and Mourne Area Plan 2015 (BNMAP)
- Planning Strategy for Rural Northern Ireland (DES2)
- PPS2 - Natural Heritage
- PPS 3 - Access, Movement and Parking
- PPS6 - Archaeology and the Built Heritage
- PPS 7 - Quality Residential Environments
- PPS 7 (Addendum) - Safeguarding the Character of Established Residential Areas
- PPS 12 - Housing in Settlements
- PPS 15 - Planning and Flood Risk
- Creating Places
- DCAN 8 - Housing in Existing Urban Areas
- DCAN 15 - Vehicular Access Standards
- Parking Standards

PLANNING HISTORY
Application Number: LA07/2019/1206/F Decision: Appeal Dismissed
Decision Date: 17 June 2021
Proposal: Proposed 8 dwellings (2 blocks of four terrace dwellings)

CONSULTATIONS

Roads – Following the submission of additional information and amended drawings the latest response raises no objection subject to conditions and informatives.

NIW – NIW raised concerns with the proposal, the agent has provided evidence of engagement with NIW, as such a negative condition can be placed on any approval.

NIEA
Natural Environment Division – No objections.
Regulation Unit – Conditions suggested.

Environmental Health – No objection.

DFI Rivers – The response raised no objection to the proposal.

SES – No objections raised; one condition was suggested with regards to sewage disposal.

HED (Historic Monuments) – no objections raised considered in line with PPS6.
(Historic Buildings) – no objections raised considered in line with PPS6.

REPRESENTATIONS

The application was advertised on 18&19/07/2023 and then again on 03&04/10/2023. A large volume of neighbouring addresses have been notified during the consideration process of this application, the number of neighbours notified was a maximum of 37 on a number of occasions with the first N/N sent on 18/09/2023 and the last issued on 31/03/2025, no objections have been received.

EVALUATION

Proposal

A previous application on the site was refused and the decision was appealed, the previous proposal was similar to this application although the current proposal is a reduction in the number of units and includes the provision of limited shared amenity space. The previous appeal was dismissed however the PAC only upheld one of the reasons for refusal, this reason relates to criterion (h) of QD1. The issue was that the proposal would lead to overlooking and so impact on the amenity of a proposed property and adjacent existing property, the current proposal appears to have addressed this issue.

The proposal will see the development of 6 dwellings, one block of 4 terrace properties which will face onto Catherine Street and a set of semi-detached properties which will front within the development site.

The proposed dwellings are modest in their size and scale and will provide three bedrooms within each new dwelling.

The proposal will see the creation of a new internal access to serve all properties; the construction of this access will see parking both within the site and within the curtilage of two proposed dwellings. The parking area will be screened from view od the nearby public roads given the existing and proposed development.

The proposal will see the creation of private garden areas for all dwelling units; an area of public amenity space will also be provided although this will not be useable as will cover the sloping banks of the site.

The development although similar to that previously proposed on site does include a reduction in the number of units.

EIA Screening
The proposal does not fall within the threshold set out in the Planning (Environmental Impact Assessment) Regulations (NI) 2017 and so an EIA determination is not required.

Planning Act:
Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the local development plans so far as it material to the application, and to any other material considerations. Section 6 of the Planning Act (NI) 2011, which deals with local development plans, states where, in making any determination under this Act, regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Strategic Planning Policy Statement (SPPS).
The SPPS sets out core planning principles and the need to achieve sustainable development. Of relevance to this application are the aims of supporting good design and positive place making while preserving and improving the built and natural environment, (Para 3.3).
It is considered that the proposal is in accordance with the principles set out in the SPPS and other policy considerations for the reasons set out below.

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals and transitional arrangements are set out in it.
On 11 December 2025, the Department for Infrastructure published the SPPS, Edition 2, which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS, Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged.

Development Plan:
Banbridge Newry and Mourne Area Plan 2015
The site is within the settlement limit of Newry City, as designated in the Banbridge, Newry & Mourne Area Plan 2015, is within an area of archaeological potential and located directly opposite and N of an Area of Townscape Character.
The application site is not zoned within the plan.

Planning Policy Statement 2

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

A Biodiversity Checklist was submitted and NED provided no objections in their latest response. Consideration is given to the fact that the proposal is to include the provision of green space and the planting of hedges which will improve biodiversity on the site.

The proposal is considered in compliance with PPS 2 policies NH2 and NH5 for the reasons outlined and having given weight to the construction already carried out on the site.

Newry, Mourne and Down District Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, considered that the proposal would not have an adverse effect on the integrity of any European site given the size, scale, nature and location of the proposed development.

The proposal will be assessed against regional operational policy, Planning Policy Statement 7 – Quality Residential Environments, PPS 7 Addendum: Safeguarding the Character of Established Residential Areas and Creating Places.

PPS7 sets out planning policy for achieving quality in new residential development. Policy QD1 of PPS7 states that residential development should draw on the positive aspects of the surrounding area's character and appearance. Proposals' layout, scale, proportions, massing and appearance should respect the character and topography of their site.

It also states that proposals for housing developments will not be permitted where they would result in unacceptable damage to the local character, environmental quality and residential amenity of the area. Developments should not be in conflict with or cause adverse impacts upon adjacent land uses. Development Control Advice Note 8 "Housing in Existing Urban Areas" (DCAN 8) similarly notes that a development's impact on the character and amenity of a neighbourhoods are important matters to consider.

Notwithstanding the strategic objective of promoting more housing in urban areas, paragraph 1.4 of PPS7 states that this must not result in town cramming. It adds that in established residential areas the overriding objective will be to avoid any significant erosion of the local character and the environmental quality, amenity and privacy enjoyed by existing residents.

Policy QD1 of PPS7 requires planning permission for new residential development to demonstrate a quality and sustainable residential development where the design and layout will reflect the positive aspects of the character and appearance of the surrounding area. Such proposals will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.

Policy QD 1 of PPS 7 states:
All proposals for residential development will be expected to conform to all of the following criteria:

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

The site is located within the settlement limits of Newry City surrounded predominantly by existing and approved residential housing which varies in design.

Housing development within the vicinity includes a mix of house types, two-storey units would be the most common although are some larger properties in the vicinity.

The layout is seen to be in line with surrounding development with properties located close to the edge of the road, the layout includes amenity space to the rear of the structures, an area of shared amenity space (planting to banks) and a modest area of hardstanding to provide parking.

The scale, proportions and appearance of the development is considered similar to adjacent development given that properties on the opposite side of Catherine Street being in the form of two storey terrace properties.

The proposal is seen to be in compliance with this criterion.

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

The site is located within an archaeologically sensitive area, the response received from HED (Historic Monuments) (Historic Buildings) states that they are satisfied with the proposal and it is seen to be in line with PPS6.

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

The proposal sees the provision of private open space for each dwelling, the size of these gardens varies from 51 sqm to 105 sqm, the smaller gardens are considered to be just within the acceptable limits. The proposal includes an area of shared amenity space although as previously outlined this area will see the sloping banks planted to soften their appearance, a corridor adjacent to site 6 will be retained to access the planted area.

The level of amenity space is considered acceptable in this case.

The proposal includes the provision of new landscaping and fencing to define property curtilage, the proposed planting will help to soften the appearance of the development

and will also help to soften the sloping western boundary with planting screening views from the proposed dwellings.

The submission does not include a Landscape Plan or Landscape Management Plan, a condition can be included requiring their submission prior to any development commencing.

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

Given the nature and scale of the proposal, the developer is not required to make provision for local neighbourhood facilities. Nonetheless all the necessary services are located in close proximity to the site given its location within Newry City. The proposal will require new water links and this will require the inclusion of a negative condition to ensure these links are agreed and provided.

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

The proposed layout includes a convenient pedestrian footway link to the main road. The site provides a good location in terms of providing a movement pattern that supports walking and cycling, the proposal meets the needs of people whose mobility is impaired as provision is made for a public footpath. The proposal offers proximity to good public transport links with regards to bus and train links and neighbourhood facilities.

f) Adequate and appropriate provision is made for parking;

The proposal includes the provision of in curtilage parking for two properties (2 spaces at each), the proposal also includes the provision of a further 11 space for the use of the remaining properties and by visitors, this gives a total of 15. The proposed parking provision is in line with standards set out in Parking Standards given the level of unassigned parking, he proposal is considered to be in line with policy AMP7 of PPS3.

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



elevation to Catherine Street

As previously stated, the proposal is similar to other properties in the area including the adjacent terrace dwellings along Catherine, the proposal will not result in a negative impact on the adjacent ATC.

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

The proposal will not adversely impact on the amenity of any neighbouring properties as there are no concerns with overlooking, loss of light, overshadowing etc.

The block of terrace dwellings will front the public road with rear windows facing the proposed semi-detached dwellings at the rear, the separation distance is seen as sufficient to protect amenity for all properties.

The PAC previously raised issue with the proposed area at the rear of No 78 as it was considered there would be potential for overlooking from the then proposed new dwelling and from No 78 towards each other. This area of the development has been redesigned, the area directly to the rear of No 78 is an access corridor to allow maintenance with a timber fence then running along the boundary of site 6. It is not considered that there is any potential overlooking issues from No 6 given the gable of unit 6 does not include any gable windows and so there is no potential to overlook towards No 78. Any windows from No 78 looking into the garden of site 6 may result in an element of overlooking although given the large size of the garden it is felt that enough of the garden will be screened from any overlooking and so adequate private amenity will remain.

It is considered that the proposal has addressed previous concerns and is in line with criterion (h).

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

The proposal is designed to deter crime and promote personal safety as far as is appropriate for a proposed residential development. The proposal is considered to comply with this criterion.

Overall, the proposal complies with Policy QD 1.

Addendum to PPS7 – Safeguarding the Character of Established Residential Areas Policy LC 1 of Addendum PPS 7 states:
In established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

a) the proposed density is not significantly higher than that found in the established residential area

The proposed density will match that of surrounding residential developments and is in line with the surrounding area.

b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and

The pattern of development will reflect that of adjacent residential development and be in keeping with the overall character and environmental quality of the residential area.

c) all dwelling units and apartments are built to a size not less than those set out in Annex A.
The proposed units are of an appropriate size as noted in Annex A of the Addendum to PPS7.

Para 2.4 of Policy LC 1 states
"When considering an increase in housing density in established residential areas, great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents."

The proposal involves the creation 6 residential units, I am content that the proposed density is similar to other developments in the vicinity and surrounding urban area. The pattern of development is considered in keeping with the overall character and environmental quality of the established area.

Policy LC 3 of APPS 7 covers permeable paving in new residential developments, Dfl Rivers have raised no objections to the proposal given is small scale, the proposal will see the creation of more green space which will aid with drainage.

PPS 12: Housing in Settlements
The proposal complies with the planning control principles detailed in both PPS12 and the SPPS.

Increased housing density without town cramming – the proposal will increase the housing density in the area although the density is very similar to that previously approved on the site. The scheme is also reflective of that previously approved in terms of form, scale and massing.

Good design – the design of the scheme reflects that of adjacent properties.

Sustainable forms of development – This proposal supports the principle of the creation of compact urban forms through the reuse of derelict lands within the area.
Balanced communities – The proposal includes new dwelling units aimed at meeting different needs within the community.

DES 2 - Townscape
In view of the above, it is also considered that the proposal is in accordance with Policy DES 2 of the Planning Strategy for Rural Northern Ireland which requires that new development proposals should make a positive contribution to a townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. The site is suitable for residential use given its location within a predominantly residential area.

PP3 Access, Movement and Parking/DCAN 15 & Parking Standards
As stated above the parking is considered adequate for the proposal, DFI Roads raised no objections to the proposal subject to conditions, the proposal is considered in line with the requirements of PPS3.

PPS 15: Planning and Flood Risk
The consultation response received from DFI Rivers raised no objections to the proposal against any policies set out in PPS15.

Neighbour Notification Checked Yes

Summary of Recommendation
Having had regard to the development plan, policy and all other material considerations (including SPPS, DES 2 of PSRNI, PPS2, PPS3, PPS7, PPS7 (Addendum), PPS12, PPS15, DCAN15, DOE Parking Standards). The proposed scheme merits as a suitable residential development proposal which complies with the area plan and planning policy for the reasons set out above. Therefore, the application is recommended for approval subject to the necessary planning conditions outlined below.

Conditions:

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

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

2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 3361 PL SP E rev H.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets

3. The vehicular access, including visibility splays set back at utility poles and any forward sight distance, shall be provided in accordance with Drawing 3361 PL SP E rev H, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

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

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

6. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking and turning of private cars as shown on the approved plan.

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

7. The Development hereby permitted shall not be commenced until a Street Lighting scheme design has been submitted and approved by the Department for Infrastructure Street Lighting Section.

Reason: Road safety and convenience of traffic and pedestrians.

8. The Street Lighting scheme, including the provision of all plant and materials and installation of same, will be implemented as directed by the Department for Infrastructure's Street Lighting Section

(These works will be carried out entirely at the developer's expense.)

Reason: To ensure the provision of a satisfactory street lighting system, for road safety and convenience of traffic and pedestrians.

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

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

10. No part of the development hereby permitted shall become operational until the drainage arrangements, agreed by NI Water and as required by Planning Condition No 09, have been fully constructed and implemented by the developer. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

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

11. Prior to the commencement of any development hereby approved a Landscape Plan along with a Landscaping Management Plan shall be submitted to the Planning Authority. No development activity, including ground preparation or vegetation clearance, shall take place until the required information has been approved in writing by the Planning Authority. Landscaping shall be implemented and maintained in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

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

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

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

13. A suitably qualified and experienced environmental professional should be retained to oversee excavation works. If during the works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks.
In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

14. After completing any remediation works required under Condition 13 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks.
The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

Case Officer Signature: Wayne Donaldosn

Date: 11/03/2026

Appointed Officer Signature: Annamarie Loughan

Date:11/03/2026

Application

Development Management Officer Report	
Case Officer: Fergal Connolly	
Application ID: LA07/2025/0554/F	**Target Date:**
Proposal: Dwelling and detached garage on a farm	**Location:** 150m west of 17 Billys Road, Ballyholland, Newry, BT34 2NA
Applicant Name and Address: C & C Mc Ateer 19 Billys Road Ballyholland Upper Newry BT34 2NA	**Agent Name and Address:** Bernard Dinsmore 19 Spring Meadows Warrenpoint BT34 3SU
Date of last Neighbour Notification:	26 September 2025
Date of Press Advertisement:	11 June 2025
EIA Determination:	
Consultations: • DFI Roads • DAERA	
Representations: No representations have been received in respect of this application	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report

Site Location Plan:

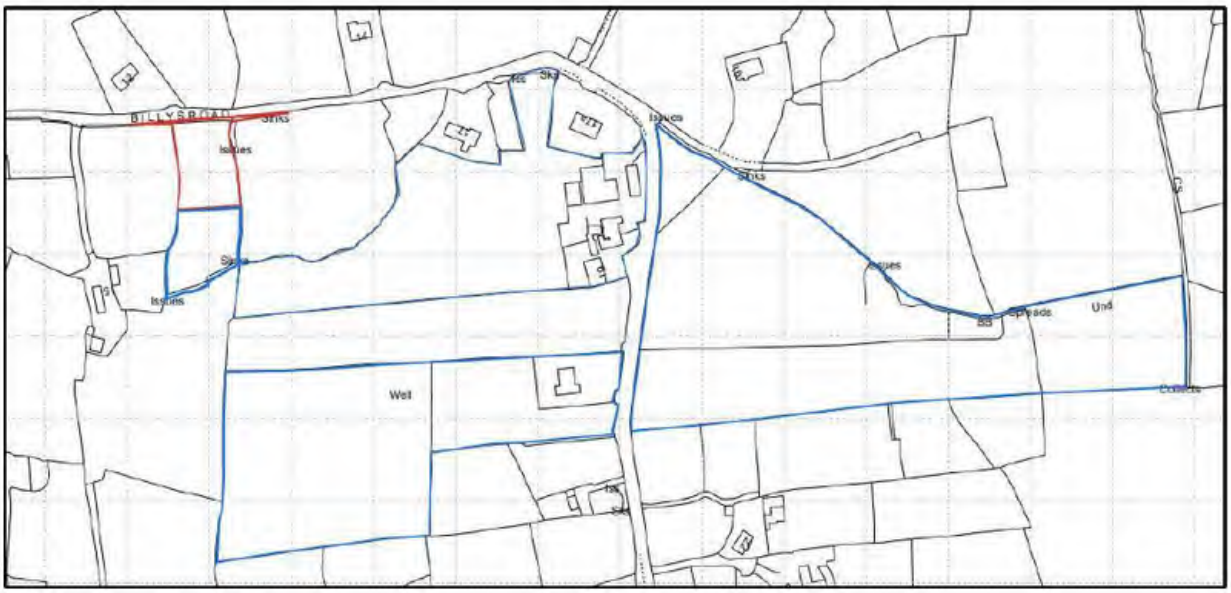


Figure 1- Site Location Plan

Date of Site Visit: 26/09/2025

Characteristics of the Site and Area

The application site lies outside any defined settlement development limits as outlined in the Banbridge, Newry and Mourne Area Plan 2015 (Map 3/01 – Newry and Mourne District). It is situated approximately 0.5 miles from the defined settlement limit of Ballyholland.

The site itself forms part of an agricultural field located approx. 150m west of No.17 Billy's Road. Figure 1 above outlines the red line boundary of the proposed development. The proposal includes the creation of a new access onto Billy's Road. During the site visit, it was observed that the land is generally flat and falls away slightly from the roadside. The application site is bounded by mature hedgerow on its eastern and western boundary, the roadside boundary comprises a post and wire fence with hedgerow mixed throughout, the southern boundary is currently undefined. The surrounding area consists of a mixture of single and two storey dwellings along with agricultural buildings, with agriculture being the predominant land use within this area. There are no environmental designations associated with the site.

Description of Proposal

The application as proposed is seeking full planning permission for the erection of a farm dwelling and detached garage. The proposed dwelling consists of a detached storey and a half dwelling with an overall ridge height of 6.7m from finished floor level (FFL). A single storey side and rear return is also proposed, along with a single storey storm porch on the front elevation measuring approx. 3.5m in height from FFL. The proposed external finishes include a smooth render finish to the walls with granite stonework as shown on the elevation. The roof is to be finished with Spanish Slate, windows and doors are proposed to have a uPVC/powder coated

aluminium finish with black aluminium rainwater goods. A detached single storey garage is also proposed as part of the application, the garage has an overall ridge height of approx. 5.2m with the finishes to match that of the dwelling. The proposed plans are shown below:

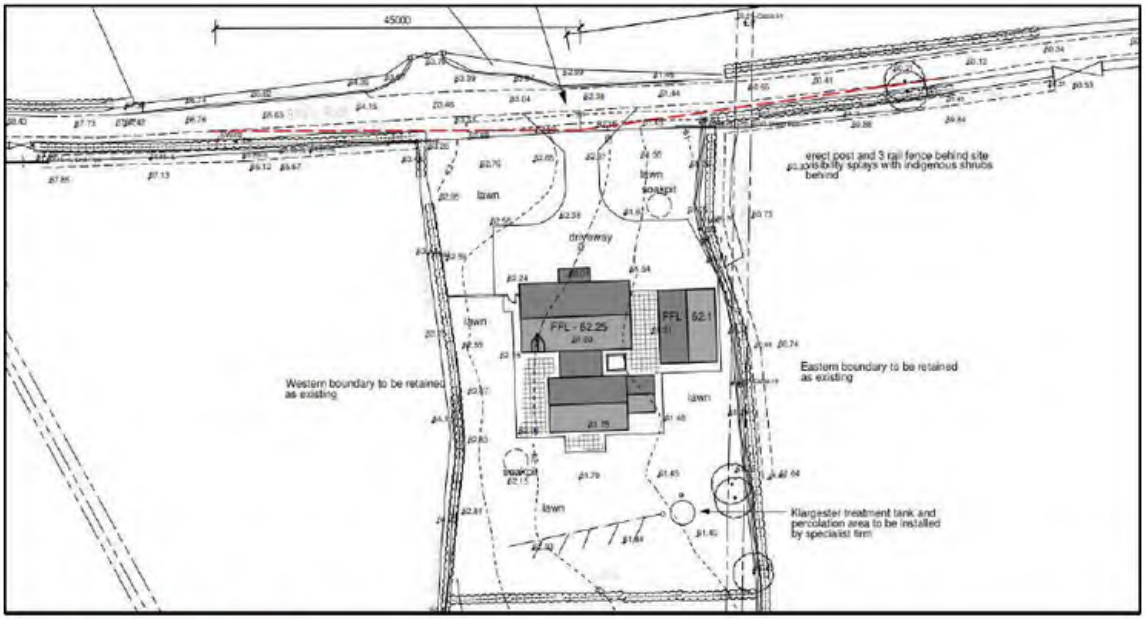


Figure 2- Proposed Site Layout

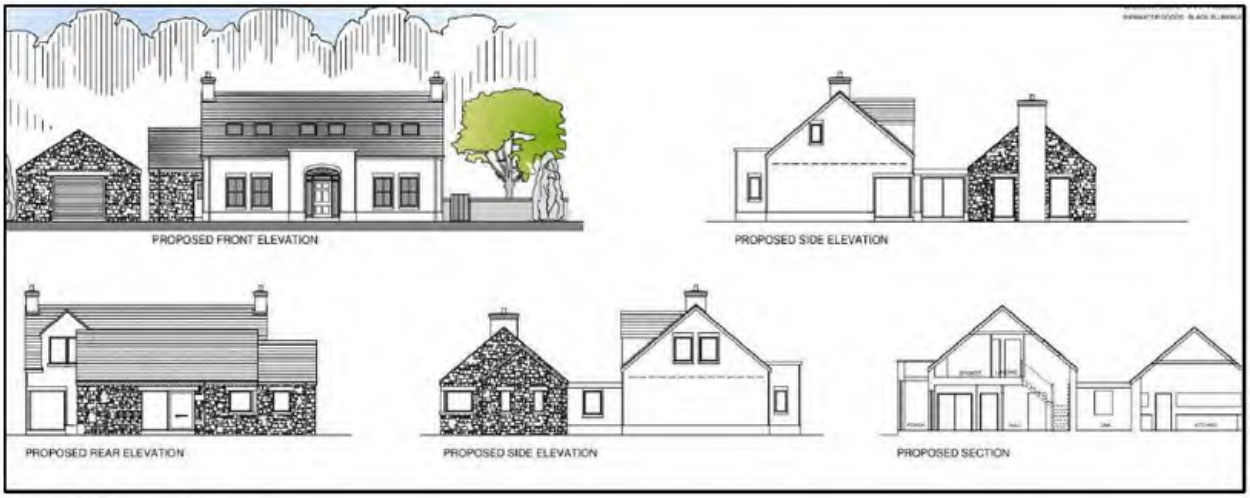


Figure 3- Proposed Elevations



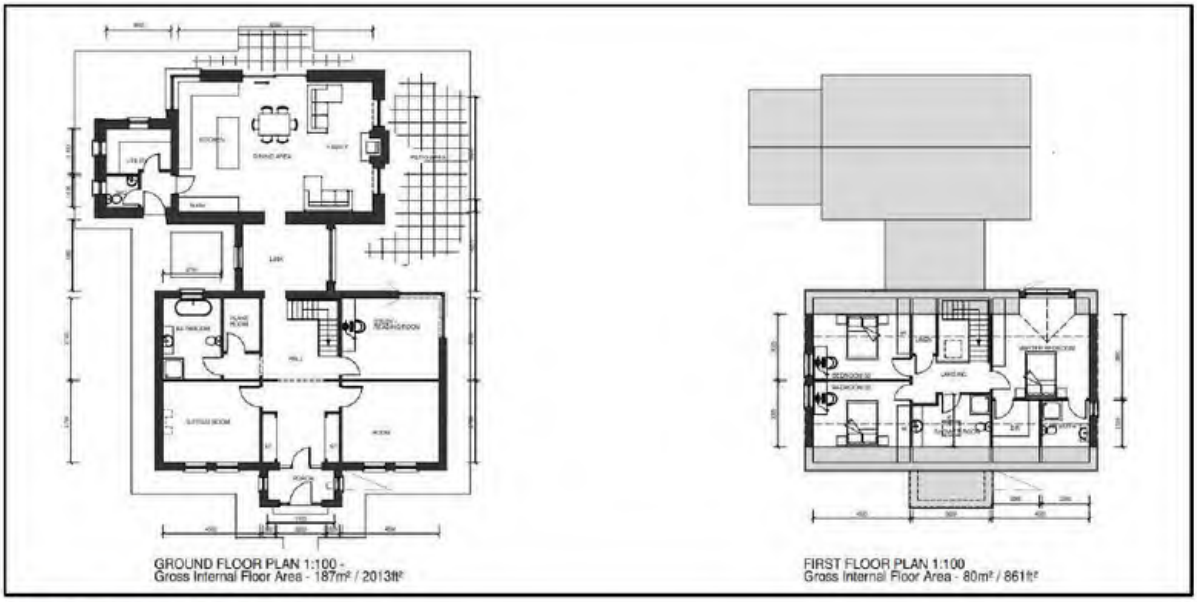


Figure 4- Proposed Floor Plans

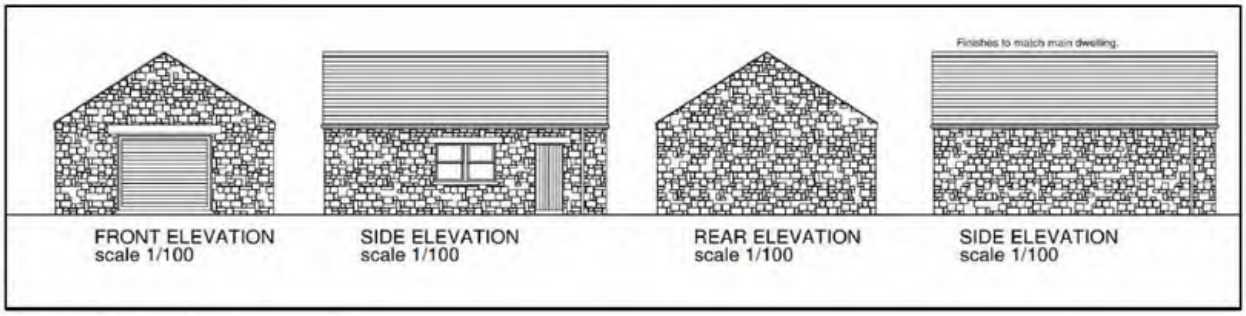


Figure 5- Proposed Garage Elevations

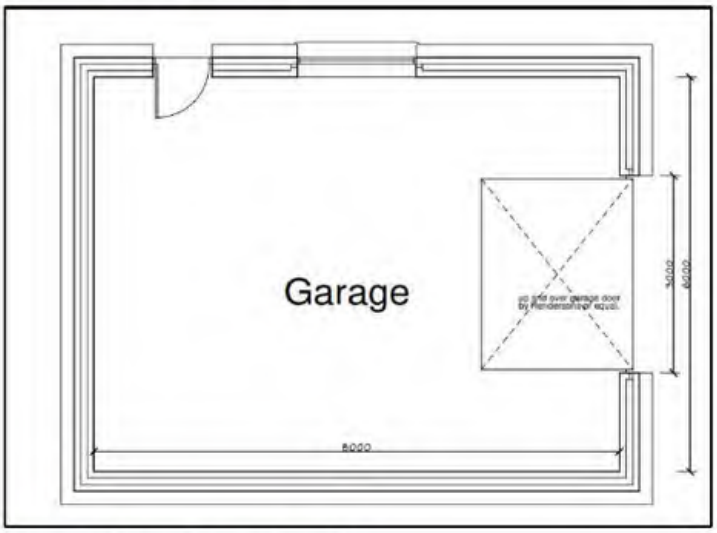


Figure 6- Proposed Garage Floor Plan

Planning Assessment of Policy and Other Material Considerations

The application will be assessed against the following policy and guidance:

- Banbridge, Newry and Mourne Area Plan
- Strategic Planning Policy Statement (SPPS), Edition 2
- PPS21 Sustainable Development in the Countryside
- PPS2 Natural Heritage
- PPS3 Access, Movement and Parking
- DCAN 15: Parking Standards
- Building on Tradition: A Sustainable Design Guide for the NI Countryside

PLANNING HISTORY

There is no planning history associated with the application site.

SUPPORTING DOCUMENTS

The application was supported with the following documentation:

- Application Form
- Site Location Plan
- Site Layout Plan
- Proposed Elevations
- Proposed Floor Plans
- Farm Maps
- Biodiversity Checklist & Ecological Statement
- Design & Access Statement
- Site Context Map
- DAERA Letter of Support
- Agent Rebuttal

CONSULTATIONS

The following consultations took place during the processing of this application:

- DAERA- Confirmed the farming business was active and established.
- DFI Roads- No objections subject to conditions.

REPRESENTATIONS

Three neighbouring properties were notified and no representations have been received in respect of the application. The application was advertised in the Newry Reporter in June 2025. There have been no third-party representations received.

EVALUATION

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

the Council have not yet adopted a LDP. The application site lies outside any settlement limits, as designated within this Plan.

Strategic Planning Policy Statement
The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. On 11th December 2025 the Department for Infrastructure published the SPPS Edition 2 which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged. The SPPS sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the council area. As there is no significant change to the policy requirements for farm dwellings following the publication of the SPPS and as it is arguably less prescriptive, the retained policies of PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with para 1.12 of the SPPS.

PPS 21 – Sustainable Development in the Countryside
PPS 21 Sustainable Development in the Countryside is the relevant planning policy in determining the principle of development for this proposal. Policy CTY 1 gives a number of opportunities for housing development in the countryside. One such opportunity is for a dwelling on a farm providing the criteria of Policy CTY 10 are all met.

Policy CTY 10 Dwellings on Farms
Policy CTY10 states planning permission will be granted for a dwelling on a farm whereby:

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

Following a consultation with DAERA they have confirmed that the farm business ID was allocated in November 1991, and that the proposal was located in field 3/073/118/1 which has been claimed for the Farm Sustainability Payment (FSP) in 2025 by the business as listed in the application form. Notwithstanding this it has been confirmed that the farming business is currently active and has been established for at least 6 years. Criterion A of this policy has been met.

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

Following a review of the farm maps provided by the applicant a recent approval in field 088/33/A (LA07/2024/1500/F) was queried with the agent. The agent noted that the field is not in ownership of the applicant however is being farmed in conacre by the applicant and therefore is on the farm maps. The Planning Department are content that the proposal is in compliance with Criterion b.

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

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

From the documentation submitted by the agent, it is noted that the farm business is registered at No. 19 Billy's Road, where the principal farmyard and associated buildings are also located. These buildings are considered to form the established group of farm buildings.

The application site is located approximately 200 metres to the northwest of this group. Given this separation distance, the topography of the surrounding area and intervening boundary screening, the Planning Department considers that there is no meaningful visual link or clusering between the proposed site and the established farm buildings. As demonstrated in the submitted figure showing the site as viewed from Billy's Road, no visual relationship with the principal farm buildings is evident.



Figure 7- Application Site from Billy's Road

This was relayed to the agent. The rebuttal provided by the agent has been noted and considered, particularly in relation to concerns raised under Criterion C of Policy CTY 10. While the Planning Department acknowledges the comments regarding the need to maintain a safe distance from slurry-related gases, it is considered that alternative locations exist within the farm holding that could achieve both a safer separation and a more appropriate visual linkage to the existing farm buildings.

The points raised in relation to the expansion of the farm have also been noted. However, while reference is made to application LA07/2025/0463/F for an agricultural shed, this application remains under consideration and therefore limited weight can be attached to it at this stage. Aside from this shed lands remain available to visually and cluster with the existing farm grouping.

In light of the above, the Planning Department is of the opinion that the proposal is contrary to Criterion C of the policy, as the current siting fails to demonstrate a visual link with the established group of farm buildings. It is considered that alternative locations within the farm holding are available that would provide a more appropriate visual relationship.

CTY 13- Integration and Design of Buildings in the Countryside
Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design. The policy notes the following: *'A new building will be unacceptable where:*
(a) it is a prominent feature in the landscape; or
(b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
(c) it relies primarily on the use of new landscaping for integration; or
(d) ancillary works do not integrate with their surroundings; or
(e) the design of the building is inappropriate for the site and its locality; or
(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;
g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

Views of the application site are limited to immediately passing the site on the Billy's Road, however It is also noted that the side of Billy's Road on which the site is located is characterised by a low density of development, contributing to a notable visual break within the surrounding rural landscape. To minimise the visual impact of new development in the countryside, Policy requires that new buildings be "visually linked" or clustered with an established group of farm buildings. However, as outlined above, there are no existing established buildings on or adjacent to the site to enable such clustering. Consequently, the proposed dwelling would appear as an isolated structure, visually detached from any established building group. This lack of integration would result in the dwelling appearing as a standalone and prominent feature within the landscape, failing to blend with its surroundings and thereby detracting from the rural character of the area. The proposal is therefore contrary to a), f) and g) of Policy CTY13.

Policy CTY14 Rural Character
Policy CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of 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 CTY 8); or
(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.'

Having considered the proposal against the requirements of Policy CTY 14, it is considered that, due to the lack of visual linkage and integration with the existing farm buildings, the development, if permitted, would become unduly prominent in the local landscape. It is further considered that the proposal fails to respect the traditional pattern of settlement in the area, as the application site appears visually isolated from existing buildings and does not integrate with

the surrounding landscape or settlement form. This would result in a form of development that is contrary to the prevailing rural character. Accordingly, the proposal is considered not to meet the requirements of Criteria (a) and (c) of Policy CTY 14.

Amenity
The nearest neighbouring dwelling to the application site is No.12 Billy's Road approx. 40m from the application site. Given the separation distance, proposed landscaping and the domestic nature of the proposal, the erection of a dwelling on the application site is not thought to impact upon the amenity of this dwelling to an unacceptable level in terms of overlooking, loss of light or overshadowing.

Building on Tradition
The development of a farm dwelling must also satisfy the integration policies of CTY 13 and CTY 14 as well as ribboning policy CTY 8. Para 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' a Design a Sustainable Design Guide for the NI countryside' is taken into account in assessing all development proposals in the countryside. Supplementary guidance on the assessment of farm dwellings advises that new buildings should be positioned sensitively so as form an integral part of that building group, or when viewed from surrounding vantage points, the new building reads as being visually interlinked with those buildings. The siting proposed is considered to be at odds with this guidance.

CTY 16 Development Relying on Non-Mains Sewerage
CTY 16 ensures that new developments will not create or add to a pollution problem. A septic tank is proposed. There is ample land within the red line boundary and within the proposed curtilage to accommodate this tank and associated soakaways without impacting the amenity of existing and future residents. This proposal is therefore not considered contrary to CTY 16. The installation of a treatment plant is subject to NIEA consent which would be conditioned to this effect. No constraints were evident from a site visit to suggest the site cannot accommodate such plant.

PPS 3: Access, Movement and Car Parking
Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to a new access onto a public road. The proposal involves the creation of 1 new access onto Billy's Road. DFI Roads were consulted on this application and have no objections in principle to the proposal subject to conditions.

PPS2 Natural Heritage
PPS2 sets out the planning policies for the conservation, protection, and enhancement of Northern Ireland's natural environment. The policy aims to safeguard biodiversity, geological features, and natural landscapes from inappropriate development, while promoting sustainable use and enjoyment of the natural environment. PPS2 provides the framework for assessing potential impacts on designated sites, habitats, and species, ensuring that development proposals respect and enhance natural heritage values.

The application site is located approx. 200m from Derryleckagh Special Area of Conservation (SAC). The domestic nature of the proposal is also noted whereby airborne pollutants resulting from the development is not considered to be an issue. The potential impact of this proposal on

Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). It is not considered that the proposal will have a likely significant effect on this site or any other European Sites.

Policies NH 2 and 5 of PPS 2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance. This includes species protected by law. A Biodiversity Checklist was submitted alongside the application with an ecological statement. The ecological statement goes on to note that the proposal would result in a loss to hedgerow priority habitat, however compensatory planting and mitigation has been proposed. There are no further habitats recorded on site. It also notes that no other priority species were present onsite. The statement also recommended that no further survey work was to be carried out. It is the therefore considered that the proposal is not contrary to the provisions of Policy NH2 & NH5. The application site is not located within an Area of Outstanding Natural Beauty so the provisions of NH6 do not apply here.

The drawings considered as part of this assessment are as follows:
P01B, P02A, P03, P04

Neighbour Notification Checked Yes

Summary of Recommendation

Having considered the above it is recommended to refuse this application for the following reasons:

Reasons for Refusal:

1. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no over-riding reasons to justify that the development is essential in this rural area.

2. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
   - the new building is not visually linked or sited to cluster with an established group of buildings on the farm.

3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that:
   - the new dwelling will be a prominent feature in the landscape;
   - it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;
   - it is not visually linked or sited to cluster with an established group of buildings on a farm.

4. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: - the development would be unduly prominent in the landscape; - it does not respect the traditional pattern of settlement exhibited in that area
Case Officer Signature: Fergal Connolly **Date:** 28 January 2026
Appointed Officer Signature: M Keane **Date: 28-01-26**

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

Representation against Decision to Refuse

Application reference:	LA07/2025/0554/F
Applicant:	C & C McAteer
Site Location:	150m west of 17 Billys Road, Ballyholland, Newry, BT34 2NA
Proposal:	Dwelling and detached garage on a Farm
Neighbour Notifications:	No objections
Statutory Consultations:	No objections
	DAERA confirmed Farm Business to be active and established.

The application was submitted under PPS 21 CTY 10 – Dwelling & Detached Garage on a Farm.

Planning Services are content that criterion (a) & (b) of the policy are satisfied. Their issue is with criterion (c), Visual Linkage.
Criterion (c) also permits consideration of an alternative site elsewhere on the farm provided there are no other sites available at another group of buildings on the farm or out-farm and where there are either:-
(i.) Demonstrable health& safety reasons, or,
(ii.) Verifiable plans to expand the farm business at the existing building groups(s)

This is such a site.

(i.) The application documentation included a 'Context Map' with commentary demonstrating the lack of suitable alternative sites (Fig 1). Apart from the need to maintain a safe distance from slurry related gases, which has been discussed many times by this Committee, other possible sites have been discounted by the applicant due to :
a) no safe access, 088/12.
b) land already in intensive farming use, 088/1/A & B, and 088/12,
c) land separated by a public road 088/20, 049/21, 088/7, 088/11.

I opine that insufficient weight has been given to this commentary.

(ii.) Additionally, the applicant has demonstrated verifiable plans to expand the farm business adjacent to the existing farm buildings, (i.e.) application for calving shed ref: LA07/2025/0463/F, and through active participation in DAERA's sustainable agriculture programme. This reflecting a commitment to learn, improve and explore options and best practice in expanding the farm business.

I believe the proposal satisfies criterion (c) of PPS 21 CTY10.

If CTY 10 is satisfied then the SPPS and CTY 1 of PPS 21 are satisfied in that the reason for the proposed development is justified.

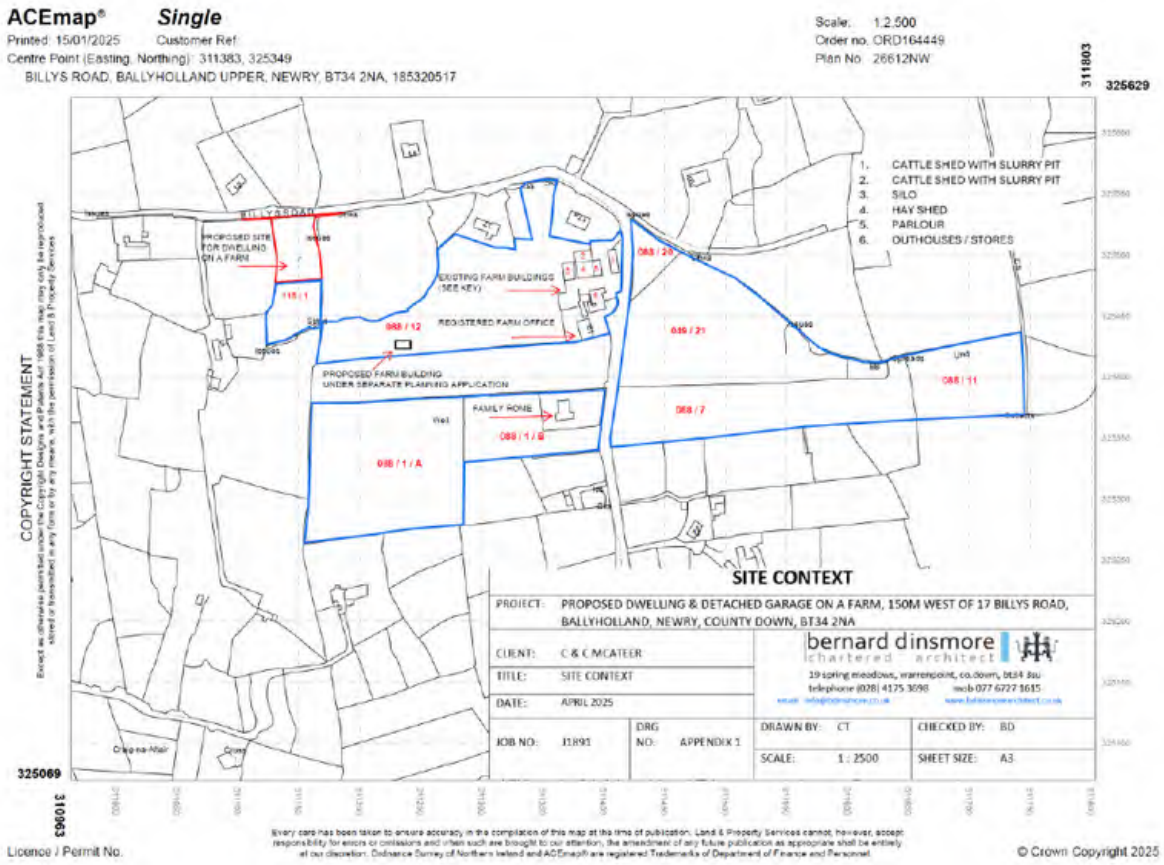
Under CTY 13 the Development Managements Officer Report acknowledges that views of the application site are limited to "immediately passing the site on Billy's Road" (Fig 2). It therefore follows that it is not a prominent feature under criterion (a). Criteria (f) and (g) are discussed under CTY 10 above.

If it can be accepted that CTY 10 and CTY 13 are satisfied then CTY 14 is satisfied.

In summary I opine that this application satisfies the exceptions test under criterion (c) of PPS 21 CTY 10. It therefore also satisfies The SPPS, CTY1 of PPS 21, criterions (a) (f) and (g) of CTY 13, and (a) and (c) of CTY 14.

I request that the Planning Committee overturns Planning Services recommendation and approve this application.

Thank you.





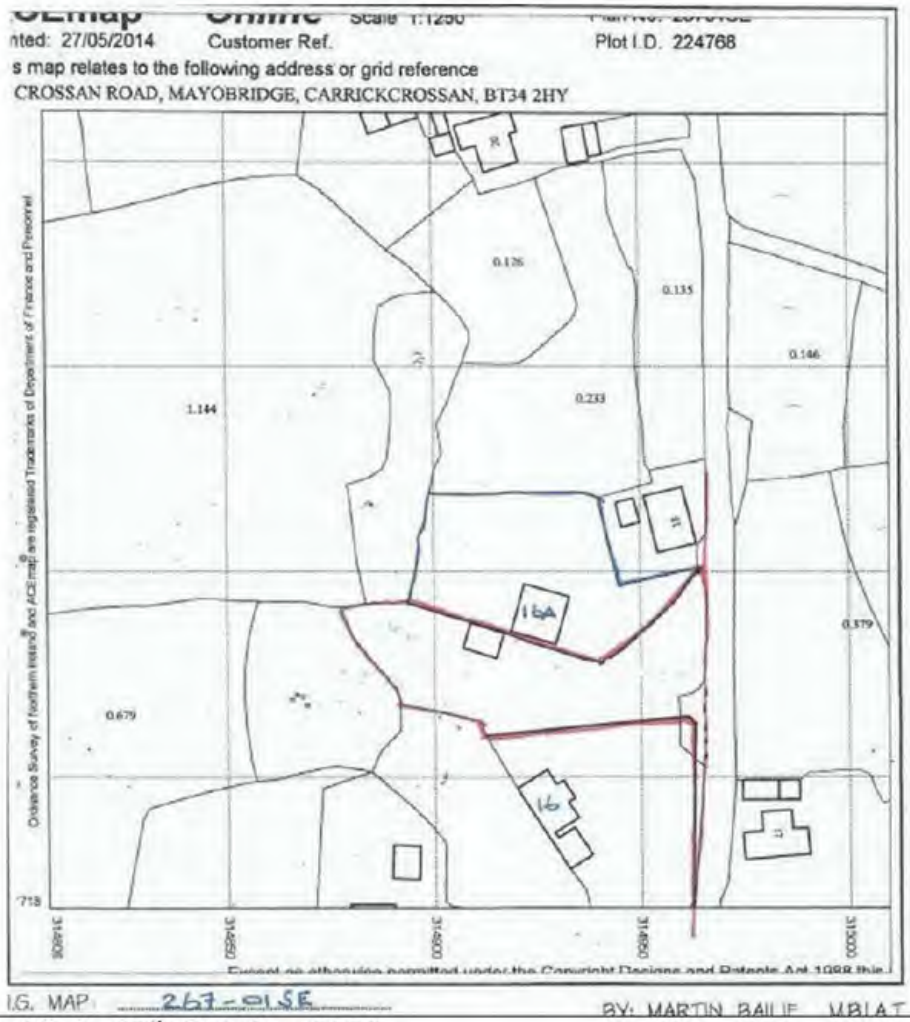
BD 16/03/2026

Delegated Application

Development Management Officer Report	
Case Officer: Fiona McDonnell	
Application ID: LA07/2025/0850/O	**Target Date:**
Proposal: Infill site for dwelling and garage	**Location:** Immediately South of 16A Crossan Road, Mayobridge, Newry BT34 2HY
Applicant Name and Address: Patricia Carroll 16A Crossan Road Mayobridge Newry BT34 2HY	**Agent Name and Address:** Martin Bailie 12A Carnany Road Mayobridge Newry BT34 2HF
Date of last Neighbour Notification:	25 November 2025
Date of Press Advertisement:	10 September 2025
EIA Determination: The site is 0.2ha and is not located in a sensitive area, it has not triggered the requirement for EIA screening.	
Consultations: DFI Roads, NIW, NIEA.	
Representations: 5 neighbouring properties were sent notification letters and the proposal was advertised in the Newry Reporter. No letters of representation have been received.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	none
Summary of Issues: Does the site fulfil policy criteria set out at PPS21 CTY1 Development in the Countryside and CTY8 Ribbon Development.	

Site Visit Report

Site Location Plan:



I.G. MAP 267-01SE BY: MARTIN BAILIE W.B.I.A.T

Date of Site Visit: 27th October 2025

Characteristics of the Site and Area

The site consists of a portion of the curtilage of an existing dwelling of no.16a, including its detached garage, and its access and frontage onto Crossan Road to the east. It sits in an existing ribbon of development where 3 dwellings in a row front onto Crossan Road, all at different distances from the road. No. 14 further south, is set back from the road with only its lane fronting the road. It is well established this property does not have frontage to the road for the purposes of policy. The other three dwellings all have generous plot widths. The site itself is flat and consists of landscaped gardens. It is bounded to the south by 2m high pillars with close board fence panels between them. There is laurel hedging towards the rear and 1m high ranch style fencing along the roadside. The northern boundary is undefined and would represent an artificial division of the existing plot. The site is in the countryside, but not in a sensitive area-eg AONB.

Description of Proposal

Infill site for dwelling and garage

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

P/2014/0561/O - Immediately south of no. 16A Crossan Road, Mayobridge, Newry
Site for infill dwelling and garage – Approved – Decision issued 30/12/2014

Condition 1 requires the RM to be submitted within 3 years, and development begun no later than 5 years from the date of the permission; or 2 years from the date of the approval of the last reserved matter.

No further applications were received until 27/09/2019.

LA07/2019/1465/O - Immediately South of No. 16a Crossan Road, Mayobridge, Newry,
Infill site for dwelling and garage – Approved – Decision issued 25/02/2020.

This application was received valid on 27/09/2019

Condition 1 of this application advised that an application for Reserved matters should be received within 3 years of this approval, i.e. prior to 25/02/2023. There have been no applications relating to this site prior to this application. Therefore LA07/2019/1465/O has expired.

In the case officers report for this application, the case officer states that the proposal is contrary to policy CTY8 – ribbon development - as no gap exists in between no.s 16 and 16a Crossan Road. The case officer states that as an extant permission is in place approval should be recommended, thus the history was afforded determining weight.

The most recent application (LA07/2019/1465/O) was approved in Feb 2020. This current application was received in July 2025. The previous permission had therefore expired and is no longer afforded determining weight.

The principle of a dwelling under the current application is therefore to be considered and established afresh, having account the applicable policy test CTY8.

Note
Following review of the case and internal discussions the agent was advised that the proposed site did not represent a gap site in terms of CTY 8. The agent asked the case officer to review the planning history of the site. However, after further internal review and discussion, it was apparent there was no live/extant planning permission on site; that the proposal could rely on. The history had been reviewed. Accordingly, the application is required to be considered afresh and as is outlined below, it is considered there is no principle for an infill dwelling at this time.

SUPPORTING DOCUMENTS

- Biodiversity checklist -section 3 is not completed as the site is not in a sensitive area.
- Design and Access Statement

CONSULTATIONS
DFI Roads - Application unacceptable as submitted. Insufficient access detail.
NIW – Approve with standard conditions
NIEA WMU – No objections – refer to standing advice for conditions and informatives.

REPRESENTATIONS
The proposal was advertised in the local press; and 5 neighbouring properties were notified by letter. No representations have been received.

Habitat Regulations Assessment (HRA)
The potential impact of this proposal on European Sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended) as the site is within the Carlingford Lough catchment area. It is considered that the proposal would not have any likely significant effect on the features of any European Site.

Environmental Impact Assessment (EIA)
The application site, due its small size and location not within a sensitive area does not meet the criteria set out in schedule 2 of the EIA regs to be screened, it is considered that an Environmental Statement is not required to be submitted.

Planning Act (Northern Ireland) 2011
Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. As per the current development plan – The Newry, Mourne and Down Area Plan 2015, the site lies outside any defined settlement and within the rural countryside.

Other Planning Considerations
Planning Policy Statement 21 – Sustainable Development in the Countryside
Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15
Planning Policy Statement 2- Natural Heritage
Banbridge / Newry and Mourne Area Plan 2015
Building on Tradition
SPPS

EVALUATION
Principle of Development
Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge / Newry & Mourne Area Plan 2015 as the new council has not yet adopted a local development plan. The site is located outside settlement limits on the above Plan and is un-zoned.

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. On 11th December 2025 the Department for Infrastructure published the SPPS Edition 2 which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged.

The SPPS consolidates the suite of existing planning policy statements into one document and sets out strategic planning policy.
A transitional period operates until a Plan Strategy is adopted by the Council. During this transitional period existing planning policy is to be applied, unless there is conflict, which must be resolved in favour of the provisions of the SPPS.

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

Policy CTY1 of PPS21 states that there are a range of types of development which are considered to be acceptable in principle in the countryside and that will contribute to the aims of sustainable development.

One such form of development referred to in CTY1 allows for the development of a small gap site within an otherwise substantial and continuously built-up frontage and the criteria for this form of development is set out in policy CTY 8. These criteria should be applied in assessing this application for an infill dwelling.

CTY 8 advises that planning permission should be refused for a building which creates or adds to a ribbon of development. It sets out that an exception will be permitted for the development of a small gap site sufficient to accommodate a maximum of 2 houses in an otherwise substantial and continuously built-up frontage and provided development respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purpose of this policy the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

Onsite, it was apparent that numbers 16, 16a and 18 do form a continuously built-up frontage along the road frontage of Crossan Road. However, there is no gap in this frontage. The application site is made up of the side and front garden of number 16a and includes a building, thus there is no gap.



Policy CTY8, also requires that the proposal respects the existing pattern of development in terms of size, scale, siting and plot size. Notwithstanding the fact there is presently a building on the site (thus no gap), it is considered the proposal does not satisfy these criteria. The site location plan submitted does not show the full extent of the adjoining site and curtilage at no.16. The existing plot of no.16 and 16a (application site) are significantly bigger than the proposed plot. The site at 16a prior to proposed division is significantly bigger than the 2 smaller plots that would be created. The existing character comprises sizeable plots and sites. The proposal would upset the current pattern of development and appears to squeeze an additional dwelling into a contrived space. The Proposed plot size is significantly smaller tham other relevant plots.

It is proposed that the existing access to no.16a is altered so that it serves both no.16a and the proposed dwelling. This shared access arrangement is also not typical of the character of the area- there are no other properties sharing accesses. The area is characterised by substantial detached dwellings in generous plots each served by a dedicated access.

The proposal fails to meet criteria set out in CTY 8- the principle of development is not acceptable for the reasons stated, whereby the proposal is considered to fail to meet policy CTY1 and CTY8 as it does meet any of the listed exceptions for a new dwelling in the countryside. It must also be stated policy CTY8 is a restrictive policy, with recent case law confirming so.

Aside from the principle applications must also be considered against the remaining applicable policy.

A modest dwelling sited between the dwellings of no.16 and a16a, could be accommodated on the site without creating an unduly prominent feature in the landscape, being bounded by these existing buildings and properties to either side. The existing boundary with no.16 and that to the rear can be retained, with new boundaries required to be formed with no.16a and the roadside. This is not considered so excessive and does not necessarily rely on the planting for integration. The shared access arrangements however are not considered an appropriate rural

feature or response to this rural setting and is considered unacceptable. As this is in Outline application, no detailed plans have been submitted, however in the event permission is granted respective ridge height and siting conditions would be required.

The proposal would be harmful to rural character; it is contrary to CTY 14. It does not respect the traditional pattern of development in the area of detached dwellings in large plots, as explained above and so would appear unduly prominent and 'squeezed in'. It would result in a suburban style buildup when viewed with the existing buildings. If approved the proposal would damage rural character.

The proposal is contrary to relevant countryside policies CTY1, CTY8, CTY13 & CTY14 of PPS21 and the principle of development is not accepted.

Building on Tradition.
It is considered the proposals do not respect the approach of this guidance document for infill development regarding the plot size, access

Impact on Highways
PPS 3 – Access, Movement and Parking
Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety or significantly inconvenience the free flow of traffic.
The proposal is for a single dwelling to be served by the existing access serving no.16a, onto the Crossan Road, as indicated on the site location plan.
DFI Roads was consulted, who consider the proposals unacceptable and requested further detail. This will form a reason for refusal. To clarify, Crossan Rd is not a Protected Route.

Impact on biodiversity, flood risk and drainage

Biodiversity
PPS 2 – Natural Heritage
PPS 2 seeks to safeguard biodiversity, geological features and natural landscapes from inappropriate development, while promoting the sustainable use and enjoyment of the natural environment. The proposal has been assessed against the relevant provisions of PPS 2, having regard to the outline nature of the application and the supporting ecological information submitted.
A Biodiversity checklist has been submitted with all questions answered NO. This has been reviewed and is considered accurate. The site comprises the maintained domestic side garden of a private residential property, comprising cut grass and ornamental evergreen planting, with a boundary wall and wall. There was no evidence of protected flora or fauna within the site during a site visit. The proposal is therefore considered to be acceptable in terms of impact on biodiversity and protected species.

The proposals will result in the loss of some ornamental planting. Compensatory replacement planting can be conditioned in the event permission is granted to ensure the continued provision of natural habitat. (However as outlined above, there is no principle of development at this location).

Flood Risk

Flood maps have been checked, and the site does not lie in the floodplain, nor is it prone to flooding due to surface water ponding. Development would be acceptable in terms of flood risk.

Drainage
Policy CTY 16 – Development Relying on Non-Mains Sewerage
The proposal includes provision for foul sewage disposal by way of a septic tank, reflecting the rural location of the site where connection to the public mains sewer is not available. The proposal has been assessed in principle against Policy CTY 16, taking account of the outline nature of the application.
Policy CTY 16 requires that development relying on non-mains sewerage can demonstrate that it will not create or add to a pollution problem. At this outline stage, the applicant has indicated that foul sewage will be treated on site using a proprietary package treatment plant, which represents an established and acceptable form of sewage treatment for rural dwellings when appropriately designed, sited and maintained.
Detailed information relating to the exact specification, capacity, siting, discharge method, and maintenance regime of the package treatment plant has not yet been submitted, as these matters are reserved for future consideration. These details will be provided and fully assessed at the reserved matters stage, in consultation with the relevant environmental and technical consultees, to ensure that the system complies with prevailing environmental standards and does not result in pollution of land, groundwater or nearby watercourses.
Paragraph 5.89 of the Justification and Amplification section of the policy states that it's desirable for new development to connect to mains services, wherever possible. However, it is acknowledged that it will not be feasible for many buildings in the countryside to connect to a public water borne sewerage system and they will rely instead on some means of 'on-site sewage treatment'.
Therefore, subject to the submission of satisfactory technical details at the reserved matters stage, and the imposition of appropriate planning conditions, the proposed package treatment plant is considered capable of complying with Policy CTY 16. The proposal therefore meets the policy in principle and does not raise any objection in respect of non-mains sewerage at this outline stage.
The ground conditions, including flat topography were noted with no constraints observed that would prevent the provision of such plant, whereby the size of the site and extent of lands within the control/ownership of the applicant are considered sufficient to accommodate such plant and associated works/soak-aways.

Neighbour Notification Checked Yes

Summary of Recommendation: The application should be refused as it is not compliant with countryside policies set out in PPS21.

Reasons for Refusal:
1.The proposal is contrary to The Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not been demonstrated that there are overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there is no gap site.

3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the plot size does not respect the existing development pattern long the road frontage.

3. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the ancillary access works do not respect the surrounding context.

4. The proposal is contrary to policy CTY14 of Planning Policy Statement 21 Sustainable Development in the Countryside in that the building would, if permitted, not respect the pattern of settlement exhibited in the area and would result in a suburban style build up of development.

5. The proposal is contrary to policy AMP2 of PPS3 Access, Movement and Parking, in that it has not been demonstrated the access will not prejudice road safety or significantly inconvenience the flow of traffic.

Case Officer Signature: Fiona McDonnell

Date: 26rd January 2026

Appointed Officer Signature: M Keane

Date: 26-01-26

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

Planning Committee 'Call in' Request Form

DETAILS OF SPEAKING RIGHTS FOR PLANNING COMMITTEE MEETING 25 MARCH 2026

Description of the application – PROPOSED INFILL SITE FOR DWELLING AND GARAGE IMMEDIATELY SOUTH OF 16A CROSSAN ROAD, MAYOBRIDGE, NEWRY, BT34 2HY

Proposed decision (including reasons if the decision is refusal) – REFUSAL FOR THE FOLLOWING REASON,

1. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that it has not been demonstrated that there are overriding reasons why this development is essential in this rural location and could not be located within a settlement
2. The proposal is contrary to The Strategic Planning Policy Statement for NI (SPPS) and Policy CTY8 of PPS21, Sustainable Development in the Countryside in that there is no gap site.
3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY8 of PPS21, Sustainable Development in the Countryside in that the plot size does not respect the existing development pattern along road frontage.
4. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the ancillary access works do not respect the surrounding context.
5. The proposal is contrary to policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, not respect the pattern of settlement exhibited in the area and would result in a suburban style build up of development.
6. The proposal is contrary to Policy AMP2 of PPS Access, Movement and Parking, in that it has not been demonstrated the access will not prejudice the road safety of significantly inconvenience the flow of traffic.

COMMENTS ON REFUSAL REASONS

1. This is a general reason for refusal. If all other reasons are overturned this reason is not sustainable.

2. The same site was approved twice previously. First by the Planning Service with the assistance of Local Councillors and secondly by the Council. If the principal of a gap site was accepted twice how can there now be concerns.

3. If the site was previously accepted it must still respect the development pattern so clarity is sought as to what has changed. Indeed, there has been more development and planning approvals along the Crossan Road since the first application back in 2014. The proposal must comply with CTY8 bearing in mind site history.

4. Crossan Road is a heavily developed rural road. The proposal would not look out of place and was not a concern before. This reason is not sustainable and interpretation of Policy is flawed. The proposal must comply with CTY13 as it was previously approved twice, the second time by the Council.

5. As previously stated in 2014 this part of the Crossan Road was not deemed to be built up. We are now in 2026 and there has been more development and approvals so how can this reason be sustainable and the area now deemed built up.

6. Through the processing of the previous applications Dfi Roads were consulted and had no concerns. As agent was **not** informed about the new concerns but having examined the consultation response the concerns can be addressed. The reference to Protected Route was a simple error on the application form and the visibility splays required can be conditioned in any approval as was done previously.

ITEMS FOR CONSIDERATION BY COMMITTEE

Planning Committee 'Call in' Request Form

We wish the application to be considered at Committee as there are 2 previous infill approvals on this site. With the support of local Councillors in 2014 the site was approved, then in 2019 an application to renew the first approval was also approved.

Due to personal circumstances the applicant did not get to renew the 2019 application but always had a genuine expectation that as the Council had approved her site she could them make a this new application under consideration. This application was submitted 116 days from the latest expiry date of the 2019 approval.

Planning then considered it a new application and seem to have reverted to the old concerns which were in effect overturned by Councillors at that stage. In the Case Officers Report they state that as the previous Approval had expired it "no longer afforded determining weight" This may be the case but **Planning appear to have given the site history no weight whatsoever and by doing this they have undermined the opinions of the Councillors who supported the application in 2014.**

The Committee must have the opportunity to cross examine Planning and to ascertain what has changed regarding Policy and what has changed on the Crossan Road. I believe the area is now more densely built up and there are a number of extant approvals yet to be actioned. The area is in a better position to absorb the proposed infill site that it ever was.

If Committee feel a site visit is appropriate then so be it as the single photograph in the Case Officers report does not give a true reflection of the development pattern ion the Crossan Road.

Delegated Application

Development Management Officer Report	
Case Officer: Fergal Connolly	
Application ID: LA07/2025/0575/O	**Target Date:**
Proposal: Erection of a dwelling on a farm	**Location:** Proposed dwelling on a farm 90 M North of 55 Ballyveaghbeg Road Ballymartin
Applicant Name and Address: Raymond Annett 55 Ballyveaghbeg Road Ballymartin	**Agent Name and Address:** John Cole 12A Duke Street Warrenpoint BT34 3JY
Date of last Neighbour Notification:	17 October 2025
Date of Press Advertisement:	25 June 2025
EIA Determination: Not required.	
Consultations: • DFI Roads • DFI Rivers • DAERA	
Representations: No representations have been received.	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues: n/a	

Site Visit Report

Site Location Plan:



Figure 1- Site Location Plan

Date of Site Visit: 05/12/2025

Characteristics of the Site and Area

The application site is an agricultural field located approx. 90m north of No. 55 Ballyveaghbeg Road Ballymartin. Figure one above outlines the red line boundary of the proposed development. The application site lies outside any defined settlement development limits as outlined in the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) (Map 3/01 – Newry

and Mourne District). The application site is located within the Mournes Area of Outstanding Natural Beauty (AONB), it is also located within the Ballymartin Moraine Site of Local Nature Conservation Importance (SLNCI) as designated within BNMAP. The site currently in agricultural use, is bounded to the north and west by Mourne Granite walls while the southern and eastern boundaries are currently undefined. The application site is typical of such in this area with flat fields bounded by Mourne Granite walls. The pattern of development in the surrounding area is that of agricultural fields, with dwellings of varying styles and finishes interspersed throughout the landscape.



Figure 2- Application Site Looking Towards No.55

Description of Proposal

This application is seeking outline permission for a farm dwelling. No detailed plans have been submitted due to the nature of the proposal.

Planning Assessment of Policy and Other Material Considerations

The application will be assessed against the following guidance and policy:

- Banbridge, Newry and Mourne Area Plan

- Strategic Planning Policy Statement, Edition 2
- PPS21 Sustainable Development In the Countryside
- PPS15 Planning and Flood Risk
- PPS3 Access, Movement and Parking
- PPS2 Natural Heritage
- Development Control Advice Note (DCAN) 15- Vehicular Access Standards
- Building on Tradition

PLANNING HISTORY

The planning history associated with the application site is listed below:

Application Number: P/2001/1230/F (Existing Farm House)
Proposal: Erection of Replacement dwelling
Decision: Permission Granted
Decision Date: 11 January 2002

Application Number: LA07/2019/0485/F (Existing Farm House)
Proposal: Proposed farm store for hay, machinery and veterinary inspections
Decision: Permission Granted
Decision Date: 03 July 2020

SUPPORTING DOCUMENTS

- Application Form
- Site Location Plan
- Design and Access Statement
- Biodiversity Checklist & Ecological Statement
- Agent Rebuttal

CONSULTATIONS

- DFI Roads- No objection subject to conditions.
- DFI Rivers- Content, discussed below under PPS15.
- DAERA- Confirmed the farming business was active and established for more than 6 years.

REPRESENTATIONS

Three neighbouring properties were notified with respect of this application, no representations were received. The application was also advertised in the Mourne Observer in June 2025 and no third-party representations were received.

EVALUATION

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

material considerations. The relevant LDP is BNMAP 2015 as the Council have not yet adopted a LDP. The application site lies outside any settlement limits, as designated within this Plan. The application site is however located within the Ballymartin Moraine SLNCI, the provisions of Policy CVN 1 Sites of Local Nature Conservation Importance are therefore applicable to this application. It notes the following:
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.

Having considered the domestic nature of this application it is not considered that any adverse impact is anticipated on the nature conservation interests of the Ballymartin Moraine. The proposal is therefore considered to be in compliance with the provisions of the areas plan and applicable policy.

Strategic Planning Policy Statement
The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. On 11th December 2025 the Department for Infrastructure published the SPPS Edition 2 which included new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS Edition 2 makes clear that all other policy provisions within the former SPPS are unchanged. The SPPS sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the council area. As there is no significant change to the policy requirements for farm dwellings following the publication of the SPPS and as it is arguably less prescriptive, the retained policies of PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with para 1.12 of the SPPS.

PPS 21 – Sustainable Development in the Countryside
PPS 21 Sustainable Development in the Countryside is the relevant planning policy in determining the principle of development for this proposal. Policy CTY 1 gives a number of opportunities for housing development in the countryside. One such opportunity is for a dwelling on a farm providing the criteria of Policy CTY 10 are all met.

Policy CTY 10 Dwellings on Farms
Policy CTY10 states planning permission will be granted for a dwelling on a farm whereby:

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

Following consultation with DAERA, it has been confirmed that the farm business ID was allocated in June 1999 and that the proposal is located within field 3/085/114/9, which has been claimed by the business listed in the application form for the Farm Sustainability Payment (FSP) in 2025. The Planning Department are content that the farming business is currently active and has been established for at least 6 years. Criterion A of this policy has been met.

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

Following a review of the farm maps submitted by the applicant, approvals within field 114/2 under references P/2003/2394/O and P/2006/1349/RM were queried with the agent. The agent advised that the lands were transferred out of the farm in 2007 following approval of the reserved matters application. As this transfer occurred more than 10 years prior to the date of the current application, the Planning Department is satisfied that this criterion has been met.

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

From the documentation submitted by the agent, it is noted that the farm business is registered at No. 55 Ballyveaghbeg Road, which comprises an existing farm shed approved under LA07/2019/0485/F and an existing farmhouse, located approximately 38 metres and 67 metres respectively from the proposed application site boundary. These buildings are considered to form the established group of farm buildings. It is acknowledged that the proposal seeks outline planning permission and, as such, detailed plans have not been submitted. However, the proposed application site boundary is identified on drawing 3461 PL SL LP. The application site is located to the north of No. 55 Ballyveaghbeg Road and occupies part of an open, flat agricultural field. The Planning Department considers the proposed location of the application site to be unacceptable in its current position. It is considered that an alternative siting closer to the principal farm buildings is achievable and would result in a more visually linked and cohesive form of development in relation to the existing farm buildings. The proposed siting creates a considerable gap, which reads as a detachment from the established group of buildings, and is considered unnecessary given the availability of land within the existing farm holding. In addition, the Planning Department considers that the proposed siting would result in the creation of a ribbon of development, which is examined further below.

CTY 8 Ribbon Development

Policy CTY 8 states that '*Planning permission will be refused for a building which creates or adds to a ribbon of development.*'

Having assessed the application site and its surroundings, the Planning Department considers that the existing farmhouse at No. 55 Ballyveaghbeg Road and the agricultural shed to the rear share a common boundary and both have frontage onto the public road, namely Ballyveaghbeg Road. In its current location, the proposed development would introduce an additional dwelling along this road frontage, thereby extending development and resulting in a ribbon of development along this section of the road. The Justification and Amplification of the relevant policy states that ribbon development does not necessarily require individual accesses or a continuous or uniform building line. Buildings set back, staggered, angled, or separated by gaps may still constitute ribbon development where they share a common frontage or are visually linked. It is therefore considered that the proposed development, when viewed in conjunction with the existing development, would result in ribbon development. This approach has been supported and tested in recent appeal decisions, including 2024/A0098. Having considered the above the proposal is contrary to CTY 8.

CTY 13- Integration and Design of Buildings in the Countryside

Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design. The policy notes the following: *'A new building will be unacceptable where:*
(a) it is a prominent feature in the landscape; or
(b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
(c) it relies primarily on the use of new landscaping for integration; or
(d) ancillary works do not integrate with their surroundings; or
(e) the design of the building is inappropriate for the site and its locality; or
(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;
g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

As noted above the application site is located within an open and flat agricultural field. Views of the application site are extended and uninterrupted when travelling south on the Ballyveaghbeg Road due to the existing topography of the area with flat open fields with low Mourne granite wall field boundaries. This section of the Ballyveaghbeg Road is characterised by a low density of development with agricultural fields and Mourne Granite boundary walls dominating the local landscape. To minimise the visual impact of new development in the countryside, Policy requires that new buildings be "visually linked" or clustered with an established group of farm buildings. However, as outlined above, the inappropriate siting of the proposed dwelling detached from the existing farm buildings does not allow for such clustering or appropriate visual linkage. Consequently, the proposed dwelling would appear as an isolated structure, visually detached from any established building group. This lack of integration would result in the dwelling appearing as a standalone and prominent feature within the landscape, failing to blend with its surroundings and thereby detracting from the rural character of the area. The proposal is therefore contrary to a), f) and g) of Policy CTY13.

CTY14 Rural Character Policy
CTY14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of 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 CTY 8); or
(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.'

Having considered the proposal against the requirements of Policy CTY 14, it is considered that, due to the lack of visual linkage and integration with the existing farm buildings, the development, if permitted, would become unduly prominent in the local landscape. It is further considered that the proposal fails to respect the traditional pattern of settlement in the area, as the application site appears visually isolated from existing buildings and does not integrate with the surrounding landscape or settlement form. This would result in a form of development that is contrary to the prevailing rural character. The proposal when viewed with existing development along this section of the Ballyveaghbeg Road would create a ribbon of development as discussed above. Accordingly, the proposal is considered not to meet the requirements of Criteria (a), (c) and (d) of Policy CTY 14.

Building on Tradition
The development of a farm dwelling must also satisfy the integration policies of CTY 13 and CTY 14 as well as ribboning policy CTY 8. Para 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' a Design a Sustainable Design Guide for the NI countryside' is taken into account in assessing all development proposals in the countryside. Supplementary guidance on the assessment of farm dwellings advises that new buildings should be positioned sensitively so as form an integral part of that building group, or when viewed from surrounding vantage points, the new building reads as being visually interlinked with those buildings. The siting proposed is considered to be at odds with this guidance.

Amenity
The nearest occupied dwellings are No.55 Ballyveaghmore Road to the south of the application site. It is considered that there is sufficient in curtilage space for a dwelling to be sited on without unduly impacting on neighbouring amenity, and I am satisfied those plans could be submitted at Reserved Matters stage which would achieve an acceptable separation distance between the proposed site and neighbouring properties, which would avoid unacceptable overlooking, overshadowing or loss of light. Proposed landscaping conditions together with the existing vegetation would also assist in providing and protecting privacy. There have been no objections received from any neighbouring properties.

CTY 16 – Development relying on non-mains sewerage
The P1 form confirms that foul sewage will be managed through a package treatment plant. Planning permission for developments using non-mains sewerage systems will only be granted if the applicant can demonstrate that it will not result in, or contribute to, a pollution issue. There is sufficient land within the red line boundary and the proposed curtilage to accommodate the treatment plant and associated soakaways without adversely affecting the amenity of existing or future residents. The proposal complies with Policy CTY 16. Installation of the treatment plant will also require consent from the NIEA, which will be secured through an appropriate planning condition. The ground conditions were observed during a site visit, with no constraints evident that would prohibit the above.

PPS 15- Planning and Flood Risk
Following a review of the Flood Maps NI it was noted that a portion of the application site was within an area affected by surface water flooding. DFI Rivers were consulted on this basis with particular reference to 'FLD 3- Development and Surface Water'. In their response dated 24th October 2025 DFI Rivers noted that they were content that a drainage assessment was not required however where there is potential for surface water flooding as indicated by the surface water layer of the Strategic Flood Map, 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. This will involve acquiring consent to discharge storm water run-off from the site. The remaining policies of PPS15 including FLD 1, 2, 4 & 5 are not applicable to this site. The Planning Department are content that the proposal is not in contrary to the requirements of this Policy.

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

proposal involves the creation of 1 new access onto the Ballyveaghbeg Road. DFI Roads were consulted on this application and have no objections in principle to the proposal subject to conditions and the submission of detailed plans at Reserved Matters Stage.

PPS2 Natural Heritage
PPS2 sets out the planning policies for the conservation, protection, and enhancement of Northern Ireland's natural environment. The policy aims to safeguard biodiversity, geological features, and natural landscapes from inappropriate development, while promoting sustainable use and enjoyment of the natural environment. PPS2 provides the framework for assessing potential impacts on designated sites, habitats, and species, ensuring that development proposals respect and enhance natural heritage values.
The application site is located approx. 1 mile south from the Eastern Mournes Special Area of Conservation (SAC). The domestic nature of the proposal is also noted whereby airborne pollutants resulting from the development is not considered to be an issue. The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). It is not considered that the proposal will have a likely significant effect on this site or any other European Sites. As noted above the application site is located within the Ballymartin Moraine SLNCI which is designated within BNMAP 2015.

Policies NH 2 and 5 of PPS 2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to habitats, species or features of natural heritage importance. This includes species protected by law. A Biodiversity Checklist was submitted alongside the application with an ecological statement. The ecological statement goes on to note that while the application site is located within a SLNCI this is designated for its geological features, not its nature conservation interests. The statement goes on to note that the application site holds limited potential to support any protected species or habitats and the proposed development would only result in the loss of species poor, improved pasture. The statement also recommended that no further survey work was to be carried out. It is the therefore considered that the proposal is not contrary to the provisions of Policy NH2 & NH5.

The application site is situated within the Mournes AONB accordingly, the provisions of Policy NH6 apply to this proposal. However, as outlined above, the proposed siting is considered unacceptable and is therefore contrary to Policy CTY 10(c) of PPS 21. In addition, the development is considered to result in ribbon development, which is contrary to Policy CTY 8.

The proposal is therefore also contrary to criterion (a) of Policy NH6, as the proposed location fails to respect or be sympathetic to the special character of the AONB, both generally and within the specific locality. Policy NH6 requires that all of its criteria are met, which is not the case in this instance.

The drawings considered as part of this assessment are as follows: 3461 PL SL LP

Neighbour Notification Checked	Yes

Summary of Recommendation

Having considered the above proposal it is recommended to refuse outline permission for the below reasons:

Reasons for Refusal:

1. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no over-riding reasons to justify that the development is essential in this rural area.

2. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
- the new dwelling is not visually linked or sited to cluster with an established group of buildings on the farm.

3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
-the new dwelling if permitted would create a ribbon of development.

4. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that:
- the new dwelling will be a prominent feature in the landscape;
- it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;
- it is not visually linked or sited to cluster with an established group of buildings on a farm.

5. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
- the development would be unduly prominent in the landscape;
- it does not respect the traditional pattern of settlement exhibited in that area;
- it creates a ribbon of development.

6. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH6 of Planning Policy Statement 2, Natural Heritage, as the development of this site is inappropriate and therefore unsympathetic to the special character of this AONB.

Case Officer Signature: Fergal Connolly

Date: 11th February 2026

Appointed Officer Signature: Pat Rooney

Date: 13 February 2026.

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

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

Proposed dwelling on a farm North of 55 Ballveaghbeg Road Ballymartin. LA07/2025/0575/O

This is an outline planning application for a dwelling on a farm North of 55 Ballyveaghbeg Road Ballymartin. The applicant Mr.Annett is the owner of the farm and been farming at this location for over 30 years on the family farm. The farm currently has over 90 Beef cattle. The proposed dwelling is for the applicants son who will eventually take over the running of the farm.

The planning department are of the opinion the application should be refused for a number of reasons, the proposal is not visually linked with existing farm buildings, will create ribbon development, would not blend into the land scape and would be a prominent feature in the landscape.

The planning department are content that the application meets the first two criteria of CTY 10, the farm has been active for more than 10 years and no development opportunities have been sold off from the farm holding. The planning department are of the opinion that the proposal does not meet the criteria that the proposal is visually linked or clustered with farm buildings.

PPS 21 states that a new dwelling must be visually linked or sited to cluster with an established group of buildings on a farm. Paragraph 5.41 of PPS 21 goes further to state that proposed *'dwellings should be positioned sensitively with an established group of buildings on the farm, either to form an integral part of that particular building group, or when viewed from surrounding vantage points, it reads as being visually interlinked with those buildings, with little appreciation of any physical separation that may exist between them.'*

The applicants farm at this location consists of the existing farm dwelling which is accessed directly from the Ballyveaghbeg Rd and a farm shed which is not accessed from the Ballyveaghbeg Rd. The farm shed is accessed from an independent separate access from a private lane off the Ballyveaghbeg Rd. When travelling South along the Ballyveaghbeg Rd the existing dwelling and farm building are visible in conjunction with each other. Like many of the dwellings and farm buildings in the area they are not integrated and have no landscaping for boundaries, they are defined by granite stone walls which is confirmed in the case officers report when it is stated '*The site currently in agricultural use, is bounded to the north and west by Mourne Granite walls while the southern and eastern boundaries are currently undefined. The application site is typical of such in this area with flat fields bounded by Mourne Granite walls. The pattern of development in the surrounding area is that of agricultural fields, with dwellings of varying styles and finishes interspersed throughout the landscape*'.

The farm dwelling and farm building are visible from vantages points travelling along the Ballyveaghbeg Rd and from roads in the wider area. The proposed dwelling is positioned 46m North of the existing farm shed and would clearly be visible in conjunction with the existing farm buildings from the Ballyveaghbeg Rd and vantage points in the wider area. The case officers report clarifies that the proposed dwelling is visibly linked with the existing farm buildings by stating the opinion of the planning department is that there is an alternative position that *'would result in **a more visually linked** and cohesive form of development'* The policy clearly states that *'the new building is visually linked or sited to cluster with an established group of buildings on the farm.'* The planning departments own report clearly shows that the proposed dwelling would be visually linked with the existing farm buildings. The test of the policy is not is the site more or less visually linked with the existing farm buildings the policy clearly states that the dwelling *'reads as being visually interlinked with those buildings, with little appreciation of any physical separation that may exist between them'* Three of the reasons for refusal revolve around visual linkage yet by the planning departments own admission the proposal is visually linked with the existing farm buildings.

The planning department are of the opinion that a dwelling in the proposed position would lead to ribbon development. For the purposes of ribbon development there must be a substantial and continuous built-up frontage the definition of a substantial and built-up frontage as per policy CTY 8 is a *'line of 3 or more buildings along a road frontage without accompanying development to the rear'* The position of the proposal will not result in ribbon development.

The road frontage would consist of the proposed dwelling, an agricultural field and the existing farm dwelling No. 55 Ballyveaghbeg Road. Directly South of the existing farm dwelling is a lane then more agricultural fields. Along this section of road frontage, with the inclusion of the proposal, there is not a third building to create a substantial and continuous built-up frontage.Without this third building the proposal will not cause this section of the Ballyveaghbeg Road to form a substantial and continuous built-up frontage. There is no opportunity for any further development along the road frontage should this proposal be approved as other sites would not meet the requirements for an infill dwelling.

The planning department feels that the farm dwelling and farm shed have *'a common boundary and both have frontage onto the public road'*. The farm dwelling has frontage and direct access on to the Ballyveaghbeg Rd. The farm building does not share a common boundary with the farm dwelling, there is a clear division between the two building they are separated by a wall and landscaping, the farm building has its own access, independently from the farm dwelling on to the private lane off the Ballyveaghbeg Rd. The case officers report refers to a PAC decision 2024/A0098 which states *'In order for a building to have road frontage, the plot on which it stands must abut or share a boundary with that road, footpath or lane'* The plot on which the farm building sits does not share a boundary with the Ballyveaghbeg Rd, it abuts the lane off the Ballveaybeg Rd. The information above would clearly indicate that the farm shed which does not share a boundary with the Ballyveaghbeg Road and cannot be counted in the context of ribbon development.

The planning department suggest that a proposal dwelling would not blend into the landscape and not integrate into the area. Very few of the dwellings along the Ballveaghbeg Rd have any planting providing integration, in the wider area very few dwellings are integrated into the landscaped by planting. The dwellings in the area of the proposal and the wider Mourne mountain area are defined by Mourne granite stone walls. The proposal will have the same integration as the vast majority of dwellings in the area.

The siting and character of the proposal are similar to all dwellings in the area. The proposed dwelling would match the character of other dwellings in the area. The boundary of the proposal would be defined by Mourne granite stone walls which again would meet the character of the area. The dwelling would be as integrated into the landscape as well as many of the other dwellings in the area, with no requirement for new planting to match the character of other dwellings in the area. In planning approval P/2011/0909/F in the Mournes area where there is a lack of integration the case officer states 'I am satisfied that this dwelling integrates within the landscape equally as well as other dwellings in this locality'

The images presented show that the proposal is clearly visually linked with the existing buildings which the planning department agree with as per the case officer report. The proposal would integrate equal to other dwellings in the area, given that there is little landscaping surrounding dwellings in the area and the vast majority of dwellings are defined by Mourne granite stone walls. The proposal to will not result in ribbon development given its position along the road frontage. There are not enough buildings with road frontage to allow for development of a gap site.

From the information and images provided we feel that the proposal meets all the criteria for a dwelling on a farm

Delegated Application

Development Management Officer Report	
Case Officer: Catherine Moane	
Application ID: LA07/2025/0691/O	**Target Date:**
Proposal: Infill site for 2 dwellings and domestic garages	**Location:** Between 2 and 8 Keelstown Road Downpatrick BT30 9AD
Applicant Name and Address: David Tate 9 Annacloy Road Downpatrick BT30 9AE	**Agent Name and Address:** David Burgess 24 Templeburn Road Crossgar
Date of last Neighbour Notification:	17 November 2025
Date of Press Advertisement:	16 July 2025
EIA Determination: No The proposal is classified as an urban development project for the purposes of Category 10 (b) of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. It does not fall within Schedule 1 nor does it exceed the thresholds within column 2 of Schedule 2 (site area 0.3ha) of the Regulations, being a development on lands less than 0.5 hectares. The development is not located within a sensitive area, therefore an EIA determination is not required by Schedule 2 of the EIA Regulations.	
Consultations: See Report	
Representations: None	

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

Site Visit Report

Site Location Plan: The site is located Between 2 and 8 Keelstown Road, Downpatrick.





Date of Site Visit: 12th December 2025

Characteristics of the Site and Area

The site is a roadside plot fronting onto Keelstown Road and accommodates a roughly rectangular plot, which is currently being used as a field, with grassland evident. The frontage of the site is partly defined by a post and wire fence and some hedging and a tree located to along the frontage closest to no 8 Keelstown Road. No 9 Annacloy road where the applicant resides is a single storey dwelling with some out buildings to its side and rear and a vehicular access onto Keelstown Road. No 2 and 8 are also both single storey dwellings set on their own plots with a detached dwelling at No 2 and an attached dwelling at no 8. The site has well-defined, well-maintained hedges which may be shared with the adjoining properties. The site is located in the rural area.

Description of Proposal

Infill site for 2 dwellings and domestic garages

Planning Assessment of Policy and Other Material Considerations

The application site is located outside the settlements in the open countryside within the Ards and Down Area Plan 2015.

The following planning policies have been taken into account:

Regional Development Strategy

Strategic Planning Policy Statement for Northern Ireland (SPPS) Ed 2

Planning Policy Statement 2 Natural Heritage

Planning Policy Statement 3 Access, Movement and Parking

Planning Policy Statement 21 Sustainable Development in the Countryside;

- Policy CTY 1 Development in the Countryside
- Policy CTY 8 Ribbon Development
- Policy CTY 13 Integration and Design of Buildings in the Countryside
- Policy CTY 14 Rural Character

Ards & Down Area Plan 2015.

Guidance
Building on Tradition
DCAN 15 – Vehicular Access Standards

PLANNING HISTORY

Planning
Application Number: R/1996/1017
Decision: Permission Granted
Decision Date: 29 January 1997
Proposal: Dwelling

Application Number: R/1997/0489
Decision: Permission Granted
Decision Date: 29 July 1997
Proposal: Dwelling

Consultations:

Environmental Health – no objections
DFI Roads – No objections subject to RS1 form

Objections & Representations
In line with statutory requirements neighbours have been notified on 03.11.2025 (posted out 05-11-2025) . The application was advertised in the Down Recorder 16-07-2025 (Expiry 30.07.2025). No letters of objection or support have been received to date.

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

SPPS
Sets out the transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Under the SPPS Edition 2 (December 2025 thereafter referred to as SPPS), the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. Paragraph 6.73 of the SPPS provides strategic policy for residential and non-residential development in the countryside.

The SPPS states that in the case of infill/ribbon development provision should be made for the development of a small gap site in an otherwise substantial and continuously built up frontage. This is less prescriptive than the content of PPS21 regarding infill dwellings, however, the SPPS states that the policy provisions of PPS21 will continue to operate until such time as a Plan Strategy for the whole of the Council area has been adopted. Policy CTY 1 of Planning Policy Statement 21 Identifies a range of types of development that are, in principle, considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Planning permission will be granted for an individual dwelling house in the countryside in the certain cases which are listed, the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8 is one such instance. Integration and design of buildings in the Countryside CTY 13 and Rural character CTY 14, and CTY 16 are also relevant.

Policy CTY8- Ribbon Development

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

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

The agent considers that the site is such a gap site, falling within a substantial and continuously built-up frontage. For the purpose of the policy a line of 3 or more buildings along a frontage without accompanying development to the rear is required.

The site comprises a roughly rectangular shaped plot which fronts onto Keelstown road. No 9 a single storey dwelling with outbuildings to the rear, fronts onto the Annacloy Road. No 9 and the buildings do not have frontage to the Keelstown road as there is an intervening paddock that runs to the roadside. There is also a vehicular access, however an access alone does not constitute frontage to the road. No 2 is located further to the NE along the Keelstown Road and comprises a single storey dwelling with single storey garage set to the side and rear of the dwelling. Both buildings are considered to have frontage to the Keelstown Road. Further to the NE and adjacent to No 2 is the site (permission sought for 2 dwellings) and beyond the site is No 8 which is also a single storey detached bungalow with attached garage and is considered to have frontage to the Keelstown Road. All three of these buildings, all have frontage to the road, because the plots upon which they sit abuts the road. The substantial and continuously built-up frontage (SCBUF) therefore comprises three buildings as specified in the policy, namely, the two detached dwellings at Nos. 2 and 8 and the detached garage of No 2.

As per the high court judgement – Gordon Duff v Newry, Mourne and Down District Council [2022] (NIQB37) and the subsequent court of appeal judgement - Gordon Duff's Application (Re. Glassdrumman Road, Ballynahinch) [2024] NICA 42, Policy CTY8 refers to a small gap site within an otherwise substantial and continuously built-up frontage, that is to say, which is continuously built up (in line with the policy) but for a 'small gap site' which is under consideration for development.

Paragraph 5.34 of the amplification text of Policy CTY8 states that "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 produce a design solution to integrate the new buildings."



Paragraph 5.34 infers that for the purposes of the policy, the 'gap' is between buildings. The gap between the two dwellings is approximately 110.6 metres wide. In assessing whether that gap is 'small' and thus compliant with the policy, one must assess it in the context of the existing pattern of development along the frontage in terms of size, scale, siting and plot size. While consideration of an infill is not a mathematical exercise it does serve to inform the assessment of the proposal.

Spatial NI was used to measure the relevant frontages within the SCBUF.



No 2 – garage and dwelling =43.6m

No 8 – dwelling 36.6m

Average (of 2 plots) = 40.1m

Frontage of site = 84 (42m each)

Gap = 110m /2 = 55m

If the proposal were to be permitted the plot frontages along this section of Keelstown Road would range from 36.6m to 43.6m.

The assessment of whether a site is suitable for infill development is not simply a mathematical exercise. Whether or not a gap site is suitable for infill development is a matter of planning judgment, taking into account what is ascertained on the ground. As can be seen from the street view image below, the gap between No 2 and 8 is substantial.

In relation to No. 2, its plot size is approximately 0.162 hectares. The plot at No. 8 is around 0.238 hectares. The plot size of the site would be around 0.413 hectares (for two dwellings).

Building on Tradition (BoT) states that where a gap frontage is longer than the average ribbon plot width, the gap may be unsuitable for infill. It goes on to say that when a gap is more than twice the length of the average plot width in the adjoining ribbon it is often unsuitable for infill with two new plots. The guidance states that a gap site can be infilled

with one or two houses if the average frontage of the new plot equates to the average plot width in the existing ribbon. The plot width of No. 2 is approximately 43.6 metres and No. 8 is around 36.6 metres. The average plot width is therefore some 40 metres. Factoring this in and given that the width of the gap is approximately 110.6 metres, the gap is more than twice the length of the average plot width. This aspect of the proposal would not be acceptable.

At 110.6m, the gap between No 2 and 8 Keelstown Road could accommodate more than two dwellings within the range of plot sizes identified. Consequently, the application site would not qualify as a small gap site within an otherwise substantial and continuously built-up frontage. In addition in the wider context of the site, the rural character along this part of the road is clearly visible. The proposal relies heavily on two bookends within the same curtilage whereby officers consider the site represents an important visual break.

The proposal therefore, if permitted would create ribbon development and does not therefore fall within the exceptions of CTY 8. As mentioned above officers are mindful of the Court of Appeal judgement - Gordon Duff's Application (Re. Glassdrumman Road, Ballynahinch) [2024] NICA 42 in support of its position emphasising the restrictive nature of Policy CTY 8 and its intention to prevent ribbon development and preserve visual breaks.

The other planning and environmental requirements under Policy CTY8 fall to be considered under Policy CTY13 which deals with the integration and design of buildings in the countryside and Policy CTY14 which addresses rural character.

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

This policy states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design. It specifies several instances where a new building will be unacceptable.

(a) it is a prominent feature in the landscape; or
(b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
(c) it relies primarily on the use of new landscaping for integration; or
(d) ancillary works do not integrate with their surroundings; or
(e) the design of the building is inappropriate for the site and its locality; or
(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;

As the application is for outline permission, no specific details of house type or design have been submitted. In assessment of the above, the site contains a large greenfield with well trimmed hedgerows to the wider site. Part of the hedge along the frontage of the site has been removed and a post and wire fence erected (similar to what is required for visibility splays).



Before hedge removal Google streetview 2023



View looking towards the NE -taken from google streetview -Sept 2025

The land within the site rises steadily in a northern direction to the rear boundary of the field. The site also falls in a NE direction towards No 8. The surrounding topography is typically undulating, therefore views of the site are limited to short distances and along the site frontage from both directions. There are views from the Greystown road, but the

intermittent vegetation, ensures they are not prolonged – similarly along the main Belfast Road, there are gaps, but the fast moving nature of the road means they are not prolonged views. In this regard, the site is not considered to be prominent. The site is open in nature given the length of the site, and the lack of roadside vegetation. The mature boundaries along the wider site along with some additional planting to the rear would aid the integration of any dwellings on the site. It is recognised that no further hedge removal is required along the frontage and the existing remaining boundary vegetation along the frontage can be retained so would not open the site up any further. Therefore suitably designed dwellings on the site with a restricted ridge height would not appear prominent. It will be important that existing and proposed levels are submitted at reserved matters stage. The proposal would comply with CTY 13.

CTY 14 – Rural Character

This policy states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

A new building will be unacceptable where:

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

As discussed above the proposal is not considered to be an exception to CTY 8 and would therefore add to an existing ribbon of development. Given that it would be visually linked to the outbuildings at No 9 Annacloy Road and No 2 and its detached garage. Further to this the two infill dwellings intend to share an access point. Provision of this would be at odds with dwellings in the immediate area and would represent an arrangement typical of an urban setting, not appropriate within this rural context. The proposal therefore fails to comply with Criteria B, C and D of CTY 14 (read as a whole and the related provisions of the SPPS) which would cause a detrimental change to the rural character of the area.

CTY 16 – Development relying on non mains sewerage. There would be sufficient room within the land in red for a septic tank and soakaways. The grant of planning permission does not negate the need for a consent to discharge outside of the planning process.

PPS 2 – Natural Heritage

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

The application was accompanied by a biodiversity checklist completed by the agent, with no issues ticked as part of the submission. The site is not located within a sensitive area, such as an AONB.

The proposal, will not require the removal of a any further roadside hedging (given that it has already been removed and replaced with a post and wire fence).

The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar Sites has been assessed in accordance with the requirement of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) has been considered. The site is located approximately 35km upstream from Strangford Lough SAC/SPA/Ramsar. Based on the nature and location of the proposal it is concluded there can be no conceivable effects on these European sites.

On the basis of the above assessment. it is considered that the proposal would not have a negative impact on any natural heritage and therefore complies with policies NH 1-5 of PPS 2.

PPS 3 – Access, Movement and Parking

The application seeks to create a new access onto Keeltown Road. Policy AMP 2: Access to Public Roads is applicable which states that planning permission will only be granted for development involving direct access, or the intensification of the use of an existing access, onto a public where

(A) Such access will not prejudice road safety or significantly inconvenience the flow of traffic
(B) The proposal does not conflict with Policy AMP3 Access to Protected Routes

Category A is applicable. DfI Roads have indicated in their consultation response they have no objections to the proposal provided a scale plan and acurate site survey is submitted in any subsequent application complying with the RS1 form which requires splays of 2m x 45m. The proposal complies with AMP 2 of PPS 3.

Conclusion

For the reasons given above, the proposal fails to satisfy the requirements of Policies CTY 8, and CTY 14 of PPS 21 and the related provisions of the SPPS. No overriding reasons have been presented to demonstrate how the proposal would be essential in the countryside, thus it is also contrary to Policy CTY 1 and the related provisions of the SPPS.

Recommendation:
Refusal

Refusal Reasons:
1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill dwelling as the development would not respect the existing development pattern along the frontage, resulting in the loss of an important visual break and would, if permitted, result in the creation of ribbon development along Keelstown Road.

3. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland (SPPS) and Criteria B, C and D of Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:

- the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings;
- the proposed access arrangement does not respect the traditional pattern of settlement exhibited in the area;
- the dwelling would, if permitted add to a ribbon of development

and would therefore further erode the rural character of the countryside.

Informative

The plan to which this refusal relate include: site location plan A3675	
Neighbour Notification Checked	Yes
Summary of Recommendation – refusal as above	
Case Officer Signature: C Moane	**Date:** 10th February 2026
Appointed Officer Signature: B.Ferguson	**Date: 10/02/2026**

Planning Committee Schedule of 25th March 2026

Planning reference: **LA07/2025/0691/O**

Proposal: **Infill site for 2 dwellings and domestic garages - Between 2 & 8 Keelstown Road**

Applicant: **Mr Tate** **Recommendation: Refusal**

Refusal Reasons:

1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill dwelling as the development would not respect the existing development pattern along the frontage, resulting in the loss of an important visual break and would, if permitted, result in the creation of ribbon development along Keelstown Road.

3 The proposal is contrary to The Strategic Planning Policy Statement for Northern Ire-land (SPPS) and Criteria B, C and D of Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
• the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings;
• the proposed access arrangement does not respect the traditional pattern of settlement exhibited in the area;
• the dwelling would, if permitted add to a ribbon of development
and would therefore further erode the rural character of the countryside.

Refusal Reason 1.

The development of a small gap site within an otherwise substantial and continuous built up frontage in accordance with Policy CTY8 falls within the range of types of development which in principal are considered to be acceptable in the countryside and will contribute to the aims of sustainable development and as such this application is a gap site and its meets with criteria and is compliant with SPPS2 and Policy CTY1 of PPS21 and as such is not contrary to the policies and it clearly meets the tests of Policy CTY1. The application site is on the Keelstown Road located between dwellings No2 & No8.

Refusal Reason 2

The Policy states that planning permission will be refused for a building which creates or adds to a ribbon of development with an exception being the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage such as the application site purports to. The dwellings at 2 & 8 Keelstown Road both have road frontages with the curtilages of both sites running to the road, it is noted that there is a third building located at No2 namely an attached garage and as such the substantial and continuous built-up frontage exists as required by the policy and this is accepted by the officers in their consideration of the sites. The site has a frontage of 84m with each dwelling having a frontage of 42m while the existing dwellings No 2 having frontage of some 43m and No 8 having a frontage of 37m all site would there for have a average frontage of similar sizes.

In preamble to SPPS2 introduced on 11th December 2025 it is made clear that all other policy provisions within the former SPPS remain unchanged and in relation to infill/ribbon development (as this proposal is) the policy is less prescriptive than PPS21 which will continue to operate until the Council adopt a Plan Strategy for the Council area. It is considered by the Council that the application site is a visual break in the frontage, however it is counter contended that the application site is infect an infill / gap site and should benefit from the grant of a planning approval.
The proposal has also to be considered against other Policies PPS13- the Council accepts that the site is not prominent, integrates with the surrounding area and that a low ride height on the proposed dwellings would not appear prominent in the site context and this matter should it be necessary can be conditioned by the Council. The Planning department have accepted that the site complies with Policy CTY13
In relation to Policy CTY14- the applicants contend that the proposal will not result in suburban type build-up with paired access similar to those approved elsewhere in the district and acceptable to DFI roads requirements, the site is respective of the surrounding settlement pattern and does not add to a ribbon rather it avails of the infill opportunity which exists.
Policy CTY16- It is accepted that the application site is capable of housing the required Bio-discs to facilitate the proposal.

Refusal Reason 3

The application site as stated above is in compliance with SPPS2 and CTY14 of PPS21 and contrary to the Council's opinion the development would not result in a suburban style build up as the proposal would not result in the removal of any further hedging as the site is bounded by a post and wire fencing and a farm access gate which replaced the former hedging which was scrappy and in poor health due to age and had minimum potential for biodiversity and with the proposed planting of a hawthorn hedge to the rear of the existing post and wire fencing this will encourage biodiversity The proposed access arrangements have been assessed by Dfi Roads and an RS1 has issued and many such access arrangements have been approved by this authority since it came into existence in 2015. It is contended that the proposed dwellings on this infill site would not further erode the countryside but would be acceptable as the in-filling of an existing gap site within the existing continuously built up frontage as required by the policy.

Other Agencies

The proposed site meets with other considerations by other consultees and agencies -

PPS 3-- DFI Roads issued a RS1 form, indicating 2m by 45m visibility spays are required and these are achievable within the proposed road frontage, it is considered that there is sufficient land to accommodate parking, turning and manoeuvring.
Environmental Health – No Objections
No objections from neighbours or the publicity process.

Conclusion

The site as chosen complies with the requirements of 2 No dwellings and domestic garages under Policy CTY8 as it is located in a small gap site between No2 and No8 Keelstown Road ,this provides for the gap in a continuous built up frontage as required by the policy.

The applicant would respectfully ask the Committee to overturn the Officer's recommendation and to grant Planning Approval for the applied development as the site is capable of housing 2 dwellings and domestic garages in accordance the policy.

Delegated Application

Development Management Officer Report	
Case Officer: Laura O'Hare	
Application ID: LA07/2025/0111/O	**Target Date:**
Proposal: Two infill dwellings with ancillary garages (PPS21 CTY 8)	**Location:** Land 50m North East of 36 Strangford Road, Ardglass, BT30 7SH
Applicant Name and Address: Fergus Fitzsimons & Jane Johnston 36 Strangford Road Ardglass Downpatrick BT30 7PX	**Agent Name and Address:** Brendan George 12 Rossglass Road Killough Downpatrick BT307QN
Date of last Neighbour Notification:	18 December 2025
Date of Press Advertisement:	12 February 2025
EIA Determination: The proposal is classified as an urban development project for the purposes of Category 10 (b) of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. It does not fall within Schedule 1 or does it exceed the thresholds within column 2 of Schedule 2 (site area 0.5ha) of the Regulations, being a development on lands that do not exceed 0.5 hectares. The development is located within a sensitive area, therefore an EIA determination is required by Schedule 2 of the EIA Regs. It was determined that the proposed development is not of such a scale to have wide ranging environmental effects that would be of more than local importance. The Planning Department is satisfied that the development will not cumulatively impact with any other existing or approved development schemes within the wider area and any environmental impacts are not likely to be significant to warrant the submission of an environmental statement	
Consultations: • DFI – No objections subject to compliance with RS1. (16/012026) • NIEA (WMU) - refer to standing advise. (07/07/2025) • Environmental Health – no objection in principle (13/08/2025) • SES (informal) –approximately 77m from the marine environment. No conceivable effect from any construction phase or operational pathways. Ensure consent to discharge authorisation of 2 no. septic tanks occurs under the terms of the Water (NI) Order 1999 (07/07/205)	
Representations: None	
Letters of Support	0.0
Letters of Objection	0.0

Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report

Site Location Plan:





Date of Site Visit: November 2025

Characteristics of the Site and Area

The site comprises a cut out from a larger agricultural field on the western side of Strangford Road and is positioned just outside Ardglass village. The site is located within the rural countryside outside any settlement limits designated under the Ards and Down Area Plan (ADAP) 2015.

The sites eastern boundary (roadside) is defined by hedging. Mature trees and hedging feature along the site's northern boundary shared with No. 40 Strangford Road which comprises a bungalow type dwelling with outbuilding to the rear. No. 40 has a block wall along its shared boundary with the application site. To the south, the application sites boundary is shared with No. 36 Strangford Road, which comprises a detached dwelling with outbuildings. The shared boundary with this property is defined by timber post and wire fencing with hedging behind. Give the site is cut out from a larger agricultural field there is currently no defined western boundary in place.

Lands comprising the application site are relatively flat. In terms of levels, the application site sits just slightly below the level of the adjoining Strangford Road.

The surrounding area is typically comprised of dispersed detached bungalow type dwellings, their associated outbuildings and open agricultural fields. To the west of the site is Ardglass village. The site is currently an agricultural field.

The application site is included in the designated Strangford and Lecale Area of Outstanding Natural Beauty (AONB).

Description of Proposal

Two infill dwellings with ancillary garages (PPS21 CTY 8)

Planning Assessment of Policy and Other Material Considerations

The application site is located outside the settlements in the open countryside as indicated by the Ards and Down Area Plan 2015. The following planning policies have been taken into account:

- Regional Development Strategy (RDS).
- Strategic Planning Policy Statement for Northern Ireland (NI) 'Planning for Sustainable Development' Edition 2 (SPPS2).
- Ards & Down Area Plan 2015.
- Planning Policy Statement 2 Natural Heritage.
- Planning Policy Statement 3 Access, Movement and Parking.
- Planning Policy Statement 16 Tourism.
- Planning Policy Statement 21 Sustainable Development in the Countryside; -
  - Policy CTY 1 Development in the Countryside
  - Policy CTY 8 Ribbon Development
  - Policy CTY 13 Integration and Design of Buildings in the Countryside
  - Policy CTY 14 Rural Character
  - Policy CTY 15 The Setting of Settlements

PLANNING HISTORY

Planning
Application Number: R/1983/0337 Decision: Permission Refused Decision Date:
Proposal: NEW VEHICULAR ENTRANCE

Application Number: R/1978/0891 Decision: Permission Granted Decision Date: 26 March 1979
Proposal: REPLACEMENT GARAGE AND STORE

Application Number: R/1980/0266 Decision: Permission Granted Decision Date: 27 May 1980
Proposal: EXTENSION TO DWELLING

Application Number: R/1982/0646 Decision: Permission Granted Decision Date: 08 December 1982
Proposal: EXTENSION TO DWELLING

Application Number: R/1992/1049R/1993/ Decision: Permission Refused
Decision Date: 10 April 1993
Proposal: Dwelling

SUPPORTING DOCUMENTS

- Site Location Plan, Proposed Site Plan and Block Plan
- Design and Access Statement
- Biodiversity Checklist

CONSULTATIONS

- DFI – No objections subject to compliance with RS1. (16/01/2026)
- NIEA (WMU) - refer to standing advise. (07/07/2025)
- Environmental Health – no objection in principle (13/08/2025)
- SES (informal) –approximately 77m from the marine environment. No conceivable effect from any construction phase or operational pathways. Ensure consent to discharge authorisation of 2 no. septic tanks occurs under the terms of the Water (NI) Order 1999 (07/07/205)

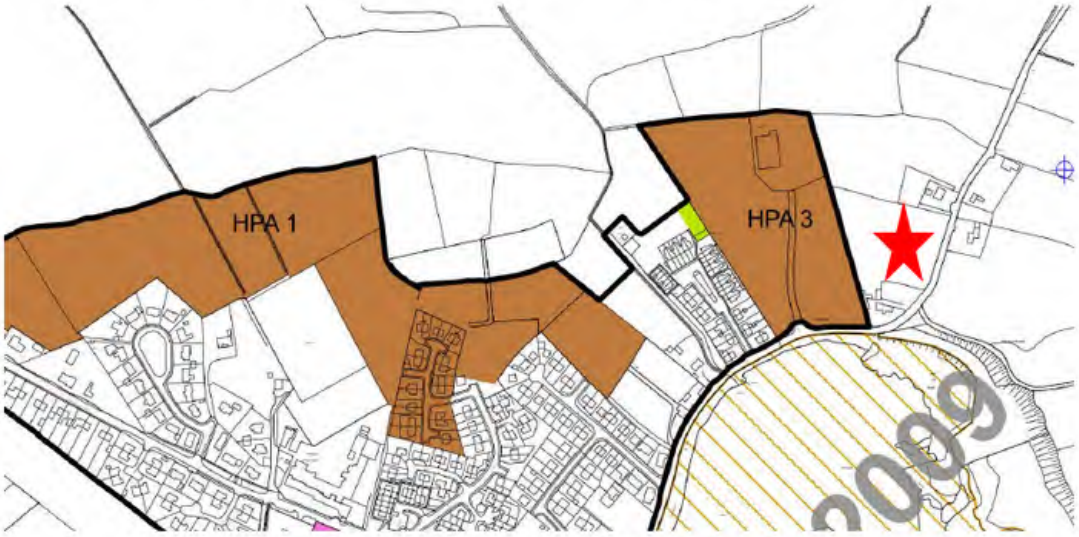
REPRESENTATIONS

Neighbour notification and advertising was undertaken in line with statutory requirements. There were no representations received.

EVALUATION

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

Map No. 3/006 – Ardglass, as show below, indicates the application site sits just east the settlement limits of Ardglass and adjacent to a designated Housing Policy Area.



On the 11th December 2025, the Department for Infrastructure published the Strategic Planning Policy Statement for Northern Ireland (NI) 'Planning for Sustainable Development' Edition 2 (SPPS2), which includes new policy provisions on Renewable and Low Carbon Energy. The Preamble to the SPPS2, makes clear that all other policy provisions within the former SPPS are unchanged. The SPPS2 is material to all

decisions on individual planning applications and appeals. The SPPS2 retains policies within existing planning policy documents until such time as Plan Strategies for the whole of the Council areas in NI have been adopted. No Plan Strategy has been adopted for NMD Council as yet. The SPPS2 sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS2. Consideration of the relevant policies are set out below.

The SPPS2 states that in the case of infill/ribbon development provision should be made for the development of a small gap site in an otherwise substantial and continuously built-up frontage. This is less prescriptive than the content of PPS21 regarding infill dwellings, however, the SPPS2 states that the policy provisions of PPS21 will continue to operate until such time as a Plan Strategy for the whole of the Council area has been adopted.

Policy CTY 1 of Planning Policy Statement 21
CTY1 identifies a range of types of development that are, in principle, considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Planning permission will be granted for an individual dwelling house in the countryside in the certain cases which are listed, the development of a small gap site within an otherwise substantial and continuously built-up frontage in accordance with Policy CTY 8 is one such instance. Integration and design of buildings in the Countryside CTY 13 and Rural character CTY 14, and CTY 16 are also relevant.

Policy CTY8- Ribbon Development
Planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purpose of this policy the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

The agent considers that the site is such a gap site, capable of accommodating two dwellings, falling within a substantial and continuously built-up frontage.

The first step in determining whether the proposal constitutes an exception in accordance with Policy CTY 8 is to determine whether there is a substantial and continuously built-up frontage. The site comprises a roughly rectangular shaped plot which fronts onto Strangford Road. On review of the site and surrounds, it is considered that the dwelling at No. 40 and the dwelling and outbuildings at No. 36, share a frontage with the proposed site, and therefore a substantial and built-up frontage exits.

The second consideration is whether there is a small gap site, sufficient only to accommodate up to a maximum of two houses. Paragraph 5.34 of the amplification text of Policy CTY8 states that "*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 produce a design solution to integrate the new buildings.*"

To be suitable for infilling under the policy, a gap site must not only be physically sufficient to accommodate no more than one or two houses but must also be able to do so in a manner that respects the existing development pattern and meets other planning and environmental requirements.

See below measurements taken from Spatial NI indicating the gap between buildings and the relevant frontages within the identified substantial and built-up frontage.

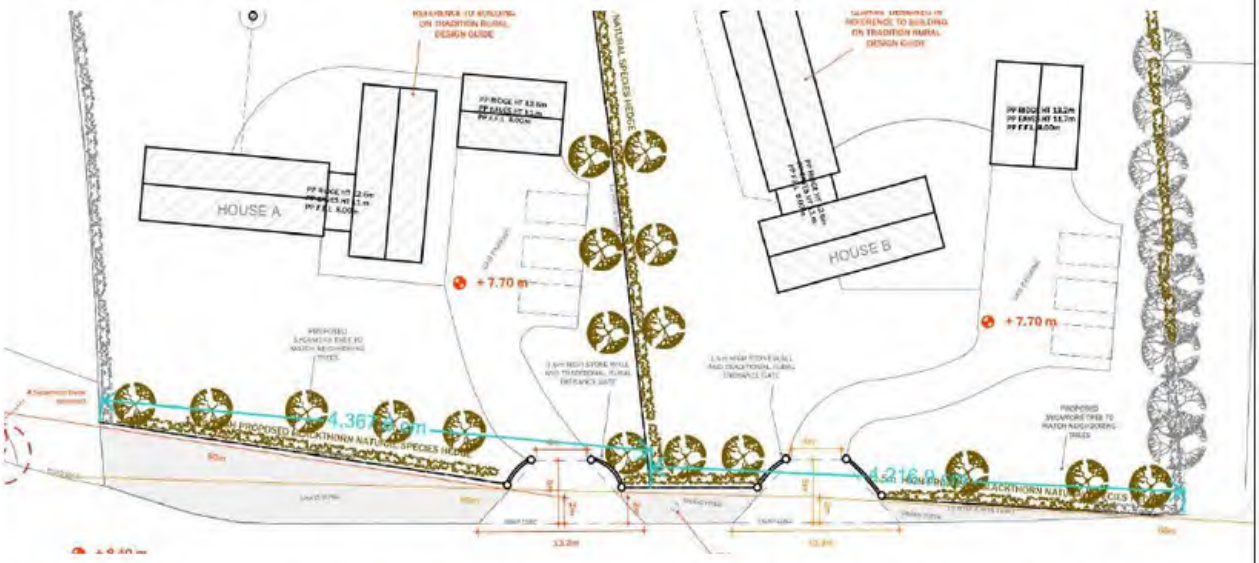


The gap between the building's measures 117 metres



Frontage widths:
No. 36 = 71.6metres
No. 40 = 23.7 metres
Average plot width = 47.6m
App. Site = 85.2 metres

On consulting the amended Proposed Site Plan submitted, drawing No. 121-04 R3, each dwelling will be provided with a frontage width measuring circa 41 metres and 43 metres, see below plan.



If the proposal were to be permitted the plot frontages along this section of Strangford Road would range from 23.7m to 71.6m, with the proposed sites having frontages of circa 42m and 43m as measured off the Propsoed Site Plan submitted.

There is a difficulty in assessing whether this gap is suitable for development of two dwellings given there are only two plots in the substantial and built-up frontage. Plots on the opposite side of the Strangford Road cannot be considered as they are not

within the identified substantial and built-up frontage. With such a large variance in the existing plot's frontage widths and only two plots, the average plot width is simply the value halfway between the two numbers. In addition, as the plot at No. 36 is positioned on a corner, the frontage of the plot therefore extends as per the alignment of the Strangford Road, meaning that on approach from the north, only circa 43m of the plot's frontage is visible.

The assessment of whether a site is suitable for infill development is not simply a mathematical exercise. Whether or not a gap site is suitable for infill development is a matter of planning judgment, taking into account what is ascertained on the ground.

Within the agent supporting documentation, the plot sizes have been identified as per the below.



While there is some variance in the widths as measured by the Planning Department and those as demonstrated above, the gap between the buildings is measured at 117m, this gap could accommodate more than two dwellings with plot widths as demonstrated as per the agent's diagram above.

Consequently, the application site would not qualify as a small gap site within an otherwise substantial and continuously built-up frontage. On further consideration of the wider context of the application site, this section of the Strangford Road is not overly developed and its rural character is clearly visible. On travelling from Ardglass towards the application site, along the Strangford Road (A2), much of the area is urbanised, until you reach No. 36 and on turning the corner towards the application site, development comprises single dwellings and their associated outbuildings in a more sparsely dispersed manner and there is a clear perception you are outside the village and into the countryside. The proposal relies heavily on two bookends within a relatively undeveloped stretch of countryside and the Planning Department consider the site therefore represents an important visual break in this relatively undeveloped area and that two dwellings on the appeal site would result in ribbon development along this section of the Strangford Road.

The proposal therefore, if permitted would extend ribbon development and does not fall within the exceptions of CTY 8. The Planning Department are also mindful of the Court of Appeal judgement - Gordon Duff's Application (Re. Glassdrumman Road, Ballynahinch) [2024] NICA 42 in support of its position emphasising the restrictive nature of Policy CTY 8 and its intention to prevent ribbon development and preserve visual breaks.

Policy CTY8 also requires that infill dwellings meet other planning and environmental

requirements. Paragraph 6.70 of the SPPS confirms that "All development in the countryside must integrate into its setting, respect rural character and be appropriately designed." In the interests of completeness a full assessment of these considerations will be undertaken below.

CTY 13 - 'Integration and Design of Buildings in the Countryside'

This policy states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design. It specifies several instances where a new building will be unacceptable:

a) it is a prominent feature in the landscape; or
b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
c) it relies primarily on the use of new landscaping for integration; or
d) ancillary works do not integrate with their surroundings; or
e) the design of the building is inappropriate for the site and its locality; or
f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;

In assessment of the above, the site sits slightly below the road level and lands within the red line are fairly flat. See photo image below. The lands to the rear of the application site (remainder of the larger agricultural field) rises gradually in a westerly direction. Given the road alignment and topography of the wider area, short distance views into the application site would be available on approach from the north when travelling on the Strangford Road. From the west, views into the site would be available from Seafield Close and only on passing No. 36 Strangford Road. In this regard therefore the site is not considered to be prominent.



In order to develop the site, the applicant would be required to remove the roadside vegetation to make provision for the necessary visibility splays of 2m x 60m as indicated by DFI Roads. In addition, 4 x sycamore trees will require removal from the front boundary of No. 36 to faciliate a safe access to the new dwellings. The removal of this hedgerow and trees, would open up the site and will have implications for the ability of the development to integrate into the surrounding landscape. There is currently no

formed boundary to the rear given the site is cut out from a larger field. While it is acknowledged new tree planing and hedging is proposed, the new dwellings would rely on a substantial level of new landscaping to achieve a satisfactory degree of integration within the countryside, and new planting as proposed would take time to mature.

The proposal is therefore considered contrary to Criteria b and c of CTY 13.

Policy CTY 14 – Rural Character
This policy states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

A new building will be unacceptable where:

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

As discussed above, the proposal is not considered to be an exception to CTY 8 and development of the site would be visually linked with the adjacent buildings at No 36 and No 40 and would read as a ribbon of development from this aspect. Paragraph 5.80 of the amplification justification section of CTY 14 states that ribbon development is always considered 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. Such erosion of character should therefore be resisted

CTY 15 – The Setting of Settlement
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 application sits just beyond the designated settlement limits of Ardglass. Paragraph 5.83 of CTY 15 notes that *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.*

Given the sites positioning and the level of visual connection between the site and development within the settlement limits to the west, two dwellings in this context is considered to result in urban sprawl into the countryside.

CTY 16 – Development relying on non mains sewerage.
The application form indicates both dwellings would be served by the septic tanks. There would be sufficient room within the land in red for a septic tank and soakaways. The

granting of planning permission does not negate the need for other consents outside of the planning process. A consent to discharge will be required from DAERA (NIEA).

Residential Amenity
It is considered that the dwellings positioning and their separation distance between the proposed dwellings and any surrounding properties will ensure the proposal does not unduly impact on the amenity of any surrounding properties by way of overlooking or loss of privacy. This will be further assessed and any resulting concerns addressed at reserved matters stage.

PPS 3 – Access, Movement and Parking
The application seeks to create a new access onto Strangford Road to serve the new dwellings. Policy AMP 2: Access to Public Roads is applicable and states that planning permission will only be granted for development involving direct access, or the intensification of the use of an existing access, onto a public where

- Such access will not prejudice road safety or significantly inconvenience the flow of traffic
- The proposal does not conflict with Policy AMP3 Access to Protected Routes

DFI Roads have been consulted on this application and have indicated in their consultation response they have no objections to the proposal provided a scale plan and acurate site survey is submitted in any subsequent application complying with the RS1 form which requires splays of 2m x 60m.

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

Consultation (informal) was undertaken with Shared Environment Services on this proposal given the site proximality to the ASSI. In their response it was advised that as the application site is located approximately 77m from the marine environment, there would be no conceivable effect from any construction phase or operational pathways.
It was further advised to ensure consent to discharge authorisation of 2 no. septic tanks occurs under the terms of the Water (NI) Order 1999.

The application has been accompanied by a Biodiversity checklist with input provided by an ecologist.

Within the report the ecologist has identified the main site habitat is a B:6 poor semi-improved grassland cattle pasture.

The proposal will require the removal of roadside hedging to facilitate a safe access as per the requirement of DFI Roads. The ecologist has noted that any losses to accommodate the access and sight lines should be compensated by the planting of an equivalent length of new native hedge. Beech (Fagus sylvatica) or Hornbeam (Carpinus betulus) will not be accepted as native here. Any required clearance of the hedgerows should be undertaken to eliminate the risk of illegally disturbing nests. The Bat Roost Potential (BRP) of all trees was judged to be 'None' and thus removal of four trees would not harm protected species.

The PEA found no evidence that the proposed development would negatively affect protected species or habitats, and therefore no additional surveys were deemed necessary. It is considered that this proposal is seen as acceptable and in line with PPS2 as this will create new habitats to compensate for any impacted habitats through the removal of the vegetation on the site ensuring that biological communities are able to relocate to a suitable nearby location. Appropriate conditions could also be attached to any subsequent approval to aid with protection of any biodiversity

The site lies within a designated Area of Outstanding Natural Beauty. NH 6 of PPS 2 relates to Areas of Outstanding Beauty, it is considered that two new dwellings on this site, provided they are designed in accordance with building on tradition, would not negatively impact on the setting of the AONB. As this is an outline application, no detailed plans have been submitted. The design, size and scale of the new dwelling will be considered at reserved matters stage.

PPS16 – Tourism

This Planning Policy Statement, PPS 16 'Tourism' sets out the Department's planning policy for tourism development, including the main forms of tourist accommodation and tourist amenities. In addition, the PPS provides policy for the safeguarding of tourism assets from development likely to adversely impact upon the tourism value of the environmental asset.

TMS 8: Safeguarding of Tourism Assets outlines that 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. Section 7.39 notes that for the purposes of this statement, a tourism asset is defined as any feature associated with the built or natural environment which is of intrinsic interest to tourists. Some examples of natural and built heritage in Northern Ireland which are of intrinsic interest to tourists may include Areas of Outstanding Natural Beauty, Conservation Areas and historical and archaeological sites. However, this is not an exhaustive list.

Two dwelling developments as proposed by this application is not considered would negatively impact the AONB in this area. While the Planning Department do not consider the principle of two dwelling development has been met on the application site, two dwellings as indicated is not considered to adversely impact on the landscape or heritage of Ardglass or the wider area. Ardglass is not a designated conservation area and there are no scheduled monuments or listed buildings in the vicinity of the application site that

would be impacted upon. The site is sufficiently removed from the shore to mitigate any resulting impacts caused by development.

Conclusion

Having assessed the proposal against the various planning policies and material considerations which apply to the application and taking into account the input of the Councils consultees, it is determined that the proposal is unacceptable in planning terms.

Neighbour Notification Checked Yes

Summary of Recommendation

Refusal

Reasons for Refusal:

1. The proposal is contrary to Strategic Planning Policy Statement for Northern Ireland (NI) 'Planning for Sustainable Development' Edition 2 (SPPS2) and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland Edition 2 and Policies CTY8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill dwelling as its development would not respect the existing development pattern along the frontage, resulting in the loss of an important visual break and would, if permitted, result in the addition of ribbon development along Strangford Road.

3. The proposal if permitted would be contrary to the Strategic Planning Policy Statement for Northern Ireland (NI) 'Planning for Sustainable Development' Edition 2 (SPPS2) and Criteria b and c of Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
   - the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the buildings to integrate into the landscape and
   - new development relies primarily on the use of new landscaping for integration.

4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (NI) 'Planning for Sustainable Development' Edition 2 (SPPS2) and Policy CTY15 of Planning Policy Statement 21, Sustainable Development in the Countryside in that two dwellings as indicated would mar the distinction between the settlement limits of Ardglass and the surrounding countryside.

Case Officer Signature: Laura O'Hare **Date:** 6th February 2026
Appointed Officer Signature: B.Ferguson **Date:** **09/02/2026**

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

PLANNING DEPARTMENT HAS 3 ISSUES

1. Site is not a small gap site, therefore contrary to infill policy CTY8
2. Buildings will not be integrated due to:
    a. Lack of enclosure
    b. Reliance on new landscaping
3. Create urban sprawl

POLICY CTY8 – RIBBON DEVELOPMENT / INFILL POLICY

The case officer acknowledges that the frontage is substantial and continuously built-up.

The only matter in contention is whether this is a small gap in the context of the policy.

The objective assessment, as carried out by the case officer, is per below (extracted from case officer report):

Frontage widths:
No. 36 = 71.6metres
No. 40 = 23.7 metres
Average plot width = 47.6m
App. Site = 85.2 metres

From the above it is evident that the **average plot width is ~47m**

- Plot A - Proposed width **42m** / Plot B - Proposed width **43m**

In summary, the site is sufficiently wide to accommodate 2 sites of average plot width only.

The objective measurements are not in question, why introduce a subjective assessment where it is not required.

To develop 3 smaller plots onto the same gap site would be out of keeping with the established development pattern across this frontage, 3 plots would appear crammed and be incongruous in that context. Thus, the gap is sufficient to only accommodate up to a maximum of 2 plots whilst respecting the development pattern of the area in terms of size, scale, siting and plot size.

POLICY CTY13 – INTEGRATION AND DESIGN OF BUILDINGS IN THE COUNTRYSIDE

Permission will be unacceptable where:

a) It is a prominent feature in the landscape.

The case officer confirms this is not an issue

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

The site will be enclosed on either side by mature hedgerows all of which can be retained in their entirety.

The removal of the 4 sycamore trees highlighted by the case officer is mitigated by retention of the entirety of the mature hedgerow (southern boundary) between no. 36 and the subject site, and the angle of the critical view in such that the removal of the 4 no. trees will not expose the site unduly. The mature hedge in question can be conditioned to be retained in perpetuity and allowed to grow higher if so desired.

It is acknowledged that the rear boundary of the proposed site will be newly planted, but this does not distract from the fact that the rear field boundary of the subject field will remain, and thus provides all the enclosure the sites need, in fact it provides better enclosure for the site when viewed from the housing development site currently under construction.

The only boundary where the site is not perfectly enclosed is the front boundary, but this is the same for all infill sites given the need to create access to the sites. Indeed, Policy CTY14 of PPS 21 acknowledges that when assessing impact on rural character ancillary works for the creation of visibility splays should not be determining. Notwithstanding that, the critical views of the site are completely limited to the frontage of the site, and those views are fleeting and oblique in nature, they are not sustained views.

Finally, the enclosure of the site is significantly aided by both properties (the bookends) either side of the site (No. 36 and 40 Strangford Road)

c) It relies primarily on the use of new landscaping for integration.

As per above the site does not rely on new landscaping to aid integration, the 3 no. existing boundaries referred above, and the 2 no. buildings (bookends) do that.

d) ancillary works do not integrate with their surroundings.

Not at issue

e) the design of the building is inappropriate for the site and its locality.

Not at issue at outline stage

f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.

Not an issue

g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

N/A for infill development.

POLICY CTY15 – SETTING OF SETTLEMENTS

The setting of Ardglass is defined by development on the ground, not the development limit lines on the area plan map. (Please also refer to PowerPoint visual assessment).

- Site located outside the development limit of Ardglass and defined as countryside
- But, on the ground this area around the site appears as part of the village
- On approach from Strangford, No. 40. and 41 Strangford Road act like gatekeepers to Ardglass village and when coupled with the 30mph signage they signal the start of the village in physical/visual terms, regardless of lines on the development plan
- Heading out of Ardglass you cannot see the subject site until you round the corner at the applicant's dwelling (No.36) when you are then presented with development either side of the road.
- Thus, development on the site will not change (or mar) the distinction between the village and the countryside
- The urban/rural interface is already physically defined at the existing dwellings known as no. 40 and no. 41 Strangford Road.

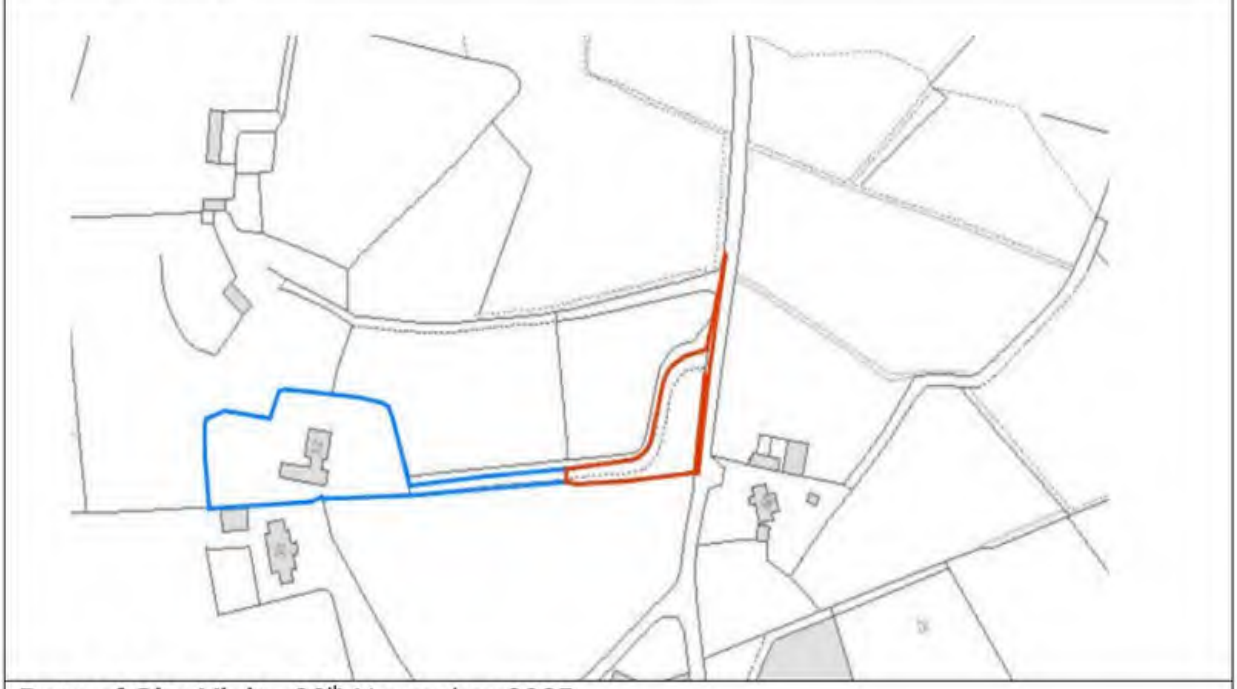
Delegated Application

Development Management Officer Report	
Case Officer: Fionnuala Murray	
Application ID: LA07/2024/1452/F	**Target Date:**
Proposal: 2 no. Glamping Pods with associated site works	**Location:** 150 metres east of 32 Convent Road, Cabra, Newry, BT34 5EU
Applicant Name and Address: Karen Gribben 32 Convent Road Cabra Newry BT34 5EU	**Agent Name and Address:** Niall Forde 32a Bryansford Avenue Newcastle BT33 0LG
Date of last Neighbour Notification: **Neighbour Notification Exp:**	01.07.2025 17.07.2025
Date of Press Advertisement: **Date of Press Ad Expiry:**	04.12.2024 18.12.2024
EIA Determination: The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 are considered and it is noted that this development proposal falls under Schedule 2 part 12C – tourism and leisure – holiday villages and hotel complexes outside urban areas and associated development of which the threshold for screening is noted as 0.5ha – as this site is 0.1ha in size and is not within a sensitive area EIA Screening is not required.	
Consultations: **DFI Roads** were consulted and responded with no objections subject to conditions. **Environmental Health** was consulted and responded **DFI Rivers** was consulted and made the following comments: FLD 1 – not applicable to this site. FLD 2 – not applicable to this site. FLD 3 – Drainage assessment is not required as the proposal does not exceed any of the 3 thresholds. FLD 4 – Not applicable to this site FLD 5 – Not applicable to this site.	
Representations: Advertisement and neighbour notification has been carried out as detailed above and to date no representations have been received in relation to the proposal.	
Letters of Support	0

Letters of Objection	0
Petitions	0
Signatures	0
Number of Petitions of Objection and signatures	
Summary of Issues: No outstanding issues as a result of the neighbour notification and publicity process.	

Site Visit Report

Site Location Plan:



Date of Site Visit: 26th November 2025

Characteristics of the Site and Area

The site in question is located off the Convent Road and is a portion of ground that appears maintained that sits adjacent to the access lane serving no 32 Convent Road. The site is bounded by a hedge in part along the road, the southern boundary of the site has some planting along with a post and wire fence and the remainder of boundaries have post and wire fencing only. The site sits as an irregular plot of land given the access of no 32 has been run down the boundary and curved along the front hedge to achieve an access position that met required splays, a common feature of development of its time in the rural area. The site itself is a flat piece of grassed land immediately abutting the road.

The site in question is not located within any settlement development limits as defined in the Banbridge, Newry and Mourne Area Plan 2015. The site is constrained by surface water flooding. No other constraints are noted on the site and the site is not within an AoNBs.

Description of Proposal

2 no. Glamping Pods with associated site works

Planning Assessment of Policy and Other Material Considerations

Planning History

P/2005/0663/O - Site for dwelling and garage - Approx 100m N.W of 26 Convent Road, Cabra, Newry – Approval – 23.08.2006

P/2006/0710/F- Erection of dwelling & garage - 300 metres North West of No. 29 Convent Road, Isandmoyle, Newry – approval on appeal.

P/2007/0705/RM - Erection of dwelling and garage - 100 metres north-west of 26 Convent Road, Cabra, Newry – Approval – 13.02.2008

LA07/2017/1060/F - Retention of dwelling and garage and increased curtilage to existing dwelling – 32 Convent Road, Cabra – Approval – 22.12.2017

LA07/2023/3614/F - 3 no. Glamping pods with associated landscaping – East of 32 Convent Road, Cabra – Refusal – 19.09.2024

Reasons for refusal of LA07/2023/3614/F –

1. The proposal is contrary to the SPPS, Policy CTY 1 of Planning Policy Statement 21 and Policy TSM 6 (a), (b) and (d) of Planning Policy Statement 16 in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement. The formalised proposal is not based on an overall design concept that respects the surrounding landscape, rural character and site context.

2. The proposal is contrary to the SPPS and Policy CTY 8 & CTY14 (b) and (d) of Planning Policy Statement 21 in that it would if permitted contribute to a suburban style build up and creation of ribbon development along Convent Road.

Consideration and Assessment

The proposal has been assessed against the following policies and plans:

- The Banbridge, Newry and Mourne Area Plan 2015
- Regional Development Strategy (RDS)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- PPS 2 Natural Heritage.
- Planning Policy Statement 3: Access Movement and Parking
- PPS 16 Tourism
- Planning Policy Statement 21: Sustainable Development in the Countryside
  - Policy CTY 1 Development in the Countryside

Section 45(1) of the Planning Act (NI) 2011 requires that regard must be had to the local

development plan (LDP), so far as material to the application. Section 6(4) of the Act requires that where in making any determination under the Act, regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The LDP in this case is the Banbridge Newry and Mourne Area Plan 2015 (ADAP).

Until such times as a Plan Strategy for the whole of the Council Area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS.

PPS 21 Sustainable Development in the Countryside CTY 1 Development in the Countryside outlines a range of development proposals that may be acceptable within the rural area. Outlined within non-residential development is tourism development in accordance with TOU Policies (superseded by PPS 16 Tourism)

Principle of development

PPS 16 – Tourism

Single Unit Self Catering Accommodation proposals

• New Build within the grounds of an existing or approved hotel, self catering complex, guest house or holiday park (Policy TSM 5)
• Conversion and reuse of an existing building to provide a self catering unit – PPS 21 (Policy CTY 4)
• Proposals involving the reuse or adaptation of an existing farm building, or exceptionally a new building on a farm – PPS 21 (Policy CTY 11)
• Proposals within Dispersed Rural Communities, as designated in some development plans – PPS 21 (Policy CTY 2)
• Proposals that comply with local policies in development plans, for example within tourism opportunity zones or other such areas as may be designated for tourism development by the Plan.

Multiple (3 or more) New Build Self Catering Accommodation proposals

• New build – associated with an existing or approved tourist amenity - PPS 16 (Policy TSM 5)
• Proposals involving the reuse or adaptation of existing farm buildings, including (exceptionally) a new building – PPS 21 (Policy CTY 11)
• Proposals within Dispersed Rural Communities, as designated in some development plans – PPS 21 (Policy CTY 2)
• Proposals that comply with local policies in development plans, for example within tourism opportunity zones or other such areas as may be designated for tourism development by the Plan

New Holiday Parks and Extensions to Existing Sites

• New holiday parks and extension of existing sites – PPS 16 (Policy TSM 6)

Under the Tourism policies as contained within PPS 16, it would appear that the holiday proposal of two pods given the nature of accommodation provided would fall under the definition of self catering units in the Countryside therefore the provisions of Policy TSM 5 would be applicable.

The proposal however is not located within the grounds of an existing or approved hotel, self catering complex, guest house or holiday park, neither is it a cluster of 3 or more new units to be provided at or close to an existing or approved tourist amenity that is / will be a significant visitor attraction in its own right. It does not propose to restore an existing clachan or close, through conversion and / or replacement of existing buildings. The proposal in principle therefore fails to meet the provisions of TSM 5 and **does not find support in this policy.**

The application for the purposes of completeness is then considered against PPS 16, TSM 6 New and Extended Holiday Parks in the Countryside which states that planning permission will be granted for a new holiday park or an extension to an existing facility where it is demonstrated that the proposal will create a high quality and sustainable form of tourism development.

Standalone small scale proposals providing two units of accommodation in an area such as this one would be considered to be of little or no economic tourism benefit and as such would not be considered to be a sustainable form of tourism development. The policy is intended for "holiday parks" which is suggestive of more than one or two tourist units. For the purposes of PPS 16, a holiday park is defined as "*a caravan site licensed under the Caravans Act (NI) 1963, which in addition to static caravans, may also contain holiday chalets or cabins, pitches for touring caravans, motor homes and tenting*". More importantly, the criteria under TSM 6, as laid out in detail below, does not lend itself to such small-scale forms of tourist accommodation such as this proposal. The portion of land the proposed units sit on is a portion of disused land resulting from the need to take an access to a central point to achieve sight splays, there are many examples of this type of portion of lands across the countryside, the availability of land at these locations is limited given access lanes and roads surrounding and the quality of the site in terms of tourist potential is unacceptable given the road side positions and also taking account the nature of traffic both on the lane and the road – use of this land could not be considered to offer high quality tourism development. The proposal therefore **does not find support in this policy** however in the interests of completeness the criteria within is assessed in detail below:

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, rural character and site context. Proposals for holiday park development must be

accompanied by a layout and landscaping plan (see guidance at Appendix 4) and will be subject to the following specific criteria:

(a) 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.



The above plan shows the proposed site layout of the holiday units which as previously noted sits on a portion of ground adjacent to the access arrangements of the dwelling known as 32 Convent Road. This site is roadside development with the agent of the opinion that the roadside screening is sufficient to screen the development from public view. The roadside boundary is made up of a mix of older planting and some more recent semi mature planting that does provide an element of screening to the site however when approaching the site from either direction there are views into the site with the proposed pods to be visible. When travelling towards the site from the north the site will rely on new planting for screening as indicated on the site plan. When travelling from the southern direction despite the planting taking account of the level and the angle of the approach the site remains visible. It is not considered that this site can rely on existing planting and screening to allow it to integrate into the landscape nor will the proposed planting fully screen the development. Development along portions of ground such as this associated with laneways and access arrangements further erode the rural character of the area and are unsympathetic to the overall character and nature of the rural area. This small roadside plot does not have the capacity to absorb such a development as tourist accommodation.

(b) 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.

As indicated under section A of this assessment the development cannot secure effective integration into the landscape making use of the utilisation of existing natural boundaries. While additional planting is proposed and some of which has been put in place (albeit of a different species to that specified on the plan) in an attempt to fully screen the development the works will not be fully integrated into the landscape even after additional planting has been carried out and noting that sight splays and safe access and egress from the existing lane must remain in place. The works will be visible within the rural area and given the roadside location of the pods are likely to have a significant detrimental impact on the character of the area.



(C) 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.

Physically there would be 15% of the site area remaining as communal open space but given the site extremely small to begin with the area of communal open space is small and of poor quality and would not offer quality open space expected as part of a holiday park. Given the small amount of area afforded to the site being 0.15 acres (0.06ha) approx. There are insufficient lands to provide meaningful recreation areas. Some small areas of landscaping have been proposed within the site adjacent to the pods and around the proposed septic tank and soakaway however again given the size of the site this is low level planting on a small scale. Each pod has an allocated picnic bench adjacent to the pods. Taking account of the proposal it is not considered that adequate

provision has been made for communal open space as an integral part of the development

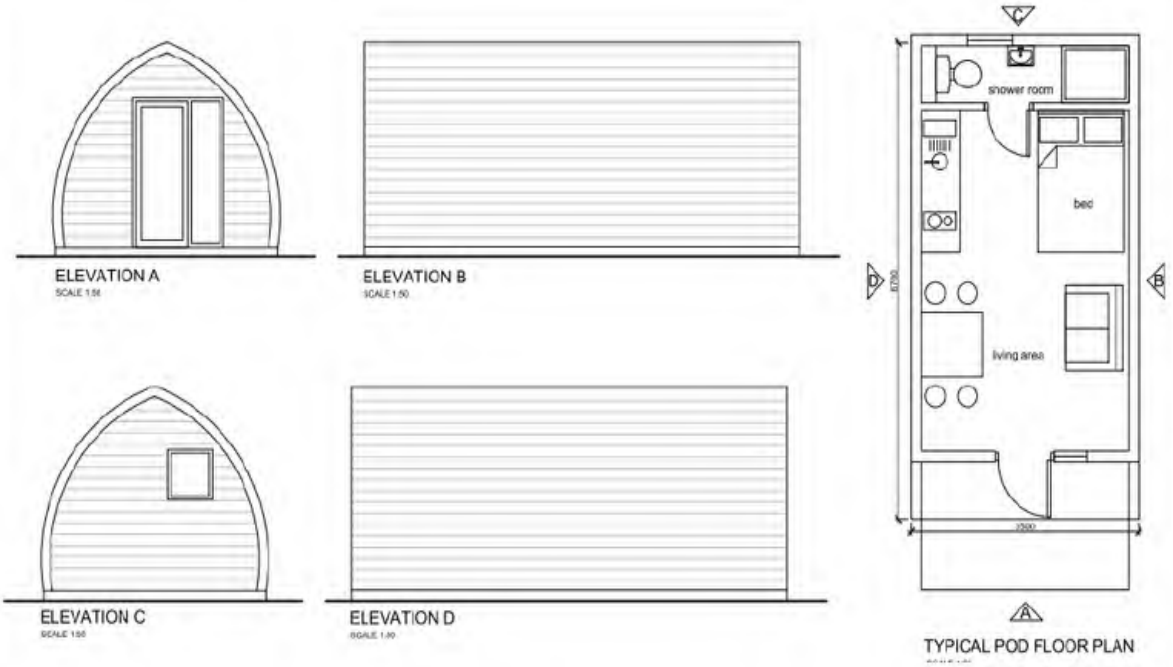
(D) The layout of caravan pitches / motor homes is informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping.

Given the restricted nature of the site the pods are placed on the ground where available and again given the small area of the site and low level of units discrete groupings cannot be achieved, there has been soft landscaping proposed but again given the proximity of the pods to an existing lane and the lack of space within the whole site the planting is of little gains to the site. The inability to meet this element of the policy further emphasizes the fact that this policy was not intended to be used for the provision of one or two glamping pods or units and the intention of the policy was for a quality holiday park that meets the general expectation of typical holiday accommodation destinations being a site for holiday makers that offers various types of accommodation and typically other amenities.

(E) 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.

There are no ancillary buildings associated with this development given the size and scale of the development. The overall design of the development is severely restricted by the restricted nature of the lands available and the position of the lands directly relating to an in-use access arrangement. The parking provision of the pods is located on the bend in a lane and is not screened or disguised but for some proposed planting. the access path to the pods runs along the existing lane and appears to have no physical separation. While it is noted that the private lane may not have considerable traffic movements there will be traffic movements none the less and this arrangement does not present a satisfactory or safe access to the pods, it is certainly below the expected standard of safety considered necessary for the development.

In terms of the planting of the site the type of hedgerow proposed is acceptable being blackthorn hedging in terms of the plant being typical of the site and locality however the ability to screen will be reduced during the winter months and given the roadside location. Development of this nature is not considered acceptable at this type of a location on a small pocket of land associated with a residential access the overall site layout and the function of the proposal is at odds with the rural nature of the area and does not draw on any features exhibited locally in terms of detail. The pods will be finished in timber effect composite cladding and while they are small in size and scale their presence at this site is at the detriment to rural character.



(F) Environmental assets including features of the archaeological and built heritage, natural habitats, trees and landscape features are identified and, where appropriate, retained and integrated in a suitable manner into the overall design and layout.

There are no specific site constraints identified that require additional consultation. It is noted that no bio diversity checklist or information was submitted with the application. Given the site is a small site being maintained grass and with a frontage of planting with no requirement to remove any of the existing natural structure it was not considered necessary to seek any additional surveys or information in relation to this. The site is limited in features and it is noted the site is not within any sensitive areas such as Areas of Outstanding Natural Beauty. This aspect of policy is not impacted upon.

(G) Mains water supply and sewerage services must be utilised where available and practicable.

The P1 indicates that the water source will be mains water supply as policy requires. Surface water is to be dealt with via soakaways with a septic tank to be installed for the disposal of fowl sewerage. Given the rural location there would be no ability to connect to mains sewerage facilities at this location.

Environmental Health was consulted and responded with no objections subject to conditions.

CONSIDERATION OF TSM 7 CRITERIA FOR TOURISM DEVELOPMENT

TSM 7 states that a proposal for a tourism use, in addition to the other policy provisions of this Statement, will be subject to the following design criteria:

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

The site layout is not considered to offer a high quality, safe layout, parking is located off an existing access road that serves an additional dwelling and additional lands. The pedestrian access to the pods runs along this lane with no separation and while traffic movement on the lane might be limited throughout the day the overall layout is not one that provides a safe high quality movement pattern for the user.

No public rights of ways have been identified within the site or transversing through the site.

The site cannot be considered to offer convenient access to public transport given the rural location, it has not been demonstrated that there is a suitable bus service along this route and being a minor road is not likely to have a service suitable to serve tourists. This development would rely on being served by private transport and the use of the car.

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

The overall site layout is not considered high quality, the site is located on a restricted portion of ground that is excess ground as a result of an access arrangement, the site is so restricted that meaningful amenity areas cannot be provided and the parking arrangement and paths unable to be taken to safe locations within the site away from an un associated access lane. This development does not offer a high quality tourist facility, the overall site itself is unacceptable with a poor layout that cannot be altered as the site is so restricted by nature of size and location. No flood lighting has been proposed as part of the application.

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

The front boundary defining the site will remain and is a planted hedge that has been augmented with additional younger planting. Additional planting is proposed to screen the portion of the site immediately adjacent to the entrance of the site, being thorn it is an acceptable species. The portion of the site along the lane remains largely undefined. No outdoor storage areas have been identified or defined.

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

There has been no information submitted to demonstrate the use if sustainable drainage systems at this site, that given taking account of the size of the site and scale of the development it is considered that the drainage will be managed by the applicant ensuring there is no run off onto the public road and in line with best practice. Separate consent will be required for the septic tank, consent to discharge will be required before commencement of any other works if permission is granted.

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

The design does not appear likely to encourage or add to crime, the pods are open and visible from the lane and given the overall layout it is not considered that this aspect of policy has been offended.

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

There is no public art associated with this application, this aspect of policy is not applicable.

General Criteria

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

The site to be developed is within a rural area, in an area of countryside that is unspoiled and while not within sensitive areas it is a quality area worthy of the protections currently afforded outside of settlement limits. The surrounding land uses include residential development and agricultural lands and while it is noted that no 29 Convent Road sits

across the road from the site, the close proximity has been considered and it is noted that no 29 sits on higher ground and is set back from the road and it is not considered taking the relationship between the two it is not considered that there will be any detrimental impacts on the occupiers of the closest, and any of the residential dwellings nearby, as a result of the works. The works are not located on agricultural lands and the surrounding agricultural lands will not be impacted negatively as a result.

Whilst objection cannot be sustained in terms of impact on the surrounding land uses the overall visual impact of the type of development does detract from the landscape quality of the surrounding area.

The visual impact of the pods and overall change of use of this portion of land is at odds with the overall character and appearance of the rural area and does not sit comfortably with the overall character of the area. The area is rural in from

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

As detailed above it is not considered that the rear by residents will suffer as a result of the works in terms of loss of amenity or noise disturbance.

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

Built and natural heritage interests have been considered and it is not considered that the development will have any detrimental impacts on either and no further studies or consultations are required.

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

Given the size and nature of the development and proposed disposal methods this aspect of policy has not negatively impacted upon.

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

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

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

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

DFI Roads are satisfied with the proposed access arrangements, this aspect of policy has been met.

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

The site is not within close proximity to coastline and the works will not obstruct access to other tourism assets.

CONSIDERATION OF PPS 21 CTY 13 AND CTY 14

Policy CTY 13 – Integration and Design of Buildings in the Countryside Planning is also taken into consideration and CTY 13 states that permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. A new building will be unacceptable where:

(a) it is a prominent feature in the landscape.

while concern is raised as to the visibility of the site within the wider landscape it is noted that from the key views the works will not be considered to be prominent with the backdrop of additional lands available to help in ensuring the works do not appear prominent.

(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.

The site does not benefit from sufficient planting to allow it to fully integrate and not be visible within the existing landscape. The site relies on new planting for integration and some of the existing planting relies on supplemented planting that has not matured to provide screening, the site cannot readily make use of existing screening and will rely

on the use of planting for integration. Given the location of the site even with additional planting the site will not be fully screened out of public view points.

(d) ancillary works do not integrate with their surroundings.

There are limited ancillary works associated with the development, the site makes use of an existing access to service the site. It is not considered that ancillary works in themselves would have detrimental impacts on the surroundings.

(e) the design of the building is inappropriate for the site and its locality.

The design of the building is akin to that of self catering based tourist accommodation and typical of semi permanent buildings on sites. The design of the building itself is considered acceptable if the overall site, layout and form of development was appropriate, however this is not the case. A refusal reason on this basis however could not be sustained.

(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.

The works will not appear prominent in the landscape but fail to integrate into the landscape due to the nature of the site and insufficient topography and natural screenings however in terms of backdrop the site has met this aspect of policy. The topography of the site and that of the surrounding landscape will ensure the site is not prominent in the landscape.

(g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

This aspect of policy is not applicable as the application is not for a dwelling on a farm.

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

(a) it is unduly prominent in the landscape.

As detailed earlier within the report the works will not be prominent within the landscape, this aspect of policy is not impacted as a result of the proposal.

(b) it results in a suburban style build-up of development when viewed with existing and approved buildings.

The previous application LA07/2023/3614/F considered the development when read with the existing development to represent a suburban style build-up of development within the landscape, the reduction of one unit does not change the stance on this element of policy. When read with the existing development being No's 26, 28, 29, 30 and 32 Convent Road and the relationship between these buildings it is considered that the development of this roadside site for the proposed use would result in a change in character being more suburban in nature and built up development.

(c) it does not respect the traditional pattern of settlement exhibited in that area.

The site is a piece of land that was borne of the provision of a residential access and currently is maintained grassed area. Such parcels of land are commonplace across the rural landscape, to develop these parcels of ground would not respect the traditional pattern of development within the immediate and wider rural area. The site being roadside is visible in the landscape and roadside development of this nature would be at odds of the overall rural character of the area and would set a dangerous precedent for development of locations such as this.

(d) it creates or adds to a ribbon of development (see Policy CTY 8)

Given the lack of development either side of the site there is no existing ribbon of development in existence nor will the development of this site result in a ribbon of development as there will be two buildings along this section of road and for the purposes of CTY 8, 3 or more buildings are required. This aspect of policy has not been impacted upon. The previous proposal included three units which would have been the creation of a ribbon of development along Convent Road.

(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

Given that the access is in place and taking account of the size of the site it is not considered that the ancillary works will have any demonstrable detrimental impacts overall on rural character.

CONSIDERATION OF PPS 2 NATURAL HERITAGE

Policies NH 2 Species Protected by Law and NH 5 Habitats, species and features of natural heritage importance are considered which states that planning permission will only be granted for a development proposal that is not likely to harm European protected species or that is not likely to result in the unacceptable adverse impact on, or damage to known habitats and species. It is not considered that the works will have any detrimental impacts on natural heritage in this instance and no further considerations required.

CONSIDERATION OF PPS 3 ACCESS, MOVEMENT AND PARKING

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

a) such access will not prejudice road safety or significantly inconvenience the flow of traffic.

DFI Roads have responded to consultation with no objections subject conditions which will be attached to any approval. Based on this response it is not considered that provision of the two accesses to serve these dwellings will have any impact on the flow of traffic along the Convent Road.

b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

The Convent Road is not a protected route therefore this aspect of policy will not be impacted upon.

Neighbour Notification Checked	Yes

Summary of Recommendation

The application has been considered as detailed above and the a recommendation of refusal is made for the reasons outlined below.

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Edition) and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it is not considered to be an acceptable type of development in the countryside and there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Edition) and Policy TSM 5 of Planning Policy Statement 16 - Tourism, in that it is not located within the grounds of an existing or approved hotel, self catering complex, guest house or holiday park, neither is it a cluster of 3 or more new units to be provided at or close to an existing or approved tourist amenity, nor does it propose to restore an existing clachan or close, through conversion and/or replacement of existing buildings.
3. The proposal is contrary to SPPS 2nd Edition and Policy TSM 6 of Planning Policy Statement 16 – Tourism, in that the site is not located in an area that can absorb the development without adverse impact on visual amenity and rural character and the proposed development does not create a high quality and sustainable form of tourism. The location, layout and landscaping are not based on an overall design concept that respects the surrounding landscape and rural character and the site relies on new planting for integration.
4. The proposal is contrary to SPPS 2nd Edition and Policy CTY 13 of Planning Policy Statement 21 Sustainable Development in the Countryside in that the proposed development is unable to provide a suitable degree of enclosure for the building to integrate into the landscape. The new buildings would not integrate with their surroundings and rely primarily on the use of new landscaping for integration.
5. The proposal is contrary to SPPS 2nd Edition and Policy CTY 14 of Planning Policy Statement 21 Sustainable Development in the Countryside in that the proposal, if approved, would not respect the exiting pattern of development exhibited in this rural location and would result in a suburban style build-up of development when viewed with existing buildings.

Case Officer Signature: Fionnuala Murray

Date: 19.02.2026

Appointed Officer Signature: B.Ferguson

Date: 20/02/2026

PLANNING PERMISSION EXPERTS

Dear Committee Members,

Introduction & Context

This application relates to the proposed erection of two modest glamping pods on lands approximately 150 metres east of 32 Convent Road. The site is well located in tourism terms, providing a scenic area for visitors to relax and unwind, close to the Mourne Mountains.

There have been recent glamping developments permitted, and are currently thriving in the area, therefore the demand for this accommodation is growing.

Background to the Application

By way of background to this application, a previous proposal for three pods on the site was refused. In response, the applicant has reduced the scheme to two pods only and has also undertaken additional landscaping, with planting already established along the northern boundary to further reduce the visual impact of the development.

So what is before you today is a revised, more modest, and more carefully integrated proposal.

This proposal is a family-led initiative that not only will provide sustainable tourism accommodation for the area, however it will also allow the applicant to earn an income from home while also caring for their son who has medical difficulties. It will also allow the son to earn an income if he is unable to work due to his medical condition.

Reason for Refusal

It is noted that the Department have recommended refusal for a number of reasons, one of which is Policy TSM5, however as this is an application for glamping pods, the appropriate policy is TSM 6, therefore this presentation will focus on TSM6 on those criteria contained therein.

Policy Approach & Precedent

Glamping-style accommodation has consistently been assessed under PPS16 Policy TSM6. While the Case Officer suggests that two units would offer limited economic benefit, it is important to note that TSM6 does not impose any minimum economic threshold for such developments.

Planning Officers have routinely approved schemes of 2-3 pods in the countryside without raising concerns regarding economic benefit. This is demonstrated by a number of recent approvals, **(LA07/2023/2374/F** – 2 glamping pods approved by Committee; **LA07/2022/1724/F** – 3 pods approved by Officers; **LA07/2022/1683/F** – 3 pods approved by Officers; and **LA07/2022/0986/F** – 2 pods approved by officers)

As such, there is a established pattern of decision-making supporting developments of this scale, under TSM 6, and Members are respectfully asked to apply a consistent approach in this case.

Visual Impact

The pods are modest in scale, with a maximum height of 3.5m and footprint of 23sqm. They are lwo profile, so not visually prominent in the landscape.

Along this stretch of Convent Road:

- The site is well screened by existing hedgerows
- Visibility is very limited, and largely confined to immediate proximity to the site

In wider views, the development will be barely perceptible.

The Case Officer has accepted that this will not be a prominent development in the landscape.

We respectfully disagree that the development cannot be absorbed site. Due to existing boundary treatments, road curvature, and the modest scale, the pods will not be visible in the wider landscape and can be readily integrated.

Comparison with Leitrim Lodge

When compared to the pod development at Leitrim Lodge, that development is significantly more exposed in the landscape and is located within a designated AONB. Despite this, it was accepted that additional planting could be provided to further aid integration, with such measures secured by condition.

The current proposal presents a significantly lower visual impact than the Leitrim lodge example.

Amenity Space and Layout

Officers accepted that the 15% requirement is met, concerns were raised about its quality. Respectfully, for glamping developments, open areas are standard and widely accepted as suitable amenity space across the Council area, as such, it is not clear why Officer do not accept this arrangement for the current site.

Officers raised concerns with regards to the layout, however we consider that the layout of the proposed pods are relatively informal at an angle to the lane and separated by planting – typical of this type of development.

Rural Character

The report also suggests the proposal would create a suburban-style build-up. However, we disagree with this. The application is a modest two pod development that is well screened. Officers have referred to a number of other properties along the Convent Road, however these properties are barely discernible when viewed from the road, therefore, the scheme is not considered to result in a suburban style build up.

Conclusion

To conclude, the proposal is:

- A small-scale, tourism proposal for 2no glamping pods that is **supported by Policy TSM6** and of a scale that **has been continuously supported by both Officers and this Committee**.
- Reliance on **TSM 5 as a refusal reason is misplaced**.
- In a **non-sensitive location**, with **no objections** from neighbours or statutory consultees.
- Reduced in scale, improved in design, and enhanced through landscaping.
- Will not only **support the local tourism market by providing much-needed accommodation**, but also delivers important **persona benefits by enabling the applicant to earn an income form home while caring for their son who has a serious medical condition.**

As such the proposal **complies with Policy TSM 6 of PPS16, and therefore Polices CTY 1, 13 and 14 of PPS21**. We therefore respectfully ask members to overturn the case officers recommendation and approve this application.

Delegated Application

Development Management Officer Report	
Case Officer: Fionnuala Murray	
Application ID: LA07/2024/1017/F	**Target Date:**
Proposal: Erection of house and garage on farm as per PPS21 CTY10.	**Location:** On lands 70m east from 66 Drumnaconagher Road, Downpatrick
Applicant Name and Address: James Green 64 Drumnaconagher Road Downpatrick BT30 9JH	**Agent Name and Address:** William Wallace 9 Crossgar Road, Dromara Dromara BT25 2JT
Date of last Neighbour Notification: **Date of Notification Expiry:**	28.08.2025 11.09.2025
Date of Press Advertisement: **Date of Press Ad Expiry:**	08.10.2025 22.10.2025

ES Requested: No

The site in question is below 0.5ha, initially the site exceeded 0.5ha when the access lane was included however the red line of the application site itself has since been reduced to bring the overall size of the site below 0.5ha – the development falls under 10b urban development projects of The Planning (Environmental Impact Assessment) Regulations (NI) 2017.

Whilst falling under 10B the site does not does not exceed the threshold of 0.5ha in site area and is not within a sensitive area therefore no further screening is considered necessary.

The Planning (Development Management) Regulations (NI) 2015 are also considered and given that this development that does not exceed 50 units on ground less than 2ha in size this development is not considered to be major development.

Consultations:

DFI Roads was consulted and initially responded advising that the application was unacceptable as submitted, amendments were submitted and upon re consultation DFI Roads offered no objections.

Environmental Health was consulted and responded with no objections to the application – informatives were given.

DFI Rivers was consulted and taking account of the content of the response DFI Rivers have offered no objections.

NI Water was consulted and responded with no objections.

DAERA was consulted and responded advising that the farm business number supplied with the application has been in existence for more than 6 years, the farm business is a Category 1 business ID and the farm business has claimed payments through the Basic Payment Scheme or Agric Environment Scheme in each of the last 6 years. DAERA also comment that the field the site is located in has been claimed under BPS from 2019 to 2024 by the business listed on the application.

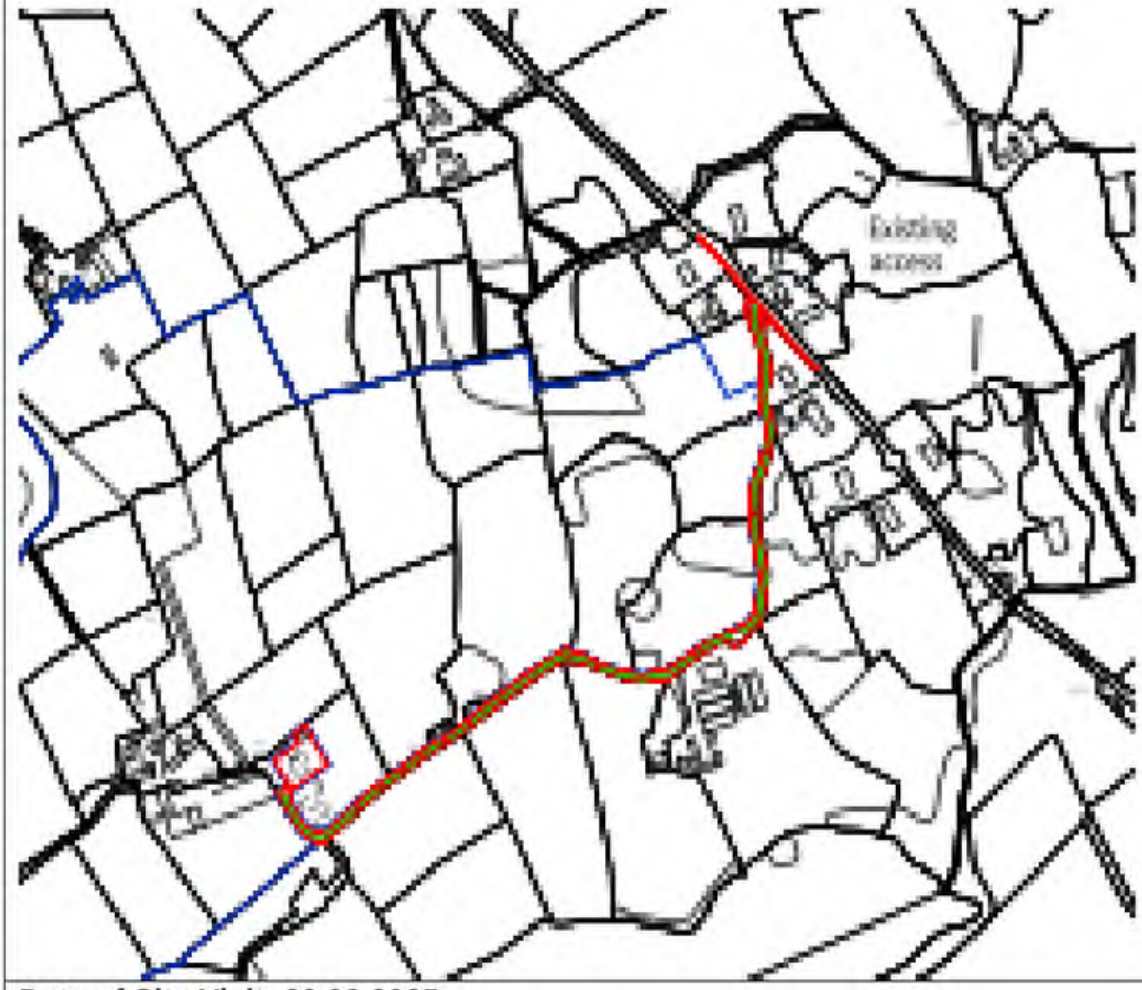
Representations:
The application was advertised in the local press and neighbours notified initially, due to inaccuracies in the initial site address the application was re advertised and neighbours re notified as detailed above and to date no representations have been made in relation to the application.

Letters of Support	0
Letters of Objection	0
Petitions	0
Signatures	0
Number of Petitions of Objection and signatures	

Summary of Issues: No outstanding issues as a result of the publicity or notification process.

Site Visit Report

Site Location Plan:



Date of Site Visit: 20.08.2025

Characteristics of the Site and Area

The site is located in open countryside not located within any settlement development limits as defined in the Ards and Down Area Plan 2015. The site is located on agricultural lands site in close proximity to a farm complex and residential dwelling known as 66 Drumnaconagher Road. The field the site is located in rises from a western to eastern direction. The site is located down a considerable private lane that serves a number of residential dwellings, farm buildings and agricultural lands. The site is bounded on all sides by mature field hedgerow and the site is currently grazed agricultural lands.

The site is located in open countryside and is not highly visible closely from any public view points. There are a mix of styles of designs within the area. In terms of constraints the site is located within an area liable to surface water flooding. There is a public right of way on part of the public lane serving this site. No other constraints have been identified.

Description of Proposal

Erection of house and garage on farm as per PPS21 CTY10.

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

R/2003/0279/O - Adjacent to 68 Drumnaconnagher Road, Crossgar, Downpatrick – Single storey rural style dwelling – approval – 04.03.2004

R/2005/0247/O – Adjacent to 68 Drumnaconnagher Road, Crossgar, Downpatrick – Erection of single dwelling – Refusal – 08.12.2005

R/2005/1177/F - 66 Drumnaconnagher Road, Crossgar, Downpatrick - Farm Building (Portal Frame Structure) – approval 14.01.2006

Consideration and Assessment

The following policies are considered:

Ards and Down Area Plan 2015
SPPS - Strategic Planning Policy Statement for Northern Ireland 2nd Edition
PPS 2 Natural Heritage
PPS 3 - Access, Movement and Parking
AMP 2 - Access to Public Roads
PPS 15 Planning and Flood Risk.
PPS 21 - Sustainable Development in the Countryside
CTY 1 - Development in the Countryside
CTY 10 Dwellings on Farms
CTY 13 - Integration and Design of Buildings in the Countryside; and
CTY 14 - Rural Character
Building on Tradition – a sustainable design guide for the northern Ireland countryside.

Until such times as a plan strategy for the whole of the Council Area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS.

The SPPS is no more prescriptive than the policies laid out in PPS 21 therefore the application is considered initially under PPS 21 Sustainable Development in the Countryside Policy CTY 10 Dwellings on Farms.

Policy CTY 10 Dwellings on Farms states that planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met:

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

DAERA was consulted in relation to the P1C, and farm maps submitted in relation to the farm business. DAERA responded stating that the farm noted on the P1C has been in existence for more than 6 years and the business has been in receipt of farm payments and the application site is on lands currently being claimed by the farm business.

On the basis of the DAERA response it can be concluded that this part A of CTY 10 has been met.

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

The DAERA farm maps have been considered and the land identified on these maps as being associated with the farm business have been searched and there is no relevant planning history associated with the holding identified. On the P1C form submitted no planning histories of site sell offs have been identified by the applicant/agent. Taking account of information available no dwelling sell offs or development opportunity sell offs have been identified as having been sold off from the farm holding within 10 years of the date of application.

(c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane.

The site chosen is situated across the lane from the farm dwelling and associated outbuildings relating to the farm business this application seeks permission under. Generally, it is not acceptable to group across a road or lane from the farm buildings as this is an unacceptable separation that creates visual distance and does not allow for clustering. In addition to the site being across the lane from the farm buildings the closest field across the lane from the buildings has not been chosen. In addition to this there appears to be sufficient space immediately adjacent to the cluster of buildings that could accommodate a dwelling that can meet this aspect of policy. The agent was afforded an opportunity to demonstrate why more suitable sites could not be utilised and while the agent has provided justification it is not sufficient to allow a deviation from policy in allowing a site to be chosen that cannot meet policy requirements.



The star shows the site in question, there is clear separation from the farm buildings. The low visibility of the site is acknowledged however it is noted that the site is accessed via a public lane part of which has a public right of way along it therefore it cannot be relied upon that the site has limited visibility from public view points.

Taking account of the character of the site and the availability of a number of more suitable sites it is not considered that the site chosen meets the requirements of CTY 10

Consideration of CTY 13 Integration and Design of Buildings in the Countryside

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

(a) it is a prominent feature in the landscape.

The dwelling proposed is a two storey dwelling with storey and a half rear return, the main height of the dwelling is 8.4m in height with the rear return set down off the main ridge measuring 7.8m from ground. The rear return is 5.1m long and cuts into an existing hill. The site gradually rises from east to west and a level of cut and fill will be required to accommodate the dwelling, the dwelling can however make use of the existing rising ground as a backdrop. The Dwelling will protrude above the skyline of the lands to the rear of the site with levels at the top of the hill being 101.835 and the proposed finished floor level being 97.800 and a height from ground of 8.4m in height but again taking account of the limited views of the site it is not considered that this dwelling will be a prominent feature within the landscape and there is an element of back drop to

accommodate the dwelling. Taking account of key views into the site and distances of public roads and public view points into the site it is not considered that this aspect of policy has been offended. This assessment is based on amended plans with a reduced rear return.

(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.

The site can make use of existing boundaries with there being natural field boundaries on all site boundaries and given the access is out onto a lane there will be limited removal of hedging required to create an access into the site from the lane used to access the site. Due to the opening of an access to the front of the site some exiting vegetation will be lost, it is also noted a new boundary will be required to the eastern boundary as the site to define the curtilage and separate from the remainder of the field.

(c) it relies primarily on the use of new landscaping for integration.

The site will benefit from additional planting but will not rely on it in order to integrate into the wider area. The additional planting is required to define a boundary with the three other site boundaries being well defined at present with mature field row hedging and planting.

(d) ancillary works do not integrate with their surroundings.

The ancillary works including the necessary ground works to accommodate the dwelling, the ancillary structure being the garage and the provision of the access and necessary services are considered. The garage to be provided is a storey and a half style garage and is to be set back into the site and is subordinate to the main dwelling to be constructed. The overall design, materials and finishes of the garage generally respect the main dwelling to be constructed.
The site can make use of an existing lane that serves a number of dwellings and agricultural lands and the lane will not require any extension to serve the dwelling with a driveway being taken directly off an existing lane, there is not the excessive use of hard standing within the site with sufficient room for turning and parking of cars.
The septic tank and soakaway are contained within the site and are in excess of 15m from other residential properties. Necessary services such as water and electric are in close proximity to the site and it is not envisaged that there will be any substantial works to provide all necessary services at the site.

(e) the design of the building is inappropriate for the site and its locality.

The size and the scale of the development is acknowledged and the sizeable rear return is also noted, the size, scale and appearance of the rear return of the development was not considered acceptable, the agent was made aware of this and submitted amended plans reducing the overall size and scale of the rear return resulting on an overall acceptable design. It is also noted there are limited long distance views of the site and views off the public lane will be acceptable. The backdrop of the site is also taken into consideration, this will help integrate the development.

The overall design does contain elements of design characteristic of rural areas including the overall solid to void ratio albeit the front elevation does contain a number of windows but in breaking them up with mullion type breaks which increases the vertical emphasis. The chimneys are internal and expressed on the ridge. Finishes are acceptable.

Amenity

The site is not in close enough proximity to any other residential dwelling within the vicinity so as to have any detrimental impacts in terms of loss of amenity or disturbance.



The elevations shown above are of the initial scheme.



The above is the amended design, considered an improvement albeit with a higher ridge, it remains set down from the main dwelling.

Amenity

The site is not in close enough proximity to any other residential dwelling within the vicinity so as to have any detrimental impacts in terms of loss of amenity or disturbance.

(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.

The dwelling will sufficiently blend with the existing landform; there is an element of cut required given the sloping site however it is not considered that the provision of the dwelling would result in an unacceptable alteration of landform and can be accommodated within the existing slope. It is noted that no trees are required to be removed to accommodate this dwelling.

(g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

This policy consideration has been covered earlier in the report under CTY 10 and is considered that the site does not visually link or cluster with the established group of

buildings on the farm with clear separation between the site chosen and existing buildings.

Consideration of CTY 14 Rural Character

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

(a) it is unduly prominent in the landscape.

The site can make use of the existing topography of the site and lands to the rear to act as a backdrop and ensure the works do not result in prominence in the landscape.

(b) it results in a suburban style build-up of development when viewed with existing and approved buildings.

The number of buildings at this location and the positioning and relationship between each other is considered and the provision of the dwelling and garage at this location will not result in an overall change of character and will not result in a suburban style build up of development at this location. The cumulative impact of the dwellings have been considered and it Is not considered it will result in an overall change of character in the area.

(c) it does not respect the traditional pattern of settlement exhibited in that area.

The works in terms of siting and design of the dwelling and garage will not detract from the existing pattern or settlement within the area. Intervisibility of the proposed building with existing and approved development is considered and it is not considered that the development of the site will detract from or change the overall character and settlement pattern in the area.

(d) it creates or adds to a ribbon of development (see Policy CTY 8).

With no development either side of the proposed site the works will not result in the creation or addition of a ribbon of development as per Policy CTY 8.

(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

As discussed previously within the report the ancillary works are not considered to be likely to have an unacceptable detrimental impact on rural character and are sufficient

to serve the dwelling whilst respecting the overall character and appearance of the rural area.

Consideration of PPS 3 Access, Movement And Parking and PPS 21 Consequential Revision AMP3

Policy AMP 2 Access to Public Roads is considered and states that permission will be granted for a development proposal involving direct access, or the intensification of the use of an existing access onto a public road where:

a) such access will not prejudice road safety or significantly inconvenience the flow of traffic.

Amended plans have been submitted by the agent that have satisfied DFI Roads that an acceptable level of splays can be achieved. The agent has also amended the P1 form to indicate that the works include works to the access. DFI Roads are satisfied subject to conditions that the access arrangements will not inconvenience the flow of traffic significantly, it is noted that this is an existing access serving a number of properties at present.

b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

The Drumnaconagher Road is not a protected route therefore policy AMP 3 nor the consequential revision are applicable in this instance.

Consideration of PPS 2 Natural Heritage

The application site is currently grazed agricultural pasture and the vast majority of hedging and planting associated with the site is to be retained. Some planting at the point of sight splays will require removal or alteration however the level of works is minimal. Taking account of the works and the characteristics of the site it is not considered that any further surveys are required.

It is considered that the provisions of PPS 2 have been considered and the application will not offend any provisions set out within PPS 2.

Neighbour Notification Checked	Yes
Summary of Recommendation:	

Having considered the application as detailed in the above report a recommendation of refusal for the reasons set out below.

Drawings: P01C, P02a and P03

Reasons for refusal:

1. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland 2nd Edition and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no over-riding reasons to justify that the development is essential in this rural area.

2. The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland 2nd Edition and Policies CTY10 and CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: - the new building is not visually linked or sited to cluster with an established group of buildings on the farm.

Case Officer Signature: Fionnuala Murray

Date: 23.01.2026

Appointed Officer Signature: B.Ferguson

Date: 23/01/2026

[Slide 1] This application is for a proposed dwelling and garage on lands 70m East of nr 66 Drumnaconagher Road, Crossgar.

[Slide 2] It has been made under CTY10 Dwellings on Farms. As a reminder and to highlight the parameters set in CTY10 this permissive Policy allows for a house on a farm where

a. the farm business is active, and has been for the past 6 years;

b. no dwelling or sites have been sold off in the past 10 years, and

c. the proposal is visually linked **OR** sited to cluster with an established group of buildings on the farm.

The Policy highlights that access should be from an existing lane where possible and it also gives some guidance and parameters on the selection of alternative sites. We can interpret this therefore that not all sites must be visually linked nor sited to cluster with the farm buildings group. However I am not suggesting that this site falls into that category as I feel the proposal is clearly visually linked to the farm buildings.
The case officers report confirms that points a and b in that the farm business is active and that no dwelling nor sites have been sold off within the last 10 years has been satisfied, with the suggestion that point c is not met.

[Slide 3] The planning service considers that this site does not visually link nor cluster with the established group of buildings. I find this suggestion contradictory as it is mentioned several times in the case officers report that the site is located in close proximity to the farm buildings and there is clear intervisibility. To refer again to CTY10 the site is to be visually linked or sited to group with an established group of farm buildings. I think this photo speaks for itself.

[Slide 4] I also wish to highlight the sub-text of CTY10 under para. 5.41 which gives some guidance on positioning, highlighting that dwellings should be positioned sensitively either to form an integral part of the building group or when viewed from surrounding vantage points it reads as being visually interlinked with those buildings. I would refer back to my earlier point that the case officers report states several times there is clear intervisibility between this proposal and the group of farm buildings. This subtext goes further though stating that if the proposed site is well landscaped planning permission will still be granted even though the degree of visual linkage will very limited or virtually non-existent. Again referring back to the case officers report there is an acknowledgement that the site benefits from existing good natural landscaping, with the boundaries being mature natural field hedging. The planning report states *'the site will benefit from additional planting but does not rely on it in order to integrate into the wider area. The additional planting is required to define a boundary with the three other site boundaries being well defined at present with mature field row hedging and planting'.*

However if I may reinforce CTY10 c, the proposal must be visually linked **OR** sited to cluster. The important word here is **OR** ,it doesn't say **AND**. I.e. to be visually linked and sited to cluster, and the fact of this application is, that the site is visually linked to the group of farm buildings.

[Slide 3]

- The facts are that this site is completely benign and inoffensive to all.
- This site is not seen from the public road being some 800m down a lane. The planning report acknowledges this 'that the site is not highly visible from any public view point' and 'the site is of low visibility' and 'taking account of the limited views of the site it is not considered that this dwelling will be a prominent feature'.
- This application was made 28 Jul 2024 and validated on 18 Sep 2024. The location was never discussed during the process with it only becoming an issue in December 2025, you will appreciate this is very late in the day.
- I would ask particular weight be attributed to these points.

To conclude, I wish to highlight that

- there are no neighbour objections;
- there are no objections from DfI Roads;
- there are no objections from Environmental Health;
- there are no objections from DfI Rivers; and
- there are no objections from NI Water.

It is my opinion that this proposal does satisfy all aspects of CTY10.

If any Councillor has doubts about this proposal can I suggest a site visit to allay any fears they may have, however I respectfully ask the planning recommendation be overturned and an approval be allowed.

Committee Report

Development Management Officer Report	
Case Officer: Karen Reid	
Application ID: LA07/2023/3341/F	**Target Date:**
Proposal: Proposed Dwelling	**Location:** 22m East of No 16 Chancellors Hall, Newry
Applicant Name and Address: Glyn Mitchell 63 Newry Road Rathfriland	**Agent Name and Address:** Glyn Mitchell 63 Newry Road Rathfriland
Date of last Neighbour Notification:	25 March 2024
Date of Press Advertisement:	15 November 2023
EIA Determination:	

Consultations:

- NI Water - Refusal – Approved with standard planning conditions and response specific conditions.
- DFI Roads – No objections to the proposal subject to planning conditions.
- NIEA – WMU – Refer the Planning Authority to DAERA Standing Advice – Single Dwellings.

Representations:

Twenty-one letters of objections were received from individual objectors between the 22nd of March 2024 and the 27th of March 2024. One petition was also received with 65 signatures.

Letters of Support	0.0
Letters of Objection	21
Petitions	1
Signatures	65
Number of Petitions of Objection and signatures	1 65

Summary of Issues:

The letters of objection received by the department raised a number of concerns with the proposed development. These points will be considered further in the assessment of the application below.

Site Visit Report

Site Location Plan:





Date of Site Visit: 21/08/2024

Site Characteristics & Area Characteristics:

The site is located within the settlement development limits of Newry City as defined within the Banbridge, Newry and Mourne Area Plan 2015. The application site also falls within two areas zoned for housing NY 26 & NY24.

The application site is an area of vacant land positioned on the edge of the public road at the entrance to the Chancellors Hall housing development. The site is surrounded by existing residential properties, the site sits at the same ground level as the properties within Chancellors Hall to the north and west. The dwellings to the south and east sit at a lower level and form part of another housing development known as Heslips Court. The site has a timber fence along the northern boundary with Nos 1, 3 and 5 Chancellors Hall, the remaining boundaries are defined by metal fencing, the fencing along the southern and eastern boundaries are set on retaining walls. As stated, the site is located within a residential area made up of differing house types and positioned at different ground levels given the topography of the site.





Description of Proposal
Proposed Dwelling

Planning Policy & Material Considerations:

- Banbridge, Newry and Mourne Area Plan 2015
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 3 – Access, Movement and Parking
- DCAN 15 – Vehicular Access Standards
- Parking Standards
- Planning Policy Statement 6 – Planning, Archaeology and Built Heritage
- Planning Policy Statement 7 – Quality Residential Environments
- Planning Policy Statement 7 (Addendum) – Safeguarding the Character of Established Residential Areas
- Planning Policy Statement 12 – Housing in Settlements
- Creating Places

Planning History:
Planning Reference: LA07/2023/2354/CLEUD
Proposal: Retaining wall along eastern and southern boundaries, fencing along northern, eastern and southern boundaries and infilling of site.
Decision: Approved

Planning Reference: LA07/2017/0402/F
Proposal: Proposed 2 storey dwelling
Decision: Appeal Withdrawn

Planning Reference: LA07/2017/1316/F
Proposal: Retention of retaining wall and raised land and erection of dwelling (Amended Proposal)
Decision: Appeal Dismissed

Planning Reference: LA07/2015/0402/F
Proposal: Proposed erection of dwelling
Decision: Refusal

Planning Reference: P/2014/0882/F
Proposal: Erection of residential development and associated works (comprising amendments to previously approved scheme under File Ref. P/2003/2632/F (allowed on appeal under PAC Ref. 2003/A493) and subsequent revisions under File Refs. P/2008/1535/F and File Ref. P/2010/0162/F involving amended layout and house-types at Sites 48, 48a, 49, 50, 51, 52, 53, 54, 112 and 113)
Decision: Approved

Planning Reference: P/2014/0099/F
Proposal: Erection of housing development comprising 2 detached dwellings and 28 semidetached dwellings (revised scheme to that previously allowed on appeal under PAC Ref 2007/AO293 (File Ref. P/2006/1948/F) with access point and road layout to remain as previously approved).
Decision: Approved

Consultations:

- NI Water - Refusal – Approved with standard planning conditions and response specific conditions.
- DFI Roads – No objections to the proposal subject to planning conditions.
- NIEA – WMU – Refer the Planning Authority to DAERA Standing Advice – Single Dwellings.

Objections & Representations:

Eight neighbours were notified of the proposal on the 10th of March 2024. The proposal was also advertised in the local press on the 14th and 15th of November 2023. Twenty-one letters of objection have been received and one petition with 65 signatures.

Correspondence with Agent / Applicant:

A number of emails were issued to the agent over the course of determining this application advising of consultee responses requesting further information. Following a review of the case and discussion at an internal meeting, an email was issued to the Agent on the 1st of September 2025 setting out that the proposal was considered contrary to criteria (a) and (h) of Policy QD1 of PPS 7 and criteria (b) of Policy LC1 of the aPPS 7 and that the proposal would be recommended for refusal. A response to these comments was received from the Agent on the 17th of December 2025. This has been considered by the department.

Consideration and Assessment:

Proposal:

The proposal is a full application for the erection of a dwelling. The proposal is for a detached single storey dwelling with a pitched roof and ridge height of approximately 6.8m. The dwelling also comprises a rear extension set below the ridge of the main dwelling at a height of approximately 4.7m.

The proposed floor plans and elevations are shown below;







The Banbridge, Newry and Mourne Area Plan 2015.
Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan, (LDP) so far as material to the application and to any other material considerations. The relevant LDP is the Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The application site is within a two committed housing sites NY 24 & NY 26 within the Banbridge, Newry and Mourne Area plan 2015.

Strategic Planning Policy Statement
There is no significant change to the policy requirements for dwellings following the publication of the SPPS and as it is arguable less prescriptive, the retained policies of PPS 12, PPS7 and aPPS 7 will be given substantial weight in determining the principle of the proposal in accordance with para 1.12 of the SPPS.

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

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

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

The context in this case is provided by the two surrounding developments of Chancellors Hall and Heslips Court which comprises of two-storey semi-detached and terrace houses. The proposal is for a single storey detached dwelling orientated towards the public road and entrance to Chancellors Hall. Whilst the infilling of land and retaining features were certified under application LA07/2023/3254/CLEUD through the passage of time, these were not approved under planning policy. The department considers the proposed site to represent an inappropriate space, which has been over-engineered through the infilling of land, changes in site levels and the provision of additional retaining features. As set out in a previous PAC decision regarding a proposed dwelling on this site (2018/A0132) *'the provision of this detached dwelling will be at the loss of the landscape, amenity planting and additional amenity space for the properties at 8 and 9 Heslips Court. Accordingly, a new dwelling on this proportion of land conflicts with the existing layout of development in the area and fails to respect the patten of development established at Heslips Court'.*

The department considers the loss of the landscape and garden space to provide another dwelling on the site represents a case of 'garden grabbing' giving rise to town cramming which is an inappropriate layout and form of development. A new dwelling on this artificially raised platform would appear incoherent with the surrounding pattern of residential development and fails to respect the surrounding context. The proposal does not comply with criterion (a).

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

The application site has been screened for any archaeological or built heritage features within the immediate vicinity of the application site. It is noted no features have been identified. It is therefore considered that the proposal complies with criterion (b).

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

Creating places provides a figure that private amenity space for family sized homes should be around 70sq.m or greater for back garden provision. The site layout plan (06/01/03 Rev B) indicates a level of private open space which exceeds the minimum requirements (113.5sq.m). Given the scale of the proposed development there is no requirement for the provision of open space. The proposal complies with criterion (c).

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

The proposal is within the settlement development limits of Newry where community facilities are available. The proposal complies with criterion (d).

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

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

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

The site layout plan (06/01/03 Rev B) shows an area of hard surfacing along the northern boundary of the site, this will allow for parking within the curtilage along with sufficient access and turning arrangements on site. DFI Roads were consulted and have no objections to the access arrangements subject to conditions. The proposal complies with criterion (f).

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

The design of the proposed dwelling is similar to others in the wider area and is considered to be consistent with housing in the locality. The proposed dwelling is single story in design with a pitched roof and has a ridge height of approx. 6.8m. The dwelling also features a rear projection set below the ridge of the main dwelling at a height of approx. 4.7m. The choice of materials is also reflective of other developments in the area. The proposal complies with criterion (g).

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

The application site falls within two areas zoned for housing NY 26 & NY24 within the settlement limits of Newry and does not create conflict with adjacent residential land uses. The proposed site abuts Nos 1,3 and 5 Chancellors Hall to the north, the proposal features two windows on the northern side elevation to serve a lounge and utility room. 1.8m close board fencing is positioned along the northern boundary with these dwelling, which would reduce the potential for overlooking through these windows. The department have concern however regarding the potential overlooking of the private amenity space of the proposed dwelling by these existing properties to the north given the presence of rear first floor windows on these existing properties, which would afford unrestricted views over the private amenity space of the proposed dwelling.

Directly opposite the application site is Nos 16 and 18 Chancellors Hall, these dwellings are separated from the application site by an entrance road to the development, and given the orientation of both dwellings and the separation distance the department have no concerns regarding the impact of the proposal on the amenity of these properties.

Other neighbouring properties include Nos 8 Heslips Court directly to the south and No 9 Heslips Court directly to the east of the application site. The department considers that the introduction of a dwelling on the proposed site would further compound the effects of dominance and overshadowing already experienced by these properties due to the increase in land levels and the retaining structures in place on the site. Due to the increased ground level the proposed dwelling would be directly in line with the first floor of both dwellings at No 8 and 9 Heslips Court and the proposal would have a limited separation distance. Whilst there is existing 1.8m high metal fencing set on retaining walls along the southern and eastern boundaries of the site which was certified under application LA07/2023/3254/CLEUD through the passage of time, this does not provide any screening of the site. The department consider that any additional screening / hedging which would be necessary to minimise overlooking form the proposed dwelling would exacerbate the overshadowing and dominance effects of the boundary treatment. The proposal does not comply with criterion (h).

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

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

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

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

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

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

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

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

It is not considered that the proposed density would be significantly higher than that found in the surrounding area. However, as set out previously in this report the department considers the loss of the landscape and garden space to provide another dwelling on the site represents 'garden grabbing' giving rise to town cramming which is an inappropriate layout and form of development. A new dwelling on this artificially raised platform would appear incoherent with the surrounding pattern of residential development and fails to respect the overall character and environmental quality of the established residential area. The proposal is considered unacceptable in that it does not comply with all of the criteria outlined above.

Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15
Policy AMP 2 – Access to Public Roads
Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where such access will not prejudice road safety. Para 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to a new access onto a public road.

DFI Roads were consulted in relation to this proposal and have confirmed they have no objections to the proposal subject to planning conditions.

Policy AMP 7 – Car Parking and Servicing Arrangements
Policy AMP 7 of PPS 3 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the departments published standards. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic. Parking Standards (2005) sets out the required amount of parking to be provided for each type of development. In accordance with table 8 of Parking Standards, a minimum of 1.75 in curtilage parking spaces would be required to serve a 1 bedroom detached dwelling. The site layout plan shows an area of hard surfacing (driveway) at the northern boundary of the site which would provide in curtilage car parking space along with sufficient access and turning arrangements, this is considered acceptable.

DFI Roads were consulted on this application and have no objections to parking arrangements.

Provision of services
As indicated on the P1 form, the proposal seeks to make use of the mains sewage network to treat foul waste. NI Water were consulted on the application and following the submission of a

WWIA offered no objections subject to standard planning conditions and response specific conditions.

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

Following a site visit, there is no evidence of any impact on species protected by law or Habitats Species or Features of Natural Heritage Importance and therefore the proposal is considered consistent with policy NH 2 and NH5.

Representations:

1. The removal of the pedestrian footpath in front of the new proposed dwelling – the impact of this on the health and safety of pedestrians, children, people with disabilities and prams
2. Some objectors did not receive N/N letters as they were not adjoining the site but believe they should have been notified
3. The height of the proposal
4. The impact on amenity of neighbouring residents
5. The impact on privacy of neighbouring residents
6. The proposal will block sunlight / cause overshadowing
7. The proposal will impact views
8. The proposal will result in increased traffic congestion / risks of collisions
9. This is the only continuous footpath in and out of the park
10. There is not enough parking spaces within the estate / currently dangerous parking
11. The construction phase of development will cause noise and general untidiness around the area
12. The proposal is dominant and overbearing
13. Concerns with the Velux window and possibility of this being converted to a two-story

Response to Objections

1. As set out in the above report DFI Roads were consulted on this application and provided no objections in terms of public safety, traffic congestion and parking subject to planning conditions.
2. Notice of this application was served to all identified occupiers on neighbouring land in accordance with Article 8(2) of the GDPO.
3. The design of the proposed dwelling has been addressed in the above report.
4. As set out in the above report the department consider that the proposal would have a detrimental impact on the amenity of neighbouring properties
5. As set out in the above report the department consider that the proposal would have a detrimental impact on the privacy of neighbouring properties
6. As set out in the above report the department consider that the proposal would have result in dominance / overshadowing of neighbouring properties.
7. The loss of a view is not considered to be a material planning consideration and therefore cannot be taken into account when assessing a planning application.
8. Concerns regarding potential noise and general untidiness during the construction phase is not considered to be a material planning consideration, the responsibility rests

with the applicant / developer to ensure they have any necessary agreements and permissions in place to complete the development.

9. As set out in the above report the department have concerns regarding dominance
10. The proposal is for a single storey dwelling, the two Velux rooflights to the rear return serve the kitchen/dining area, which incorporates a vaulted ceiling.

Neighbour Notification Checked Yes/~~No~~

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposed development is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality Residential Environments' part (a) in that the proposed dwelling fails to respect the surrounding context and is inappropriate to the character and topography of the site in terms of plot size, layout, scale and proportions.

2. The proposed development is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of the Planning Policy Statement 7 (PPS7) 'Quality Residential Environments' part (h) in that the proposal would adversely affect the amenity of both the new dwelling by reason of overlooking and neighbouring properties No 8 and 9 Heslips Court by reason of overlooking, overshadowing and dominance.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy LC1 of the Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, part (b) as the pattern of development is not in keeping with the overall character and environmental quality of the established residential area.

Case Officer Signature: K. Reid

Date: 02/02/2026

Appointed Officer Signature:A Loughan

Date:05/02/2026

Development Management Consideration:

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

_____

_____

Date _____

TRACKING ACTION SHEET ARISING FROM PLANNING COMMITTEE MEETINGS

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
PLANNING COMMITTEE MEETING – 20 AUGUST 2025					
LA07/2023/2331/F	66 Moss Road, Glassdrumman, Ballynahinch, BT24 8XZ, accessed via 19 Old Saintfield Road - Dwelling on a Farm (Amended drawings provided)	**Withdrawn by the Planning Dept**	B Ferguson	**Deferred for further consideration**	N
PLANNING COMMITTEE MEETING – 17 SEPTEMBER 2025					
LA07/2023/2230/O	55m east of 29 Clonvaraghan Road, Castlewellan, BT31 9JU – Proposed replacement dwelling (with retention of original dwelling for storage purposes) and all associated site works	**Deferred to allow for submission of Listed Building consent application**	B Ferguson	**Awaiting submission of LB consent**	N
PLANNING COMMITTEE MEETING – 12 NOVEMBER 2025					
LA07/2025/0482/O	50m S. of No.32 Tullyah Road, Belleeks, Newry, Co,Down, BT35 7QP - Erection of dwelling and domestic garage in gap/infill site	**Deferred**	A Loughran	**Site visit to be arranged**	N
PLANNING COMMITTEE MEETING – 25 FEBRUARY 2026					
LA07/2024/0462/O	Adj to and 20m NE of 137 Tullybrannigan Road, Newcastle - Infill Dwelling and Garage	**Deferred**	B Ferguson	**Site visit to be arranged**	N
LA07/2023/3341/F	22m East of no 16 Chancellors Hall, Newry - Proposed Dwelling	**Deferred**	B Ferguson	**To be tabled at March Committee**	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
LA07/2025/ 0378/F	26 Lisburn Street, Electrotech, Ballynahinch - Change of use from commercial shop unit to 2-bedroom dwelling house	**Deferred**	B Ferguson	**Site visit to be arranged**	N
LA07/2024/10 17/F	On lands 70m east of No. 66 Drumnaconagher Road, Downpatrick - Erection of house and garage on farm as per PPS21 CTY10.	**Deferred**	B Ferguson	**To be tabled at March Committee**	Y