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

April 20th, 2026

**Notice Of Meeting**

You are requested to attend the meeting to be held on **Wednesday, 22nd April 2026** at **10:30 am** in **Council Chamber, Downshire Civic Centre, Downpatrick.**

**Committee Membership 2025-26**

Councillor M Larkin **Chairperson**

Councillor G Hanna **Deputy Chairperson**

Councillor W Clarke

Councillor L Devlin

Councillor C Enright

Councillor C King

Councillor D McAteer

Councillor D Murphy

Councillor S Murphy

Councillor A Quinn

Councillor M Rice

Councillor J Tinnelly

# Agenda

## 1.0 Apologies and Chairperson's Remarks

## 2.0 Declarations of Interest

## 3.0 Declarations of Interest in relation to Para.25 of Planning Committee Operating Protocol

## 4.0 Planning Committee Minutes of meeting held 25 March 2026

***Planning Committee Minutes 2026-03-25.pdf*** ***Page 1***

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

***Addendum list - 22-04-2026.pdf*** ***Page 17***

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***Development Management - Planning Applications for determination (with previous site visits)***

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## 6.0 LA07/2025/0482/O - 50m South of No.32 Tullyah Road, Belleeks, Newry, Co. Down, BT35 7QP - Erection of dwelling and domestic garage in gap/infill site

**Application withdrawn by the applicant.**

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***Development Management - Planning Applications for determination***

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## 7.0 LA07/2024/0605/F and LA07/2024/0608/LBC - disused Old Church of Ireland Approx. 60m NNE of 5A Church Hill, Jonesborough, Newry BT35 8SG - Proposed change of use from disused Church Premises to sandwich bar/coffee shop/restaurant with the use of Newry, Mourne and Down District Council adjacent car park and extension accommodating kitchen and WCs.

**APPROVAL**

On agenda as a result of the Operating Protocol

***LA07-2024-0605-F.pdf*** ***Page 18***

***LA07-2024-0608-LBC.pdf*** ***Page 30***

## 8.0 LA07/2024/0749/O - Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR - Section 54 application for non-compliance with condition No. 9,Social Housing Provision, of Planning Approval LA07/2021/2131/F

**REFUSAL**

On agenda as a result of the Operating Protocol

Speaking rights have been requested in support of the application by Mr Eoin Morgan, supported by Mr James Wright and Mr Michael Donnelly

***LA07.2024.0749.F.pdf*** ***Page 39***

***8 and 9. LA07-2024-0749-O and LA07-2024-0547-F.pdf*** ***Page 63***

## 9.0 LA07/2024/0547/F - Lands opposite No 1 Ashgrove Avenue, Carneyhough, Newry, BT34 1PR - Proposed social residential development consisting of 20no. dwellings and 4 no. apartments with associated landscaping and car parking

**REFUSAL**

On agenda as a result of the Operating Protocol

Report tabled at agenda item 8

Speaking rights have been requested in support of the application by Mr Eoin Morgan, supported by Mr James Wright and Mr Michael Donnelly (tabled at item 8)

## 10.0 LA07/2025/0797/O - Lands 30m SW of No. 17 Barrons Hill, Camlough, Newry BT35 7HJ - 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 Neil Mullen.

***LA07.2025.0797.O Report.pdf*** ***Page 65***

***10. LA07-2025-0797-O.pdf*** ***Page 72***

## 11.0 LA07/2025/1142/O - Site 10m S of 79 Newry Road, Mayobridge - Replacement of existing dwelling

**REFUSAL**

On agenda as a result of the call in process

Speaking rights have been requested in support of the application by Mr Colin Dalton.

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|---|---|
| ***LA07-2025-1142-O Report.pdf*** | ***Page 74*** |
| ***11. LA07-2025-1142-O.pdf*** | ***Page 84*** |

***Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014***

## 12.0 Recommendations from Planning Enforcement Audit Report and Revised Planning Enforcement Strategy.

*For Decision*

This item is deemed to be exempt under paragraph 1 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

| | |
|---|---|
| ***Planning Enforcement Strategy and Audit Recommendations April 2026 Planning Committee.pdf*** | ***Not included*** |
| ***Appendix A FINAL Planning Enforcement Strategy April 2026.pdf*** | ***Not included*** |
| ***Appendix B Background Research Anonymous Complaints.pdf*** | ***Not included*** |

***FOR NOTING Items deemed to be exempt under Part 1 of Schedule 6 of the Local Government Act (NI) 2014***

## 13.0 Planning Enforcement Quarterly Update

*For Information*

This item is deemed to be exempt under paragraph 1 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

| | |
|---|---|
| ***Planning Enforcement Update Planning  Committee April 2026.pdf*** | ***Not included*** |

***For Noting***

## 14.0 Planning Historic Action Sheet

*For Information*

# 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 Johnston

Cllr Geraldine Kearns

Miss Veronica Keegan

Mrs Sheila Kieran

Cllr Aurla King

Cllr Cathal King

Ms Elaine Kirk

Cllr Mickey Larkin

Cllr Niall Lawlor

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

Sinead Murphy

Cllr Selina Murphy

Cllr Kate Murphy

Cllr Declan Murphy

Cllr Siobhan O'Hare

Cllr Áine Quinn

Cllr Henry Reilly

Cllr Michael Rice

Ms Maria Rogan

Mr Pat Rooney

Mr Peter Rooney

Cllr Michael Ruane

Conor Smyth

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 March 2026 at 10am in the Council Chamber, Downshire Civic Centre, Downpatrick.**

**Chairperson:** Councillor M Larkin

**Committee Members in attendance in Chamber:**
Councillor W Clarke
Councillor G Hanna
Councillor D Murphy
Councillor M Rice
Councillor L Devlin
Councillor D McAteer
Councillor S Murphy

**Committee Members in attendance on Teams:** Councillor C Enright

**Officials in attendance:**
Mr J McGilly, Assistant Director: Regeneration
Mrs B Ferguson, Senior Planning Officer
Mr M Keane, Senior Planning Officer
Ms A Loughran, 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/018/2026: APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors C King, Quinn and Tinnelly.

**P/019/2026: DECLARATONS OF INTEREST**

There were no declarations of interest.

**P/020/2026: 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/021/2026: MINUTES OF PLANNING COMMITTEE MEETING OF WEDNESDAY 25 FEBRUARY 2026**

Read: Minutes of Planning Committee Meeting of Wednesday 25 February 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 25 February 2026 as a true and accurate record.**

**FOR DISCUSSION/DECISION**

**P/022/2026: ADDENDUM LIST**

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

**AGREED:** **On the proposal of Councillor McAteer, 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 March 2026:**

- **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**

Cllr Enright queried why item 7 – LA07/2022/0939/F, had been deferred, noting that he believed Council had taken a High Court case regarding the site in an effort to open a right of way that formed part of the Ulster Way and, to his knowledge, had been successful. He asked whether this was a factor in the current planning application.

Councillor Larkin noted that the application had been deferred over a week ago, with Members being informed and advised that any questions should be directed to the relevant

planning officer.

**DEVELOPMENT MANAGEMENT**

**P/023/2026: PLANNING APPLICATIONS FOR DETERMINATION**

**(1) LA07/2025/0554/F**

On agenda as a result of the Call in Process

**Location:**
150m W of 17 Billys Road, Ballyholland, Newry, BT34 2NA

**Proposal:**
Dwelling and detached garage on a farm

**Conclusion and Recommendation from Planning Official:**
Refusal

**Power-point presentation:**
Mr Keane stated that the case officer's report was taken as read and that, as the site lay in the countryside, PPS21 applied. He noted that while the farm was active, the main issue was the siting, which was approximately 200 metres from the existing buildings and lacked visual linkage or clustering due to intervening land, topography and other buildings. As a result, the dwelling would appear isolated and prominent in the landscape.

Mr Keane explained that while policy CTY10 had an exceptionality clause, it was the opinion of the Planning Department that it did not apply to the application, as other sites were available within the farm holding and there were no sufficient health and safety or expansion justifications, adding that slurry smells were typical of rural areas and within the applicant's control. He further stated that even if the exceptionality clause were considered, the proposal failed to meet wider policy requirements and was contrary to planning policy.

**Speaking rights:**

In Support:

Mr Barney Dinsmore spoke in support of the application, noting that it had been submitted under PPS21 CTY10 for a dwelling and detached garage on a farm. He noted that the Planning Department accepted that criteria (a) and (b) were met but had concerns regarding criterion (c) on visual linkage. He argued that criterion (c) was satisfied, as the applicant had demonstrated there were no suitable alternative sites on the farm, citing issues such as lack of safe access, land in active use, and separation by a public road. He also referenced health and safety considerations, including slurry gases, and said insufficient weight had been given to this evidence. Mr Dinsmore further stated that the applicant had shown verifiable plans to expand the farm business, including a proposed calving shed and participation in a DAERA programme.

Councillor D Murphy queried whether there was a standard distance applied to considerations of visual linkage, to which Mr Keane confirmed that there was no set distance, but rather each application was taken on a case-by-case basis depending on the topography, landscape and extent of development within the area.

Following a query from Councillor D Murphy, Mr Dinsmore confirmed that the farm was within the blue line of the application but was split in two by Billys Road. He further detailed why the applicant had discounted alternative sites as referenced by the Planning Department, such as fields being intensively farmed, access arrangements cutting through the farmyard, the location of the slurry shed, the siting of farm outbuildings and the inability to secure appropriate visibility splays.

Councillor McAteer requested further clarification on why the red line location was selected, to which Mr Dinsmore confirmed that other fields were intensively farmed, were let in conacre to another farm and the road effectively divided the farm in two, leaving a limited selection for development opportunities.

Following a further query from Councillor McAteer, Mr Dinsmore confirmed that the site was low lying, would not result in prominence, was well framed with vegetation and would integrate well.

Councillor McAteer requested further detail regarding the plans submitted regarding farm expansion that could enact the exceptionality clause of CTY10.

The applicant, Mr McAteer, stated that it was his intention to move home to continue to farm the land, and that he had recently completed a course with DAERA regarding sustainable farming practices.

Councillor McAteer then requested clarification from the Planning Department regarding alternative sites, given the evidence put forward by Mr Dinsmore regarding the viability of the alternative sites.

Mr Keane confirmed that the Planning Department's consideration had been focused on the red line as submitted and stated that the farm comprised of substantial holdings that were owned and controlled by the applicant that could achieve the required visibility splays and would link and cluster with existing buildings on the farm and not be unduly prominent.

Councillor McAteer queried whether Mr Keane had visited the site during the processing, to which Mr Keane confirmed that he visited all sites he was responsible for.

Councillor McAteer queried how access would be achieved should the proposal be sited adjacent to the existing cluster, to which Mr Keane advised that it was the opinion of the Planning Department that there was sufficient land and gaps to achieve the required visibility splays but cautioned that he could get into detail as the existing cluster was not sited within the red line of the application.

Councillor Larkin noted that several applications for dwellings on farms had been presented to the Committee and stated that the Planning Department had, in some cases, accepted intensive farming use of certain fields to apply the exceptionality clause under CTY10. He queried what weight had been given to the evidence submitted by the applicant regarding intensive farming on specific fields.

Mr Keane confirmed that, in assessing applications under CTY10, consideration was given to factors such as the nature and size of the farm holding, the extent of lands owned or controlled, the location of buildings, the type of farming, and any proposals for expansion.

He reiterated that the Planning Department considered the application did not meet policy requirements and recommended refusal.

Councillor Hanna stated that he believed the agent had put forward a good argument and that if farmers were not supported then there would be no future in farming, he proposed to overturn the recommendation to an approval, for the following reasons:

- CTY1 was not offended as a farm dwelling had to be located in the countryside, the site was enclosed and would not look unduly prominent and would integrate well.
- CTY10 was wholly satisfied as he believed the proposal was visually linked with other dwellings on the farm holding.
- He believed CTY13 was satisfied as the proposal was a modest dwelling and would blend well with the landform and was enclosed with trees and bushes on a slope.
- He believed that CTY14 could be satisfied as it would not be unduly prominent, but conditions delegated to officers could ensure this.

Councillor McAteer acknowledged the constraints regarding proximity to the existing buildings on the farm but noted that his local knowledge allowed him the confidence to state the site was enclosed which would help ensure it would integrate into the surrounding landscape. He seconded Councillor Hanna's proposal.

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 McAteer, it was agreed to issue an approval in respect of planning application LA07/2025/0554/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.**

**(2) LA07/2025/0850/O**

On agenda as a result of the Call in Process

**Location:**

**Proposal:**
Immediately S of 16A Crossan Road, Mayobridge, Newry BT34 2HY

**Conclusion and Recommendation from Planning Official:**
Infill site for dwelling and garage

**Power-point presentation:**

Mr Keane noted that the application was an outline for an infill dwelling, that the case officer's report, including the site history, was taken as read and confirmed that as the site was located in the countryside the provisions of PPS21 applied. He explained that the Planning Department considered the proposal to fail CTY8, as there was no gap site to infill due to the presence of an existing building. He added that the proposed plot size, development pattern and access arrangements were out of keeping. He also stressed that the previous planning history had expired and was therefore not given determining weight, concluding that the proposal was contrary to policy and recommended refusal.

**Speaking rights:**

In Support:

Mr Martin Bailie spoke in support of the application, stating that the site had previously been approved twice, first by the Planning Service with support from local Councillors, later by the Planning Department, and questioned why the principle of a gap site was now being challenged. He argued that the proposal should still respect the established development pattern and sought clarification on what had changed, noting that there had been additional development along Crossan Road since 2014. He maintained that the road was now heavily developed and that the proposal would not appear out of place, as previously accepted, and should comply with CTY8 and CTY13. He also stated that earlier assessments had not considered the area to be built up, and questioned how it could now be viewed differently given further development.

Mr Bailie explained that the application had been brought to Committee due to the previous approvals in 2014 and 2019, advising that the applicant had intended to renew the 2019 approval but was unable to do so due to personal circumstances, however he had submitted the new application shortly after its expiry with a reasonable expectation of approval. He contended that Planning Department had treated it as a new application, had given no weight to the site's history, and in doing so had undermined the earlier decisions taken by Councillors.

Councillor Clarke requested clarification on the site history and queried how it could be approved by officers previously and now refused by officers.

Mr Keane outlined the history, noting that the outline application for an infill in December 2014 had been recommended for refusal by the Planning Department but subsequently overturned by Planning Committee. He advised that the 2019 application was a renewal application and while the case officer report detailed that the application was contrary to policy, determining weight had been given to the 2014 outcome and was recommended for approval. He advised that all previous planning permissions had expired for the current application, and therefore the Planning Department had to consider the application afresh, with no determining weight of prior active approvals.

Mr Bailie stated that it had been Councillors who had overturned the original application to an approval and felt it would be only fair and reasonable that the same committee should use the same outlook and approve the application.

Councillor McAteer requested legal opinion on the site history and what weight it should be given when determining an application.

Mr Peter Rooney advised that, although the previous planning permission had lapsed, the history of the site remained a relevant and material consideration. He explained that the application was before the committee for a new determination due to the lapse of the earlier approval, noting that the site had received two previous approvals, one by the former department and one by the Council, and said the key issue was whether there had been any material change since those decisions. He indicated that if no significant changes had occurred, Members were entitled to give weight to the site's history in their decision-making and acknowledged that the planning authority had raised concerns about the site, but emphasised that it was ultimately a matter for the committee to determine. He concluded that the planning history was relevant and should not be ignored.

Councillor Devlin requested clarification regarding the decision-making body in 2014, as delegated authority had not been transferred until 2015.

Councillor Larkin advised that the Department was the decision-making body, opinion of the new Council was sought and taken into consideration during processing of the planning application.

Councillor Larkin queried whether the refusal reason still applied regarding visibility splays, to which Mr Keane confirmed that since the recommendation had been issued, the red line of the application had been clarified and DFI Roads were content with the proposal.

Councillor D Murphy proposed to overturn the recommendation to an approval, stating his belief that the site history was a material consideration and should be given more weight. This was seconded by Councillor S Murphy.

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 D Murphy, seconded by Councillor S Murphy, it was agreed to issue an approval in respect of planning application LA07/2025/0850/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.**

**(3)** **LA07/2025/0575/O**

On agenda as a result of the Call in Process

**Location:**
90m north of 55 Ballyveaghbeg Road Ballymartin

**Proposal:**
Erection of a dwelling on a farm

**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, the site was located in the countryside and therefore PPS21 applied, with the Planning Department considering the proposal unacceptable. He explained that, although the farm business was active and established, the main concerns related to the siting and advised that the Planning Department believed that it did not visually link or cluster with existing farm buildings, would appear prominent, could result in ribbon development and potentially create a gap site, and failed to respect the character of the AONB.

Mr Keane acknowledged that the separation distance from existing buildings was approximately 40 metres but stated that the site still read as visually detached and isolated and suggested that a revised siting closer to the existing buildings could address these concerns. He added that even if the siting were considered acceptable under CTY10, the proposal would still fail CTY8 due to ribbon development, referencing a recent appeal decision where a similar proposal had been dismissed, and reiterated that alternative sites were available that could comply with policy.

**Speaking rights:**

In Support:

Mr John Cole spoke in support of the application, stating that it was an outline application for a farm dwelling for the applicant's son, who intended to take over the long-established family farm, noting that the Planning Department accepted the farm met the first two criteria of CTY10, but had concerns regarding visual linkage, ribbon development and integration into the landscape. He argued that the proposal was visually linked to the existing farm buildings, which were visible together from surrounding viewpoints, and that the policy did not require perfect clustering but that the buildings read as visually connected. He suggested that the case officer's own report acknowledged this linkage.

Mr Cole disputed the claim that the proposal would create ribbon development, stating that there were not enough buildings with road frontage to form a substantial and continuous built-up frontage as defined by CTY8. He also contended that the farm shed did not have road frontage and should not be counted in this assessment and stated that the proposal would integrate into the landscape in a manner consistent with the surrounding area, where dwellings were typically defined by Mourne granite walls and had limited planting.

Councillor D Murphy queried clarification on the refusal reason relating to visual linkage as he believed the images shown highlighted that the proposal would be visually linked.

Mr Keane advised that visual linkage and clustering was taken on a case-by-case basis and while the Planning Department had acknowledged the proximity of the nearby dwellings, he advised that they were located at the other end of the field and a lay person passing by would assume they were not part of the same farm holding.

Councillor McAteer asked for clarification on the refusal reason regarding ribbon development and whether the Planning Department was concerned that a future dwelling could be positioned between the existing buildings and the proposed new dwelling.

Mr Keane explained that the refusal was based on the proposed dwelling's proximity to existing buildings and the extent of visual linkage and clustering. He noted that with the existing building and farm shed, the new dwelling would constitute a third building, which policy classifies as ribbon development. He also highlighted that approving a dwelling in this location could set a precedent for future infill development.

Councillor Hanna proposed to overturn the recommendation to an approval for the following reasons:

- He believed the proposal was clearly sustainable development in the countryside as it was needed to ensure the continuation of the farming of the land
- CTY10 was satisfied as he believed the proposal would visually link with the existing buildings
- CTY8 was satisfied as he believed that the proposal would not result in ribbon development
- CTY13 and 14 were satisfied as the proposal would not be unduly prominent within the landscape as it was located within a hollow.
- NH6 was satisfied as there were no biodiversity issues as there were not many trees within the area, the land was more made up of granite walls.

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:

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|---|---|
| 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 LA07/2025/0575/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.**

**(4) LA07/2025/0691/O**

On agenda as a result of the Call in Process

**Location:**
Between 2 and 8 Keelstown Road, Downpatrick, BT30 9AD

**Proposal:**

Infill site for 2 dwellings and domestic garages

**Conclusion and Recommendation from Planning Official:**
Refusal

**Power-point presentation:**
Mrs Ferguson detailed the application which sought outline permission for two dwellings with garages, noting that the case officer's report was taken as read, no objections had been received, and consultees had raised no concerns. She explained that, while there was a substantial and continuously built-up frontage comprising three buildings, the gap between them was too large, at approximately 110 metres, and could accommodate more than two dwellings. As such, it did not qualify as a small gap site under CTY8.

She added that the site formed an important visual break in the rural landscape and that the proposal would contribute to ribbon development. She also stated that the shared access arrangement was uncharacteristic of the area and would create a suburban-style form of development, contrary to rural character, with recent appeal decisions supporting this view. She concluded that the proposal failed to comply with the SPPS and Policies CTY1, CTY8 and CTY14 of PPS21, and recommended refusal.

**Speaking rights:**

In Support:

Mr Tumelty stated that he was representing the agent and applicant and addressed the three reasons for refusal, arguing that the proposal was similar to previous applications approved by the Council and maintained that the site constituted a valid gap site between Nos. 2 and 8, with a sufficient built-up frontage to meet policy requirements. He explained that the frontage of approximately 84 metres could accommodate two dwellings with plot widths comparable to neighbouring properties, supporting the case that the site was suitable for infill development. He noted that the Planning Department had accepted compliance with CTY13 and stated that paired entrances had been approved in the past, with no objections from Roads Service. In relation to CTY14, he explained that existing hedging had been removed due to ash dieback and could be replanted if permission were granted.
He highlighted that no objections had been received from consultees or the public and concluded that the site could accommodate two dwellings in line with policy.

Councillors Devlin and D Murphy requested clarification on the required substantial and continuous built-up frontage, to which Mr Tumelty confirmed that Nos. 2 and 8 Keelstown Road with a garage at No. 2 provided the frontage.

Councillor Hanna proposed to overturn the recommendation to an approval, stating that he believed the site was an appropriate infill site, accepted the frontage measurements provided by Mr Tumelty and that the proposal would not be prominent and would integrate with the surrounding area.

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: | 9 |
| AGAINST: | 0 |

ABSTENTIONS: 0

The proposal was declared carried.

**AGREED:** **On the proposal of Councillor Hanna, seconded by Councillor D Murphy, it was agreed to issue an approval in respect of planning application LA07/2025/0691/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.**

**The meeting did then recess – 11.30am**
**The meeting did then resume – 11.43am**

**(5) LA07/2025/0111/O**

On agenda as a result of the Call in Process

**Location:**
Land 50m NE of 36 Strangford Road, Ardglass, BT30 7SH

**Proposal:**
Two infill dwellings with ancillary garages

**Conclusion and Recommendation from Planning Official:**
Refusal

**Power-point presentation:**
Mrs Ferguson stated that the application sought outline permission for two dwellings with garages near Strangford Road, Ardglass, and that the case officer's report was taken as read. She noted that no objections had been received and consultees had raised no concerns, the site was located in the countryside and assessed under the SPPS and PPS21.

She explained that, although there was a substantial and built-up frontage between Nos. 36 and 40, the gap between them was too large at approximately 117m and could accommodate more than two dwellings. She added that the site formed an important visual break in an otherwise rural stretch of road, and its development would result in ribbon development, supported by a recent appeal decision.

Mrs Ferguson further stated that the proposal would require significant landscaping to integrate, would create a localised build-up of development, and would fail to respect the existing settlement pattern. She also highlighted that, as the site lay just outside the settlement limit of Ardglass, the proposal would contribute to urban sprawl into the countryside. She concluded that the proposal failed to comply with the SPPS and Policies CTY1, CTY8, CTY13, CTY14 and CTY15 of PPS21, and recommended refusal.

**Speaking rights:**

In Support:

Mr Ryan McBirney spoke in support of the application and addressed the Planning Department's main concerns regarding the gap site size, integration, and the distinction between settlement and countryside. He argued that the site was suitable for two dwellings, with plot widths and areas comparable to neighbouring properties and in keeping with the area's character. He noted that while three dwellings could physically fit, this would appear cramped and out of character, whereas two dwellings would align comfortably with the established pattern. On integration, he explained that most existing boundary features, including mature hedging, would be retained, with only minimal roadside vegetation removed for visibility, and that the site was already well enclosed without relying heavily on new landscaping. Regarding urban sprawl, he contended that the site already reads as part of the village, with nearby properties and road features, such as speed limits, marking a clear transition point, so development would not blur the settlement-countryside distinction. He concluded that the proposal complied with policy and should be approved.

Councillor D Murphy proposed to overturn the recommendation to an approval, stating that he felt the application was similar to others that had been dealt with at Committee and he was satisfied that the agent had satisfactorily addressed all the refusal reasons.

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 D Murphy, seconded by Councillor Rice, it was agreed to issue an approval in respect of planning application LA07/2025/0111/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.**

**(6) LA07/2024/1452/F**

On agenda as a result of the Call in Process

**Location:**
150m E of 32 Convent Road, Cabra, Newry, BT34 5EU

**Proposal:**
2 no. Glamping Pods with associated site works

**Conclusion and Recommendation from Planning Official:**
Refusal

**Power-point presentation:**
Mrs Ferguson outlined the application, noted that the case officer's report was taken as read, that no objections had been received and consultations raised no concerns.
She explained that the site lay in the countryside and that planning policy, including PPS16 for tourism, required developments to be appropriate, sustainable, and respectful of landscape and rural character, highlighting that a previous application for three pods had been refused. She stated that the site was too small, lacked landscape quality, and could not accommodate the pods without additional planting, which would still fail to fully screen the development. She added that the layout, parking, and access were inadequate, and that the site could not provide meaningful recreational space, resulting in a poor-quality tourist facility and advised that, even with planting, the development would be visible from the road and, in combination with nearby properties, would create a suburban-style build-up that was out of keeping with the traditional settlement pattern and rural character.

She concluded that the proposal was not acceptable in principle, did not meet tourism policy requirements, and could set a dangerous precedent, and recommended refusal.

**Speaking rights:**

In Support:

Mr Ryan Milligan spoke in support of the application, supported by Mr Declan Rooney, noting that a previous scheme for three pods had been refused. He advised that the applicant had reduced the proposal to two pods and undertaken additional planting along the northern boundary to aid integration. He noted that the proposal was a family-led initiative to provide sustainable tourism accommodation while allowing the applicant to care for a son with ongoing medical needs, making conventional employment difficult. He argued that the development was not purely commercial but also addressed essential family circumstances.

Mr Milligan contended that the correct policy to assess the application was TSM6, not TSM5, and highlighted that similar small-scale tourism developments had previously been approved. He emphasised that the pods were low-profile, modest in scale, visually well-screened by existing hedgerows, and would have minimal visual impact and that additional planting could further improve integration. He also addressed amenity concerns, stating that the proposed informal layout and standard open space were appropriate for rural tourism developments, and that the scheme would not create suburban-style build-up or harm rural character. He concluded that the proposal complied with relevant policy, was consistent with previous approvals, enhanced local tourism, and supported the family's needs.

Following a query from Councillor Hanna about other sites referenced by the agent in his presentation, Mrs Ferguson advised that each application was considered on its own merits, with a lot of contributory factors such as topography, landscape and localised planting.

Following a query from Councillor Devlin regarding TSM5 and TSM6, Mrs Ferguson confirmed that both TSM5 and TSM6 were considered when processing the application for completeness.

Councillor Devlin queried whether feedback had been provided to the agent regarding the refusal of 3 pods, to which Mr Declan Rooney advised that it had been submitted by a different agent however the applicant had added additional planting and was content for a condition regarding additional planting as needed.

Councillor Hanna requested confirmation on his understanding that the proposal was considered temporary as the land would have to be reverted to its original state if it closed.

Mrs Ferguson advised that the application would be considered permanent, while Mr Declan Rooney confirmed that should the proposal not work out, that a condition could be applied that the site be decommissioned.

Councillor Larkin queried whether such a condition could be applied to which Mrs Ferguson confirmed that it could.

Councillor McAteer proposed to overturn the recommendation to an approval, stating that the applicant had reduced the scale of the proposal and planted additional planting which showed a willingness to engage with the Planning Department, taking consideration of the family circumstances and he believed that there was sufficient integration to satisfy the relevant policies.

Councillor Larkin confirmed with Councillor McAteer that he was content that the agent had applied the correct policy in TSM6, which he confirmed that he was.

The proposal was seconded by Councillor S Murphy.

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 McAteer, seconded by Councillor S Murphy, it was agreed to issue an approval in respect of planning application LA07/2024/1452/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.**

**(7) LA07/2024/1017/F**

On agenda as a result of the Call in Process

**Location:**
On lands 70m East of No.66 Drumnaconagher Road, Downpatrick

**Proposal:**
Erection of house and garage on farm as per PPS21 CTY10

**Conclusion and Recommendation from Planning Official:**
Refusal

**Power-point presentation:**
Mrs Ferguson stated that the application sought outline permission for a dwelling and garage on a farm near Drumnaconagher Road, Downpatrick, and that the case officer's report was taken as read. She noted that no objections had been received and consultees had raised no concerns, but the site was located in the countryside and assessed under the SPPS and relevant planning policies.

Mrs Ferguson explained that while criteria (a) and (b) of CTY10 had been met, the proposal failed criterion (c) as the chosen site was located across a lane from the existing farm buildings, resulting in unacceptable separation and lack of visual linkage or clustering and added that more suitable sites appeared to be available closer to the existing buildings, and the justification provided for the chosen site was not considered sufficient. She concluded that the proposal failed to comply with CTY10 and CTY13 and recommended refusal.

**Speaking rights:**

In Support:

Mr William Wallace spoke in support of the application, noting that the case officer had accepted that criteria (a) and (b) were met of CTY10, with disagreement only on criterion (c). He argued that the proposal satisfied this requirement, maintaining that the dwelling was visually linked to the existing farm buildings, with clear intervisibility and close proximity, as acknowledged in the officer's report. He emphasised that CTY10 required a dwelling to be either visually linked or clustered, not both, and stated that the proposal met the visual linkage test. He also highlighted that the site benefited from existing mature landscaping, was not prominent, and had limited visibility from public viewpoints. He further noted that no objections had been received from consultees or neighbours and that the siting issue had only been raised late in the process.

Councillor Larkin clarified that the site would be accessed by a private lane, close to a public road to which Mr Wallace confirmed that it was located on a private lane that comprised of a public right of way and it would not be visible from the road due to undulating nature of the area.

Councillor Larkin proposed to overturn the recommendation to an approval, stating that he believed from the visuals presented by agent and officer that the application complied with all criteria of CTY10.

This 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: | 9 |
| AGAINST: | 0 |
| ABSTENTIONS: | 0 |

The proposal was declared carried.

**AGREED:** **On the proposal of Councillor Larkin, seconded by Councillor Clarke, it was agreed to issue an approval in respect of planning application LA07/2024/1017/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 NOTING**

**P/024/2026:** **HISTORIC ACTION SHEET**

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

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

**There being no further business the meeting ended at 12.25pm**

**Signed: _____ Chairperson**

**Signed: _____ Chief Executive**

**NB: 70% 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 22 April 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:

- **LA07/2024/0605/F and LA07/2024/0608/LBC-** disused Old Church of Ireland Approx. 60m NNE of 5A Church Hill, Jonesborough, Newry BT35 8SG - Proposed change of use from disused Church Premises to sandwich bar/coffee shop/restaurant with the use of Newry, Mourne and Down District Council adjacent car park and extension accommodating kitchen and WCs.
  **APPROVAL**

**-o-o-o-o-o-o-**

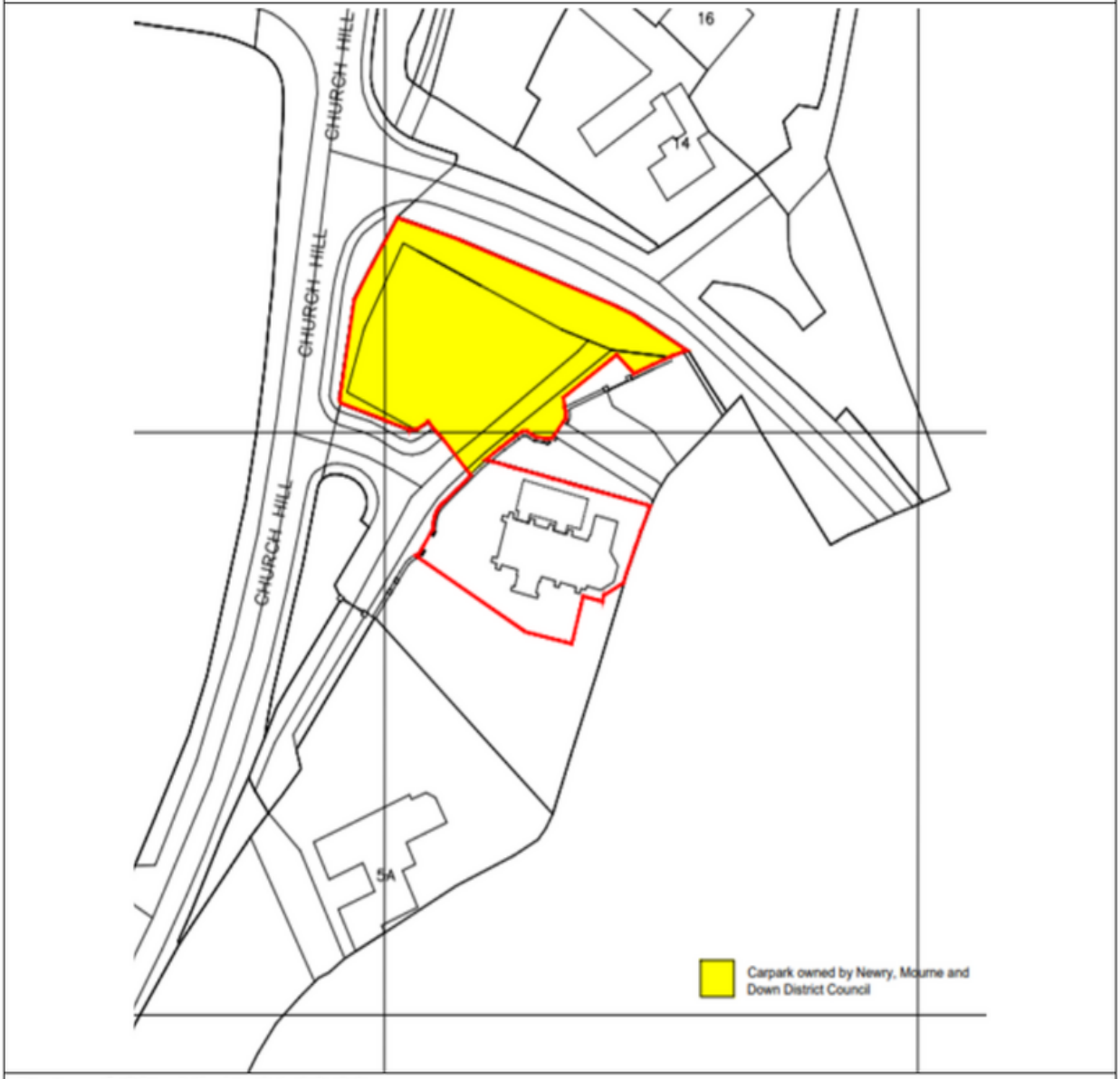
# Committee Report

| Development Management Officer Report | |
|---|---|
| **Case Officer:** Joseph McKee | |
| **Application ID:** LA07/2024/0605/F | **Target Date:** |
| **Proposal:**<br>Proposed change of use from Church Premises [Disused] to sandwich bar/coffee shop/restaurant with the use of Newry, Mourne and Down District Council adjacent car park and extension accommodating kitchen and WCs. (amended description) | **Location:**<br>Old Church of Ireland (disused)<br>Approx. 60m NNE of 5A Church Hill, Jonesborough, Newry<br>BT35 8SG |
| **Applicant Name and Address:**<br>Don Ryan<br>1 North Street<br>Stewartstown<br>Dungannon<br>BT715JE | **Agent Name and Address:**<br>Trevor Hutton<br>169 Coagh Road<br>Stewartstown<br>Dungannon |
| **Date of last Neighbour Notification:** | 7 February 2025 |
| **Date of Press Advertisement:** | 5 February 2025 |
| **EIA Determination:** EIA not required | |
| **Consultations:**<br><br>HED (23.10.25): Advise this scheme is acceptable to PPS 6 policy requirements subject to archaeological conditions.<br><br>DfI Roads (22.01.25): No objection in principle to proposal.<br><br>NI Water (21.01.25): No objection subject to conditions.<br><br>Environment, Marine & Fisheries Group and NIEA (17.02.25): No objection; standing advice provided.<br><br>Shared Environmental Service (10.02.25): Having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.<br><br>Environmental Health (05.02.25): No objection subject to informatives. | |
| **Representations:** The application was advertised and a neighbour notification letter was sent 24.01.25. No representations in support or in objection to the application were received. | |

| | |
|---|---|
| Letters of Support | 0.0 |
| Letters of Objection | 0.0 |
| Petitions | 0.0 |
| Signatures | 0.0 |
| Number of Petitions of Objection and signatures | |
| **Summary of Issues:** Extent to which proposed development complies with the relevant policy framework; as set-out within the body of this report. | |

# Site Visit Report

**Site Location Plan:**




**Date of Site Visit:** 04.02.26

**Characteristics of the Site and Area**

The application site is partially located within the defined settlement boundary of Jonesborough Village; in that the disused church is within the defined settlement boundary and the associated car park; north-west of the building, is located outside of the settlement boundary.

The site contains a disused deconsecrated church building which is a Grade B2 Listed Building and understood to have been constructed 1866. The listed building is described by HED as *a pleasantly sited granite church set within a churchyard overlooking the Ring of Gullion. Although its has lost most of its internal furnishings, it retains much of its*

*external character and is a significant feature here.* An associated graveyard sites rear of the building however this site outside of the red-line of this application. The application site is located on the boundary with the Republic of Ireland; with the border being directly south-east of the building. East of the listed building is the N1; noting this is located within the Republic of Ireland; leading to the A1 further north.

The site is located within the Ring of Gullion designed AONB.

**Description of Proposal**

This application proposes the change of use from a church to a sandwich bar/coffee shop/restaurant with the use of publicly owned adjacent car park. The works proposed involve a single-storey side extension which would accommodate the proposed kitchen and WCs.

**Planning Assessment of Policy and Other Material Considerations**

PLANNING HISTORY

Application Number: P/1992/0009 Decision: Permission Granted Decision Date: 23 April 1992
Proposal: Alterations to Church by removal of stained glass windows, bell, communion rails and inscribed memorial (listed building consent)

Application Number: P/1997/0046 Decision: Consent Refused Decision Date: 14 October 2005
Proposal: Conversion of vacant Church to Bed & Breakfast accommodation (Listed Building Consent)

PLANNING POLICIES & MATERIAL CONSIDERATIONS

This application will be assessed against the following planning policies:

- Banbridge, Newry and Mourne Area Plan 2015
- Regional Development Strategy
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- DCAN 4 - Restaurants, Cafes and Fast Food Outlets
- Planning Policy Statement 6 Planning, Archaeology and Built Heritage
- Planning Policy Statement 3 Access, Movement and Parking
- DCAN 15 - Vehicular Access Standards
- Parking 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 in part within the defined settlement boundary of Jonesborough; with the associated car-park being located outside of the settlement boundary.

There are no specific policies in the Plan relating to the proposed use. However, the Plan does set-out that "centres" have not been identified within village settlement boundaries owning to any growth being likely to be small and therefore should be considered within the context of prevailing regional policies. Whilst this primarily relates to retail applications, it is appropriate regards other appropriate town-centre uses, such as café/restaurant.

**Regional Development Strategy**

The Strategy sets out regional guidance to "Conserve, protect and where possible, enhance our built heritage and our natural environment". It recognises that Northern Ireland has a rich and diverse archaeological and built heritage which contributes to our sense of place and history. It also regards built heritage as a key marketing, tourism and recreational asset that, if managed in a sustainable way, can make a valuable contribution to the environment, economy and society. It sets out regional strategic objectives for archaeology and built heritage including to deliver economic and community benefit through conservation that facilitates productive use of built heritage assets and opportunities for investment, whilst safeguarding their historic or architectural integrity.

**The Strategic Planning Policy Statement for Northern Ireland (SPPS)**

The SPPS states that planning authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Regards heritage assets, paragraph 6.13 states that development involving a change of use and/or works of extension/alteration may be permitted, particularly where this will secure the ongoing viability and upkeep of the building. It is important that such development respects the essential character and architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired. Proposals should be based on a clear understanding of the importance of the building/place/heritage asset, and should support the best viable use that is compatible with the fabric, setting and character of the building. Applicants should justify

their proposals, and show why alteration or demolition of a listed building is desirable or necessary.

Paragraph 6.274 sets out that town centres are important hubs for a range of land uses and activities, and can have a positive impact on those who live, work and visit them. They provide a wide variety of retailing and related facilities, including employment, leisure and cultural uses. Our towns' high streets also play an important role in bringing people together and can foster a sense of community and place. Within smaller settlements, "centres" are not defined within settlement limits across the district however the town-centre first principles as set out by the relevant policy framework, are promoted as relevant depending on the nature of any individual application.

Paragraph 6.285 states policies and proposals for shops in villages and small settlements must be consistent with the aim, objectives and policy approach for town centres and retailing, meet local need (i.e. day-to-day needs), and be of a scale, nature appropriate.

**DCAN 4**

Paragraph 4.12 sets out that regards the change of use of retail/non-retail premises to restaurants, cafes and fast-food outlets in district and local centres, a number of factors need to be considered which include the impact of development on the vitality and viability of the centre and the need for local retailing. Further, the note sets out matters related to the design quality within its context.

Analysis

In the context of the applicable relevant policy framework as outlined, the proposed change of use to a café/restaurant use, is in principle appropriate within the settlement boundary of Jonesborough village. This is owing in part due to the development proposed not resulting in the loss of any retail or an appropriate town-centre use, but also due to the application resulting in a use in principle compatible within a settlement boundary. Further, the principle of the application should be balanced with relevant policies regards the re-use of the existing listed building. The proposed change of use, would secure the ongoing viability and upkeep of the building; in accordance with the SPPS.

**PPS 6 – Planning, Archaeology and Built Heritage**

Policy BH 7 (Change of Use of a Listed Building) sets-out that this will normally be acceptable where the development proposed secures the listed building's upkeep and the character and architectural or historic interest of the building would be preserved or enhanced. Policy states that proposals for a change of use should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.

Policy BH 8 (Extension or Alteration of a Listed Building) states this will be normally only granted consent if a set-out criteria is satisfied; as set-out below:

(a) The essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;
(b) The works proposed make use of traditional and/or sympathetic building material and techniques which match or are in keeping with those found on the building; and
(c) The architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.

This application proposes a side-extension which would function in part as a kitchen and store as well as a front-of-house area hosting 2no. WC's. It would be located off-of the northern side elevation of the listed building; it would be set off-of the listed building's side elevation by approximately 1.7m, and would be linked at 2no. points by vertical metal cladding links. The proposed extension would have a hip-to-gable form, with an eaves height of approximately 2.8m and a maximum ridge height of approximately 7m and having a gross internal floorspace area of approximately 53sqm. All external facing materials; elevations and roof of the proposed extension would be finished in a metal cladding; in an anthracite grey colour.

Regards the listed building, external alterations and works are limited over and above enabling works to construct the proposed side extension as well as the replacement of windows. The building's windows, which are non-original, are in a state of disrepair, with some of which being broken. It is understood application P/1992/0009 approved the removal of some original historic fabric, including the windows. The applicant proposes, within the western (main road frontage) elevation, the replacement of the existing non-original windows with stained glass replacements in traditional design and colour. All other windows; which are as stated, non-original with visible damage at points, are to be replaced with clear glass; similar to the existing. This application does not propose to undertake any works affecting the roof of the listed building.

As shown on the Proposed Ground Floor Plan (dwg. No. BC-A-006), as labelled "Dining Zone 1", the "External Porch" and "Servery Counter areas", would have exposed stone/brick walls with stated careful "coordination" of services. The new-build "links" between the proposed side extension and the listed building, "Dining Zone 2" and the "Vestry" will be coated in a diathonite thermactive finish. Plans submitted also provide detail as to the proposed part suspended floor; which would span the majority of the floor area of the building including the vestry area. It is not proposed to be used in what would be the entrance area of the central floor area, owing to the proposed retaining of existing decorative floor tiles.

HED state no objection to the proposed development and conclude accordance with PPS 6 subject to appropriate conditions including requiring all fenestration (regards the proposed extension) be aluminium to ensure compliance with plans submitted as well

as requiring details/samples of particular external facing materials prior to commencement.

**PPS 3 – Access, Movement and Parking**

DfI Roads were consulted on this application and state no objection in principle to this application.

PPS 3 sets out the Department's planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking. It forms an important element in the integration of transport and land use planning. Policy AMP7 of PPS3 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. Parking standards dictate regards a restaurant use, 1no. space per 3m2 (NFA) should be provided as well as appropriate operational parking space.

The site is accessed off-of the eastern side of Church Hill. This access also serves the neighbouring existing dwelling; no. 5a Church Hill as well as the application site. An existing tarmac surfaced, large unmarked car-park, understood in public ownership is located north-east of the application building. The policy allows for flexibility to be used in the assessment of car parking. It is concluded that the site context, owing to the existing adjacent car-park and the site's location; within proximity to the N1/A1 amongst other relevant considerations, the proposal is considered to comply with Policy AMP 7 of PPS 3 and would have no unacceptable impact to the surrounding highways network by reason of safety or capacity.

**AONB**

The application site is located within the designated Ring of Gullion AONB. The applicant has submitted a Biodiversity Checklist in support of this application. The application is a change of use application within an existing building albeit with an extension being proposed, which results in a reduction in floorspace. Officers are satisfied the proposed development would not result in any unacceptable adverse impact to the AONB.

**Neighbour Notification Checked** Yes

**Summary of Recommendation**

On the basis of this assessment the proposal accords with the local development plan and relevant planning policy, approval is recommended.

All information submitted has been duly considered throughout the assessment and processing of this application.

**Conditions:**

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The development hereby approved shall be developed and operated in accordance with the plans and documents referenced at the beginning of this decision notice.

   Reason: To ensure that the development is developed/operated in accordance with the approved plans and documents.

3. Development shall not be occupied until the foul water drainage works on-site and off-site have been submitted to and approved by the relevant authority and constructed by the developer in line with approved design.

   Reason: In the interest of public health.

4. Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority.

   Reason: To safeguard the site and adjacent land against flooding and standing water.

5. No development shall take place until samples and details of materials to be used for the cladding for the roof and elevations of the hereby approved extension as well as windows and links are submitted by the applicant and approved in writing by Newry, Mourne and Down District Council. The development shall be built out strictly in accordance with the approved detail.

   Reason: to ensure the materials are sympathetic to the listed building.

6. All repairs to listed former church building shall be in traditional and sympathetic materials and the development shall accord with the below:

   a) Stone as existing
   b) Lime pointing to walls
   c) Cast iron or heavy section aluminium rainwater goods
   d) Timber doors and windows

   Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

7. No fixtures to the building for services, other than those detailed on drawings, are permitted under this application.

Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

8. Installations for services or other items shall use non-ferrous fixings, and shall fix into mortar joints rather than compromise historic surfaces.

   Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

9. A methodology from Conservation specialist contractor for alterations to cill heights and associated alterations shall be provided prior to work being carried out.

   Reason: To ensure the special interest of the listed building is retained.

10. Under no circumstance should power tools be used to carry out work to the listed church.

    Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

11. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry, Mourne and Down District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

    a) The identification and evaluation of archaeological remains within the site;
    b) Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in situ;
    c) Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
    d) Preparation of the digital, documentary and material archive for deposition.

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

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

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

13. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 11.

    These measures shall be implemented and a final archaeological report shall be submitted to Newry, Mourne and Down District Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Newry, Mourne and Down District Council.

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

**Informatives**

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

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

3. The use of an onsite wastewater treatment works or a septic tank, (on the basis of one for each dwelling) is subject to the written consent being obtained from Northern Ireland Environment Agency. Where approval to use a private septic tank disposal system is granted, and the applicant wishes NI Water to provide a periodic desludging service, the applicant must complete the necessary 'Form of Agreement' and adhere to the construction conditions contained therein. Further information is available on www.niwater.com

4. An application to NI Water is required to obtain approval to connect. Applications and guidance notes can be found at www.niwater.com at the following link - https://www.niwater.com/services-fordevelopers/multi-unit-developments/water-services/new-water-connections/

5. NIW public watermain/s traversing the proposed development site - No construction to be made, trees planted or other obstruction made within the permitted wayleave width. Any construction near to watermains greater than 300mm requires consultation and approval from NI Water. A diversion may be necessary. Details of which can be found within NIW guidance notes, available at the link below. A diversion may be necessary. No development shall commence until the applicant has demonstrated to the satisfaction of the council that NIW are content that the proposed development will not affect this watermain, and sufficient drawings have been submitted, which clearly indicate the required wayleaves. The applicant is advised to obtain a records map from NIW and establish the exact location of the infrastructure within the site, and how it may affect the proposal. Further Consultation with NIW Developer Services developerservices@niwater.com is required at an early design stage. Further information, guidance notes and applications can be downloaded from NIW website at https://www.niwater.com/services-for-developers/homeowners/closeproximity/watermain/

6. Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, all works on site should immediately cease. The Environmental Health Department should be informed and a full written risk assessment in line with the current government guidance (Model Procedures for the Management of Land Contamination – CLR11) that details the nature of the risks and necessary mitigation measures should be prepared and submitted for appraisal.

7. All waste generated by the development, e.g. demolition waste (as applicable) being handled/disposed of so as to ensure compliance with the Waste & Contaminated Land (NI) Order 1997 and subordinate Regulations. (Special requirements would apply in respect of, for example, asbestos or other hazardous waste). Further information regarding handling and disposal of such waste can be obtained from the Land & Resource Management Unit of the Northern Ireland Environment Agency, Department of Agriculture, Environment and Rural Affairs NI, – telephone 0300 200 7856.

8. The proposed development should be connected to the main sewer, with NI Water approval or alternative arrangements outlined for consideration. As stipulated a package treatment plant - Therefore a consent to discharge under the Water Order 1999 shall be required. A Water Order Consent application form can be obtained by applying to Water Management Unit, Calvert House, 17 Antrim Road, Lisburn, Co. Antrim, BT28 3AL. The applicant is to be advised that no work should be undertaken until such is approved. The applicant must ensure that sufficient land is, and will be, available in the final development to accommodate septic tank and effectual effluent dispersal system. To achieve this, the applicant should engage the service of a suitably qualified person.

9. The applicant is advised to refer to the informative advice provided by consultees in their responses which are available to view at https://planningregister.planningsystemni.gov.uk/simple-search

**Case Officer Signature: J MCKEE**

**Date:** 25 March 2026

**Appointed Officer Signature: A Loughan**

**Date:27/03/2026**

# Committee Report

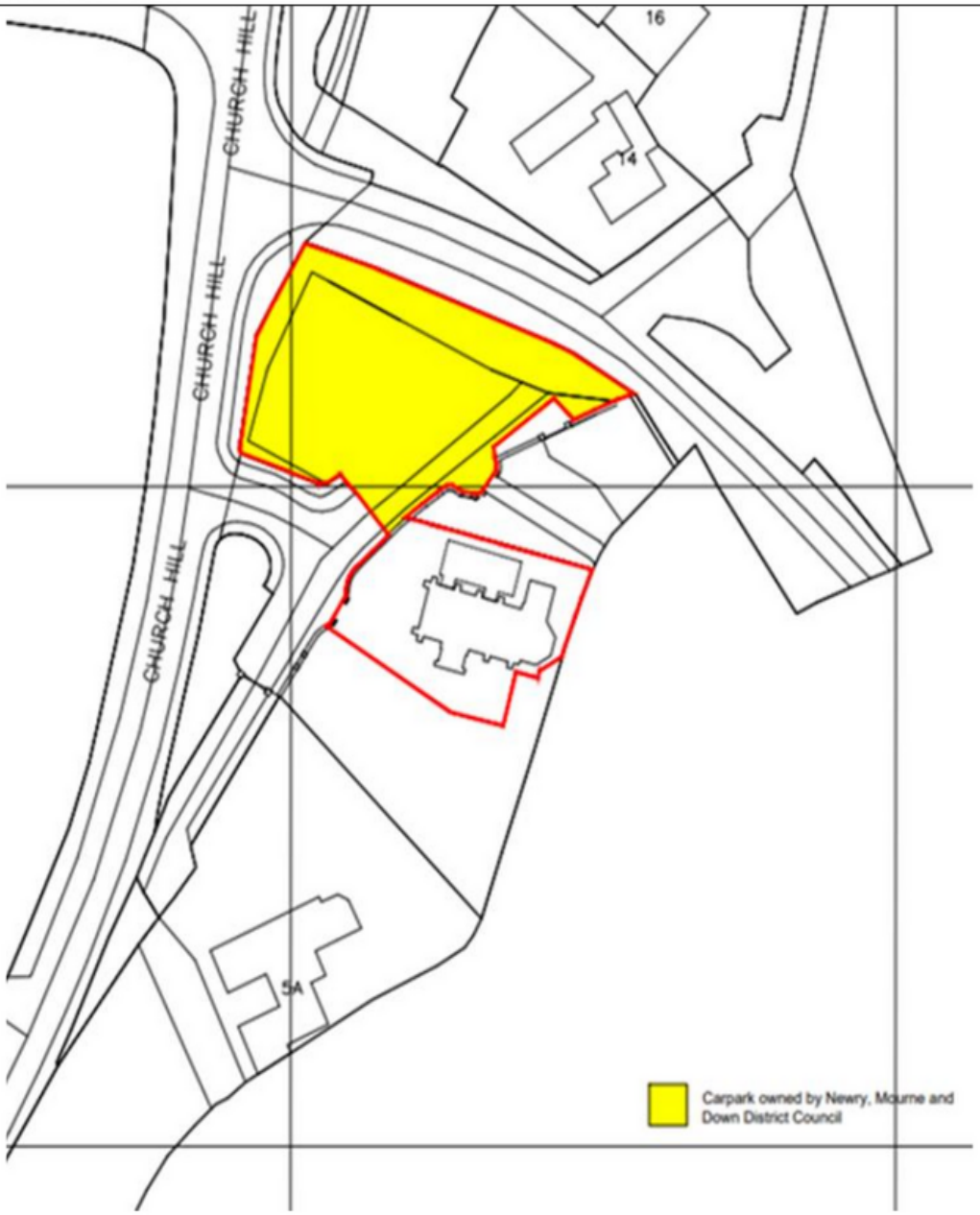
| Development Management Officer Report | |
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| **Case Officer:** Joseph McKee | |
| **Application ID:** LA07/2024/0608/LBC | **Target Date:** |
| **Proposal:**<br>Proposed change of use from Church Premises [Disused] to sandwich bar/coffee shop/restaurant with the use of Newry, Mourne and Down District Council adjacent car park to facilitate the premises including extension for kitchen and WC's. (Revised description) | **Location:**<br>Old Church of Ireland (disused)<br>Approx. 60m NNE of 5A Church Hill, Jonesborough, Newry<br>BT35 8SG |
| **Applicant Name and Address:**<br>Don Ryan<br>1 North Street<br>Stewartstown<br>Dungannon<br>BT715JE | **Agent Name and Address:**<br>Trevor Hutton<br>169 Coagh Road<br>Stewartstown<br>Dungannon |
| **Date of last Neighbour Notification:** | NA |
| **Date of Press Advertisement:** | 19 February 2025 |
| **EIA Determination:** NA | |
| **Consultations:**<br><br>HED: Advise this scheme is acceptable to PPS 6 policy requirements subject to archaeological conditions. | |
| **Representations:** NA | |

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| 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:** Extent to which proposed development complies with the relevant policy framework; as set-out within the body of this report.

## Site Visit Report

**Site Location Plan:**




**Date of Site Visit: 04.02.26**

**Characteristics of the Site and Area**

The application site is partially located within the defined settlement boundary of Jonesborough Village; in that the disused church is within the defined settlement boundary and the associated car park; north-west of the building, is located outside of the settlement boundary.

The site contains a disused deconsecrated church building which is a Grade B2 Listed Building and understood to have been constructed 1866. The listed building is described by HED as *a pleasantly sited granite church set within a churchyard overlooking the Ring of Gullion. Although its has lost most of its internal furnishings, it retains much of its external character and is a significant feature here.* An associated graveyard sites rear of the building however this site outside of the red-line of this application. The application site is located on the boundary with the Republic of Ireland; with the border being directly south-east of the building. East of the listed building is the N1; noting this is located within the Republic of Ireland; leading to the A1 further north.

The site is located within the Ring of Gullion designed AONB.

**Description of Proposal**

This application seeks listed building consent for the proposed change of use from a church to a sandwich bar/coffee shop/restaurant with the use of publicly owned adjacent car park. The works proposed involve a single-storey side extension which would accommodate the proposed kitchen and WCs.

**Planning Assessment of Policy and Other Material Considerations**

PLANNING HISTORY

Application Number: P/1992/0009 Decision: Permission Granted Decision Date: 23 April 1992
Proposal: Alterations to Church by removal of stained glass windows, bell, communion rails and inscribed memorial (listed building consent)

Application Number: P/1997/0046 Decision: Consent Refused Decision Date: 14 October 2005
Proposal: Conversion of vacant Church to Bed & Breakfast accommodation (Listed Building Consent)

PLANNING POLICIES & MATERIAL CONSIDERATIONS

This application will be assessed against the following planning policies:

- Banbridge, Newry and Mourne Area Plan 2015
- Regional Development Strategy
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 6 Planning, Archaeology and Built Heritage
- Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside

CONSIDERATION AND ASSESSMENT

**Regional Development Strategy**

The Strategy sets out regional guidance to "Conserve, protect and where possible, enhance our built heritage and our natural environment". It recognises that Northern Ireland has a rich and diverse archaeological and built heritage which contributes to our sense of place and history. It also regards built heritage as a key marketing, tourism and recreational asset that, if managed in a sustainable way, can make a valuable contribution to the environment, economy and society. It sets out regional strategic objectives for archaeology and built heritage including to deliver economic and community benefit through conservation that facilitates productive use of built heritage assets and opportunities for investment, whilst safeguarding their historic or architectural integrity.

**The Strategic Planning Policy Statement for Northern Ireland (SPPS)**

Regards heritage assets, paragraph 6.13 states that development involving a change of use and/or works of extension/alteration may be permitted, particularly where this will secure the ongoing viability and upkeep of the building. It is important that such development respects the essential character and architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired. Proposals should be based on a clear understanding of the importance of the building/place/heritage asset, and should support the best viable use that is compatible with the fabric, setting and character of the building. Applicants should justify their proposals, and show why alteration or demolition of a listed building is desirable or necessary.

**PPS 6 – Planning, Archaeology and Built Heritage**

Policy BH 2 (The Protection of Archaeological Remains of Local Importance and their Settings) sets out that development proposals which would adversely affect archaeological sites or monuments which are of local importance or their settings will only be permitted where it is considered the importance of the proposed development or other material considerations outweigh the value of the remains in question.

Policy BH 3 (Archaeological Assessment and Evaluation) sets out where the impact of a development proposal on important archaeological remains is unclear, or the relative importance of such remains is uncertain, the Department will normally require developers to provide further information in the form of an archaeological assessment or an archaeological evaluation.

Policy BH 7 (Change of Use of a Listed Building) sets-out that this will normally be acceptable where the development proposed secures the listed building's upkeep and the character and architectural or historic interest of the building would be preserved or enhanced. Policy states that proposals for a change of use should incorporate details of

all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.

Policy BH 8 (Extension or Alteration of a Listed Building) states this will be normally only granted consent if a set-out criteria is satisfied; as set-out below:

(a) The essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;
(b) The works proposed make use of traditional and/or sympathetic building material and techniques which match or are in keeping with those found on the building; and
(c) The architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.

Analysis

This application for listed building consent proposes a side-extension which would function in part as a kitchen and store as well as a front-of-house area hosting 2no. WC's. It would be located off-of the northern side elevation of the listed building; it would be set off-of the listed building's side elevation by approximately 1.7m, and would be linked at 2no. points by vertical metal cladding (Sculpnorm Fine Line 300) links. The proposed extension would have a hip-to-gable form, with an eaves height of approximately 2.8m and a maximum ridge height of approximately 7m and having a gross internal floorspace area of approximately 53sqm. All external facing materials; elevations and roof of the proposed extension would be finished in a metal cladding; in an anthracite grey colour.

Regards the listed building, external alterations and works are limited over and above enabling works to construct the proposed side extension as well as the replacement of windows. The building's windows, which are non-original, are in a state of disrepair, with some of which being broken. It is understood application P/1992/0009 approved the removal of some original historic fabric, including the windows. The applicant proposes, within the western (main road frontage) elevation, the replacement of the existing non-original windows with stained glass replacements in traditional design and colour. All other windows; which are as stated, non-original with visible damage at points, are to be replaced with clear glass; similar to the existing. This application does not propose to undertake any works affecting the roof of the listed building.

As shown on the Proposed Ground Floor Plan (dwg. No. BC-A-006), as labelled "Dining Zone 1", the "External Porch" and "Servery Counter areas", would have exposed stone/brick walls with stated careful "coordination" of services. The new-build "links" between the proposed side extension and the listed building, "Dining Zone 2" and the "Vestry" will be coated in a diathonite thermactive finish. Plans submitted also provide detail as to the proposed part suspended floor; which would span the majority of the floor area of the building including the vestry area. It is not proposed to be used in what would

be the entrance area of the central floor area, owing to the proposed retaining of existing decorative floor tiles.

HED state no objection to the proposed development and conclude accordance with PPS 6 subject to appropriate conditions including requiring all fenestration (regards the proposed extension) be aluminium to ensure compliance with plans submitted as well as requiring details/samples of particular external facing materials prior to commencement.

Regards the adjacent associated graveyard, HED recommend conditions related to archaeology, requiring a programme of archaeological work (POW) to be submitted and approved by the LPA prior to the commencement of works on site.

The principle of the application has been balanced with relevant policies regards the change of use and re-use of the existing listed building as well as the proposed extension within the curtilage of the listed building. The proposed development would secure the ongoing viability and upkeep of the building; in accordance with the SPPS. The development, subject to conditions, which has not been objected to by HED and would enhance the listed building and acceptably preserve the character and the architectural and historical interest of the building.

**Neighbour Notification Checked** Yes

**Summary of Recommendation**

On the basis of this assessment the proposal accords with the local development plan and relevant planning policy, it is recommended consent is granted.

All information submitted has been duly considered throughout the assessment and processing of this application.

**Conditions:**

1. The works hereby permitted shall be begun no later than the expiration of 5 years beginning with the date on which this consent is granted.

   Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

2. The development hereby approved shall be developed and operated in accordance with the plans and documents referenced at the beginning of this decision notice.

   Reason: To ensure that the development is developed/operated in accordance with the approved plans and documents.

3. No development shall take place until samples and details of materials to be used for the cladding for the roof and elevations of the hereby approved extension as well as windows and links are submitted by the applicant and approved in writing by Newry, Mourne and Down District Council. The development shall be built out strictly in accordance with the approved detail.

   Reason: to ensure the materials are sympathetic to the listed building;

4. All repairs to listed former church building shall be in traditional and sympathetic materials and the development shall accord with the below:

   a) Stone as existing
   b) Lime pointing to walls
   c) Cast iron or heavy section aluminium rainwater goods
   d) Timber doors and windows

   Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

5. No fixtures to the building for services, other than those detailed on drawings, are permitted under this application.

   Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

6. Installations for services or other items shall use non-ferrous fixings, and shall fix into mortar joints rather than compromise historic surfaces.

   Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

7. A methodology from Conservation specialist contractor for alterations to cill heights and associated alterations shall be provided prior to work being carried out.

   Reason: To ensure the special interest of the listed building is retained;

8. Under no circumstance should power tools be used to carry out work to the listed church.

   Reason: To ensure the listed building fabric is not negatively impacted by the proposal.

9. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry, Mourne and Down

District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

a) The identification and evaluation of archaeological remains within the site;
b) Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in situ;
c) Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
d) Preparation of the digital, documentary and material archive for deposition.

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

10. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 9.

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

11. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 9.

These measures shall be implemented and a final archaeological report shall be submitted to Newry, Mourne and Down District Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Newry, Mourne and Down District Council.

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

**Informatives**

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

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

3. The applicant is advised to refer to the informative advice provided by consultees in their responses which are available to view at https://planningregister.planningsystemni.gov.uk/simple-search

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| **Case Officer Signature: J MCKEE**<br><br>**Date:** 25 March 2026 |
| **Appointed Officer Signature:A Loughan**<br><br>**Date:27/03/2026** |

# Delegated Application

| Development Management Officer Report | |
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| **Application ID:** LA07/2024/0749/F and LA07/2024/0547/F | |
| **Application 1:**<br><br>**Proposal:** Section 54 application for non-compliance with condition No. 9 (Social Housing Provision of Planning Approval LA07/2021/2131/F)<br><br>**Location:** Land adjacent and to the west of Sacred Heart Grammar School, 10 Ashgrove Avenue, Newry, BT34 1PR<br><br>**Application 2**:<br><br>**Proposal:** Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking<br><br>**Location:** Lands opposite No 1 Ashgrove Avenue, Carneyhough. Newry, BT34 1PR | |
| **Applicant Name and Address:**<br>Enda Boylan<br>Marmions Yard<br>Seavers Road<br>Newry<br>BT35 8NA | **Agent Name and Address:**<br>Eoin Morgan<br>32a Bryansford Avenue<br>Newcastle<br>BT33 0LG |
| **Date of last Neighbour Notification:** | **Application 1:** 27 December 2024<br><br>**Application 2:** 9th September 2024 |
| **Date of Press Advertisement:** | **Application 1:** 23/24th July 2024 and 21st August 2025 (change of proposal description)<br>**Application 2:** 24 July 2024 and April 26 (Change of proposal description) |
| **ES Requested:** No | |
| **Consultations:**<br><br>**Application 1 (LA07/2024/0749/F):**<br><br>**NIHE (14.03.25)** - If NMD Council are content that the applicant has provided sufficient evidence that social housing cannot be provided on this zoned site NY50 and justification for the alternative off- site provision of the social housing requirement then the Housing Executive will offer no further objection to the removal of this condition. We | |

would, however, seek assurance from the council that they are content that the Section 76 agreement will secure the delivery of social housing on the alternative site by way of phasing and that the private housing should not be occupied until the social housing is fully occupied.

**NIHE (20.12.24)** – The HE are minded to object to the removal of Condition 9, unless the Council can provide assurances that a legal agreement, such as a Section 76 Planning Agreement, could be attached to a off-site provision of the equivalent number of social housing units. However, this also raises the question as to whether a new planning application is required for the provision of social housing on the 'off site provision lands' to be considered.

HE support for any off-site provision would be depended on the suitability of the alternative site for social housing i.e. the location of an type, number and mix of units proposed. The timing of delivery is an added concern.

Minded to object to the removal of condition No.9 unless the Council can provide assurances that a legal agreement such as a section 76 Planning Agreement could be attached to an off-site provision of the equivalent number of social housing units.

**Dev Plan (03.02.25**) – If delivery of the social houses in this instance is secured on an alternative site via a Section 76 agreement then we would be content in principle.

**Application 2 (LA07/2024/0547/F):**

DFI Roads (17.03.25) - Subject to conditions and informative
NIHE (14.03.25) – Same as above
Rivers (22.11.24) – No objections raised
EH (0909.24) – Subject to condition
NIW (21.10.24) – No objection
SES (21.10.24) – No objection subject to condition
Loughs Agency (26.09.24) – Concern relating to waste treatment infrastructure
HED (13.09.24) – No objection
NIEA (11.09.24) Water Man – Potential to impact and NED -Biodiversity checklist defer to Planning

**Representations: Application 1 (LA07/2024/0749/F):** 2 letters of representation

**Application 2 (LA07/2024/0547/F):** No letters of representation received

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| Letters of Support | 0 |
| Letters of Objection | 2 (Application 1 – LA07/2024/0749/F) |
| Petitions | 0 |
| Signatures | 0 |

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|---|---|
| Number of Petitions of Objection and signatures | |

**Summary of Issues – representation relating to Application 1 LA07/2024/0749/F:**

- No information in relation to the removal of condition no.9 available to review

  *Proposals relate to the non-complaince of a planning condition of LA07/2021/2131/F, plans etc will be the same as approved under this application – the details of which can be obtained from the planning portal including published details relating to the application file.*

- What proposal has been submitted in relation to site boundary's

  *The boundary between the site and Cloverdale will remain as is in that existing vegetation will be retained as shown on drawing 09 REV C – Site Plan with related conditions 02 of the decision notice LA07/2021/2131/F requiring development to be in accord with approved plans.*

- Overlooking neighbouring properties

  *The residential element has been established through the original planning permission LA07/2021/2131/F issues relating to amenity are not revisited as these had previously been considered. Proposals do not change from previous other than relating to the non-complaince of a social housing condition. Nevertheless, development is sufficiently removed from properties to avoid any overlooking.*

- Object to the contractor's intention not to construct a perimeter fence along the point where my property boundaries the planned housing site.

  *This was not a requirement of the previous planning permission, nor can Planning insist on the provision of such.*

## Site Visit Report

**Site Location Plan:**





**Site 2:LA07/2024/0547/F**

**Site 1: LA07/2024/0749/F**

**Characteristics of the Site and Area**

Site 1 site comprises an L-shaped field fronting onto Ashgrove Avenue to the south. It adjoins the grounds of Sacred Heart Grammar School to the east, with undeveloped land directly west (subject to separate application LA07/2024/0547/F) followed by the grounds of Newry High School further west of this, positioned on lower ground.

The rear gardens of residential properties (Cloverdale) adjoin the northern boundary of the site.

The site is bound to the south and east by palisade fencing, with the remaining boundaries mainly vegetative and the addition of close boarded fencing and mature tree along part of the northern boundary. The site is relatively overgrown at present, with some gorse in parts and the landform varies in level across the site, with higher ground in the central and northern portions of the site and the entire site sitting above the level of Ashgrove Road. There are several existing electricity poles positioned across the site.

Whilst Site 2 comprises the SW portion of a much larger field fronting onto Ashgrove Avenue to the south. It adjoins the grounds of Newry High School immediately adjacent and W, with the adjoining land to the E which has planning permission for 46 dwellings (LA07/2021/2131/F and current application LA07/2024/0749/F).

The site is bound by palisade fencing along the W boundary with the outer boundaries undefined but comprising of rising lands.

Both sites are within the development limit of Newry City.

Application 1 is located on lands zoned for housing development (NY 50,) with specified Key Site Requirements (KSR) which includes provision of social housing as identified by the Banbridge, Newry and Mourne Area Plan 2015

Application 2 in contrast is located on unzoned lands.

Both sites are located in an area of mixed use; mainly comprised of residential and educational buildings, with several schools in the surrounding area with associated open space / playing fields. In terms of the established residential character, there are a range of house types and sizes in the locality, ranging from detached bungalows to semi-detached two storey dwellings.

**Description of Proposal**

**Application 1:** Non-compliance of condition no. 9 in relation to application reference LA07/2021/2131/F.

**Application 2:** Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking

*The first application seeks to remove a planning condition requiring the provision of 16 social housing units on the original housing site. The second application proposes the delivery of these social housing units on an adjacent site, effectively relocating the obligation.*

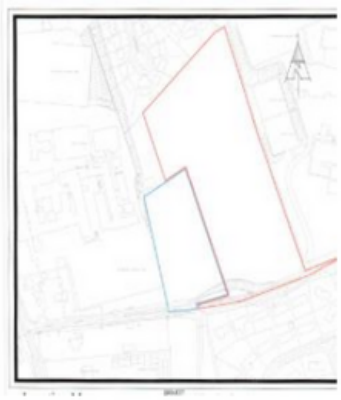
**PLANNING HISTORY**

**Application 1: Planning history relating to the current application site (LA07/2024/0749/F – noncompliance with social housing condition):**

- **LA07/2023/3388/DC** – Condition 7 of LA07/2021/2131/F Street Lighting. Approved 01.03.24

- **LA07/2023/2741/DC** – Condition 10 of LA07/2021/2131/F NIE Agreement. Partially DC 26.10.23

- **LA07/2021/2131/F** - Residential development comprising 46 no. dwellings (16 no. detached and 30 no. semi-detached) - change of house type in respect of approval P/2011/1067/F. Approved 16.01.23 (Exp 16.01.28) (Condition 9 relates to provision of a minimum of 16 Social Housing units)





***LA07/2021/2131/F***

**LA07/2021/1439/PAN** - Residential development comprising 46 No. dwellings (change of house type in respect of approval P/2011/1067/F). PAN accepted 21.02.22



**LA07/2021/1439/PAN**

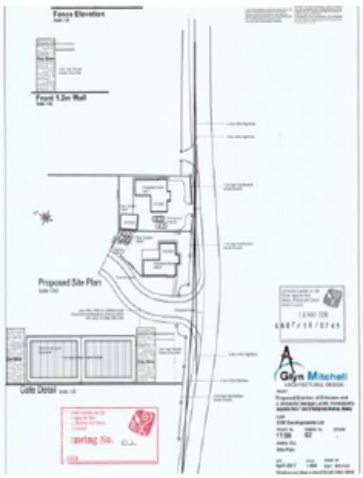
**P/2019/1054/LDP** - Erection of approved dwellings on sites 9 & 10 of approval P/2011/1067/F. Approved on appeal (determined that the erection of the approved dwellings on sites 9 and 10 in accordance with permission P/2011/1067/F would be lawful development had commenced on site before the permission expired on 13th November 2017)




***LA07/2019/1054/LDP***

**LA07/2018/0745** - Erection of 2 Houses and a Domestic Garage. Approved





***LA07/2018/0745/F***

**LA07/2017/1344/DC** – DC 9 of P/2011/1067/F, Archaeology Condition. Approved 22.09.17.

**LA07/2017/0808/F** - Removal of condition 2 on Planning Approval P/2011/1067/F. Condition 2 requires that 16 of the 47 units approved are provided for social rented housing. Refused 10.11.17.

*The proposal is contrary to the SPPS and designated zoning NY50 of the Banbridge/ Newry and Mourne Area Plan 2015 in that the key site requirements states that a minimum of 16 dwellings shall be provided for social housing.*

**LA07/2017/0311/DC -** DC 9 and 10 attached to planning permission P/2011/1067/F. Partially DC 13.04.17 (Archaeology)

**P/2014/0293/F -** Proposed extension of existing approved housing development, planning ref P/2011/1067, to incorporate relocated entrance and repositioning of 6no dwellings with amendments to house types A,F,G & B. Nos 42-47. Refusal 20.10.15.

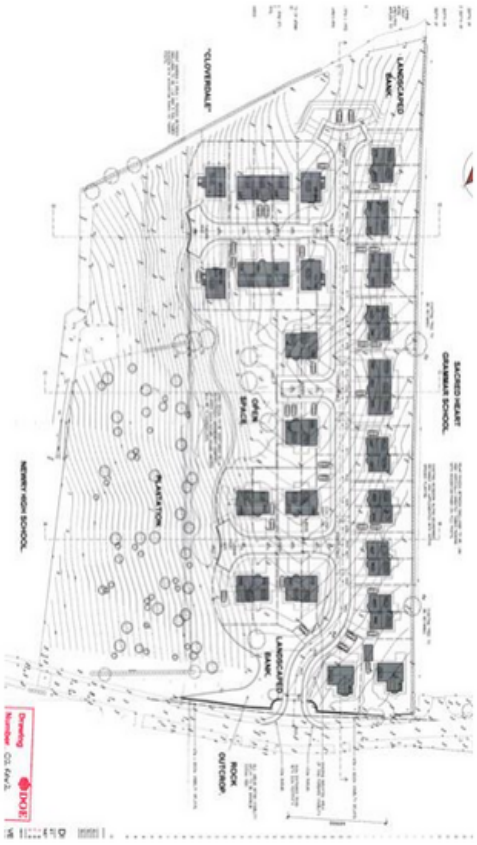
*Refused Contrary to QD1 of PPS7 and SPPS 4.11 and 4.12 due to impact on residential amenity*






**P/2011/1067/F -** Erection of residential development (comprising 2 No. detached dwellings, 28 No. semi-detached dwellings, 9 No. terraced dwellings (in 3 blocks) and 8 No. apartments (in 4 blocks) - 47 No. units in total, to include 16 No. social housing units). Approved 15.11.12.

*Condition 2 – Minimum of 16 dwellings for social housing*




***P/2011/1067/F***

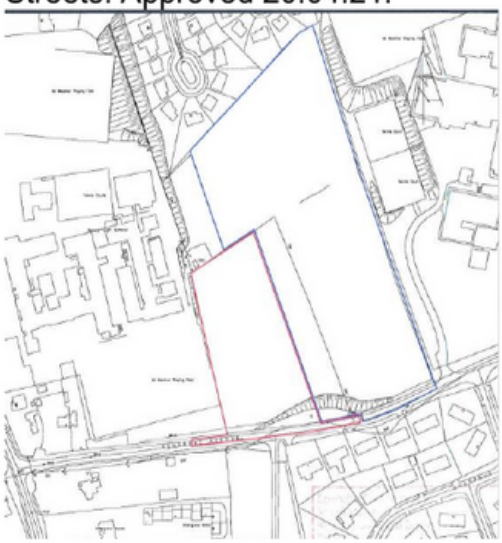
**Application 2 – LA07/2024/0547/F: Planning history relating to the adjacent site to the W of current application (relocation of social housing condition):**

**LA07/2024/0547/F -** Proposed social residential development consisting of 20no. dwellings and 4no. apartments with associated landscaping and car parking. (Current Application - Under consideration)

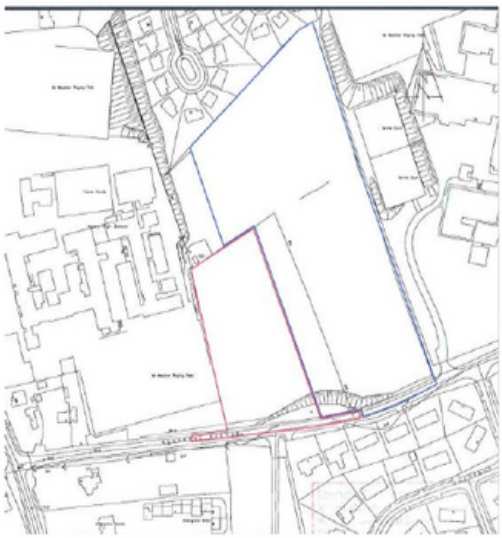




**LA07/2021/0474/DC** – Condition 6 of LA07/2019/1092/F – Condition relating to Private Streets. Approved 20.04.21.



**LA07/2019/1092/F** - Residential development comprising 18 No. 3-bed semi-detached houses and 2 No. 3-bed detached houses (20 No. dwellings in total) Approved 08.02.21 (expires 08.02.26)



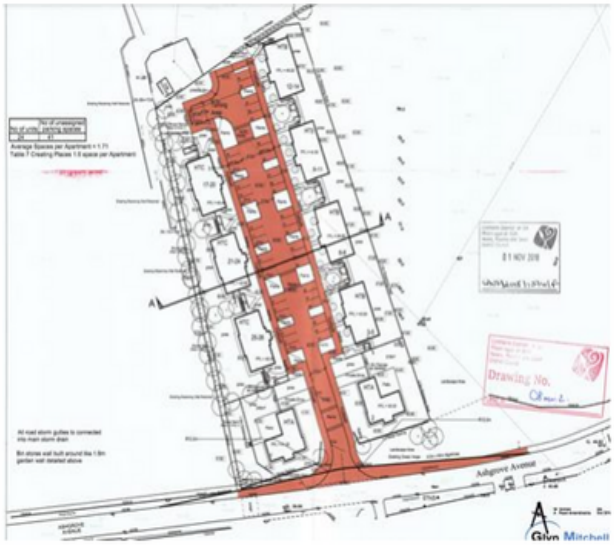


**LA07/2019/1092/F**

**LA07/2018/1074/F** - Housing Development comprising of 2 No. 4 bedroom Houses and 26 No. 2 Bedroom Apartments (amended proposal). Appeal dismissed 29.05.19

*Non-determination appeal – The design and layout for 28 units does not draw upon the best traditions in terms of form, fails criteria g of QD1. Design concept harmful to the character of the surrounding area fails a of QD1. Public and private provision of open space unacceptable failing criteria c of QD1 and OS2 of PPS8. Density higher than surrounding – Fails criteria a and b of LC1*





***LA07/2018/1074/F***

**Planning Assessment of Policy and Other Material Considerations**

**Application 1, Proposal:**

Proposal refers to the non-compliance of planning no. 9 in relation to application reference LA07/2021/2131/F. It is therefore deemed a Section 54 application (under the Planning Act (Northern Ireland) 2011) which is used to develop land without complying with conditions previously attached to planning permission for e.g. varying or removing a condition.

As the extent of the application site exceeds 2.01 ha the application would be considered major albeit the proposal intends to remove a planning condition. As this application is for a section 54 it is not "*an application for planning permission for a major development".* It is an application for planning permission *"for the development of land without complying with conditions subject to which a previous planning permission was granted". (section 54(1)).*

There is clearly a difference in the writing of and emphasis in section 27 (1) (Pre-Application Community Consultation) and section 54(1). Had it been intended that this type of application made under Section 54(1) were to be considered within the range of Section 27(1) this would have been specified.

The Planning Department does not consider that it can have been the intention in, enacting the Planning Act (Northern Ireland) 2011 that applications like this one under section 54 would automatically and always be caught by the requirement for pre-application community consultation. The original application has already been subject to pre-application community consultation when the parent permission was granted, in this case LA07/2021/2131/F (Approved 16.01.23) and remains extant.

The Planning Department is additionally content that this application has been brought to the attention of the community through the statutory consultation procedures and that the community has had an opportunity to comment on the application. All comments received have been taken into account. The Planning Department does not consider that there is any need for pre-application community consultation in this case.

The same principle applies to the requirements for a Design and Access Statement as set out within he Planning (General Development Procedure) Order (Northern Ireland) 2015, in this case as permission seeks to not comply with a condition relating to social housing it neither relates to doesn't or access thus it is not considered that this is required in this case.

EIA was not required for the original housing development; there has been no change in circumstances that the same outcome applies in this case. As well as the adjacent site relating to no EIA required.

**PLANNING POLICY, GUIDANCE AND OTHER CONSIDERATIONS**

The submission relates to two applications which are interrelated and are referred within the planning report as Application 1 (LA07/2024/0749/F) and Application 2 (LA07/2024/0547/F),

In simple terms the first application (application 1 – LA07/2024/0749/F) seeks to remove a planning condition requiring the delivery of 16 social housing units on the original housing site, zoned (NY50) with specified KSRs and was made conditional on the original permission LA07/2021/2131/F under condition 9 for delivery. The second application (Application 2 -LA07/2024/0547/F) proposed the delivery of these social housing units on an adjacent site, effectively relocating the obligation and enter into a Section 76 Planning Agreement once all private dwellings have been provided and occupied.

**Application 1 and 2:** The principle for residential development and access arrangements have been established through the granting of planning permission under LA07/2021/2131/F (Exp 16.01.28) and LA07/2019/1092/F (Exp 08.02.26) with relevant planning policy and guidance considered which is fully detailed within the relevant planning report. With exception that Application 2 had approval for 20 units in total the current proposals for 24 units adhere to layout/ design and changes only within the footprint are not material different. Matters relating to policy will not be revisited as the applications were extant during lifetime of current applications.

**Issues for consideration include:**

- acceptability of the deviation from the area plan and specific Key Site Requirements (KSR) which require a minimum of 16 dwelling houses be provided for social housing at the application site
- relevant planning history (LA07/2017/0808/F) as a material consideration in the assessment of the application
- justification by the applicant to set aside the restrictive KSR/ land zoning and consideration of supporting information
- interrelationship of both applications LA07/2024/0749/F and LA07/2024/0547/F

**BACKGROUND**

The original application (Application 1) for housing development P/2011/1067/F for 47 dwellings was approved 15th November 2012 included a number of pre-commencement conditions (relating to drainage, roadworks arch, retaining walls, street lighting, road markings, traffic management details). Not all pre commencement conditions were discharged including that of Condition 2 relating to the provision of and detailing of social housing at the site. The developer subsequently sought to remove this condition under LA07/2017/0808/F and was refused planning permission on the grounds that it was contrary to the provisions of the area plan and the SPPS.

The developer then applied for a CLUD LA07/2019/1054/LDP relating to units 9 and 10 of LA07/2011/1067/F. Following evidence provided to the PACNI the commission was satisfied that development on that part of land within LA07/2011/1067/F had lawfully commenced. The commissioner was also satisfied that the pre commencement

condition relating to the identification of units proposed for social housing had been satisfactorily addressed and the CLUD was granted.

Following this the developer proceeded to seek permission for a lesser number of units (46 units) and change of house types under application ref. LA07/2021/2131/F relating to the same site which was approved 16.01.23 (Exp 16.01.28) with an attached condition No. 9 relating to provision of social housing.

Application 2 remained relatively unchanged from the original approval for 20 units Under ref LA07/2019/1092/F (exp 08.02.26), although an attempt was made to increase unit numbers to 28 on this site which was subject to a non-determination appeal and dismissed (LA07/2018//1074/F)

This was proceeded by the submission of two separate applications with Application 1 seeking removal of this condition, proposing relocation of the social housing units to an adjacent site and Application 2 seeking permission to develop the adjacent site incorporating the relocated social housing units. Both applications are interdependent: the approval of Application 2 depends on the approval of Application 1. The applicant has indicated that delivery of such can be provided through a legal agreement.

Following consultation with Development Plan in their reply (03.02.25) advised that if delivery of the social house is secured on an alternative site via a Section 76 agreement, then the consultee would be content.

NIHE in their consultation responses (14.03.25 and 20.12.24) have set out that only if the Council are satisfied that sufficient evidence that social housing cannot be provided on the zoned site NY50 and alternative off site is justified they would offer no further objection but this would be subject to a Section 76 agreement to agree delivery on the alternative site and the private housing should not be occupied until social housing is fully occupied.

The application was advertised 23/ 24th July 2024 and 2nd/3rd September 2025 (following neighbours notified 11th December 2024. Two objections have been submitted which have been fully considered but both have raised no issues in relation to the specific removal of the planning condition.

**Area Plan:**

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the local development plan, insofar as material to the application and to any to other material considerations.

The Planning Committee originally granted planning permission for LA07/2021/2131/F for a major application relating to a residential development comprising 46 dwellings (16 detached and 30 semi-detached). The site is located within the development limits of Newry on land zoned for housing under NY 50 which includes Key Site requirements

(KSR) which includes a minimum of 16 dwellings shall be provided for social housing, which developers are expected to meet. NIHE were originally consulted in respect of the site (LA07/2021/2131/F) and identified the site to meet social need, with the non-compliance of the KSR meeting resistance from NIHE.

One of the essential requirements of NY50 is for the delivery of social housing. The applicant advised * that they would deliver the 16 social housing units on the application site meeting the KSR and the original housing application was approved on this basis.

*This was set out within the DAS submitted for LA07/2021/2131/F The Appellant's representative provided documentary evidence, firstly relating to fulfilment of several pre-commencement conditions pertaining to P/2011/1067/F: written confirmation to the Council on 9 November 2017 as to the number of social rented housing units that would be included within the development.

The Section 54 application now lodged for a non-compliance of the social housing condition 9 (delivery of 16 Social Housing Units) of the LA07/2021/2131/F is not complied with and in substitution of the KSR of 16 social houses offer an alternative site immediately adjacent to provide 20 social houses and 4 apartments (24 units) under a separate application LA07/2024/0547/F.

The area plan having gone through public inquiry/ consultation prior to finalisation is very clear on its identified need and requirement for the provision of social housing on this specific site. The Plan with inclusion of the land zoning and KSR is designed to ensure rational and consistent decision on planning applications any deviation from this will run contrary to the area plan.

The SPPS (2nd edition) acknowledges that the current planning system of identification of reservation of land for social housing which will be achieved through the zoning of land or the outlining of key site requirements through the development process the identified need should have agreement with the NIHE for specifically zoned sites.

With the policy further reinforcing where social housing is identified it should assist in achieving more balanced communities through achieving a mix of housing tenures and house types as it enables those on low incomes to make the transition from renting of social housing to that of home ownership. Social housing should be provided by developers as an integral element of larger housing developments where a need is identified.

The Area Plan and KSR are of utmost most of importance of provision of social hosing need with the planning policy going hand in hand in supporting this requirement.

The site in question has been identified as zoned for housing with KSR which developers are expected to meet. Any proposal which runs contrary from these requirements of the area plan, KSR and planning policy requirements have no basis for approval unless there are overriding and justifiable reason for setting the requirement aside.

The applicant has provided supporting information to justify this position, consideration of this is set out below:

**Supporting Information:**

- Emails from agent 07.04.26/ 01.04.26/ 09.03.26/06.03.26/02.03.26/11.12.25/ 30.09.25/23.05.25 04.03.25/ 17.01.25/10.12.24

- Viability Covering Letter from agent 09.03.26 (dated 06.03.26)
- Viability Assessment 09.03.26
- Letter from agent 06.03.26
- Co ownership letter 23.05.25 (dated 11.11.24)
- Letter from Alpha 05.03.25 (dated 04.03.25)
- Planning Statement 23.05.24
- Draft 3 Planning Agreement 17.01.25

**Justification by the applicant**

The applicant has provided correspondence and a viability assessment dated 9th March 2026, key points of supporting information has been identified and considered in detail below:

- **Viability of Proposal** – The letter and viability assessment set out that the inclusion of 16 social housing units on the site would render the development unviable due to increased construction costs.

This has been looked at two-fold as keeping the application site as private only (this is facilitated by the non-compliance of the condition with social housing transferred to the adjacent site subject to the sperate application and legal agreement – La07/2024/05477/F) or adhere to the mixed tenure of private and social housing as originally approved.

From the information provided and remaining with the status quo (private and social as approved) the applicant has indicated that this would not be viable due to reduced market prices for private units and increased costs for social housing, whereas having private only on the site makes this development marginally viable.

The costing provided only relates to the approved housing scheme which includes the social housing condition – private and social (LA07/2021/2131/F) and with noncompliance of the condition allowing opportuinity of the site to be private only. These calculations do not appear to account for development of the sperate site (LA07/2024/0547/F).

The costings in terms of gross development value and total development costs by contrast are not significant to warrant non-compliance with a social housing condition as prescribed within the area plan and KSR.

Indeed, whilst profit margin is shown to be significant between private versus private and social provided at the application site (costings relating only to development of the site LA07/201/2131/F and current application LA07/2024/0749/F) it does not take into account the potential to redevelop the adjacent site separately as a standalone development for private housing which may skew the overall figure. It should also be noted that the original permission at Application 2 was for private housing only.

Although the applicant has indicated that non-compliance and move social housing requiring to the alternative site could be dealt with by way of a legal agreement.

The adjacent site (subject to application LA07/2024/0547/F) located within the development limits, has an established planning history of housing , has no zoning or KSR associated with the site could be developed as a standalone development for either social or private housing without need for a legal agreement, which may enhance the overall profit margins that do not appear to have been addressed.

The statement sets out that social housing is not profitable within the current site but yet the applicant seeks to move the minimum requirement of 16 (as required within the KSR of the site and by condition 9 of LA07/2021/2131/F) onto an adjacent site and create what is claimed to be unprofitable units by providing more of these units ( 20 units and 4 apartments), there is simply no basis for this assertion nor any overriding reason why the social housing units could not be facilitated within the current site.

The viability assessment goes on to look at inflationary pressures, construction costs and low profit margin with development delayed until such times as house prices rises and construction costs decrease as impacting upon the original scheme no longer viable due to reduced market prices for private units and increased costs of providing social housing, hence the reason for the non-compliance and moving the social housing element elsewhere.

Taking account of external market forces such as inflationary pressure, construction costs, geopolitical instability may lead to price cooling but is in a constant state of flux impacting on market forces which is acknowledged the applicant may have no control, what may not be viable at present could ultimately change.

Furthermore the covering letter (06.03.26) also indicates that that building out the existing approved development will deliver marginally viable and generates a limited level of profit that the removal of the social housing condition to be off set with a legal agreement it is should be sufficient and ‘considered appropriate that the applicant be permitted to construct and occupy all 46 dwellings on the upper site in the first instance’ and it is ‘proposed that once the 46 private dwellings have been constructed

and occupied, this would then trigger the Section 76 obligation requiring the delivery of the 24 social and affordable housing units on the adjoining lower site'.

The letter goes on to say that 'the applicant could build and occupy 50 units of private housing across the 2 sites without triggering and requirement to build any social units'. This statement is clear that there is no intention to deliver on social housing on the existing site zoned for this purpose but also on the adjacent site, with or without a legal agreement. This scenario would result in either delay or no prospect of provision within the future and fails in the delivery of much needed social housing as identified and zoned within the area plan and KSRs. This runs contrary to the objectives set out within in the area plan, KSRs and planning policy in this regard ultimately failing to comply with the key site requirements and therefore cannot be considered complaint with the established planning policy framework.

The viability of the project does not provide significant justification or overriding reasons for setting aside the requirement to provide social housing specifically at this zoned housing site.

**Ensures Mixed Tenure:**

The applicant proposes to provide 24 units on the adjoining lower site through a Section 76 Agreement, by the noncompliance of the social housing condition and offsetting to the adjacent and alternative site. This includes a mix of 16 social housing units, 4 Co-Ownership 4 intermediate housing units for sale via the Co-Ownership scheme, and 4 private units for sale on the open market, ensuring a mixed tenure approach.

It also goes on to say that the proposal includes measures to ensure proper integration of social, intermediate and private units to avoid segregation and achieve balanced tenure mix.

The land zoning of NY50 and associated KSR are a result of a full public inquiry including allocations taking account a wide variety of information, market analysis and input from numerous stakeholders in relation to social housing such as the NIHE. This site was specifically zoned for the provision of social housing (LA07/2021/2131/F and LA07/2024/0749/F) the adjacent site was not.

The development plan is the primary vehicle to facilitate any identified need for zoning or through key site requirements where a proportion of a site may be required for social/ affordable housing. It allows for 'pepper potting' for the dispersal of a particular type of housing often social or affordable housing throughout a development rather than clustering it in one location.

This specific site was identified and zone for this specific provision. The current application LA07/2021/2131/F provides for 46 units of which 30 are private and 16 conditioned for social housing use. This zoning and KSR accords with the availability of

provision of affordable housing to create a mixed and inclusive community. This can be achieved within the current site.

The applicant has sought to lodge a section 54 application to not comply with the social housing condition of LA07/2021/2131 which effectively removes the condition and that in lieu of the KSR of 16 units this will be offered on the adjacent and alternative site setting out a total of 24 units, 16 social, 4 co-ownership and 4 private under LA07/2024/0547/F. This effectively creates a segregated community, with the vast majority giving rise to a concentration of single tenure housing, leading to a socially segregated area and undesirable clustering of similar housing which leads to the creation of an unbalanced and integrated community. Which not only deviates and is contrary to the area plan but goes against the principles of planning policy in particular the SPPS (2nd edition).

The proposals presented serve no overwhelming benefit in its creation. Not only will it run contrary to the plan and KSRs. It will inevitably cause fragmentation, disconnecting and poorly integrating land use and communities through the creation of an isolated pocket of housing which lacks connectivity between neighbourhoods and a segregation of housing tenure which may create the conditions to undermine community cohesion and give rise to anti-social activity. Overall proposals will undermine the area plan, goes against prevailing planning policy and will set an unacceptable precedent as well as issues raised above.

**Risk to construction jobs**

Email from agent 9th March 26 advised that the development has the ability to ensure 70 units of housing are delivered. The delay in granting planning will put 'local construction jobs at risk which can be verified by the Chamber and local Councillors' and that the applicants construction workers ' will seek other employment in the south due to delays'.

Whilst the loss of construction jobs is influenced by economic forces outside the control and remit of the Planning Department. Subject to the discharge of pre-commencement conditions the original planning permission LA07/2021/2131/F remains extant and in effect could be built out within the lifetime of the permission or secured for future development likewise this could also have been done on the separate and adjacent site.

Any claimed loss of construction jobs is short-term and transient, impact that carries negligible weight in planning terms and does not outweigh the schemes failure to deliver social housing or comply with the area plan and key site requirement.

**NIHE**

Correspondence/ emails (09.03.26, 06.03.26) outline that the NIHE in their consultation response on the 14th March 2025 advised that if the Council are satisfied that the applicant has provided sufficient evidence demonstrating that social housing cannot be delivered on the zoned site (NY50) together with appropriate justification for social housing offsite they would offer no further objection.

NIHE in their initial consultation 20.12.24 were minded to object to the removal of condition 9 relating to social housing condition unless assurances that a legal agreement could be attached. Following additional information the NIHE comments were reviewed with comment 14.0.25 advising if the Council were content that the applicant had provided sufficient evidence that social housing cannot be provided on this zoned site NY50 and justification for an alternative was found acceptable, they would offer no further objection. They also indicated that social housing should be provided by way of a phasing arrangement and that private housing should not be occupied until the social housing was occupied. Phasing has not been explored by the developer.

It is evident from the submission that private development is being prioritised, with social housing effectively deferred, in clear conflict with the area plan and key site requirements. There has been no robust justification for relocating social housing from an approved policy-designated location, resulting in clear non-compliance with the area plan and KSR.

On this basis it has not been satisfactorily demonstrated that social housing can be delivered on the designated site, nor any substantive justification for its relocation elsewhere resulting in a clear conflict with the area plan and the KSR. Therefore, the objections from NIHE and Planning remain valid and relevant.

The Planning Department is not satisfied that a legal agreement carries sufficient weight where the proposal prioritises private housing delivery, relegates social housing to an afterthought and effectively circumvents the area plan and policy provisions. It is also noted that the adjacent site could in effect be development as a standalone project without a legal agreement.

**Letter of Co-ownership**

A letter submitted 11.11.24 from Co-Ownership notes the applicant's interest in co-ownership, it does not constitute a firm or binding commitment relating to the adjacent site in delivery of social/ affordable housing and therefore carried limited weight in planning terms nor justification for setting aside the key site requirements or provisions of the area plan.

Furthermore, it has not been demonstrated why this could not be delivered at the existing application site where there is clear zoning and key site requirements attached for such provision.

**Letter from Social Housing Provider:**

Referring only to Application 2 the applicant has submitted a letter from Alpha Housing dated 4th March 2025 which have indicated that they 'have registered this site for Affordable housing' and advise 'following grant of planning … will purchase the part of the site for social housing'.

Whilst acknowledging the commitment of the social housing provider to deliver units on Application 2. It is unclear nor has it been demonstrated why the provider did not instead pursue or commit to a site where zoning was already established and key site requirements were clearly defined to facilitate such a development

**Viability Letter (Letter dated 06.03.26), Development Plan considerations:**

The applicant requests that the viability report is treated as material consideration having regard to the Draft Plan Strategy.

This has been taken into account in the assessment. The viability evidence submitted indicates that the provision of social housing is not viable, and supporting evidence provided in this regard. However, the evidence is not considered to be sufficiently robust or compelling to justify setting aside the established key site requirements or the provisions of the area plan.

In considering these circumstances, regard has also been had to the viability testing set out within the draft strategy. However, as this strategy has not yet been adopted, the weight that can be attributed to it is limited and therefore not significant.

**Relaxation of KSRs (Planning Statement 23.05.24)**

The applicant contends that the rationale for removal of social housing conditions finds merit in the relaxation of KSR requirements within the Council area have already been established through planning approvals P/2008/1329/O at 60mSE of 53-55 North Street, Newry (approved 20.02.10) and P/2012/0641/O (approved 17.12.24) 53a and 55 Dominic Street and to the rear of 54-82 Barcroft Park, Newry.

While both sites predate the adoption of the Area Plan, neither site is subject to land use zoning or key site requirements relating to social housing. As such, they are not directly comparable and do not constitute an overriding justification for setting aside the social housing requirements established within the Area Plan and associated key site requirements.

**Social Housing Developments on Un-Zoned Whiteland (planig Statteent23.05.24)**

The applicant has set out a number of relevant and recent planning approvals on unzoned 'white lands' and committed housing sites which must be considered regarding the development of 20 social houses.

While each site must be assessed on its individual merits the designation of land as 'white land' does not preclude its suitability for social housing development. What distinguishes this case is the interdependence between the two applications and the proposed displacement of social housing provision to an alternative site (subject to legal agreement), without due regard to the Area Plan or established key site requirements.

**Summary and Conclusion:**

The original site is zoned for housing under the Banbridge/ Newry and Mourne Araea Plan 2015 (BNMAP 2015). The original permission LA07/2021/2131/F included a condition requiring the delivery of 16 social housing units on the site. Application 1 seeks non-complaince of this condition, proposing relocation of the social housing units to an adjacent site. Whereas Application 2 seeks permission to development the adjacent site incorporating the relocation of the social housing units.

The Planning Department has considered supporting evidence, correspondence and emails accompanying the application for consideration. From the reasons set out above it is deemed that there is no compelling or robust evidence submitted to justify the removal of the social housing requirement from the original site. Relocating all social housing to a single site would result in over concentration to one location running contrary to the area plan land zoning, key site requirements as well as planning policy direction on mixed communities. Both applications are interdependent with the approval of Application 2 (LA07/2024/0547/F) dependent upon the approval of Application 1.

Both applications fail to respect the plan-led approach, which is central to the Planning Act (Northern Ireland) 2011. Furthermore BNMAP 2015 clearly envisages balanced residential development on each site, with policy obligations secured on the site to which they were originally attached. Redistribution of obligations undermines site-specific policy intent and the Planning Departments ability to deliver sustainable communities.

The Planning Department recommends refusal of both applications resulting from conflict with the BNMAP 2015 and SPPS (2nd Edition)

**Application 1 – Removal of Social Housing Condition**

- The 16-unit social housing requirement is a key element of the original permission and the zoning intent in BNMAP 2015.

- Removal would undermine the plan-led approach, resulting in a development that is non-compliant with the Area Plan and SPPS objectives.
- Insufficient evidence presented to justify removal (supporting information as considered above), approving the application would set a precedent for bypassing policy requirements.
- Approval would reduce integration, weaken mixed tenure objectives, and make the community less sustainable.

**Application 2 – Relocation of Social Housing to Adjacent Site**

- The proposal would result in all social housing units being concentrated on a single site, creating a predominantly single-tenure development.
- This conflicts with SPPS 2015 guidance promoting mixed communities and integration of social housing.
- The application is premature, as it depends on the removal of the obligation from the original site.
- Approval would produce a piecemeal and incoherent development pattern, inconsistent with BNMAP 2015

**Summary of Recommendation**

The Planning Department has fully considered the objections as well as supporting information in the assessment of both applications.

The Planning Department contends that both applications fail to comply with BNMAP 2015 zoning and site-specific requirements, contravening the SPPS (2nd Ed.) principles which promote mixed tenure, balance and sustainable communities. Having considered the supporting information and justification for proposals, there is no compelling justification to override the requirements of the area plan or contravene planning policy.

**Reason for Refusal:**

**Application 1 - Removal of Social Housing Condition:**

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Edition) and Banbridge, Newry and Mourne Area Plan 2015 designated land zoning and Key Site Requirements in that:

- There is no justifiable, overriding reasons or robust evidence for the non-compliance of the planning condition No. 9 of LA07/2021/2131/F which is a key

element of the original permission and the zoning intent of the area plan;
- Proposals fail to adhere to the land zoning and key site requirements;
- Removal would undermine a plan-led approach which is non-complaint with the Area Plan and SPPS objectives
- Non-compliance of planning condition No. 9 of LA07/2021/2131/F would set precedent for bypassing the area plan, key site requirements and planning policy requirements
- Contravene the Area Plan and SPPS (2nd Ed.) principles promoting mixed tenure, balanced, and sustainable communities

**Application 2 – Relocation of Social Housing to Adjacent Site**

**1.** The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (2nd Edition) and Banbridge, Newry and Mourne Area Plan 2015 in that:

- Proposal would result in all social housing being concentrated on a single site , creating a predominantly single tenure development which contravenes the area plan and planning policy;
- Cause fragmentation, disconnecting and poorly integrating land use and communities through the creation of an isolated pocket of housing which lacks connectivity between neighbourhoods and a segregation of housing tenure which may create the conditions to undermine community cohesion and give rise to anti-social activity
- Conflicts with the area plan and SPPS which promotes mixed communities and integration of social housing
- Application is premature as it depends on the removal of the obligation from the original site
- Approval will create a piece meal and disconnected development pattern, inconsistent with the area plan and the SPPS (2ndEd.)



**Speaking Notes for Planning Committee**

This statement relates to land west of Sacred Heart Grammar School, Ashgrove Avenue, Newry, and to two linked applications: first, the variation of the social housing condition on the larger site, LA07/2024/0749/F, and second, the amended proposal for 24 social and affordable units on the adjacent smaller site, LA07/2024/0547/F.

Summary of proposal

There is already an approval on the larger site for 46 units, of which 16 must be social housing.

However, the approved social units on Site A have now become too expensive to build, meaning the scheme as approved is no longer viable.

The solution before the committee is to move and redesign the social and affordable units onto the adjacent Site B, using smaller and more efficient unit types that better reflect Northern Ireland Housing Executive need and affordability.

The presentation states that all relevant parties, including NIHE, the Development Plan team and Council Legal Services, accept that a Section 76 agreement can secure this off-site delivery, including timing and occupation controls.

What the revised scheme delivers

The proposal does not remove the social housing obligation; it relocates it and increases the affordable output.

On the adjacent site, around 20 metres away, 24 units are proposed, including 16 social units and 8 co-ownership or other intermediate units, depending on the committee's preferred mix.

This approach also resolves the viability issue because the revised units are intended to be deliverable within current cost constraints, while larger private units can still be provided on the larger site.[1]

Housing Need:

Housing need in Newry, Mourne and Down is severe. It records 3,885 applicants on the waiting list at March 2023, with 3,133 in housing stress. For Newry itself, the presentation records 1,008 applicants on the waiting list, 825 in housing stress and 207 allocations. Against that background, the argument advanced is that viable schemes which secure social and affordable housing should be enabled rather than frustrated.

Viability and unit design

The speaking notes explain that viability has been improved by redesigning and reducing the floor areas of the units in line with NIHE need. The presentation identifies 2-bed dwellings at 78 square metres, 3-bed dwellings at 95 square metres, and 2-bedroom apartments at 65 square metres. The argument is that smaller units at higher density are more affordable to build, while larger private units of around 120 square metres can still be delivered on the larger site.

Statutory consultees and Section 76

The presentation states that NIHE indicated that, if planners were content, it would offer no further objection. It also says the Development Plan team advised on 3 February 2025 that it would be content in principle if delivery of the social houses was secured on the alternative site through a Section 76 agreement.

The document argues that Section 76 is central because it can secure delivery, tenure mix, timing, phasing and enforceability.

Additional viability point

Members, a further point arises from the case officer's report in relation to viability. The report is said to suggest that the small site should have been added into the overall appraisal for Application LA07/2024/0547/F, and that exercise has now been carried out. Even when Site B is fully included within the appraisal, the combined scheme still only produces a profit of 0.98 percent.

The speaking note also makes the point that this figure is before further construction-cost inflation and wider cost pressures are taken into account.

It then compares that return with the type of viability benchmark referred to in other council contexts, where development viability is often expected to fall in the region of 10 to 15 percent, and argues that this scheme remains some distance below that level.

The applicant's case is that they are prepared to accept a lower return because they are local and want to deliver the homes, whereas in another council area a scheme with this level of return might not come forward with any social housing provision at all.

Response to refusal issues

For Application 1, the notes dispute the refusal reasons on the basis that viability evidence, supporting letters, a planning statement, a draft planning agreement and other correspondence were all submitted.

The notes also argue that the proposal does not fail the Key Site Requirement because the social housing outcome is retained and moved to the adjacent site rather than deleted.

The Development Plan team's response, which the presentation says accepted the principle of securing delivery on the alternative site through Section 76.

For Application 2, the notes state that the adjacent-site proposal is not purely single tenure because it comprises 16 social units and 8 intermediate or co-ownership units. They also argue that the proposal does not rely on the draft Development Plan but instead asks the committee to place weight on planning gain and the viable delivery of housing.

Area plan wording and committee request

The presentation quotes the area plan wording that, where an application affects land subject to a Key Site Requirement, it is current practice to liaise with NIHE to establish whether social housing on that site is still required

It argues that this recognises NIHE as the expert body on housing need and notes that the Council consulted NIHE, which responded with no objection.

The request to the committee is to approve both applications together, subject to a Section 76 agreement securing delivery, tenure mix and phasing of the social and affordable units on the adjacent site.

The presentation also says the applicant would be content for the committee to determine the final mix, for example 16 social units and 8 co-ownership units, and asks that a condition similar to the original approval be used again to allow flexibility in delivery.

# Development Management Officer Report

| | |
|---|---|
| **Case Officer:** Sorcha O'Beirne | |
| **Application ID:** LA07/2025/0797/O | **Target Date:** 19/11/2025 |
| **Proposal:**<br>Dwelling on a farm | **Location:**<br>Lands 30m Southwest of No. 17 Barrons Hill, Camlough, Newry BT35 7HJ |
| **Applicant Name and Address:**<br>Mr & Mrs Ciaran O'Callaghan<br>17 Barrons Hill<br>Camlough<br>NEWRY<br>BT357HJ | **Agent Name and Address:**<br>Neil Mullen<br>17A Barrons Hill<br>Camlough<br>NEWRY<br>BT357HJ |
| **Date of last Neighbour Notification:** | 26/09/2025 |
| **Date of Press Advertisement:** | 20/08/2025 |
| **ES Requested: No** | |

**Consultations:**

DFI Roads – DFI Roads has no objections in principle to this proposal subject to conditions.
HED - HED (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.
DAERA - The proposed site is on part of 2/073/139 field 5 which has been claimed for FSTP in 2025 by the business as listed in the application form. Note: The applicant is not a member of the farm business

**Representations:**

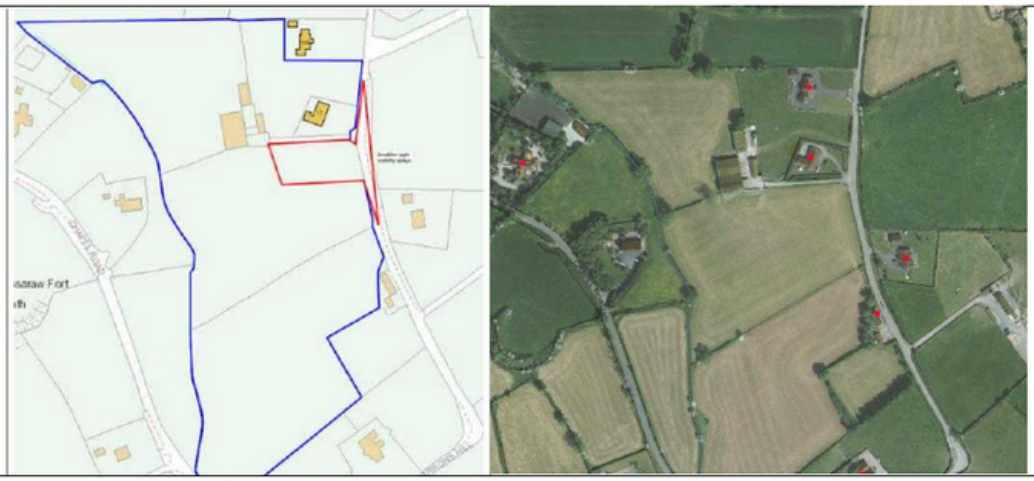
1 neighbour within close proximity of the site was notified on 26/09/2025. This application was advertised in the local press on 20/08/2024. No objections or representations have been received to date.

| | |
|---|---|
| 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:** 13/10/2025

**Characteristics of the Site and Area**

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

The surrounding area contains a mixture of rural housing and agricultural fields. The character of surrounding dwellings is predominantly 1 or storey and half detached dwellings with traditional design elements found in the countryside dispersed along Newry Road. The site has agricultural fields located towards the South and dwellings located toward the West and North, Barron Hill road is situated along the Eastern boundary. The farm dwelling house and agricultural units are located beyond the Northern boundary of the agricultural field. The site has either wooden fence along the North and East curtilage of the site, there are no definable boundaries to the west or south of the site.

**Description of Proposal**

Dwelling on a farm.

**Planning Assessment of Policy and Other Material Considerations**

**Planning Policy**

Banbridge / Newry and Mourne Area Plan 2015
Strategic Planning Policy Statement for Northern Ireland (SPPS)
Planning Policy Statement 21 – Sustainable Development in the Countryside
Planning Policy Statement 3 – Access, Movement and Parking / DCAN 15
Planning Policy Statement 2 – Natural Heritage
Building on Tradition

**Planning History**

Application – P/2012/0162/O
Proposal – Site for dwelling and detached garage (farm dwelling)
Decision – Approval
Date – 02/07/2012

**Consideration and Assessment:**

Banbridge/ Newry & Mourne Area Plan 2015

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

Strategic Planning Policy Statement (SPPS)

As there is no significant change to the policy requirements for the proposal following the publication of the SPPS and it is arguably less prescriptive; the retained policies of PPS 3, PPS 2 and PPS 21 will be given substantial weight in determining the principle of the proposal in accordance with paragraph 1.12 of the SPPS.

Planning Policy Statement 21 – Sustainable Development in the Countryside

Policy CTY 1 states a range of types of development which in principle are considered to be acceptable in the countryside. This includes farm dwellings if they meet the criteria set out in CTY 10.

CTY 10 – Dwellings on Farms

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 have confirmed in their response that the farm business has been in existence for more than six years (allocated 09/12/1991) and that the farm business has claimed payments in each of the last 6 years. Therefore, I am content that the farm business is currently active and established for the requisite amount of time.

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.*

The application was made 26/06/2025 – therefore the key date is 26/06/2015. The application for the farm dwelling is for Mr & Mrs Ciaran O'Callaghan. DAERA noted that the applicant is not a member of the farm business. Further correspondence with consultee explained the named business owner is Josphine O'Callaghan and Brian O'Callaghan.

A history search of this farm holding was conducted and indicated a number of applications for development within the 10 year period. Farmland 139/7/A indicated application LA07/2015/0592/RM, this application was made on 06/07/2015 the applicants being Yvonne O'Callaghan and Neil Mullen. Additionally, land 139/2 has applications LA07/2020/0743/O and LA07/2023/3621/RM under the name of Mr & Mrs Brian O'Callaghan. Which is in line with the information DAERA has issued. A solicitor letter was received on 23/12/2025 which confirmed that no lands have been sold off.

*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 outfarm, and where there are either:*

*- Demonstrable health and safety reasons; or*

*- Verifiable plans to expand the farm business at the existing building group(s)*

Drawing number 200 shows No, 17 Barrons Hill and the business's agricultural units located North of the application site. A site visit demonstrated that it included a single storey detached dwelling and 4 agricultural units located to the rear. Paragraph 5.41 states that dwellings should be positioned sensitively with an established group of buildings on the farm, in order for the design to be visually interlinked, The proposed site would provide a sufficient amount of visual linkage. The access to the site is located parallel to the existing dwellings and agricultural units access, CTY10 c) states that access should be obtained from an existing lane.

The proposal is considered to be in compliance with criterion a, b, and c of Policy CTY10

Design, Scale, Size and Massing

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

CTY 8 Ribbon development

Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Para 5.33 clarifies that A 'ribbon' does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked. The application site is adjoined to the North by No 17 Barrons Hill followed by a small gap and further North is No 17A, both with frontages onto Barrons Hill. The proposed site if approved, would create a ribbon of development which is contrary to Policy CTY8.

It is considered the proposed development fails to comply with CTY8.

CTY 13 Integration and Design of Buildings in the Countryside

CTY 13 states that: A new building will be unacceptable where:

a) *it is a prominent feature in the landscape; or*
The application site has a roadside location, the site is reasonably level with a gentle slope down towards the western end of the agricultural field which is beyond the proposed curtilage. Any dwelling on the site will be visible when travelling along the public road and would be seen as a prominent feature in the landscape.

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;*
A site visit demonstrated that there is a wooden post fence along the Northern and Eastern boundary of the site, along the Western and southern boundary a new curtilage is proposed. Therefore, the existing site does not contain vegetation on any boundaries. A site visit demonstrated that the neighbouring dwelling of No. 17 has mature hedge row along the adjoining boundary, which would provide a small amount of enclosure. However, it is

considered that due to the topography of the site the existing boundaries do not provide a suitable degree of enclosure, it is considered that the site cannot provide a degree of enclosure.

c) it relies primarily on the use of new landscaping for integration;
As outlined above the application site lacks established natural boundaries, to allow any dwelling to integrate the site would rely primarily on the use of significant new landscaping.

d) *ancillary works do not integrate with their surroundings;*
The proposed driveway is located parallel to the existing entrance to No. 17 Barrons Hill, this will minimise the view and prominence of the driveway. It is considered ancillary works do integrate into their surrounds.

*e) The design of the building is inappropriate for the site and its locality;*
As this proposal is for outline permission final designs have not been submitted therefor given the surrounding context and site levels a ridge height restriction would be required should Officers be minded recommending approval. Case Officers are content that a building of low ridge height and applying design principles acceptable to the countryside and local area would be necessary to ensure that the building would be appropriate for the site and its locality.

f) *It fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop;*
The indicative layout proposes the dwelling to be situated 47.2m from the main road. Although there is a lack of natural features providing a backdrop the proposal would visually link with the existing agricultural and residential buildings.

*g) In the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.*

The proposal is for a dwelling and garage on a farm that does visually link to the main farm dwelling.

It is considered the proposed development fails to comply with CTY13 parts a), b) and c),

<u>CTY14 – Rural Character</u>

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 the area. A new building will be unacceptable were;

*a) It is unduly prominent in the landscape; or*
As outlined within the consideration of CTY13 the dwelling on the application site is considered to be unduly prominent in the landscape given its open position and lack of natural boundaries.

*b) It results in a suburban style build-up of development when viewed with existing and approved buildings; or*

The site is located adjacent to No.17, and additional farm buildings are located a short distance to the northwest of the site which will read with the application site. Further North to the farm dwelling No.17 is No 17A. It is considered that when viewed with existing developments the application will result in a suburban style build-up of development.

c) *It does not respect the traditional pattern of settlement exhibited in that area; or*
The traditional pattern of development in the vicinity are farm clusters or individual detached houses set back from Barrons Hill; the proposal would respect the traditional pattern exhibited in the area.

d) It creates or adds to a ribbon of development; or
It is considered that the development is visible with existing buildings of No 17, 17A and agricultural buildings. The application and development to the North are considered to have a common frontage and the fact they are viewed together creates a ribbon of development along Barron Hill. The approval of the application site will create an opportunity for an infill site between No 17 and 17A.

e) The impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.
The main ancillary works would relate to a new access, as such the ancillary works would not damage the rural character.

For the reasons outlined above it is considered that the proposal fails to comply with policy criterion a, b and d of CTY14.

CTY 16 - Development Relying on Non-Mains Sewerage

CTY 16 ensures that new developments will not create or add to a pollution problem. A package treatment plant is proposed, a copy of 'Consent to Discharge' must be submitted to the Planning Department prior to the commencement of development.

PPS 6- Planning, Archaeology and the Built Heritage

The application site is located 180m from Lissaram fort. HED was consulted and have confirmed that the application is satisfactory to SPPS and PPS 6 archaeological policy requirements.

PPS 3 - Access, Movement and Parking

Policy AMP2 of PPS3 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 AMP2 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 have been consulted on this application in reply dated 08/10/2025 are content subject to condition.

The proposal fails to comply with relevant planning policy as detailed above – refusal recommended.

**Neighbour Notification Checked** - Yes

**Summary of Recommendation:**

**Refusal**

**Reasons:**

1. **The proposal is contrary to Policy CTY 1 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.**

2. **The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of PPS 21, Sustainable Development in the Countryside in that the proposal would, if permitted, add to a ribbon development along Barrons Hill and does not represent an exception of policy.**

3. **The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside and the Strategic Planning Policy Statement for Northern Ireland, in that the proposed site lacks long established natural boundaries, is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and it relies primarily on the use of new landscaping for integration.**

4. **The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building, if permitted, would create a ribbon of development and would therefore result in a detrimental change to and further erode the rural character of the countryside.**

**Case Officer Signature: Sorcha O'Beirne**

**Date: 06/03/2026**

**Appointed Officer Signature:** Annamarie Loughan

**Date:** 09/03/2026

LA07/2025/0797/O

Lands 30m Southwest of No. 17 Barrons Hill, Camlough, Newry BT35 7H

Description of the application –
DWELLING ON A FARM.

Proposed decision (including reasons if the decision is refusal) –
1. The proposal is contrary to Policy CTY 1 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.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of PPS 21, Sustainable Development in the Countryside in that the proposal would, if permitted, add to a ribbon development along Barrons Hill and does not represent an exception of policy.
3. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside and the Strategic Planning Policy Statement for Northern Ireland, in that the proposed site lacks long established natural boundaries, is unable to provide a suitable degree of enclosure for the building to integrate into the landscape andit relies primarily on the use of new landscaping for integration.
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building, if permitted, would create a ribbon of development and would therefore result in a detrimental change to and further erode the rural character of the countryside.

Having read the Development Management Officer Report, The case officer has stated 'The proposal is considered to be in compliance with criterion a, b, and c of Policy CTY10'
Under PPS 21 Policy CTY 10 it states. Planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met: The following criteria
(a) the farm business is currently active and has been established for at least 6 years;
(b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and
(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: It is clear in the planning report that this case is considered to be in compliance with criterion a, b, and c of Policy CTY10.
For this alone the application should be approved. The department has gone on to mention 2 other reasons why the application should be refused, as per point 3 and 4

In Policy CTY10, CTY 13(a-f) and CTY 14 should only be brought into consideration when the applicant is considering moving to another site elsewhere on the farm. As we are not moving elsewhere on the farm away from the existing farm buildings these 2 Policies need not apply. An extract from the Policy document states 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).
In such circumstances the proposed site must also meet the requirements of CTY 13(a-f), CTY 14. This endorses the only time these policies should be implemented in Policy CTY10 The department in their report go on to say Design, Scale, Size and Massing The development of a farm dwelling must also satisfy the integration policies of CTY 13 and CTY14 as well as ribboning policy CTY 8. I don't understand why Design, Scale, Size and Massing has been mentioned and it is clear there is nowhere in policy CTY10 a mention of CTY8. It is clear as stated previously on the report that if you comply with criterion a, b, and c of Policy CTY10' a house will be granted which the Department have stated is in compliance with. Set out why this application should be determined by Committee rather than officers –
We believe the Planning department have determined the policy incorrectly and appear to have referenced another Policy as a reason for refusal. It is clear especially after the department have confirmed that we comply with policy cty10 and should be afforded an approval .This is why the committee should determine this case

# Delegated Application

| **Development Management Officer Report** | |
|---|---|
| **Case Officer:** Fergal Connolly | |
| **Application ID:** LA07/2025/1142/O | **Target Date:** |
| **Proposal:**<br>Replacement of existing dwelling | **Location:**<br>Site 10m south of 79 Newry Road, Mayobridge |
| **Applicant Name and Address:**<br>Terry Trainor<br>15 Milltown Hill<br>Warrenpoint<br>BT343QY | **Agent Name and Address:**<br>David Murray<br>40-41 The Mall<br>Newry<br>Co. Down<br>BT34 1AN |
| **Date of last Neighbour Notification:** | 17 December 2025 |
| **Date of Press Advertisement:** | 29 October 2025 |
| **EIA Determination:** | |
| **Consultations:**<br>• DFI Roads<br>• Historic Environment Division (HED) | |
| **Representations:**<br><br>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: N.A** | |

# Site Visit Report

## Site Location Plan:

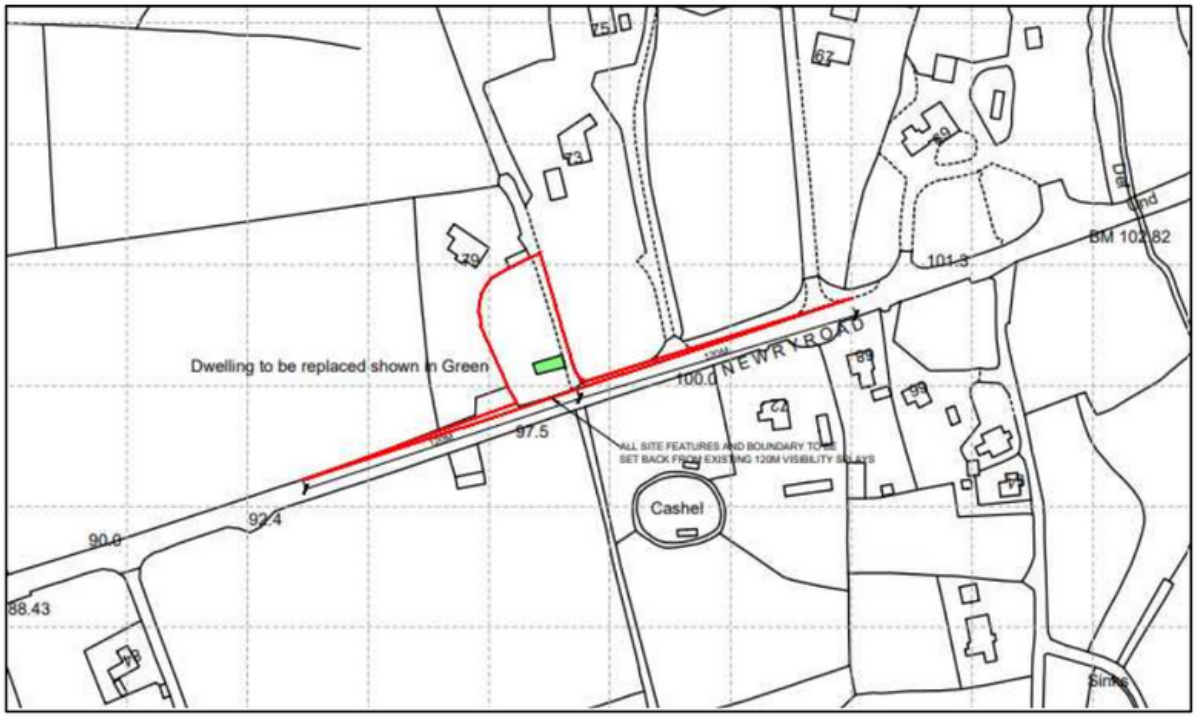



*Figure 1- Site Location Plan*

## Date of Site Visit: 11/08/2025 & 27/02/2026

## Characteristics of the Site and Area

The application site is located south of No. 79 Newry Road, Mayobridge, within the open countryside and outside any defined settlement limit as designated in the Banbridge/Newry and Mourne Area Plan 2015. The site comprises the remains of a derelict building situated within a grassed plot. The structure is in a ruinous condition, with partial collapse evident along the southern and eastern elevations. The remaining walls are of random rubble construction, incorporating granite lintels and sills.

The southern boundary of the site fronts onto the Newry Road. To the east is a private laneway. The northern boundary adjoins the dwelling and garage at No. 79 Newry Road, while access associated with No. 79 lies to the east. The western and northern boundaries are defined by mixed hedgerow and scrub vegetation, providing some degree of enclosure to the site. The wider area is characterised by sporadic detached dwellings of varying design and finish, interspersed with agricultural buildings and open fields, reflecting the established rural character of the locality.

## Description of Proposal

The application seeks outline planning permission for a proposed replacement dwelling. As this is an outline application no further detailed plans have been submitted.

## Planning Assessment of Policy and Other Material Considerations

This planning application has been assessed against the following policies:

- Banbridge, Newry and Mourne Area Plan 2015
- Strategic Planning Policy Statement (SPPS) for Northern Ireland
- PPS 2 Natural Heritage
- PPS 3 Access Movement and Parking
- PPS 6 Planning, Archaeology and the Built Heritage
- PPS21 Sustainable Development in the Countryside
- Building on Tradition Sustainable Design Guide
- DCAN 15 Vehicular Access Standards

PLANNING HISTORY

The application site has relevant recent planning history whereby the most recent application (LA07/2024/0571/O) was recommended for refusal by the Planning Department in February 2025. The applicant subsequently lodged an appeal with the Planning Appeals Commission (PAC) on 7th April 2025, under reference 2025/A0007. During the processing of the appeal, it was identified that the Planning Department had failed to comply with Article 8(1)(b) of The Planning (General Development Procedure) Order (NI) 2015 (GDPO), in that not all identified occupiers of neighbouring land had been properly notified. As a result, the Planning Appeals Commission, in its decision of 17th June 2025, determined that the Planning Department's decision of 25th February 2025 was invalid and, consequently, that there was no valid appeal before it. The Planning Department subsequently informed the agent, via email on 4th August 2025, that the decision would be retaken. The applicant was afforded a further two weeks to submit any additional information for consideration. Following this the application was readvertised and neighbours re-notified and processed in line with statutory requirements with the application recommended for refusal in August 2025 and placed on the delegated list W/C 1st September 2025. The application was not subject to call in and was eventually withdrawn on the 11th September 2025.

The relevant planning history is listed below:

Application Number: 2025/A0007
Proposal: Proposed replacement dwelling
Decision: Invalid
Decision Date: 17 June 2025

Application Number: LA07/2024/0571/O
Proposal: Proposed replacement dwelling
Decision: Application Withdrawn
Decision Date: 11th September 2025

Application Number: LA07/2025/0806/O
Proposal: Proposed Replacement Dwelling
Decision: Application Invalid
Decision Date:

SUPPORTING DOCUMENTS

The application was supported by the following documentation:

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

CONSULTATIONS

Consultations with the following departments were undertaken:

- DFI Roads- Requested an amended site location plan clearly demonstrating the red line extended in both directions to include all lands needed to create and maintain the required sight visibility splays of 2.4m x 120m which are currently in situ. This has been provided and accepted by DFI Roads. However refusal reasons have been offered with regard to the application. This will be discussed further in the report.
- HED- Content no objection

REPRESENTATIONS

Eleven neighbouring properties were notified and no neighbouring representations were received. Public notice was given in the Newry Reporter in October 2025 and no wider public representations were received.

EVALUATION

**Banbridge, Newry and Mourne Area Plan 2015**

Section 45 of the Planning Act (NI) 2011 requires the Council to have regard to the Local Development Plan (LDP), so far as material to the application and to any other material considerations. The relevant LDP is the Banbridge, Newry and Mourne Area Plan 2015 as the Council has not yet adopted a LDP. The application site is located on unzoned lands within the countryside. There are no specific policies that directly apply to this proposal.

**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. A transitional period will operate until such times as a Plan Strategy for the whole Council area has been adopted. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provision of the SPPS i.e., where there is a change in policy direction, clarification or conflict with the existing polices then the SPPS should be afforded greater weight. However, were the SPPS is silent or less perspective on a planning policy matter than the retained policies should not be judged to lessen the weight afforded to retained policy. There is no significant change to the policy requirements for replacement 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 the replacement dwelling in accordance with Policy CTY 3.

**CTY 3- Replacement Dwellings**
Policy CTY 3 states that planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and, as a minimum, all external structural walls are substantially intact. For the purposes of this policy, references to "dwellings" include buildings previously used as dwellings. In this case, the subject building contains features such as openings on the northern (rear) and southern (front) elevations consistent with a former dwelling, together with the remains of a fireplace internally. On that limited basis, it may be accepted that the structure was previously used as a dwelling. However, this is only one element of the policy test. The structural integrity of the remaining walls is a fundamental requirement, and the application site and its planning history remain material considerations in the overall assessment.

In respect of application LA07/2024/0571/O, following the decision to reassess the proposal, the case officer's report concluded that the structural condition of both the southern and eastern elevations including the extent of collapse and the significant loss of masonry, particularly around the openings meant that the principal elevation could not reasonably be regarded as surviving in a form that meets the threshold of being "substantially intact."
A subsequent site visit has confirmed that the southern elevation remains in the same condition, with no meaningful improvement or reinstatement undertaken. The level of collapse and loss persists, and the wall cannot be considered substantially intact. Similarly, the eastern elevation continues to exhibit a comparable degree of structural failure, with a substantial portion of the gable collapsed and only approximately 1.5 metres of walling remaining from ground level. This position was again verified during the follow-up inspection. The on-site conditions are therefore materially unchanged from those previously assessed. The extent of collapse and loss on both the southern and eastern elevations remain such that neither wall can reasonably be described as substantially intact. Accordingly, the Planning Department's position remains consistent to the previous and the building fails to meet the minimum structural requirements of Policy CTY 3.



*Figure 2- Collapsed Opening Along Southern (Front) Elevation*



*Figure 3- Collapsed Opening Along Eastern (Side) Elevation*

While the remaining two walls appear to be standing, the extent of disrepair and collapse evident in the other elevations clearly demonstrates that the building as a whole cannot be regarded as substantially intact. For a structure to meet the minimum requirement for consideration as a replacement dwelling, all external structural walls must be substantially intact. In this case, that test is not met. Accordingly, the Council is firmly of the view that the building fails to satisfy the necessary criteria, and the principle of development for a replacement dwelling under Policy CTY 3 has not been established. It is noted that the agent has submitted a Design and Access Statement in support of the proposal. However, it must be emphasised that this does not contain any new information for consideration from the previously submitted statement in August 2025. Within the submission, it is argued that the opening illustrated in Figure 3 represents the remnant of a former window and should not be interpreted as evidence of structural collapse. While it is accepted that a window may previously have existed at this location, it is clearly evident that the masonry above the opening has collapsed. As such, the loss extends beyond a former window opening and reflects structural failure of the wall itself. Consequently, this section of the wall cannot reasonably be considered to be substantially intact.

Recent appeal decision 2024/A0036 (Feb 2025) is also relevant whereby the Commissioner outlined and reaffirmed the policy requirements that ALL external walls must be substantially intact (notwithstanding that subject building exhibited other essential characteristics of a dwelling). This appeal was dismissed. For completeness, the application site has been considered against the remaining provisions of PPS 21 relating to dwellings in the countryside. The proposal does not form part of an established cluster under Policy CTY 2a, nor does it represent a small gap site within a substantial and continuously built-up frontage as set out in Policy CTY 8. With regard to the other exceptions listed under Policy CTY 1, no further information was requested from the applicant/agent to demonstrate a need for the dwelling

under Policies CTY 6, 7 or 10, in order to avoid placing unnecessary expense on the applicant and to prevent further delay in the determination of this planning application.

The agent was advised on 3rd December 2025 of the Planning Department's position regarding the principle of development on the site. The agent was also informed of the consultation response received from DFI Roads and that the proposal was contrary to the requirements of Policy AMP3 of PPS 3, which is addressed in further detail later in this report. No additional information was submitted by the agent in relation to the principle of development. However, a biodiversity checklist and preliminary ecological appraisal were subsequently requested and have since been received.

**Siting and Appearance**
This application seeks outline planning permission and, as such, precise details of siting, scale and design are not required at this stage. Notwithstanding this, the proposal must demonstrate that a dwelling could be accommodated on the site in a manner consistent with the requirements of Policies CTY 13 and CTY 14 of PPS 21.

Policy CTY 13 requires that development integrates into the surrounding landscape and is appropriately sited to utilise existing natural features, such as landform and established vegetation, in order to minimise visual impact. Policy CTY 14 seeks to ensure that development does not result in a detrimental change to, or further erode, the rural character of the countryside through prominent siting, excessive scale, or inadequate integration. The site is visible from the public road along its southern boundary, with views available in both directions of travel. However, established roadside vegetation along the Newry Road provides a degree of natural enclosure and limits longer-range views, such that the site is primarily experienced in short-range views when passing directly alongside it. Having regard to the existing boundary treatment and the potential for additional landscaping, it is considered that a sensitively designed and appropriately sited dwelling could be accommodated without resulting in undue prominence or harm to the rural character of the area. Should outline planning permission be granted, it would be necessary to attach conditions relating to the precise siting, ridge height, finished floor levels and the provision and retention of landscaping. These measures would ensure that the detailed design at reserved matters stage secures appropriate integration with the surrounding countryside and safeguards the visual amenity and rural character of the locality in accordance with Policies CTY 13 and CTY 14 of PPS 21.

**CTY 16- Development Relying on Non-Mains Sewerage**
CTY 16 ensures that new developments will not create or add to a pollution problem. A package treatment plant is proposed. It is considered that there is sufficient land within the redline boundary to accommodate this and associated soakaways without impacting the amenity of existing and future residents. This proposal is not contrary to CTY 16. The installation of a septic tank is subject to NIEA consent which would be conditioned to this effect.

**Amenity**
The nearest occupied dwelling is No.79 Newry Road located approx. 50m north of the subject building. It is considered that there is ample 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. It is not considered the proposal would have impact on neighbouring property.

**PPS 6 Planning, Archaeology and Built Heritage**
The application site is within the zone of influence for an archaeological site (DOW047:078 - CROSS INCISED STONE). Historic Environment Division (HED) were consulted in light of the outline proposal and have provided no objection. It is considered therefore that the application will not have any significant influence on any historical sites. The PI Dept agree with this position whereby the distance and nature of this proposal (on site replacement) are such that no unacceptable impact will result.

**PPS3 Access, Movement and Car Parking**
The application form indicates that access to the site is to be obtained via an existing access within the curtilage of the application site; however, alterations to this access would be required to facilitate the proposed development. It is noted that the Newry Road is a Protected Route and, as such, the provisions of Policy AMP 3 of PPS 3 – Access to Protected Routes (Consequential Revision) – apply. Policy AMP 3 seeks to restrict the creation or intensification of accesses onto Protected Routes, other than in limited and specific circumstances as set out within the policy. In this instance, the proposal does not constitute a genuine replacement dwelling and therefore does not fall within any of the exceptions identified under Policy AMP 3. The development would result in the intensification of use of an existing access onto a Protected Route, which is contrary to the policy's stated aim of protecting the safety and carrying capacity of such routes. DFI Roads were consulted in respect of the proposal and have recommended refusal on this basis. Having regard to the above, the proposal is considered contrary to Policy AMP 3 of PPS 3.

**PPS2 Natural Heritage**
Planning Policy Statement 2 (PPS 2): Natural Heritage sets out the planning policies for the conservation, protection and enhancement of Northern Ireland's natural environment. The overarching aim of the policy is to safeguard biodiversity, geological features and landscapes from inappropriate development, while promoting their sustainable use and enjoyment. PPS 2 provides the framework for assessing the potential impacts of development on designated sites, priority habitats and protected species, ensuring that natural heritage interests are fully considered in the decision-making process. The application site is located approximately 3km south-west of Derryleckagh Special Area of Conservation (SAC). Having regard to the scale and domestic nature of the proposal, it is not considered that the development would give rise to significant emissions, pollution or disturbance that could adversely affect the integrity of this designated site. In accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the potential for the proposal to have a likely significant effect on European Sites, including Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites, has been assessed. It is concluded that the proposal would not have a likely significant effect on Derryleckagh SAC or any other European Site. Policies NH 2 and NH 5 of PPS 2 state that planning permission will only be granted where a proposal is not likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features of natural heritage importance, including those protected by law.

Given the nature of the proposal, a Biodiversity Checklist and Preliminary Ecological Appraisal (PEA) were submitted in support of the application, with surveys undertaken in February 2026. The PEA identifies the building to be replaced as having negligible Bat Roosting Potential (BRP) and similarly concludes that the surrounding trees also have negligible BRP. The report confirms that no protected species or priority habitats were identified within the application site

and that no further survey work is required. Having regard to the findings of the submitted ecological information, it is considered that the proposal would not result in harm to protected species, habitats or features of natural heritage importance. The development is therefore considered acceptable in terms of Policies NH 2 and NH 5 of PPS 2. The site does not fall within an Area of Outstanding Natural Beauty; accordingly, Policy NH 6 is not applicable in this instance.

The drawing considered as part of this assessment are as follows:
200 A

**Neighbour Notification Checked** Yes

**Summary of Recommendation**
It is considered the proposal fails the policy test for replacement dwellings whereby the principle is considered unacceptable and contrary to policy. The application is recommended for refusal for the below reasons:

**Reasons for Refusal:**

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

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policies CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that all external structural walls of the dwelling to be replaced are not substantially intact.

3. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 3, in that it would, if permitted, result in the intensification of use of an existing sub-standard access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety.

**Case Officer Signature: Fergal Connolly**

**Date:** 2nd March 2026

**Appointed Officer Signature: M Keane**

**Date: 02-03-26**

**Development Management Consideration**

**Details of Discussion:**

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

**Group decision:**

**D.M. Group Signatures** _____

_____

_____

**Date** _____

Planning Committee Speaking notes;

Colin Dalton

Terry Trainor

**LA07/2025/1142/O**

**this decision comes down to the interpretation of "Substantially intact"**

**1. Compliance with PPS 21, Policy CTY 3 – Essential Characteristics**
Policy CTY 3 permits a replacement dwelling where the building exhibits the "essential characteristics of a dwelling" and "as a minimum all external structural walls are substantially intact." The Officers Report (2nd March 2026) acknowledges *"the subject building contains features such as openings on the northern (rear) and southern (front) elevations consistent with a former dwelling, together with the remains of a fireplace internally. On that limited basis, it may be accepted that the structure was previously used as a dwelling."*

**2. Interpretation of "Substantially Intact" and Overall Condition**
PPS 21 does not define "substantially intact" with a precise percentage but requires a practical assessment of the dwelling's overall structural envelope. The Officer Report confirms that "the remaining two walls [northern and western] appear to be intact," suggesting at least 50% of the external walls are undisputedly standing. Regarding the eastern gable, the report states the apex has collapsed, leaving "approximately 1.5 metres of wall from ground level" This indicates the lower half remains, which, combined with the southern elevation's intact sections (door with lintel and partial wall), suggests the building retains significant structural presence as these were locations for openings. This dwelling was subject to a fire and there is an insurance report that we can provide if required, where a lot of the old timber heads were burn and caused the opens to fall in.

**3.Supporting Evidence and Rebuttal of Council Assessment**
The Officer Report references "it is argued that the opening illustrated in Figure 3 represents the remnant of a former window and should not be interpreted as evidence of structural collapse. While it is accepted that a window may previously have existed at this location, it is clearly evident that the masonry above the opening has collapsed. As such, the loss extends beyond a former window opening and reflects structural failure of the wall itself. Consequently, this section of the wall cannot reasonably be considered to be substantially intact- we feel this is an unfair assessment, the officer noted that what may have been below the window is still intact and as can be seen from the other walls there was no blockwork over the windows as this was a single storey dwelling.

**4. Alignment with PPS 21's Sustainability Goals**
PPS 21 encourages replacement dwellings to sustain rural communities and prevent dereliction. The site south of 79 Newry Road, Mayobridge, is an established residential location with existing access, as noted in the Officer Report. Refusal risks abandoning this site, contrary to PPS 21's objectives, while approval would maintain its residential use without impacting the countryside's character—supported by the report's finding that a "suitably designed dwelling could be accommodated" under CTY 13 and CTY 14.

**5. Additional Considerations from Application**

The Officer Report confirmed Dfi Road service recommend refusal as the access is onto a protected route, if he principle of a replacement as established there would be no objections from DFI Roads in fact Dfi road approved the entrance on the previous application. There was no objections from Northern Ireland Water, Historic Environment Division, or NIEA, and no neighbour representations, indicating no secondary barriers to approval. The Council's focus on wall condition as the sole refusal basis is unduly narrow given these positive assessments.

**Set out why this application should be determined by Committee rather than officers –**

It is requested that the Planning Application Ref. LA07/2025/1142/O be referred to the Planning Committee as we feel the application adequately satisfies the requirements of CTY 1 and CTY 3 .The dwelling exhibits the essential characteristics of a dwelling, and its external walls are substantially intact when the southern opening is correctly identified as a former window, not a collapse. The building's overall condition, supported by intact walls and partial elevations, meets the policy's minimum requirement, and approval aligns with PPS 21's rural sustainability aims.

## 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 | **LBC submitted, under consideration** | 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 attended 25.03.2026** | Y |
| **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 |
| **LA07/2025/0378/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 |

| Minute Ref | Subject | Decision | Lead Officer | Actions taken/ Progress to date | Remove from Action Sheet Y/N |
|---|---|---|---|---|---|
| **PLANNING COMMITTEE MEETING – 25 MARCH 2026** | | | | | |
| **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 planning department to allow for further consideration.** | B Ferguson | | N |