

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Thursday 19 June 2025 at 12pm in the Council Chamber, Downshire Civic Centre, Downpatrick

Chairperson: Councillor M Larkin

**Committee Members in
attendance in Chamber:**

Councillor C Enright	Councillor K Feehan
Councillor G Hanna	Councillor C King
Councillor D McAteer	Councillor D Murphy

Officials in attendance: Mr J McGilly, Assistant Director: Regeneration
Ms A McAlarney, Development Manager: Planning
Mr M Keane, Senior Planning Officer
Miss S Taggart, Democratic Services Manager
Ms F Branagh, Democratic Services Officer

Also in attendance: Ms Nora Largey, Belfast Legal Services

**Also in attendance
via Teams:**

Mr Niall Marshall, Department for Infrastructure
Ms Aileen Nelson, Department for Infrastructure
Ms Sarah Douglas, Department for Infrastructure
Ms Kim Boal, Department for Infrastructure

P/057/2025: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors S Murphy and Tinnelly

P/058/2025: DECLARATIONS OF INTEREST

Councillor Quinn and Rice were noted to be absent as they had previously declared an interest in the item at Planning Committee Meeting of 30 April 2025.

Councillor Feehan requested legal opinion in regard to declarations of interest, following which Councillor Larkin queried whether the Committee was happy to proceed into closed session.

**ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE
LOCAL GOVERNMENT ACT (NI) 2014**

AGREED: On the proposal of Councillor Feehan, seconded by Councillor D Murphy, it was agreed to exclude the public and press from the meeting during discussion on the following matters which related to exempt information by virtue of

Paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.

AGREED:

On the proposal of Councillor Feehan, seconded by Councillor D Murphy, it was agreed the Committee come out of closed session.

Legal opinion had been provided during closed session discussions.

Councillor Enright advised that following legal advice he would withdraw from the meeting, stating that other Members should also withdraw from the decision as he believed that many had already expressed an opinion on the application.

DEVELOPMENT MANAGEMENT

P/059/2025: PLANNING APPLICATIONS FOR DETERMINATION

(1) LA07/2023/2274/F

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

Location:

Lands at Abbey Way Multi-Storey Car Park Mill Street & Lower Water Street, Newry

Proposal:

Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park, part of Lower Water Street and along Mill Street.

Demolition of the existing multi-storey car park and alterations to the existing road network.

Conclusion and Recommendation from Planning Official:

Approval

Power-point presentation:

Mr Keane confirmed this was a full planning application for a Civic Hub building to accommodate a Council room, meeting rooms, Council offices and associated ancillary accommodation with public realm works to part of the existing surface car park, part of Lower Water Street and along Mill Street. He noted that there was an associated Demolition Consent application for demolition of the existing multi storey car park, which was processed by the Department in line with legislation, and the Department issued a notice of opinion to grant demolition consent in April 2025.

Mr Keane advised that following the earlier Pre-Determination Hearing (PDH) the application was now being presented to Members with a recommendation to approve, advising that a number of issues had been raised at the PDH to include:

- Siting with regard to proximity to the cathedral
- Financial viability of the scheme
- Contracts being signed for works prior to planning permission

- Legislation breaches
- Neighbour notification
- Preliminary acoustic report dated 2020
- car parking & accuracy of assessments and any permissions
- PV panels and plant on roof
- Impact on listed buildings
- Rebuttal from Consarc regards impact on listed buildings.
- Details of retaining walls
- Out of date surveys
- Building out of character
- The Pre Application Community Consultation (PACC)
- Fee query

Mr Keane advised that a number of the issues raised had been previously considered and were addressed within the Case Officer's Report. He stated that in regard to the PACC, a public event had been held in December 2019, with the current application having been submitted in March 2023. The PACC report had been requested on 20 June 2023 and received on 28 June 2023 whereby the application was reclassified to a Major Application and was readvertised week commencing 10 July 2023.

Mr Keane advised that Historic Environment Division (HED) had been involved in the processing of the application from the initial Pre-application Discussion (PAD) stage, with their final comments having been received in June 2024 with no objection in principle. He noted that further comment had been received from HED in December 2024, following further consultation in response to the Listed Building Setting Assessment supplied by Consarc in November 2024, but their opinion had remained unchanged. The latest Comments from Consarc have been noted.

With regard to the PV panels and plant on the roof not being included in the description, Mr Keane confirmed that the proposal description adequately described the development proposed and that the submitted plans were accurate. He further confirmed that Environmental Health had been consulted on the preliminary acoustic survey and offered no objections subject to conditions, those being included within the draft conditions of the Case Officer Report.

Mr Keane reminded Members that this was a major application that had been subject to a PAD and a Planning Advice Note (PAN), as detailed within the Case Officer Reports, addendums, and papers associated with the previous PDH. He confirmed that a suite of drawings and supporting information had been submitted with the application.

Mr Keane confirmed that the Council were required to have regard to the Local Development Plan, reminding Members that the site was located within the boundary of Newry Town Centre, outside the Primary Retail Core and Frontage but within the boundary of the Conservation Area and within an Area of Archaeological Potential, within a Protected Route of Abbey Way, and in close proximity to listed buildings, monuments, Newry River and Canal and a Local Landscape Policy Area.

Mr Keane outlined that the proposed building would be modern in appearance, 3 floors of accommodation, based on a simple rectangular form based on 2 blocks, one above the other, rectangular in shape with a flat roof and designed to provide frontage on all sides. He confirmed that a retaining wall would be required along the boundary of the site adjacent to Abbey Way which would be subject to technical approval.

With regard to statutory consultation, Mr Keane advised that this had been undertaken with a number of organisations during the processing of the case, whereby no objections had been offered in principle to the application, subject to conditions which were detailed within the Case Officer's Addendum Report.

Mr Keane advised that over 2600 representations had been received in opposition to the proposal, and that while some of these representations were not material planning considerations, those that were had been fully considered and detailed within the Case Officer's Reports.

Mr Keane advised that in line with statutory requirements, advertising and neighbour notification had been undertaken, with further rounds of advertising and neighbour notification carried out as the application progressed with any responses being considered by the Planning Department and detailed within the Case Officer's Report.

Mr Keane advised that having taken account of the nature of the proposals and constraints of the site and wider area, a number of policies were engaged and required to be considered. He stated that the site was located within the town centre boundary and outside the primary retail core with the proposed usage considered appropriate for the site and would complement existing uses within the city centre in accordance with the town centre first approach indicated within SPPS. He advised the site was also located within the Conservation Area and Area of Archaeological Potential as well as being adjacent to a number of listed buildings therefore policies contained within PPS6 and the SPPS were key.

Mr Keane stated the size, design, layout and appearance of the building, as outlined within the case officer's report, was considered appropriate and had special regard to the zoning and would preserve and enhance the character of the Conservation Area. He also advised that HED had advised the siting, size, design, height, scale, massing, form, alignment, finishes and appearance of the development proposed would not adversely affect the setting of any listed building, and offered no objections in principle. HED monuments were also consulted and offered no objections in principle.

Mr Keane stated that with respect to the access, movement and parking, it was noted that the building and site were enclosed by the existing road network and the existing vehicular access from Abbey Way would be retained, with a new road layout, whereby the building would be accessed from the Northern end. He advised that it was acknowledged that the proposals did not include any specific on-site or in-curtilage parking stating that PPS3 required that development proposals should provide adequate provision for car parking and appropriate servicing arrangements, with the precise amount of car parking being determined according to the specific characteristics of a development and its location having regard to the Department's published standards.

Mr Keane outlined that the Parking Standards guidance document indicated that some 220 parking spaces would be required to serve the proposed office building, or approximately 230 when including the wedding suite. He stated that the submitted proposals indicated that the building would accommodate a total of some 215 members of staff that would be relocated from existing Council offices within Newry. He highlighted that the applicant confirmed that Newry, Mourne and Down District Council operated a hybrid (agile) working policy and therefore would only provide desks for 162 staff (75%).

Mr Keane advised that a Transport Assessment (TA) and Travel Plan (TP) had been submitted in support of the application with the final version submitted in August 2024, while parking surveys were also undertaken most recently in November 2023 to reflect current trends since the COVID pandemic. He outlined that the TA also set out the city centre and highly accessible location of the site and included a number of measures including provision of bikes and a shuttle bus.

He stated that as part of the Council's strategy to address current and future parking demands in Newry City, the Council had also submitted planning applications that proposed to formalise the current unmarked car park at North Street and planned to create car parking at Cecil Street (for use by NMDDC staff) as part of the Newry City Centre Regeneration.

He reiterated that no parking was being provided for the proposed development, rather a case had been made that the parking surveys undertaken, in 2023, demonstrated there was an abundance of parking provision which exceeded demand and that there was sufficient existing car parking capacity within Newry city centre at present. Notwithstanding the proposals to also provide additional town centre parking, the issue of car parking associated with existing committed developments was also considered as the application progressed.

Mr Keane highlighted that the Planning Department had considered all relevant factors, and considered a case has been made to show there was sufficient parking capacity within the town centre to accommodate the proposal, while the central and highly accessible location of the site using various modes of travel, together with the active travel and measures proposed were considered to fit with the requirements of PPS3, Policy AMP 7, in relation to car parking provision, subject to appropriate conditions.

Mr Keane highlighted the issue of the loss of existing public car parking spaces, should the proposal go ahead, due to the demolition of the multi storey car park, which had also been raised. He stated there was currently a total of some 334 parking spaces on site and immediately adjacent, between the multi-storey carpark, surface park and on-street parking.

He said the removal of the multi-storey carpark would result in the loss of 196 spaces, with 138 surface and on-street parking being retained. He highlighted that the applicant had stated the upper deck of the multi storey area of parking, comprising some 61 parking spaces, had been closed for some time and was therefore out of use, thus the loss of operational parking was actually 135, not 196, however, this had been disputed by 3rd Parties.

He stated that the Planning Department had fully considered this issue, as part of its assessment of the planning application and while it was acknowledged there would be a loss of existing spaces, it was considered, taking into account all relevant material considerations and the alternative existing and proposed car parking provision available, that the loss of the car parking spaces was justified.

He highlighted other issues including biodiversity, protected species, connection to mains and flooding, noise, nuisance and disturbance stating that these had also been fully considered.

Mr Keane stated that the application had been fully assessed having account to the area plan, applicable policy context, consultee responses and also all representations received. He advised it had been processed in line with legislative requirements and was recommended

for Approval subject to conditions, which were listed at the end of the Officers Addendum report.

Speaking rights:

In Objection:

Mr Andy Stephens was present in objection to the application, supported by Mr Simon Warke, Canon Francis Brown and Anthony Patterson.

Mr Stephens stated that he did not accept that all reports had been fully considered by either the Planning Department or by statutory consultees. He stressed that the application form was still marked as a local application, despite being subject to considerable debate, that the acoustic information was out of date as discussed at the Pre-Determination Hearing (PDH) with no consideration being given to the application of a condition regarding the screening of the plant equipment on the roof. He further stressed that the average floor space to desk ratio was well above that of Belfast offices and could not understand why rental could not be offered to third party rentals.

With regard to the legal opinion that had been discussed in closed session, Mr Stephens advised that while he did not have sight of it, he stressed that it was one opinion, that opinions could differ, and urged Members to be mindful of that. He referenced the Council's planning application validation checklist that had been subject to recent public consultation, stressing that Council had not kept in line with their proposed validation checklists that they were considering adopting.

Canon Brown referenced the information in relation to the parking surveys, stressing that they did not account for the full range of activities that occurred regularly within the cathedral, such as funerals, weddings or events such as holy communion. He further stressed that the proposal could be built elsewhere, was deemed ugly by his parishioners and appealed to Members present to consider his parishioners plight with regard to parking and refuse the application.

In Support:

Mr Mark Priestly was present in support of the application, supported by Mr Kieran Carlin and Mr Stephen Livingstone online.

Mr Carlin noted that the presentation had been shown to Members both at previous Committee meetings and at the earlier PDH and unless requested, he would not go through the proposal in detail again. He stressed that the application was valid and robust, and that all material considerations had been considered by the Planning Department prior to submission of the application and following the legal advice, the Case Officer had confirmed this again.

Mr Carlin noted that the proposal would help the vitality of Newry, while stressing that the Systra parking surveys highlighted that there was sufficient car parking availability within the city. He referenced the objectors' statement with regard to unreliability of the submitted surveys but stated that they had been carried out in line with DFI requirements and that the proposal was in line with all planning policy requirements.

Mr Priestly clarified that while the floor space may seem large, it was to accommodate hybrid working, large and small meeting rooms, a wedding venue and a council chamber and would not solely be for office space.

Mr Priestly stressed that the application had attempted to be sympathetic and harmonious to the cathedral while progressing through the planning application process, confirming that he had met with Canon Brown on two separate occasions to discuss the proposal. He advised that conditions could be applied to the proposal should consent be granted, but stressed that despite numerous objections and multiple consultations later, the Case Officer Report still recommended approval for the application.

Councillor Larkin queried whether any party had a rebuttal or inaccuracies that they wished to address.

Mr Stephens stated that he had submitted parking surveys that had been undertaken in October, November and May, therefore it was incorrect to say that the objectors had not provided any parking surveys. He further stated that the parking surveys carried out by the applicant did not take account of ad hoc activities within the cathedral. He also advised that he believed that the issue with regard to floor space within the proposal was still awaiting clarification as by his calculations the floor space to desk ratio was too large.

Mr Carlin advised that Mr Stephens statements were an expression of opinion rather than clarification of factual inaccuracies and confirmed that they had nothing further to add.

Mrs McAlarney advised that the Planning Reports detailed the consideration given to the issues raised by the objectors and a recommendation for approval was still the opinion of the Planning Department.

Councillor D Murphy stated that the Committee had heard the arguments both for and against the application on a number of occasions and having listened all opinions and details outlined he believed any decision of the Committee would be a robust one. He proposed to accept the Officer's recommendation for approval of the application, stating that he had believed that the concerns raised had all been considered by the Planning Department.

Councillor King seconded the proposal.

Councillor Hanna requested a recorded vote on the proposal, a copy of which is appended to these minutes.

The proposal was put to a vote and voting was as follows:

FOR: 4
AGAINST: 1
ABSTENTIONS: 1

The proposal was declared carried.

AGREED: On the proposal of Councillor D Murphy, seconded by Councillor King, it was agreed to issue an approval in respect of planning application LA07/2023/2774/F supporting officer recommendation as contained in the Case Officer Report.

Councillor Larkin thanked everyone present for their time, patience and professional conduct.

There being no further business the meeting ended at 1.02pm

Signed: _____ Chairperson

Signed: _____ Chief Executive

NB: 0% of decisions overturned

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
PLANNING COMMITTEE RECORDED VOTE

DATE: _19/06/25 **VENUE:** Downshire Civic Centre

MEETING: Planning Committee

SUBJECT OF VOTE:

Item 3 – LA07/2023/2274/F - Lands at Abbey Way Multi-Storey Car Park Mill Street & Lower Water Street, Newry

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
W Clarke				1
C Enright				2
K Feehan			1	
G Hanna		1		
C King	1			
M Larkin	2			
D McAteer	3			
D Murphy	4			
S Murphy				3
A Quinn				4
M Rice				5
J Tinnelly				6
TOTALS	4	1	1	6