

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 L Devlin
Councillor G Hanna	Councillor D McAteer
Councillor D Murphy	Councillor S Murphy
Councillor M Rice	

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: DECLARATIONS 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

ClIr 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:

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