

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 5 August 2026 at 10am in the Council Chamber, Downshire Civic Centre, Downpatrick.

Chairperson: Councillor M Larkin

Committee Members in attendance in Chamber:

Councillor L Devlin	Councillor V Harte
Councillor O Magennis	Councillor D McAteer
Councillor S Murphy	Councillor H Reilly
Councillor M Rice	Councillor J Tinnelly
Councillor H Young	

Officials in attendance:

Mrs A McAlarney, Planning Manager
Ms B Ferguson, Senior Planning Officer
Mr M Keane, Senior Planning Officer
Ms E Kirk, Assistant Director: Legal & People
Mr P Rooney, Head of Legal Administration
Ms S Taggart, Democratic Services Manager
Mr C Smyth, Democratic Services Officer

P/054/2026: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor Clarke and Mr J McGilly, Assistant Director of Regeneration.

P/055/2026: DECLARATIONS OF INTEREST

There were no declarations of interest.

P/056/2026: DECLARATIONS OF INTEREST IN ACCORDANCE WITH PLANNING COMMITTEE PROTOCOL- PARAGRAPH 25

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

There were no declarations of interest.

MINUTES FOR CONFIRMATION

P/057/2026: MINUTES OF PLANNING COMMITTEE MEETING OF WEDNESDAY 1 JULY 2026

Read: Minutes of Planning Committee Meeting of Wednesday 1 July 2026.
(Copy circulated)

AGREED: On the proposal of Councillor Magennis, seconded by Councillor Harte, it was agreed to adopt the Minutes of the Planning Committee Meeting of Wednesday 1 July 2026 as a true and accurate record.

FOR DISCUSSION/DECISION

P/058/2026: **ADDENDUM LIST**

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 5 August 2026.
(Copy circulated)

AGREED: On the proposal of Councillor McAteer, seconded by Councillor Harte, it was agreed to approve the officer recommendations in respect of the following applications listed on the Addendum List for Wednesday 5 August 2026:

- **LA07/2025/0242/F** - On street car parking area immediately in front of No. 2 O'Hagan Street, Newry - Proposed parklet area with associated site works
APPROVAL
- **LA07/2025/0243/F** – On-street car parking area immediately in front of no. 14-16 & 18B Hill Street, Newry BT34 2BN - Proposed parklet area with associated site works
APPROVAL
- **LA07/2020/0156/O** - 11B Edward Street Newry - Erection of Apartment Development
APPROVAL
- **LA07/2026/0377/F** - 156A Drumaness Road, Drumaness, Ballynahinch, BT28 8RL - Installation of a modular building, associated site works, changing facilities, toilets, and a multifunctional community hub. Access remains via the existing entrance to the cricket grounds.
APPROVAL

DEVELOPMENT MANAGEMENT

P/059/2026: **PLANNING APPLICATIONS FOR DETERMINATION**

(1) **LA07/2025/0555/O**

On agenda as a result of the Call in Process

Location:

75m NW of 4 Upper Ballinran Road, Kilkeel

Proposal:

Site for dwelling & detached garage with associated site works.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mr Mark Keane stated that the application was an outline application for a farm dwelling and that the Case Officer's report, including the site history, had been taken as read. He advised that Planning Officers acknowledged that the proposal complied with Policy CTY 10 relating to a farm dwelling. However, Policy CTY 1 required that all development proposals in the countryside also met other planning and environmental considerations. In this regard, the proposal was considered contrary to Policy CTY8, as the proposed siting, to the side of two existing buildings, would have resulted in ribbon development.

Mr Keane stated that the proposal was therefore considered contrary to Policies CTY 1, CTY 8 and CTY 14 and was recommended for refusal on that basis.

Speaking rights:

In Support:

Mr Brendan Quinn spoke in support of the application. He stated that the proposal sought outline planning permission for a dwelling and garage on the applicant's family farm, adjacent to two lawful farm sheds. He advised that the submitted plans showed the dwelling would have been set back from the Upper Ballinran Road and would not have shared a frontage with the road. He added that the existing sheds would have screened the dwelling from views approaching from the south-west, while views from the north-east would have shown it alongside the sheds with the Mourne Mountains as a backdrop.

Mr Quinn noted that the officer's report confirmed compliance with all the requirements of Policy CTY 10 but concluded that the proposal was contrary to Policy CTY8 and Criterion (d) of Policy CTY 14 as it would have created ribbon development. He referred to a December 2025 appeal decision in Ballygowan, which he stated had informed the recommendation for refusal.

Mr Quinn advised that the Council had considered two similar applications in March and April 2026 and had been granted approval in both cases. He stated that discussions at the Committee had reflected concerns about recommendations for refusal of farm dwellings based on a perceived conflict with Policy CTY 8 following a single appeal decision. He expressed the view that applications had traditionally been assessed primarily against Policy CTY 10 since 2008.

He further stated that, since April 2026, four applications in the Newry and South Armagh area involving a potential conflict between the siting requirements of Policy CTY 10 and the prevention of ribbon development had been approved, with greater weight given to Policy CTY 10.

Mr Quinn argued that the Planning Department had adopted an inconsistent approach to applications for farm dwellings. He noted that Policy CTY 10 required compliance with Policies CTY 13, CTY 14 and CTY 16 once the principle of development had been

established, and that Policy CTY 8 was not expressly identified as an additional policy test, although it remained a material consideration.

Councillor Rice asked whether previous decisions overturned by the Committee, as referenced by Mr Quinn, had been taken into account in the assessment of the application. Mr Keane advised that officers were mindful of those decisions but were also required to have full regard to planning policy and the development plan.

In response to further queries from Councillor Rice, Mr Keane advised that applications involving potential conflict between Policies CTY 8 and CTY 10 were assessed on their individual merits, taking account of site-specific circumstances, including the relationship to the public road and existing development. He stated that there was no blanket approach and that the Planning Department considered the current proposal to constitute ribbon development. He further noted that, while a 2019 appeal had afforded determining weight to compliance with CTY 10 despite conflict with CTY 8, more recent appeal decisions had dismissed proposals that complied with CTY 10 but conflicted with CTY 8.

Mr Quinn stated that, since the introduction of Policy CTY 10 in 2008, he had not encountered a recommendation for refusal where a proposal complied with CTY 10 but was considered contrary to CTY 8. He argued that the Ballygowan appeal differed significantly from the current application and was not directly comparable. He further advised that the dwelling had been positioned further back within the site and screened by existing farm sheds to minimise visual impact. Mr Quinn expressed concern that excessive reliance was being placed on the December 2025 appeal decision and suggested that this could have implications for the future assessment of farm dwelling applications.

In response to queries from Councillor Devlin, Mr Keane advised that alternative sites existed within the wider landholding and reiterated that Policy CTY 1 required compliance with all relevant planning considerations, including Policy CTY 8. He added that it was appropriate for the Planning Department to review its interpretation of policy in light of appeal decisions and case law. He also confirmed that amendments to the red line boundary would not address the ribbon development concerns.

In response to Councillor McAteer, Mr Keane advised that the proposal was considered contrary to Policy CTY 8 on the basis that it would create ribbon development, noting that set-back or staggered development could also constitute ribboning and that this position had been supported through appeal decisions.

Councillor McAteer noted that the proposal met the positive tests of Policy CTY 10 for a farm dwelling, to which Mr Keane responded that the requirements of Policies CTY 8 and CTY 10 were separate planning considerations and should not be conflated.

Councillor Reilly stated that, given the proposal's compliance with Policy CTY 10 and its relationship to the existing farm sheds, he did not consider it to represent ribbon development and believed it could integrate successfully within the landscape. He also questioned the relevance of the Ballygowan appeal to the current application and asked whether Mr Quinn considered that decision to be restricting legitimate farm dwelling development in the Mourne area. In response, Mr Quinn cited three recent cases in which the Planning Department had referred to that appeal decision.

Referring to Mr Quinn's comments regarding inconsistencies in decision-making across the District, Councillor Tinnelly expressed concern and queried why the current application had

not been approved if similar criteria had been applied in other approved cases. Mr Keane responded that each application depended on its own site-specific circumstances.

Councillor Rice proposed to overturn the recommendation to an approval, stating that the proposal complied with Policy CTY 10 and had been confirmed as relating to a genuine, established and active farm. He further stated that he did not consider the reasons for refusal under Policies CTY 8 and CTY 14 to have been substantiated and considered that the dwelling would read as part of the existing farm grouping alongside two agricultural sheds, rather than as an isolated roadside dwelling.

This was seconded by Councillor Devlin.

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

FOR:	10
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: On the proposal of Councillor Rice, seconded by Councillor Devlin, it was agreed to issue an approval in respect of planning application LA07/2025/0555/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.

Councillor Rice left the meeting at this point – 10.48am

(2) LA07/2025/0378/F

On agenda as a result of the Call in Process.
Previously tabled in February 2026.

Location:
26 Lisburn Street, Electrotech, Ballynahinch

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

Conclusion and Recommendation from Planning Official:
Refusal

Power-point presentation:
Mrs Brenda Ferguson stated that the application sought full planning permission for the change of use of a commercial shop unit to a two-bedroom dwelling house and that the case officer's report had been taken as read. She advised that no objections had been received and that all consultees had responded with no objections, subject to conditions.

She noted that the site was located within Ballynahinch Town Centre, as designated in the Ards and Down Area Plan 2015. She advised that the proposal involved the conversion of the building to a single dwelling, comprising a kitchenette/dining area and living room at ground floor level, with two bedrooms and a shower room at first floor level. The loss of this limited amount of retail floorspace to residential use was considered acceptable, given that the site was not located within the Primary Retail Core.

Mrs Ferguson advised that Policy QD1(c) and the supplementary planning guidance contained within *Creating Places* were relevant considerations that stated that adequate private open space should form an integral part of residential design to provide amenity for residents, enhance visual attractiveness and improve safety, particularly for young children. While smaller areas could be appropriate for one or two-bedroom dwellings or properties located adjacent to public or communal open space, an area of less than approximately 40 square metres was generally considered unacceptable.

She noted that the agent had argued that the property was located within the designated Town Centre and benefited from immediate access to a range of public spaces and facilities, while the agent had also highlighted that no amenity space was provided at No. 24 and that only limited amenity space existed at neighbouring properties opposite the site. She confirmed that those properties were long established and pre-dated the introduction of PPS 7. She confirmed that as the proposal included no private rear amenity space, the justification provided was not considered sufficient to overcome this policy concern and the proposal was therefore considered contrary to the layout requirements of Policy QD1.

Mrs Ferguson concluded that the proposal was unacceptable as it failed to create a quality residential environment and did not comply with Policy QD1 of PPS 7.

Speaking rights:

In Support:

Mr William Getty spoke in support of the application. He stated that the principal issue related to the provision of amenity space and noted that PPS 7 did not prescribe a mandatory minimum standard but required adequate provision to be assessed in context. He advised that he owned the additional lands identified on the plans and that these could be landscaped and used as amenity space, together with the rear yard serving the property.

Mr Getty stated that there was limited retail demand in Ballynahinch but a need for smaller residential properties. He highlighted that no objections had been received from DfI Roads, Environmental Health, NI Water, members of the public or neighbouring properties. He contended that the application conflicted with only one element of policy relating to amenity space and argued that this should be balanced against wider planning objectives, including housing delivery, the reuse of existing buildings and the town centre location. He expressed disappointment that the application had been recommended for refusal on amenity space grounds when additional amenity space was available within his ownership and control.

In response to a query from Councillor Devlin as to whether the Council could impose conditions on land outside the application site boundary, Mrs Ferguson advised that it could not and confirmed that a new planning application would be required.

Councillor Reilly noted the high number of vacant properties in Ballynahinch and queried whether the proposed alterations would adversely affect the town's streetscape. Mrs Ferguson advised that the proposal would protect the character of the streetscape.

Discussion then focused on amenity space. Mr Getty advised that a lean-to at the rear of the building provided approximately 12 to 15 square metres of space. He also referred to the level of dereliction in the area and stated that the proposal could act as a catalyst for regeneration in Ballynahinch and support employment.

Councillor McAteer suggested that there might be a planning mechanism to secure land outside the application boundary for amenity purposes, to which Mr Rooney advised that he was unaware of any such mechanism.

Mrs Ferguson advised that the lean-to would not be regarded as private amenity space and even if it were, it would fall below the 40 square metre guidance. Mr Getty responded that the policy required adequate amenity provision and stated that, if planning permission were granted, he intended to provide additional amenity space on land within his ownership outside the application boundary.

Mrs Kirk reiterated that any works outside the application boundary would require an amendment to the application and that a legal agreement would not have been appropriate in the circumstances. She further advised that Members were not bound by the officer recommendation and could apply their own judgement and weighting to the relevant planning policies.

In response to a query from Councillor Larkin regarding nearby open space and community facilities, Mr Getty identified a number of local amenities, including a play park, community centre and town square. He also noted that the property will benefit from off-street parking.

Councillor Larkin proposed to overturn the recommendation to an approval, stating that he believed there was sufficient amenity space nearby for occupants to utilise. He also noted the landowner had lands to the rear of the site which he intended to develop into amenity space.

Councillor Devlin seconded the proposal, endorsed Councillor Larkin's comments and noted the significant demand for housing within the Ballynahinch area.

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 Devlin, it was agreed to issue an approval in respect of planning application LA07/2025/0378/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.

(3) LA07/2023/3550/O

On agenda as a result of the Call in Process / Operating Protocol and Scheme of Delegation

Location:

60m S of 36 Killyleagh Road, Crossgar, BT30 9LA

Proposal:

Proposed replacement dwelling and retention of existing structure as ancillary building.

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mrs Brenda Ferguson stated that the application sought outline planning permission for a replacement dwelling and the retention of the existing structure as an ancillary building. The Case Officer's report had been taken as read. No objections had been received, and consultees had offered no objections in principle.

She advised that the site was located within the countryside and that Policy CTY3 of PPS 21 was applicable. While the existing stone building retained four walls and a roof, officers considered that it did not display the essential characteristics of a dwelling. The building lacked features typically associated with a dwelling house, including a chimney, domestic-scale openings, a chimney breast and evidence of internal room divisions. Instead, its appearance and form were considered more consistent with a shed or former agricultural building.

Mrs Ferguson noted that the agent had submitted historical mapping and Griffith's Valuation records indicating the presence of a dwelling on the holding in 1863. However, the footprint of the building shown on the historic records did not correspond with the rectangular structure currently on site, and significant changes had occurred over time. Officers considered that, regardless of the building's history, the essential characteristics of a dwelling were no longer evident in the structure currently standing on the site.

She concluded that the proposal failed to meet the requirements of the SPPS and Policies CTY1 and CTY3 of PPS 21 and was therefore recommended for refusal.

Speaking rights:

In Support:

Mr Declan Rooney spoke in support of the application, supported by Mr Richard Jamison, the applicant's brother. He advised that the proposal sought permission for a replacement dwelling with retention of the existing building as an ancillary structure. He noted that a previous application on the site had been refused in 2016; however, the current application was supported by additional evidence, including a Griffith's Valuation record confirming the presence of a dwelling on the site in the 19th century. He stated that the building remained largely intact and retained its own folio number, supporting its status as a separate unit.

Mr Rooney advised that the building retained several residential characteristics, including substantially intact external walls, internal room divisions, a pitched roof and domestic-scale window and door openings. He noted that the officer's report accepted the historical evidence of a dwelling on the site and acknowledged that the four external walls remained substantially intact.

He stated that concerns regarding a wider opening in one elevation did not undermine the building's residential character, arguing that this feature was consistent with a historic byre-dwelling where animals and residential accommodation had been accommodated under the same roof. He further contended that the absence of a chimney was not determinative, as Policy CTY 3 did not require a chimney and older dwellings often contained internal chimneys that may no longer be evident.

Referring to a previously approved application on the Dundalk Road, Newtownhamilton, Mr Rooney argued that the circumstances were comparable and demonstrated that similar buildings had been accepted as replacement dwellings. He submitted that the documentary evidence, together with the building's physical characteristics, demonstrated compliance with Policy CTY 3 and, consequently, Policy CTY 1.

In response to a query from Councillor Devlin regarding the building footprint and whether the animal accommodation section had been added after the production of the Griffith's Valuation map, Mr Rooney advised that the applicant's family had owned the property for approximately 50 years and that the footprint had remained unchanged during that period. He stated that buildings in rural areas often changed over time and noted that the map depicted the building as originally having an L-shaped footprint. He added that it was difficult to determine whether the map was entirely accurate or whether part of the building had been removed at some stage.

In response to a further query from Councillor Devlin, Mr Jamison advised that there was only one house on the site and that no structural works had been carried out since the property was purchased by the family in 1973.

Councillor Reilly commented that the building appeared well enclosed and clustered with other buildings and stated that, in his view, it exhibited the characteristics of a dwelling.

Councillor Tinnelly queried whether the Planning Department's position was that the building shown on the Griffith's Valuation map was not the same building currently on site. Mrs Ferguson advised that there was insufficient evidence to demonstrate that the building shown in the historic record corresponded with the building on the ground in terms of footprint or position. She further advised that, when considered as a whole, the building did not exhibit the features or essential characteristics expected of a dwelling house.

Councillor Tinnelly further queried whether it was contradictory for the Planning Department to accept that a dwelling had existed on the site as shown on the Griffith's Valuation map while also accepting that the building may have changed over the subsequent 160 years.

Mrs Ferguson advised that the relevant policy test required the building currently on site to exhibit the essential characteristics of a dwelling house. She stated that, while the policy did not provide an exhaustive list of such characteristics, none of the essential characteristics of a dwelling were evident in the building under consideration.

Refusal

Power-point presentation:

Mrs Brenda Ferguson stated that the application sought full planning permission for a dwelling on a farm. The Case Officer's report had been taken as read. No objections had been received and consultees had responded with no objections.

She advised that the site was located within the countryside and the Strangford and Lecale Area of Outstanding Natural Beauty and that the proposal had been assessed against the SPPS, Policies CTY 1, CTY 10, CTY 13, CTY 14 and CTY 16 of PPS 21, and the retained policies of PPS 2 and PPS 3. Officers considered that criteria (a) and (b) of CTY 10 had been met and that the proposed site was visually linked to an established group of agricultural buildings, thereby satisfying criterion (c).

Mrs Ferguson noted, however, that the site occupied an elevated position above the adjacent laneway and that due to the topography of the site and the proposed height of the dwelling, it was considered that the development would appear as a prominent feature in the landscape when viewed from the south-east and along the road frontage. Existing vegetation was not considered sufficient to integrate the dwelling into the landscape. As such, the proposal was considered contrary to criteria (b), (c) and (f) of CTY13.

She further advised that the dwelling would be unduly prominent in the landscape and, if constructed immediately west of the agricultural shed, would add to an existing ribbon of development along the laneway. The proposal was therefore considered contrary to Policy CTY 14, CTY 8 and the relevant provisions of PPS 21.

Mrs Ferguson concluded that, for these reasons, officers had recommended refusal of the application.

Speaking rights:

In Support:

Mr Gerry Tumelty spoke in support of the application, supported by Mr Ross, applicant and his daughter Ms Ross.

Mr Tumelty stated that the proposal satisfied the requirements of Policies CTY 1 and CTY 10, noting that the farm business had been established for more than six years, no development sites had been sold from the holding, and the proposed dwelling would cluster with existing farm buildings and utilise an existing access.

He advised that the proposed site was located adjacent to lawful farm buildings and that the relevant farm business criteria had been accepted by the Council. He further stated that the site was well defined by mature hedging and planting, with a farm building forming the remaining boundary, and therefore met the relevant integration requirements.

Mr Tumelty noted that the site was set back from the Killybawn Road along a laneway and benefited from limited visibility due to the surrounding topography and vegetation. He explained that a level building platform would be created and contended that the dwelling would integrate satisfactorily into the landscape while respecting the traditional pattern of rural development.

He stated that no alternative site was available which would comply with Policy CTY 10 without creating privacy issues for existing or future residents. He also disputed the officer's conclusion that the proposal represented ribbon development, advising that the dwelling would cluster with existing farm buildings and would not result in ribboning along the Killybawn Road.

In conclusion, Mr Tumelty contended that the proposal complied with Policies CTY 10, CTY 13, CTY 14 and CTY 16, including the provision of satisfactory sewage treatment arrangements, and recommended that the Committee overturn the officer recommendation and grant planning permission.

In response to a question regarding the height of the hedgerow, Mr Tumelty advised that it would be broadly level with the proposed site, which rose gently from the laneway. He added that mature trees within the vicinity would further assist with integration.

Councillor McAteer asked for clarification on the Planning Department's concerns regarding integration, specifically whether the proposed dwelling would break the skyline and whether it could be read as part of the existing group of buildings. Mrs Ferguson advised that, while the proposed dwelling and adjacent shed would be viewed together, the development would contribute to ribbon development. She further stated that the dwelling would be positioned approximately 10 metres above the laneway, resulting in an elevated and prominent feature which would break the skyline.

Referring to the PowerPoint presentation, Councillor Larkin queried the visibility of the site from the public road. Mrs Ferguson confirmed that the proposed dwelling would be visible and would remain prominent from that viewpoint regardless of its distance from the road. In response to a question regarding the setback distance, Mr Tumelty advised that the site was located at the corner of an adjoining field approximately 200 metres from the road and would cluster with existing buildings in the area. He added that this was the only location capable of meeting the requirements of Policy CTY 10 and contended that it would not result in ribbon development along the Killybawn Road.

Councillor McAteer proposed to overturn the officer recommendation to an approval, stating that he considered the proposal to comply with Policy CTY 13. He noted that a reasonable effort had been made to integrate the dwelling by locating it at the lower end of the field and stated that he was not persuaded by the Planning Department's view that the proposal would break the skyline.

This was seconded by Councillor Reilly, who stated that he did not consider the proposal to constitute ribbon development and regarded it as suitably clustered with existing buildings.

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

FOR:	9
AGAINST:	0
ABSTENTIONS:	0

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Reilly, it was agreed to issue an approval in**

**respect of planning application LA07/2025/0641/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. yes**

(5) LA07/2025/0057/O

On agenda as a result of the Call in Process

Location:

Approx. 28m N of 51 Derryboy Road, Crossgar, BT30 9LH

Proposal:

Site for dwelling with access on to Holly Park Road

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mrs Ferguson stated that the application sought outline planning permission for a site for a dwelling. The Case Officer's report had been taken as read. No representations had been received and consultees had raised no objections, subject to conditions.

She advised that the site was located within the open countryside and the Strangford and Lecale Area of Outstanding Natural Beauty. The agent had confirmed that the application had been submitted under Policy CTY 2A of PPS 21, which permitted a dwelling within an existing cluster subject to meeting all policy criteria.

Mrs Ferguson stated that officers did not consider an appropriate cluster to exist at the location, as only three dwellings were present, and the remaining buildings were ancillary in nature. The site, located to the rear of Nos. 49 and 51 Derryboy Road, was not considered visually linked to the wider group of buildings or the nearby crossroads. In addition, the site was bounded by development on only one side and did not represent the rounding off of an existing cluster. Instead, the proposal was considered to extend development into the open countryside and could not be satisfactorily absorbed within the landscape.

She noted that criterion 6 of Policy CTY 2A, relating to residential amenity and separation distances, had been met. However, the proposal failed to satisfy the remaining criteria of the policy.

Mrs Ferguson concluded that the principle of development was unacceptable as the proposal failed to comply with Policy CTY2 A of PPS 21 and was therefore recommended for refusal.

Speaking rights:

In Support:

Mr Gerry Tumelty spoke in support of the application, supported by Mr Burgess.

Mr Tumelty advised that the application had been submitted under Policy CTY 2A, which provided an exception to the normal restrictions on development in the countryside under Policy CTY 1. He contended that the proposed site was located within an existing cluster comprising three dwellings and associated ancillary buildings.

He stated that the site was positioned to the rear of the existing semi-detached dwellings and that it clustered with the surrounding development. He further argued that the site was bounded on at least two sides and satisfied the relevant policy tests relating to enclosure and integration.

Mr Tumelty advised that the proposed dwelling would be viewed as part of the existing group of buildings and noted that the officer's report had confirmed compliance with Policy CTY 14. He stated that the proposal would round off the existing development pattern, would not visually intrude into the open countryside, would not create ribbon development, and would not adversely affect rural character.

He further contended that the site was located at a genuine crossroads formed by Derryboy Road, Clay Road and Holly Park Road, and that the proposal clustered with existing development at that location. He stated that the proposal respected the traditional settlement pattern of the area and was not contrary to Policies CTY 13 or CTY 14.

In conclusion, Mr Tumelty stated that the applicant considered the proposal to comply with Policy CTY 2A. He noted that no objections had been received from members of the public or statutory consultees and requested that planning permission be granted.

Councillor Reilly stated that, having viewed the presentation, he agreed with Mr Tumelty's assessment that the proposed site formed part of an existing cluster of development, contrary to the Planning Department's view.

In response, Mrs Ferguson advised that a proposal had to satisfy all of the criteria set out in Policy CTY 2A to be considered part of a cluster. She stated that the Planning Department had assessed the proposal against those criteria and concluded that it did not comply. Mrs Ferguson advised that there was no qualifying cluster in this instance, as the required grouping of buildings was not present. She further advised that the site was not bounded on two sides, did not constitute rounding off and was not visually linked to the crossroads. On that basis, she concluded that the proposal failed to satisfy a number of the requirements of Policy CTY2A.

Referring to the aerial view of the site, Councillor Larkin queried the status of No. 55. Mr Burgess advised that it was a dwelling with an adjacent outbuilding. He further advised that No. 49 comprised a dwelling and that the adjoining building had previously operated as a plumbing business.

In response to a query from Councillor Devlin, Mr Tumelty contended that the site was bounded by No. 55 and a boundary to the north-east.

In response to a query from Councillor Larkin regarding Mr Tumelty's assertion that the proposal met the four-building cluster criterion, Mr Tumelty advised that No. 55 comprised a dwelling and an outbuilding. He further stated that the applicant's agent considered the two semi-detached dwellings to constitute two separate buildings for the purposes of the policy, notwithstanding that they were physically attached. He noted that, if sold, the properties would be treated as separate residential units and therefore contended that the four-

building requirement was met. Mr Tumelty added that the semi-detached properties were one-and-a-half to two-storey former RDC cottages with associated outbuildings, while the property at No. 55 was a single-storey dwelling.

Councillor Larkin referred to the case officer's report and noted that Policy CTY 2A excluded ancillary buildings, garages and outbuildings from the building count. He stated that he had no difficulty regarding Nos. 49 and 51 being treated as two separate buildings but queried the reliance on outbuildings to satisfy the four-building requirement.

In response, Mr Tumelty advised that the application had been submitted based on the information presented by the initial agent. He noted that his research indicated that a building adjacent to one of the semi-detached dwellings had previously operated as a plumbing business, although this had not formed part of the application or officer assessment. He added that the building adjacent to No. 55 had been confirmed as a domestic outbuilding and stated that he had no evidence to support any alternative classification of the remaining buildings.

Councillor Larkin proposed that the Committee Members attend a site visit to gain a better understanding of the situation on the ground, which was seconded by Councillor Harte.

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 Harte, it was agreed to issue defer planning application LA07/2025/0057/O to allow for a site visit.

FOR NOTING

P/060/2026: PROPOSED MATERIAL ALTERATIONS TO PROPOSED VARIATION NO.2 TO THE MONAGHAN COUNTY DEVELOPMENT PLAN 2025 - 2031

Read: Report from Mr J McGilly, Assistant Director: Regeneration, regarding
Proposed Material Alterations to Proposed Variation No.2 to the
Monaghan County Development Plan 2025 - 2031 **(Copy circulated)**

AGREED: It was agreed on the proposal of Councillor McAteer, seconded by Councillor S Murphy, to note the contents of the officer's report.

P/061/2026: HISTORIC ACTION SHEET

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

AGREED:

It was agreed on the proposal of Councillor McAteer, seconded by Councillor S Murphy, to note the historic action sheet.

There being no further business the meeting ended at 12.13pm.

Signed: _____ **Chairperson**

Signed: _____ **Chief Executive**

NB: 50% of decisions overturned.