



March 26th, 2025

Notice Of Meeting

You are invited to attend the Planning Committee Meeting to be held on **Wednesday, 2nd April 2025** at **10:00 am** in **Council Chamber, O' Hagan House, Monaghan Row, Newry**

Committee Membership 2024-2025:

Councillor D Murphy **Chairperson**

Councillor G Hanna **Deputy Chairperson**

Councillor P Campbell

Councillor C Enright

Councillor K Feehan

Councillor C King

Councillor M Larkin

Councillor D McAteer

Councillor S Murphy

Councillor A Quinn

Councillor M Rice

Councillor J Tinnelly

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

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

Items 6 and 7 - Cllrs Hanna, King, Larkin, McAteer, D Murphy, S Murphy and Quinn attended a site visit on 11 March 2025.

Item 8 - Cllrs Campbell, Enright, Hanna, King, McAteer and S Murphy attended a site visit on 11 March 2025.

4.0 Minutes of Planning Committee held on 5 March 2025

For Approval

 *Planning Committee Minutes 2025-03-05.pdf*

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5.0 Addendum List - Planning applications with no representations received or requests for speaking rights

For Approval

 *Addendum list - 02-04-2025.pdf*

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

6.0 LA07/2023/3316/O - 50m SE of No. 21 Forkhill Rd, Mullaghbawn, Newry, BT35 9XJ (Site On Upper Rd, Mullaghbawn, Newry, BT35 9XL) - Proposed outline planning application for a replacement dwelling and garage. (Dwelling to be replaced to be retained for storage purposes).

For Decision

REFUSAL

On agenda as a result of the call in process.

In line with Operating Protocol, no further speaking rights are permitted on the application.

Cllrs Hanna, King, Larkin, McAteer, D Murphy, S Murphy and Quinn attended a site visit on 11 March 2025.

Mr Eoin Morgan, agent, and Ms Noelle Marks, applicant, will be present to answer any questions Members may have.

 [LA07.2023.3316.O Case Officer Report.pdf](#)

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7.0 LA07/2023/3647/F - Adjacent to and north of 9 Station Road, Jonesborough BT35 8JH - Detached dwelling and garage under PPS21/CTY 8

For Decision

REFUSAL

On agenda as a result of the call in process.

In line with Operating Protocol, no further speaking rights are permitted on the application.

Cllrs Hanna, King, Larkin, McAteer, D Murphy, S Murphy and Quinn attended a site visit on 11 March 2025.

 [LA07-2023-3647-F Case Officer Report.pdf](#)

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8.0 LA07/2021/0869/F - NE of 81 Ardglass Road, Ballywooden, Downpatrick - Proposed 5 No. glamping pods, associated car parking and site works with hard and soft landscaping.

For Decision

REFUSAL

On agenda as a result of the call in process.

In line with Operating Protocol, no further speaking rights are permitted on the application.

Cllrs Campbell, Enright, Hanna, King, McAteer and S Murphy attended a site visit on 11 March 2025.

Mr Gerry Tumelty will be present to answer any questions Members may have.

 [LA07.2021.0869.F Case Officer Report.pdf](#)

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Development Management - Planning Applications for determination

9.0 LA07/2020/1385/F - Lands to the rear of 2-12 Church Hill, Killyleagh - 4no New build townhouses with associated site works

For Decision

APPROVAL

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

10.0 LA07/2024/0203/O - Vacant site to the immediate west of no 47 Saul Road and Nos 1, 3 & 5 Drumlin Park, Downpatrick - Outline application for residential development comprising 8 dwellings with access and associated site works

For Decision

APPROVAL

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

11.0 LA07/2024/0077/F - 54 Carran Road, Carran, Crossmaglen, BT35 9JL - Part demolition, reconfiguration and extension to St. Patrick's Primary School and Irish Medium Unit, to provide a total of 17No. base classroom primary school; alterations and refurbishment works to the existing school building; repositioning and retention of 2No. mobile units; temporary relocation and provision of additional mobile classrooms for temporary use during the construction period; external works and all associated site works.

For Decision

APPROVAL

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

12.0 LA07/2024/0409/O - Lands between 28 and 30 Ballylig Road, Killough, Downpatrick - Proposed 2 No. dwellings and garages on infill site under policy CTY 8 of PPS 21.

For Decision

REFUSAL

On agenda as a result of the call in process

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

For Noting

13.0 Historic Action Sheet

For Information

Invitees

Cllr Terry Andrews
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Cllr Callum Bowsie
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Fionnuala Branagh
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Cllr Jim Brennan
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Cllr Pete Byrne
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Mr Gerard Byrne
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Cllr Philip Campbell
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Cllr William Clarke
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Cllr Laura Devlin
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Ms Louise Dillon
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Cllr Cadogan Enright
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Cllr Killian Feehan
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Cllr Doire Finn
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Cllr Aoife Finnegan
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Ms Joanne Fleming
.....
Cllr Conor Galbraith
.....
Cllr Mark Gibbons
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Cllr Oonagh Hanlon
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Cllr Glyn Hanna
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Cllr Valerie Harte
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Cllr Martin Hearty
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Cllr Roisin Howell
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Cllr Tierna Howie
.....
Ms Catherine Hughes
.....
Cllr Jonathan Jackson
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Cllr Geraldine Kearns
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Miss Veronica Keegan
.....
Mrs Josephine Kelly
.....
Mrs Sheila Kieran
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Cllr Cathal King
.....
Cllr Mickey Larkin
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Cllr David Lee-Surginor
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Cllr Alan Lewis
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Cllr Oonagh Magennis
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Mr Conor Mallon
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Cllr Aidan Mathers
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Cllr Declan McAteer
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Cllr Leeanne McEvoy
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Jonathan McGilly
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Cllr Andrew McMurray
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Maureen/Joanne Morgan/Johnston
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Cllr Declan Murphy
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Sinead Murphy
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Cllr Kate Murphy
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Cllr Selina Murphy
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Cllr Siobhan O'Hare
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Mr Andy Patterson
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Cllr Áine Quinn
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Cllr Henry Reilly
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Cllr Michael Rice
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Mr Pat Rooney
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Mr Peter Rooney
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Cllr Michael Ruane
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Cllr Gareth Sharvin
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Donna Starkey
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Nicola Stranney
.....
Sarah Taggart
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Cllr David Taylor
.....
Cllr Jarlath Tinnelly
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Cllr Jill Truesdale
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Mrs Marie Ward
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Cllr Helena Young
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NEWRY MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Planning Committee Meeting of Newry, Mourne and Down District Council held on Wednesday 5 March 2025 at 10am in the Boardroom Council Offices, Monaghan Row, Newry

Chairperson: Councillor D Murphy

Committee Members in attendance in Chamber:

| | |
|-----------------------|----------------------|
| Councillor P Campbell | Councillor C Enright |
| Councillor G Hanna | Councillor C King |
| Councillor D McAteer | Councillor S Murphy |
| Councillor A Quinn | Councillor M Rice |
| Councillor J Tinnelly | |

Committee Members in attendance via Teams: Councillor M Larkin

Officials in attendance: Mr C Mallon, Director Economy, Regeneration & Tourism
 Mr J McGilly, Assistant Director Regeneration
 Ms A McAlarney, Development Manager: Planning
 Ms B Ferguson, Senior Planning Officer
 Ms M Fitzpatrick, Senior Planning Officer
 Mr M Keane, Senior Planning Officer
 Ms P Manley, Senior Planning Officer
 Mr Peter Rooney, Head of Legal Administration (Acting)
 Miss S Taggart, Democratic Services Manager (Acting)
 Ms F Branagh, Democratic Services Officer

P/020/2025: APOLOGIES AND CHAIRPERSON'S REMARKS

It was noted that Councillors Quinn and Rice were running late and would be joining the meeting as soon as possible.

The Chairperson noted that item 18 had been deferred to allow for further consideration by the Planning Department.

The Chairperson welcomed representatives Ms Rosemary Daly and Mr Scott Symington from the Department of Infrastructure (DFI) to the meeting to observe proceedings.

P/021/2025: DECLARATIONS OF INTEREST

There were no declarations of interest.

P/022/2025: 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.

Item 6 - Cllrs Campbell, Feehan, Hanna, King, Larkin, McAteer, D Murphy, S Murphy and Tinnelly attended a site visit on 17 February 2025.

Items 7 – Cllrs Campbell, Hanna, McAteer, D Murphy, S Murphy and Tinnelly attended a site visit on 17 February 2025.

MINUTES FOR CONFIRMATION

P/023/2025: MINUTES OF PLANNING DEVELOPMENT COMMITTEE MEETING WEDNESDAY 5 FEBRUARY 2025

Read: Minutes of Planning Committee Meeting held on Wednesday 5 February 2025. **(Copy circulated)**

AGREED: On the proposal of Councillor Campbell, seconded by Councillor Hanna, it was agreed to adopt the Minutes of the Planning Committee Meeting held on Wednesday 5 February 2025 as a true and accurate record.

Councillor Quinn joined the meeting during the above discussion – 10.06am

FOR DISCUSSION/DECISION

P/024/2025: ADDENDUM LIST

Read: Addendum List of Planning Applications with no representations received or requests for speaking rights – Wednesday 5 March 2025. **(Copy circulated)**

Councillor Hanna proposed that item 14 - LA07/2023/3476/O be removed from the addendum list and deferred until the next meeting as the agent had been ill and unable to request speaking rights within the required time frame. This was seconded by Councillor Feehan.

AGREED: On the proposal of Councillor Hanna, seconded by Councillor Feehan, it was agreed to defer item 14 LA07/2023/3476/O to the April Planning Committee Meeting.

On the proposal of Councillor McAteer, seconded by Councillor Campbell, it was agreed to approve the officer recommendations in respect of the following applications listed on the Addendum List for Wednesday 5 March 2025:

- **LA07/2021/1089/F** - Lands immediately north of Nos. 36, 38, 64, 66 and 84 Fifth Avenue; west and north west of Nos. 29-35 Third Avenue and east of Craigmore

Way, Newry - Proposed residential development comprising of 44No. dwellings including 16No. detached and 28No. semi-detached units; garages; sunrooms; open space; car parking; landscaping and all associated site and access works.

APPROVAL

- **LA07/2024/1059/F** -Lands to immediate north of 6-16 English Street and immediately south of 1-5 Church Avenue, Downpatrick, - Public realm improvements to include new pavement surfacing, comprising granite paving with natural stone kerbs, new stone walls with timber wall seating; new street lighting and feature lighting columns; relocation of existing heritage lighting columns, new street furniture; retention of the existing fingerpost sign; new decorative planting and trees; and all associated works

APPROVAL

- **LA07/2024/1060/F** - Lands adjacent to 1-71 Church Street, including junction at Church Street/ Saul Way, Downpatrick - Public realm improvements to include new footpath surfacing, comprising granite paving with natural stone kerbs; tactile paving for pedestrian crossings; replacement traffic signals at Saul Way; new asphalt surfacing to vehicle entries; new street furniture planters; new street trees; new street lights; and all associated works

APPROVAL

- **LA07/2023/3256/F** - 105 Harbour Road, Kilkeel, BT34 4AT - Proposed erection of 2no. semi-detached dwellings to replace existing dwelling and associated works

APPROVAL

DEVELOPMENT MANAGEMENT

P/025/2025: **PLANNING APPLICATIONS FOR DETERMINATION (WITH PREVIOUS SITE VISITS)**

(1) **LA07/2023/2514/F**

Previously tabled 5 February 2025.

On agenda as a result of the call-in process.

Location:

26 Station Road, Newry, BT35 8JH

Proposal:

Proposed replacement dwelling with original dwelling retained for ancillary domestic storage, gym and home office

Conclusion and Recommendation from Planning Official:

Refusal

Power point presentation

Ms Fitzpatrick reminded members of the pertinent issues when considering the application, which was a roadside plot that included the dwelling to be replaced and additional lands to

the south of the site, outside the existing curtilage of the dwelling where a portion of the new dwelling was to be located. Given the countryside location, the relevant polices were PPS21 and CTY3. Following a site inspection, the Planning Department was of the opinion that the dwelling did not make an important contribution to the heritage, appearance or character of the area, and the proposal was not sympathetically incorporated into the overall layout.

Mrs Fitzpatrick further advised that there was no visible or physical linkage between the existing and proposed dwelling, with the existing dwelling to be retained in its entirety which would retain the appearance of a dwelling and result in a suburban style build up, contrary to CTY 14. She further advised that the proposed dwelling would have a significant impact greater than the existing dwelling, which was significantly increased again with the retention of the existing dwelling.

Speaking Rights:

In line with Operating Protocol, no further speaking rights were permitted on this application.

Mr Fearghal Murray was present to answer any questions Members may have had.

Councillor Larkin queried the information discussed at the previous Committee meeting with regard to the statement made by Mr Murray that the applicant had offered to remove the more modern recent additions to the cottage and had been advised that this may still not change the recommendation to an approval.

Mr Murray advised that the applicant did not want to embark on any amendments that would trigger ecology reports and additional expense if the application would still be recommended for refusal.

Councillor Hanna queried whether an alternative location had been considered for the dwelling as mentioned in the Case Officer's Report, to which Mr Murray advised that he was not aware of a suitable alternative location. He referred to the guidance contained within Building on Tradition, stating that the proposal had been lifted directly from that document. Mrs Fitzpatrick advised that there had been discussions with the agent regarding methods to ensure the proposal was linked to the existing dwelling such as a linked corridor, however this had not been included and therefore the proposal still read as two separate dwellings.

Councillor Campbell queried why the original dwelling was being retained as the original application had been amended from an extension to a replacement dwelling.

Mr Murray advised it was not financially viable to extend the house into a modern home, however the house had been in the family for generations, therefore it had been decided not to knock it down and Building on Tradition stated that there was no requirement to demolish the existing building, that it could be replaced sensitively.

Councillor Larkin proposed to overturn the recommendation to an approval, stating that following the site visit he believed that the application complied with CTY3, the retention of the existing dwelling in situ created a courtyard design that was familiar across the District. He stated that the dwelling not being able to be accommodated within the existing curtilage was explained due to the working farmyard and the inability to place a dwelling here. He advised that he did not believe that the dwelling would be dominant in the area as it would be shielded from view by the existing buildings within the surrounding courtyard, therefore

laneway, noting that while not a mathematical exercise, the proposal had a frontage well below the average for the area and was not reflective of the average plot size of the surrounding area.

Mrs Fitzpatrick advised that the application was also contrary to policy CTY14 as it would add to a ribbon of development and result in a suburban style of build up when viewed with existing and proposed buildings along the laneway and was not reflective of the character of the area.

Speaking rights:

In Support:

Mr Barney Dinsmore spoke in support of the application, stating that the Planning Department's concern in relation to the gap size of 64m between 17a and 9 Station Road being insufficient to accommodate two dwellings was unfounded as permission had been granted nearby with a gap size of 48m. He further argued that the frontages and plot sizes of the dwellings within the area were varied, therefore the Planning Department's opinion that the proposal did not reflect the area was inaccurate.

Councillor D Murphy queried why some of the information put forward by the agent had not been taken into consideration by the Planning Department, to which Mrs Fitzpatrick advised that the information presented by the agent noted a number of sites that the Planning Department did not feel appropriate to be considered in assessment of the application. She advised that some of the sites were on the opposite side of the road or did not have frontage onto the lane. She also advised that one of the sites mentioned by the agent did have planning permission but had not been built out therefore there was a gap in the frontage.

Councillor D Murphy then queried whether it was appropriate for the agent to consider the sites he had taken into account when arguing in support of the frontage and plot size given the distance from the proposal site.

Mr Dinsmore stated that it was reasonable to consider 7a, b and c as they were adjacent to the site, and 17 and 17a were included in the overall consideration, he stated that the small number of other dwellings were included as their impact would have been minimal and he believed they should have been considered as part of the character of the area. He felt that for consistency if 7c could be approved, despite not being constructed, then this proposal should also be approved.

Councillor Hanna queried the red line extending into the field behind the proposal, to which Mrs Fitzpatrick advised that the position of the dwelling was not in keeping with the settlement pattern as the frontage was too narrow to house the proposed dwelling.

Councillor Larkin queried if the frontages could be non-linear, staggered and set back from the road when considering an application in relation to CTY8, to which Mrs Fitzpatrick advised that they could be considered if non-linear, but confirmed that the settlement pattern had to be considered, and the proposal would need to mirror the pattern of development of the area.

Councillor Larkin queried why the agent did not increase the red line of the application to include more frontage to make the proposal more acceptable, to which Mr Dinsmore advised that the applicant did not want to squeeze the dwelling at number 9, and that there was an

Mrs Ferguson advised that the Planning Department were of the opinion that the increase in blade length was not proportionate to the existing hub height and would result in closer rotations to the ground and would significantly increase the visual impact along critical views of the turbine structure.

Speaking rights:

In Support:

Mr Thomas Bell spoke in support of the application, supported by Mr Seamus Murray, applicant. Mr Bell utilised a number of images of different viewpoints of the structure from varying distances of 653m to 1.7km, stressing that the visual impact of the proposal was insignificant in the images. He further argued that the proposal should have been considered against the wider economic, environmental and social benefits given that there was a target of 80% renewable energy by 2030 and a net zero target by 2050, and that the increase in output from the proposal should outweigh any concerns of the Planning Department.

Councillor Enright stated that the ANDP made no reference to climate emergency or renewable energy targets and reiterated that no objections had been raised and likened the proposal to similar recent ones in Dundrum. He queried how the Planning Department could make an objective decision on the proposal without taking account of national objectives in relation to climate emergency.

Mrs Ferguson advised that all relevant legislation and targets had been taken into account during the consideration of the proposal, with the recommendation also taking account of the wider environmental and economic considerations and the recommendation for refusal stemmed from the significant visual impact that would outweigh any potential benefits.

Councillor Enright refuted Mrs Ferguson's statement and stated that the case officer report did not consider climate emergency or 100% renewable target by 2050.

Councillor Hanna queried the length of time the turbine had been in situ, and whether any issues had been raised in that time.

Mr Murray confirmed that it had been in place since 2017 with no issues arising and stressed that the turbine was due an upgrade and the proposal was in line with that, alongside the consideration of the national renewable energy target.

Councillor Rice requested clarity on why the proposal was considered to have a significant visual impact, to which Mrs Ferguson noted that a slide show could show the proposal from any direction but failed to consider the critical view points as viewed by the Planning Department. She confirmed that the Planning Department felt that the proposal was considered to be visually prominent in an AONB.

Following a further query from Councillor Rice, Mrs Ferguson confirmed that the Planning Committee were free to make their own assessment, but in the professional opinion of the Planning Department the increase in size was recommended for refusal as it would have a significant visual impact within the area.

Councillor McAteer queried whether there were any guidelines regarding a limit to wind turbine measurements that could be considered aside from the opinion of the Planning

Mrs Manley utilised a power point presentation to highlight the red line of the application, noting that the aerial images showed the context of the open and exposed former airfield and the notable absence of vegetation boundaries. She outlined the proposals, with a pod height of 2.4m in height, covering 18sqm with a wood clad finish and dark red roofing. Utilising further images, she highlighted the site from various viewpoints, all of which noted the open and exposed land with no natural vegetation boundaries.

Mrs Manley advised that no statutory consultees had any objections, and that one objection had been submitted relating to traffic noise and visual impact and had been considered within the case officers report. She noted that the Planning Department were of the opinion that the proposal did not fully meet the requirements of TSM 6.

Speaking rights:

In Support:

Mr Gerry Tumelty spoke in support of the application, supported by Mrs Newman, highlighting that the application had been in progress for a lengthy period. He stressed that he believed that the Planning Department had considered the application against the wrong policy, noting that CTY1 was not relevant as an application relating to tourism should be considered in its own right, and as something that would contribute to the economic growth of the area. He noted that Council had endeavoured to invest in the local area, referencing 4G playing fields that had been installed, stating that the applicant believed that this proposal would assist further with tourism in the area. He stressed that the pods were relatively small and had been placed in what he believed was a private layout utilising the existing tarmac base already on site but noted that the applicant was agreeable to revising this layout as required.

Councillor Hanna queried the frequency of events held at the nearby race track and what safety issues the applicant needed to consider.

Mr Tumelty noted that the official track was operated by the owners a few times a year, but unofficial drag racing took part almost every weekend, with Mrs Newman noting that the official Bishops court track operated only on permitted days, but the unofficial track was utilised 4 – 7 days per week. She highlighted that the proposal was a better use of the space than unofficial drag racing and stressed that the glamping pods were screened from each other, and the proposed vegetation boundaries would further add to that, while also increasing the number of beds available within the area.

Councillor Hanna noted that the official track held meets 16 times per year and queried the relevant impact on tourism, given the level of noise associated with the meets.

Mrs Newman noted that she had spoken to the owners of the official track and stated that they had expressed their hope that their clientele would also use the pods. She stated that they could be used by long distance walkers through the Mourne and by those interested in regenerative farming, which was a unique selling point for the area.

Following a further query from Councillor Hanna regarding the existing buildings on site, Mr Tumelty noted that while a lot of the airfield buildings had been removed, the concrete bases still remained, and this proposal would make use of them in a sensitive and appropriate manner and the remaining structures on site would help screen the pods.

Councillor Campbell queried if the Council Tourism Strategy was considered alongside the application when Planning Policies were being considered, even if they were in opposition to one another, noting that the agent had stated he believed the application had been considered against the incorrect policy.

Mrs Manley stated that the recommendation for refusal was not in relation to tourism but was related to integration and the inability of the application to integrate into the landscape given the flat, open and exposed nature of the site.

Following a statement by Mr Tumelty relating to TSM5 and TSM 6, a discussion ensued regarding which policy was the correct policy to consider the application against, the outcome of which was Mrs McAlarney clarifying that PPS16 clearly defined a holiday park site as caravan, chalet, motor homes and tenting and clearly directed the planners to TSM 6, which was the correct policy to consider this application against. Mrs Manley advised that TSM5 applied a higher test for approval as it required 3 criteria to be wholly satisfied.

Mr Tumelty reiterated his opinion that the application should have been considered under TSM 5.

Councillor McAteer stated that he believed it would be difficult to envisage any design that would integrate into the area and queried if the layout could be revisited to perhaps allow for integration.

Mrs Manley advised that the layout would have been revisited if the landscape had not been so open and exposed but stated that it would not have been of benefit as the open nature of the site did not lend itself to integration, while Mr Tumelty argued that the 8ft high proposal surrounded by hedging would have minimal impact overall but would help with integration.

Following a further statement from Mr Tumelty regarding TSM5, a further discussion ensued regarding the appropriate policy the application should have been considered against. Mr Rooney interjected to state that the Planning Department had been quite clear in explaining the reasoning for considering the application against TSM6, noting that the Planning Committee had dealt with a number of similar previously. He noted that the Planning Committee was free to make their own opinion, but policy clearly directed the Planning Department to TSM6.

Councillor McAteer proposed a site visit, which was seconded by Councillor Campbell.

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

| | |
|--------------|----|
| FOR: | 12 |
| AGAINST: | 0 |
| ABSTENTIONS: | 0 |

The proposal was declared carried.

AGREED: **On the proposal of Councillor McAteer, seconded by Councillor Campbell, it was agreed to defer planning application LA07/2021/0869/F to allow for a site visit.**

(5) LA07/2023/3316/O

On agenda as a result of the Call-In Process

Location:

50m SE of No. 21 Forkhill Rd, Mullaghbawn, Newry, BT35 9XJ (Site On Upper Rd, Mullaghbawn, Newry, BT35 9XL)

Proposal:

Proposed outline planning application for a replacement dwelling and garage. (Dwelling to be replaced to be retained for storage purposes).

Conclusion and Recommendation from Planning Official:

Refusal

Power-point presentation:

Mrs Fitzpatrick summarised the application, advising that statutory consultations had returned no objections subject to conditions. Utilising images of the site, she outlined the red line boundary which was bound by two laneways, sited above road level and a post and wire fence along the boundaries. She advised that following a site inspection, the Planning Department noted that the subject dwelling exhibited characteristics of a dwelling to be considered under CTY3. It also displayed vernacular characteristics, including a lack of formal plan, rectangular shape, walls of load bearing materials, chimney on the ridge and windows on the front elevation.

Mrs Fitzpatrick noted that CTY3 stated that if a non-listed vernacular dwelling did not make an important contribution to the heritage, appearance or character of the area that permission would be granted for a new dwelling, and the retention of the existing structure would be accepted only if it could be sympathetically incorporated into the overall development. She advised that the application did not conform to policy as the proposed replacement dwelling was off site and as such, it could not be sympathetically incorporated into the overall layout. She advised that it also fell foul of CTY14 as the erection of a new dwelling would create a ribbon of development when viewed with numbers 19, 21, 31 and 31a

Speaking rights:In Support:

Mr Declan Rooney spoke in support of the application, advising that the replacement dwelling was located off site due to the restricted curtilage of the original dwelling. He argued that the refusal reasons stemmed from the fact that the applicant intended to retain the existing building in situ, further arguing that the dwelling did in fact contribute to the heritage of the area and should be considered compliant with CTY3. He stated that the building was once the home of a blacksmith and a mill owner, who both employed many in the area over a number of years.

Mr Rooney stated that the proposal did incorporate sympathetically into the area as the proposed building would not appear as a stand-alone development, would be visually subordinate to existing buildings and would therefore not detract from the rural character of the area and could be conditioned to ensure its sympathetic integration.

The Chairperson noted that this application had been deferred to allow for further consideration by the Planning Department.

FOR DISCUSSION / DECISION

P/027/2025: SLA – REGIONAL PROPERTY CERTIFICATE UNIT

Read Report from Mr J McGilly, Assistant Director Regeneration, regarding SLA – Regional Property Certificate Unit.

Mr McGilly noted that the current arrangement with Fermanagh and Omagh District Council to provide property certificates for all Councils was due for renewal and the report was to request approval to continue with this arrangement.

AGREED: **On the proposal of Councillor D Murphy, seconded by Councillor Hanna, it was agreed to extend the current SLA with the Regional property Certificate Unit (RPCU) for a further 3 years from 1 January 2025 – 31 December 2027.**

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

Agreed: **On the proposal of Councillor Hanna, seconded by Councillor Rice, it was agreed to exclude the public and press from the meeting during discussion on the following items, which related to exempt information by virtue of para. Three of Part 1 of Schedule 6 of the Local Government (Northern Ireland) 2014 – Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.**

Agreed: **On the proposal of Councillor S Murphy, seconded by Councillor Rice, it was agreed the Committee come out of closed session.**

The Chairperson advised the following had been agreed whilst in closed session:

RESTRICTED – FOR NOTING

P/028/2025: LOCAL DEVELOPMENT PLAN – PREPARATION, PUBLICATION AND CONSULTATION ARRANGEMENTS INCLUDING SPECIAL COUNCIL COMMITTEE

Read Report from Mr J McGilly, Assistant Director: Regeneration, regarding Local Development Plan – Preparation, Publication and Consultation Arrangements including Special Council Committee.

AGREED: On the proposal of Councillor Quinn, seconded by Councillor Campbell, it was agreed to note the attached Economic Development policies, and that the drafting of the Newry, Mourne and Down District Council draft Plan Strategy was now complete, and copies of the Strategy documents are to be provided to Members in advance of the Special Committee Meeting scheduled for Monday 31 March for their consideration and comment.

FOR NOTING

P/029/2025: PLANNING DEPARTMENT UPDATE

Read Report from Mr J McGilly, Assistant Director: Regeneration, regarding a Planning Department Update.

AGREED: On the proposal of Councillor McAteer, seconded by Councillor S Murphy, it was agreed to note the contents of the Officer's Report.

P/030/2025: 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 12.37pm

Signed: _____ Chairperson

Signed: _____ Chief Executive

NB: 37.5% of decisions overturned

Item 5 – Addendum List**Addendum list - planning applications with no representations received or requests for speaking rights – Planning Committee Meeting on Wednesday 2 April 2025**

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

- **LA07/2020/1385/F** - Lands to the rear of 2-12 Church Hill, Killyleagh - 4no New build townhouses with associated site works
APPROVAL
- **LA07/2024/0203/O** - Vacant site to the immediate west of no 47 Saul Road and Nos 1, 3 & 5 Drumlin Park, Downpatrick - Outline application for residential development comprising 8 dwellings with access and associated site works
APPROVAL
- **LA07/2024/0077/F** - 54 Carran Road, Carran, Crossmaglen, BT35 9JL - Part demolition, reconfiguration and extension to St. Patrick's Primary School and Irish Medium Unit, to provide a total of 17No. base classroom primary school; alterations and refurbishment works to the existing school building; repositioning and retention of 2No. mobile units; temporary relocation and provision of additional mobile classrooms for temporary use during the construction period; external works and all associated site works.
APPROVAL

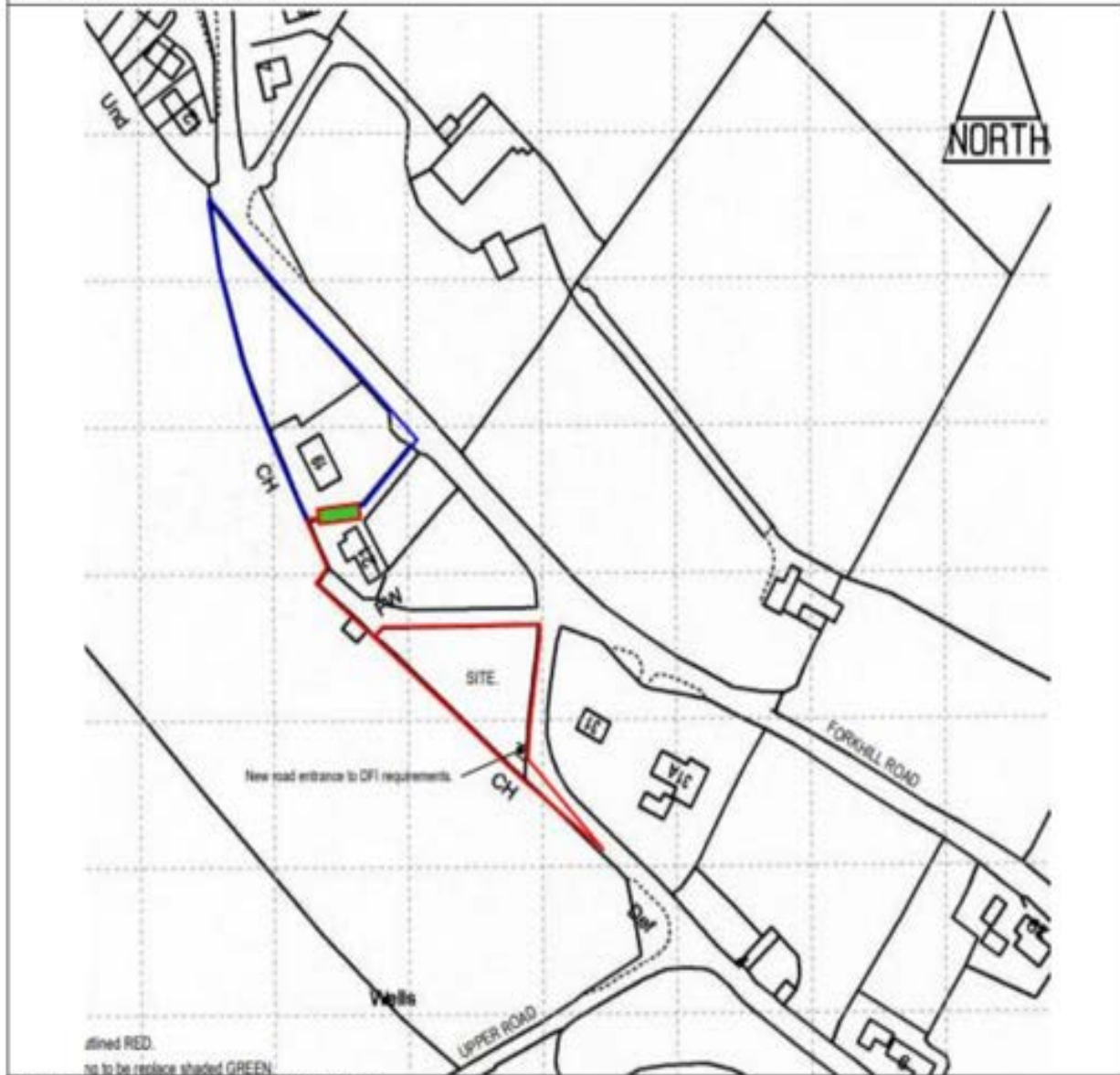
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Application

| Development Management Officer Report | |
|--|--|
| Case Officer: Ashley Donaldson | |
| Application ID: LA07/2023/3316/O | Target Date: |
| Proposal: Proposed outline planning application for a replacement dwelling and garage. (Dwelling to be replaced to be retained for storage purposes). | Location: 50m SOUTH EAST OF No. 21 FORKHILL RD, MULLAGHBAWN, NEWRY. BT35 9XJ. (SITE ON UPPER RD, MULLAGHBAWN, NEWRY, BT35 9XL. |
| Applicant Name and Address: Noelle Marks 19 Forkhill Rd Mullaghbawn NEWRY BT35 9XJ | Agent Name and Address: Malachy Byrne 7 Old Mount Rd Newtownhamilton NEWRY |
| Date of last Neighbour Notification: | 14 March 2024 |
| Date of Press Advertisement: | 11 October 2023 |
| ES Requested: No | |
| Consultations: DFI Roads – no objections subject to compliance with attached condition (RS1 form). NI Water – No objections, approval with standard conditions. | |
| Representations: N/A | |
| Letters of Support | 0.0 |
| Letters of Objection | 0.0 |
| Petitions | 0.0 |
| Signatures | 0.0 |
| Number of Petitions of Objection and signatures | |
| Summary of Issues: | |

Site Visit Report

Site Location Plan:



Date of Site Visit: 20.09.24

Characteristics of the Site and Area

The site as defined in red takes in a rectangular portion of agricultural land that is bounded by two laneways and sits above road level with trees and post and wire fencing notable along the boundaries. The building to be replaced which is single storey, raised above road level and appears as a traditional dwelling house is located between two dwellings with an existing access to the public road. The site is located in the rural area / Ring of Gullion AONB.

Description of Proposal

Proposed outline planning application for a replacement dwelling and garage. (Dwelling to be replaced to be retained for storage purposes).

Planning History

Application Number: LA07/2024/0050/F

Decision: pending

Decision Date:

Proposal: Proposed off-site replacement dwelling and detached garage.

Application Number: P/2002/0466/O

Decision: Permission Granted

Decision Date: 14 August 2002

Proposal: Site for dwelling & garage.

Application Number: P/2002/1792/F

Decision: Permission Granted

Decision Date: 11 February 2003

Proposal: Proposed new dwelling.

Application Number: P/1997/0942

Decision: Permission Granted

Decision Date: 03 March 2003

Proposal: Site for six Holiday Chalets

Application Number: P/2004/1469/F

Decision: Permission Granted

Decision Date: 26 October 2004

Proposal: Change of use from store to workshop

Application Number: P/2007/1503/F

Decision: Permission Granted

Decision Date: 18 February 2008

Proposal: Provision of footway to link site for 6no. holiday chalets (approved under P/05/0703/RM)

Application Number: P/2009/0579/F

Decision: Permission Granted

Decision Date: 12 October 2009

Proposal: Erection of Photographic Craft Studio, (single storey) with associated car parking and ground works

Application Number: P/2011/0089/F

Decision: Permission Granted

Decision Date: 08 June 2011

Proposal: Amended access to Photographic Craft Studio approved under application P/2009/0579/F

Application Number: P/2011/0894/F

Decision: Permission Granted

Decision Date: 18 April 2016

Proposal: Proposed amendments to previously approved application (Planning ref: P/2005/0703/RM) to include 6 no holiday chalets, amendments to the design of the chalets and site plan amendments. (Amended Plans / Site Location Description).

Application Number: LA07/2022/0500/F

Decision: Application Invalid

Decision Date: 16 May 2022

Proposal: Single storey extensions to the side and rear to allow kitchen/dining, bathroom and a third bedroom.

Application Number: LA07/2022/0907/F

Decision: Permission Granted

Decision Date: 23 August 2022

Proposal: Single storey extensions to the side and rear to allow kitchen/dining, bathroom and a third bedroom

Planning Policies & Material Considerations:

The Planning Act (Northern Ireland) 2011.

Banbridge Newry and Mourne Area Plan 2015

Strategic Planning Policy Statement for Northern Ireland

Planning Policy Statement 21

Planning Policy Statement 3

Planning Policy Statement 2

Building on Tradition

Planning Assessment of Policy and Other Material Considerations

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The potential impact of this proposal on European Sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended). The proposal would not have any likely significant effect on the features of any European Site.

PPS21 – Sustainable Development in the Countryside / SPPS

Policy CTY1 restricts new development in the countryside but makes an exception for replacement dwellings which are acceptable if in accordance with policy CTY3.

Policy CTY 3 states that 'planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact. For the purposes of this policy all references to 'dwellings' will include buildings previously used as dwellings.

Having visited the site, the subject building is completely intact with domestic windows, doors, fireplace and windows all in situ. Whilst not currently being used as a dwelling, I am content the building to be replaced exhibits the essential characteristics of a dwelling and is structurally intact. The proposal meets the first policy point.

The building to be replaced does display some primary vernacular characteristics such as lack of formal plan, elongated / rectangular, walls of mass load-bearing materials, chimney on the ridge and window openings on the front elevation with low portion of void to mass. Historic maps show the dwelling being built at some point between 1905 and 1957.

Policy CTY 3 encourages the retention and adaption of non listed vernacular dwellings in preference to their replacement. However in this particular site, given the spatial relationship with the subject building and the adjacent dwellings (Nos 21 and 19) a sustainable living environment could not be achieved. I recommend the principle of replacing the building is therefore accepted.

The policy makes reference to dwellings that make an important contribution to the heritage, appearance or character of the locality and those that do not. For the subject building (built between 1905-1957), the corrugated roof, contemporary chimney, orientation to the road and the siting between two dwellings ensures the building does not make an important contribution to the heritage, appearance or character of the locality. In this instance, the policy requires it to be incorporated into the overall layout of the new development scheme. As the proposal is for an off site replacement opportunity, the proposal fails this policy criteria as it has not been incorporated into the over layout of the new development scheme.

The policy makes no provision for the off-site retention of the original building and as this dwelling cannot be incorporated as part of the new scheme, it follows that the building should be replaced and demolished.

It is noteworthy that the SPPS makes no reference to vernacular dwellings under the replacement category and therefore as prescribed in paragraph 1.12 the weight afforded to the retained policy (CTY 3 of PPS 21) should not be judged be lessened.

Despite the fundamental flaws in the application as noted above, I will consider the proposal in light of the remaining policy criteria.

- The siting of the original building to be replaced is considered so restricted that it could not reasonably accommodate a new modest sized dwelling with appropriate

amenity or parking provision and therefore the principle of an off site location is accepted.

- The size of the dwelling can be conditioned to ensure it integrates into the landscape appropriately and design would be considered in detail at RM stage.
- It is anticipated all necessary services are available or can be provided without significant adverse impact on the environment or character of the locality.
- The proposal seeks to utilise an existing access to the proposed site and following amendments, DFI Roads has no objection subject to compliance with the attached RS1 form. The application is also in general compliance with PPS 3.

The proposal is contrary to policy CTY 3 of PPS21 for the above reasons. The proposal is also therefore contrary to policy CTY 1 in that there are no overriding reasons why the development is essential and could not be located in a settlement. The proposal also fails the guidance set out in Building on Tradition.

In terms of policy CTY 13, a low-level dwelling is not considered to be prominent at the site which benefits from being set back from the public road and a good back drop of rising land to the rear. Existing trees located around the site which helps aid integration. Design and ancillary works would be considered at RM stage.

With regards to policy CTY 14, the proposal is not considered to be prominent in the landscape if designed appropriately with a low-level ridge. However, as the erection of a new dwelling at this site in place for a building that is to be retained off site will create an additional building the new dwelling would be viewed with Nos, 31a, 31, 21, and 19 Forkhill Road which would result in a suburban style build up and therefore contrary to part (b) of CTY 14. Whilst the dwelling could be conditioned to respect the traditional settlement pattern in the area, the addition of a new dwelling is considered to offend part (d) of CTY 14 and policy CTY 8. The new dwelling would be read in a line of development with Nos. 31a, 31, 21 and 19 Forkhill Road which all visually link with the proposed site and would further erode the rural character of the area by adding to ribbon development. Consequently, the proposal fails part (b) and (d) of policy CTY 14 and policy CTY 8.

A condition would be added to any decision notice that before commencement a copy of the consent to discharge will be agreed by the Council. The proposal is in compliance with CTY16.

PPS3 – Access, Movement & Parking & DCAN15 – Vehicular Access Standards
DFI Roads has considered the proposal with regard to PPS 3 and DCAN 15 and following amended plans, has no objection to the proposal in principle subject to compliance with the attached condition. I therefore conclude that the proposal is consistent with the policy provisions and guidance if PPS 3 / DCAN 15.

Planning Policy Statement 2: Natural Heritage

Having visited the site, there are no obvious biodiversity concerns with minimal vegetation loss for site visibility.

In conclusion, I am content there will be no significant harm to protected or priority species or habitats as a result of the proposal or that any International, European, National or local sites of acknowledged importance would be compromised by the proposal.

The proposed site lies within the Ring of Gullion AONB and therefore policy NH 6 applies. For the refusal reasons above the site is not considered sympathetic to the special character of the AONB in general and of the particular locality and is therefore contrary to part (a) of policy NH 6 of PPS 2.

The proposal will not impact any features of importance to the character, appearance or heritage of the landscape and part (c) can be achieved with an appropriately designed dwelling that would be assessed at RM stage, if appropriate.

Consequently, the proposal fails part (a) of PPS 2.

The agent has submitted supporting information citing other reference numbers as a precedent for this application. Each of the applications submitted are all distinguishable from this application, which is site specific and must be tested on its own individual merits. The agent asserts that the demolition of the existing building means the applicant would have to build a garage for storage – which would be more unsightly with a larger footprint, with the existing plot affording no space for the same.

Any application for a garage is speculative and would have to meet the prevailing policy and all other material considerations at the point of submission. The subject building is sited **outside** the curtilage of No.19 and therefore is considered unrelated to the residential enjoyment of the property and curtilage of No.19. Where no.19 needs additional space for the provision of a garage, beyond the curtilage of the site – this must be tested by a planning application.

Neighbour Notification Checked

Yes

Summary of Recommendation

Permission Refused

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this

development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to Policy CTY 3 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building to be retained has not been incorporated into the overall layout of the new development scheme.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH 6 of Planning Policy Statement 2, Natural Heritage in that the siting of the proposal is unsympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality.

4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted, add to ribbon development along Forkhill Road.

5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and part (b) Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted, result in a suburban style build up when viewed with existing building and therefore further erode the character of the rural area.

6. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and part (d) Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted, add to a ribbon of development along Forkhill Road and therefore further erode the character of the rural area.

Case Officer Signature: A Donaldson

Date: 15 January 2025

Appointed Officer Signature: M Fitzpatrick

Date: 17/01/2025

Application

| Development Management Officer Report | |
|---|--|
| Case Officer: Karen Reid | |
| Application ID: LA07/2023/3647/F | Target Date: |
| Proposal: DETACHED DWELLING & GARAGE UNDER PPS21 / CTY 8 | Location: Adjacent to and north of 9 Station Road, Jonesborough BT35 8JH |
| Applicant Name and Address: CIARAN & NATALIE MCCORMACK & DUFFY 9 STATION ROAD ADAVOYLE, JONESBOROUGH BT35 8JH | Agent Name and Address: Bernard Dinsmore 19 Spring Meadows Warrenpoint BT34 3SU |
| Date of last Neighbour Notification: | 5 August 2024 |
| Date of Press Advertisement: | 10 January 2024 |
| ES Requested: No | |
| Consultations: <ul style="list-style-type: none"> - <i>DfI Roads – No objection to the proposal subject to conditions</i> - <i>NI Water – Approved with standard planning conditions</i> - <i>NIEA – Refer the planning authority to the new DAERA Standing Advice – NED-Single Dwellings</i> | |
| Representations: No objections or representations have been received to date (05/02/2025). | |
| Letters of Support | 0.0 |
| Letters of Objection | 0.0 |
| Petitions | 0.0 |
| Signatures | 0.0 |
| Number of Petitions of Objection and signatures | |
| Summary of Issues: | |

Site Visit Report

Site Location Plan:



Date of Site Visit: 03/07/2024

Site Characteristics & Area Characteristics:

The application site is located within the rural countryside outside any settlement development limits designated under the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP 2015). The site is also located within the Ring of Gullion a designated Area of Outstanding Natural Beauty (AONB).

The application site is located along a shared laneway which is accessed off the western side of the Station Road. The laneway provides access to No 17 and 17A Station Road (residential dwellings) which are north of the application site and No 9, No 7 and No 7B Station Road (residential dwellings) which are to the south of the application site. The proposed application site forms an irregular shaped plot that has been cut out of a residential garden area and includes part of a field. Access into the application site is currently afforded through the curtilage of No 9 Station Road. The site, and its immediate surroundings, are relatively flat.

Description of Proposal

DETACHED DWELLING & GARAGE UNDER PPS21 / CTY 8

Planning Policies & Material Considerations:

- Banbridge, Newry and Mourne Area Plan (2015)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- PPS 21: Sustainable Development in the Countryside
- PPS 3: Access, Movement and Car Parking
- PPS 2: Natural Heritage
- Building on Tradition Design Guide

Planning History:*P/1980/0447*

- Adavoyle, Newry
- Erection of bungalow

P/1991/0155

- No 9 Station Road Adavoyle Jonesborough
- Extension to Dwelling
- Approved

P/2000/1256/F

- Nth. of 7 Station Road, Aghadavoyle, Newry, Townland of Aghadavoyle, NIE Ref. No. 1444/00
- 11KV OH single phase line on wood poles
- Approved

LA07/2021/1458/F

- 9 Station Road, Adavoyle, Newry
- Single storey extension to rear of dwelling
- Approved

LA07/2020/1268/O

- lands approx. 60m south of no. 17 Station Road, Newry, BT35 8JH
- Proposed infill dwelling and garage
- Approval

Consultations:

- *DfI Roads – No objection to the proposal subject to conditions*
- *NI Water – Approved with standard planning conditions*
- *NIEA – Refer the planning authority to the new DAERA Standing Advice – NED- Single Dwellings*

Objections and Representations:

One neighbour was notified of the proposal on the 24th of February 2024, and a further neighbour was notified on the 22nd of July 2024. The proposal was also advertised in the local press on the 10th of January 2024. No objections or representations have been received.

Correspondence with the Agent / Applicant

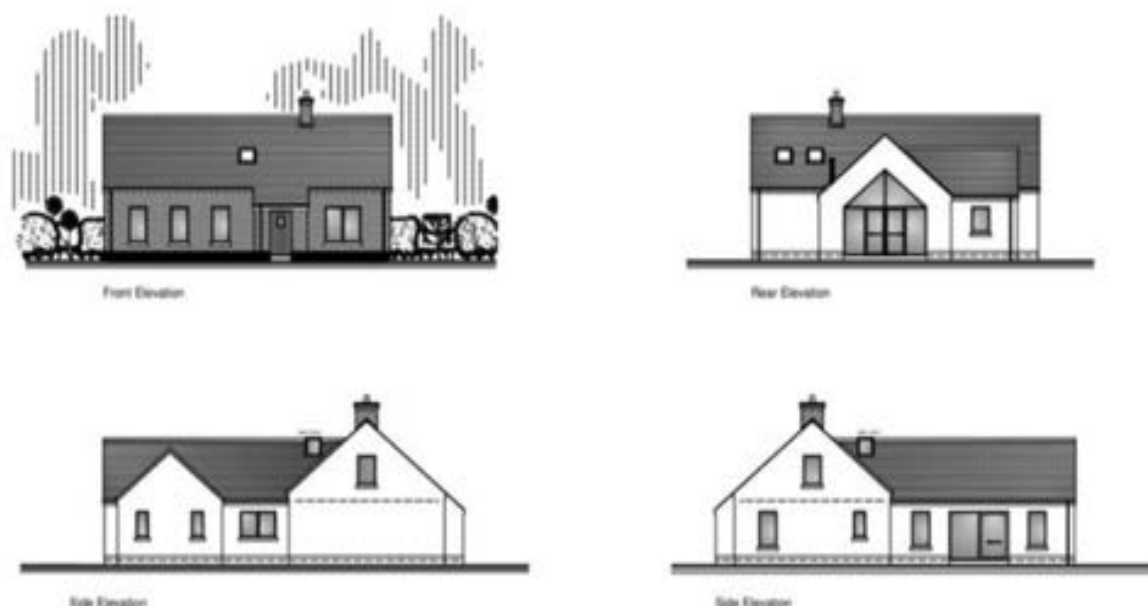
Following a site inspection, review of the case and internal group discussion an email was issued to the Agent on the 18th of December 2024 advising that the department were of the opinion that this application fails to meet with the requirements of PPS 21 Policy CTY 8 - Ribbon Development in that the proposed site falls within the same gap as a previously approved application; LA07/2020/1268/O which was assessed as large enough to accommodate a maximum of one dwelling. The department also advised the proposal was considered contrary to Policy CTY 14 – Rural Character and that the proposal would therefore be recommended for refusal. A response was received on the 15th of January 2025, and this has been considered by the department and assessed within the assessment section of this report.

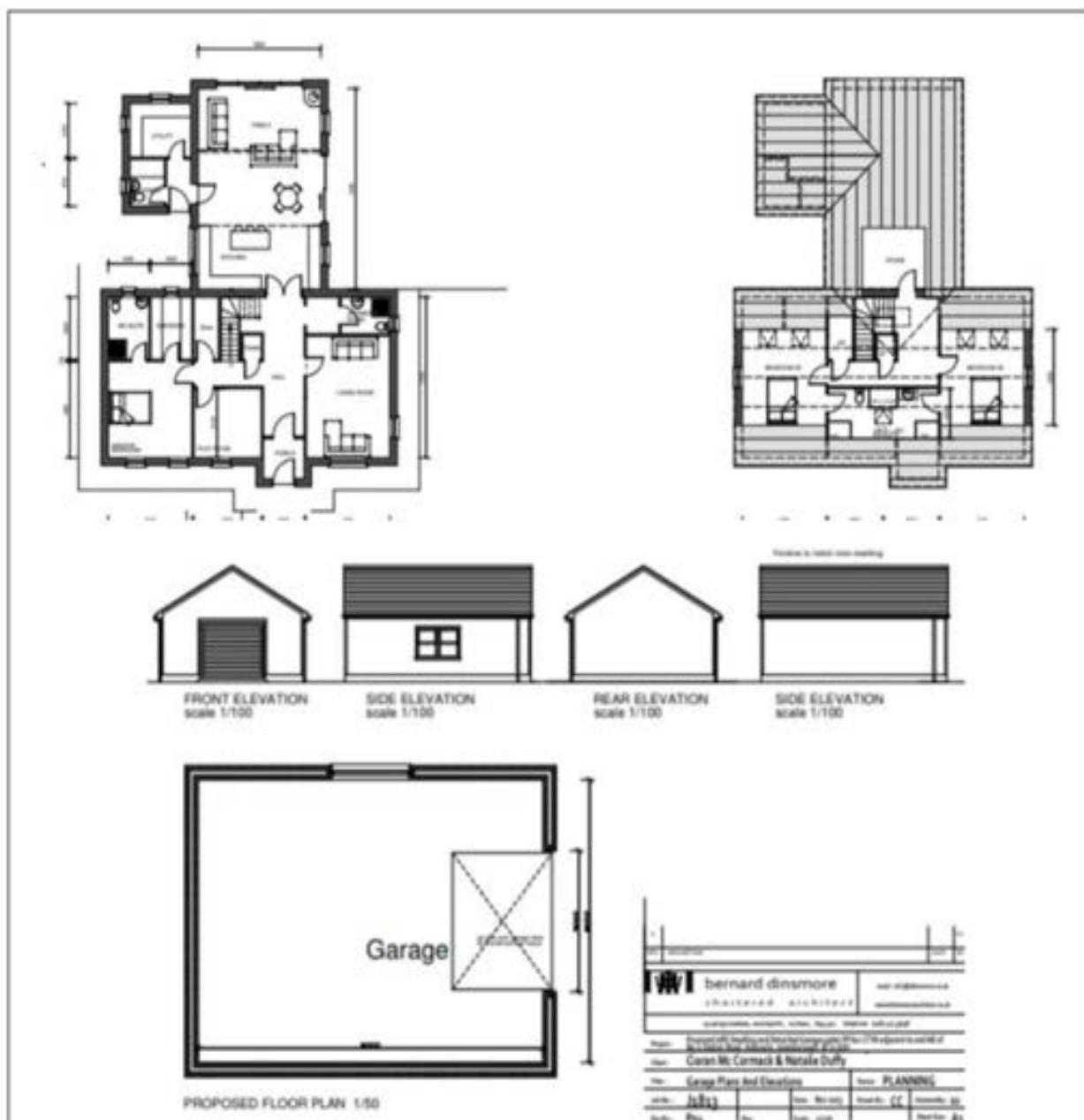
Consideration and Assessment:

Proposal

The proposal is a full application for the erection of a detached dwelling and garage under CTY 8 of PPS 21. The proposal is for a detached story and a half dwelling with a ridge height of approximately 6.5m. The dwelling also comprises a rear annex and side projection. The proposed detached garage is single story. The ridge height of the garage is approximately 5m.

The proposal is shown below;





The Banbridge, Newry and Mourne Area Plan 2015

Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The site is currently within the remit of the Banbridge, Newry and Mourne Area Plan 2015 as the new Council has not yet adopted a local development plan. The site is located outside any settlement limits on the above Plan and is un-zoned. There are no specific policies in the Plan that are relevant to the determination of the application, and it directs the decision-maker to the operational policies of the SPPS and the retained PPS 21.

Strategic Planning Policies Statement for Northern Ireland

Para 1.12 of the SPPS states that where the SPPS introduces a change of policy direction and/ or provides a policy clarification that would be in conflict with the retained policy the SPPS

should be accorded greater weight in the assessment of an individual planning application. However, the SPPS does not introduce a change of policy direction nor provide a policy clarification in respect of proposals for residential development in the countryside. Consequently, the relevant policy context is provided by the retained Planning Policy Statement 21, Sustainable Development in the Countryside.

Planning Policy Statement 21 – Sustainable Development in the Countryside

Policy CTY 1 refers to a range of development which in principle are acceptable in the countryside. This development includes infill dwellings if they meet the criteria set out in CTY 8.

Policy CTY 8 – Ribbon Development

As the proposed development is for the infill of a site, the relevant policy is Policy CTY 8 – Ribbon Development. This policy outlines the criteria that must be met in order to grant planning permission for an infill site. Policy CTY 8 is a restrictive policy. It states that 'Planning permission will be refused for a building which creates or adds to a ribbon of development.' It also states that 'An exception will be permitted for development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided these respects the existing development pattern along the frontage in terms of size, siting and plot size and meets other planning and environmental requirements.'

For the purposes of this policy, the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear. For the purposes of this policy a road frontage includes a footpath or private laneway.

The site comprises an irregular shaped plot, which has frontage onto the shared laneway. The proposed site is cut out of the garden area of No 9 and includes part of a field to the rear of No 9. The Planning Department considers that the application site sits within an otherwise substantial and continuously built-up frontage. Running north to south along the existing laneway this consists of No 17 Station Road (a detached dwelling) the dwelling is considered to have frontage onto the laneway. This is followed by No 17A Station Road (a dwelling with a detached garage) this dwelling is also considered to have frontage onto the laneway and given the scale and positioning of the associated garage this building is also considered to have frontage onto the laneway. To the south of the site is No 9 Station Road (a detached dwelling) this dwelling is considered to have frontage onto the laneway. This is followed by No 7A Station Road (a detached dwelling) which also has frontage onto the laneway. Given the existing development in the area it is considered that there are three buildings all sharing a common frontage with the application site as required by policy.

In assessing whether the site constitutes an exception to the policy, the second step is to determine if there is a small gap site sufficient only to accommodate up to a maximum of two houses within the otherwise substantial and continuously built-up frontage. The gap being assessed must be that between existing buildings along the frontage. In this instance the gap is taken from the dwelling at No 17A Station Road to the dwelling at No 9 Station Road and measures approximately 64m. The dwelling at No 17A Station Road was recently approved by the department under LA07/2020/1268/O. In assessing this application case officers considered that the building-to-building gap between 17 Station Road and No 9 Station Road was big enough to accommodate 1 dwelling while respecting size, siting, scale and plot size along the frontage. The proposed site falls within the same gap and therefore cannot be

considered a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage .

CTY 8 further requires proposed development to respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. The dwellings to the north of the application site, No 17 Station Road, has a frontage width measuring approximately 52m onto the shared laneway and No 17A has a frontage width measuring approximately 67m. To the south the dwelling at No 9 Station Road has a frontage width of approximately 60m and No 7A Station Road has a frontage of around 57m. The proposal is to reduce the frontage of No 9 to approximately 39m and to create a plot with a frontage of around 16m. As such, the frontage width for the application site alone would be significantly less and much narrower than the existing frontages and out of context with the existing pattern of development. It should also be noted that as highlighted on the proposed block plan the area between the proposed dwelling and No.9 would appear to not be in keeping or in harmony with the surrounding context of development given the limited separation distance between the existing and proposed. Consequently on attempting to accommodate the proposed dwelling it would appear hemmed in given the restricted nature of the site frontage.

In addition to the above, plot sizes were considered. The dwelling to the north of the application site, No 17 Station Road has a plot size of approx. 0.31ha, and No 17A has a plot size measuring approx. 0.47ha. To the south of the site the dwelling at No9 Station Road has a plot size of approx. 0.11ha and No7A has a plot size of 0.2ha. The proposal will have a plot size of approx. 0.17ha, this is smaller than the average plot size which is 0.27ha. It is therefore considered that the site does not respect the existing pattern along the frontage in terms of plot size and thus the proposal is therefore not considered an exception to policy but contrary to Policy CTY 8 in that the application site does not constitute a small gap site in a substantial and continuously built-up frontage and if permitted would add to a ribbon of development.

Policy CTY 8 also requires that the proposal meet other planning and environmental requirements; this issue is examined below under Policies CTY 13 and CTY14 and PPS 2 – Natural Heritage.

Building on Tradition

Para 6.78 of the SPPS requires that the supplementary guidance contained within the 'Building on Tradition' a Sustainable Design Guide for the NI Countryside is taken into account in assessing all development proposals in the countryside. Section 4.0 is relevant to the assessment of this application on visual integration. Para 4.4.0 of this document advises that a new development under CTY 8 'will require care in terms of how well it fits in with its neighbouring buildings in terms of scale, form, proportion and overall character'. Para 4.5.1 further states that appropriate gap sites 'follow the established grain of the neighbouring buildings'. The layout of the proposal fails to follow the established grain of neighbouring buildings given the dwelling is to be set back with a narrow frontage.

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

Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design.

The proposal is for a story and a half dwelling and detached garage. The dwelling is located centrally in the site. The access arrangements are located to the western boundary of the site along the shared laneway, and the garage is situated to the rear of the proposed dwelling.

It is not considered that the proposal would be a prominent feature in the landscape. The site can provide a suitable degree of enclosure for the building to integrate into the landscape. It will read with the surrounding development, which is mainly residential in nature. The proposal does not rely primarily on the use of new landscaping for integration, however, additional planting is proposed along the eastern, southern and western boundaries and an existing stone wall to the northern boundary is to be retained.

The entrance is proposed to the western extent of the site onto the shared laneway from Station Road. There is a suitably scaled area for parking and turning to the front and side of the dwelling and a detached garage. The level of hardstanding is appropriate for this rural location and these ancillary works integrate with their surroundings.

The proposal is for a detached story and a half dwelling with a ridge height of approximately 6.5m. The dwelling includes a single-story porch to the front elevation and a rear annex set below the ridge level of the main dwelling at approximately 6m. The dwelling also comprises a side projection with a ridge level of 5.5m. The building is of traditional rural design, using a linear form which is in keeping with the guidance outlined within the 'Building on Tradition Design Guide'. The dwelling includes some traditional features such as traditional window openings with a vertical emphasis to the front, rear and side elevations and the positioning of the chimney on the ridge. The proposed dwelling is to be finished with slate roof tiles, smooth render, uPVC windows/doors and black aluminium rainwater goods. The proposal is therefore considered to be of an acceptable design and appearance for the site and its locality.

The proposal blends with the landforms, existing trees, buildings, slopes and other natural features which provide a backdrop.

CTY 14 – Rural Character

Planning permission will not be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of the area.

The proposed new dwelling and garage is not considered a prominent feature in the landscape. It is deemed that the application site would result in the creation of ribbon development. The proposal does not respect the traditional pattern of settlement exhibited in the area by inappropriately sub-dividing the curtilage of No 9. As the site does not qualify as an exception to the presumption against ribbon development, it fails in terms of policy CTY 8. Where no infill opportunity exists, the approval of another dwelling would result in a sub-urban style build-up of development when viewed with existing buildings. This would result in a detrimental change in the rural character of the area contrary to Policy CTY 14.

As the Department consider that the erection of a dwelling in the side garden of No.19 Station Road would not respect the existing development pattern along the existing frontage in terms of siting and plot size, the principle of development cannot be established at this site. The erection of a dwelling on this site would result in a suburban style build-up of development which is unacceptable in the countryside.

Impact on Residential Amenity

The application site is located within a rural environment, along a shared laneway and is not visible from the public road. The nearest neighbouring properties are No 17A Station Road,

north of the site and No 9 to the south. The northern boundary of the site is defined by an existing stone wall and the site is separated from No 17A by an existing agricultural laneway.

The proposed site includes part of the front garden of No 9 and a field to the rear. This proposal will result in the loss of some private amenity space to the front of No 9 however sufficient space remains to the rear of the dwelling. The proposed dwelling is single storey with a ridge height of approx. 6.5m and is to be sited further back from No 9, with new timber and rail fencing to be erected along the southern and north-eastern boundaries of the site with some new planting proposed. Heavy planting is also proposed in the south-west and north-east corners which will help screen the site from neighbouring dwellings. I am satisfied that the neighbouring properties will not be impacted by the proposed dwelling to an unacceptable level in terms of overlooking, overshadowing and loss of light .. No objections or representations have been received.

PPS 3 – Access, Movement and Parking

Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic. Paragraph 5.16 of Policy AMP 2 makes reference to DCAN 15 which sets out the current standards for sightlines that will be applied to both new access and intensified use of an existing access onto existing public roads.

DFI Roads were consulted on this application and have no objections in principle to the proposal subject to conditions.

Planning Policy Statement 2 – Natural Heritage

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

A Biodiversity Checklist and associated Ecological Statement Report of the site was submitted with the application. A site survey was undertaken on the 9th of November 2023 in order to identify any major ecological constraints to the proposed development on NI protected species including badgers, nesting birds, otters, red squirrels, smooth newts, common lizards and roosting bats.

Following receipt of these surveys NIEA refers Case Officers to the new DAERA Standing Advice -NED- Single Dwellings. Case officers have observed the results of the survey work undertaken on the 9th of November 2023 and are satisfied that no further survey work is required, and it is not necessary to consult further with NED. The proposal is not considered to harm protected/ priority species or priority habitats.

Having reviewed the biodiversity checklist and survey submitted by the Agent on behalf of the applicant; the report states that no further survey work is required. Therefore, on the basis of the report no further surveys, conditions or Informatives are required.

Policy NH6 – Areas of outstanding Natural Beauty

Planning permission for a new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
- b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
- c) the proposal respects: local architectural styles and patterns; traditional boundary details, by retaining features such as hedgerows walls, trees and gates; and local materials, design and colour.

The proposal is contrary to Policy NH 6 in that the siting of the proposal is not sympathetic to the special character of the AONB and of the particular locality. Given that the siting fails to meet the policy criteria for infill development this would result in build-up and add to a ribbon of development detrimental to the character of that area.

The proposal is contrary to a) of Policy NH 6 of PPS 2.

| | |
|---------------------------------------|---------------|
| Neighbour Notification Checked | <u>Yes/No</u> |
|---------------------------------------|---------------|

Summary of Recommendation: Refusal

Reasons for Refusal:

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of PPS 21 Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the site does not constitute a small gap site within an otherwise substantial and continuously built-up frontage that respects the existing pattern along the frontage in terms of size, scale, siting and plot size and therefore if permitted would add to a ribbon of development along the shared laneway.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that, the proposal would, if permitted,
 - add to a ribbon of development along the shared laneway
 - result in a sub-urban style build-up of development when viewed with existing and approved buildings along the shared laneway,
 - would not respect the traditional pattern of settlement exhibited

| |
|---|
| <p>which would result in a detrimental change to the rural character of the area.</p> <p>4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and PPS 2 Policy NH 6 in that:</p> <ul style="list-style-type: none">- the siting of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and |
| <p>Case Officer Signature: [REDACTED]</p> |
| <p>Date: [REDACTED]</p> |
| <p>Appointed Officer Signature: [REDACTED]</p> |
| <p>Date: [REDACTED]</p> |



Comhairle Ceantair
**an Iúir, Mhúrn
 agus an Dúin**

**Newry, Mourne
 and Down**
 District Council

1.0 Application Reference: LA07/2021/0869/F

2.0 Date Received: 05.05.21

3.0 Proposal: Proposed 5 No Glamping Pods, associated car parking and site works with hard and soft landscaping

4.0 Location: North East of 81 Ardglass Road, Ballywooden, Downpatrick

5.0 Site Characteristics & Area Characteristics:

The site is located NW of the existing settlement of Ballyhoman. The site is accessed from the Ardglass Road from the NE. The application site is located on lands within the grounds of the former Bishopscourt Airfield. The site lacks defined boundaries, grassland comprising a smaller plot within the larger site.

The site is located within the open countryside within an Area of Mineral Constraint as identified within the Ards and Down Area Plan 2015.

6.0 Application Site and Aerial View:



7.0 Photographs of site:



8.0 Relevant Site History:

R/1995/0256- Change of use from office complex to dwelling

R/2000/0375/F- Extension and garage – Approval

R/2000/0078/O- site for dwelling- withdrawn

9.0 Planning Policies & Material Considerations:

- The Ards and Down Area Plan (2015)
- Regional Development Strategy 2035 (RDS)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- PPS 2: Natural Heritage
- PPS 3: Access, Movement and Parking
- PPS 15 (Revised): Planning and Flood Risk
- PPS 16: Tourism
- PPS 21: Sustainable Development in the Countryside
- DCAN 10 (Revised) Environmental Impact Assessment
- DCAN15 – Vehicular Access Standard
- DOE Parking Standards

10.0 Consultations:

NIEA (16.11.21) - NED has considered the impacts of the proposal on designated sites and other natural heritage interests and, based on the information provided, has no concerns subject to conditions.

DFI Roads (15.09.21) – No objections

SES (27.07.21) - Stage one assessment demonstrates that the project cannot have a conceivable effect on any European site.

EH (18.05.21) - No objection

Rivers Agency (27.05.21):

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site.

FLD1 (Development in Fluvial and Coastal Flood Plains)

The development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain

FLD2 (Protection of Flood Defence and Drainage Infrastructure)

No watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site

FLD3 (Development and Surface Water)

The proposal does not exceed the thresholds to require a Drainage Assessment.

FLD4 (Artificial Modification of Watercourses) and FLD 5 (Development in Proximity to Reservoirs)

N/A

NIEA WMU (26.05.21) - Content subject to conditions

NIW (19.05.21) - No objections

11.0 Objections & Representations:

- The application was initially advertised in the press 17.05.21.
- 2 neighbours were notified 06.08.21 (Advertise expiry 09/06/2021)
- 4 objections received

Issues Raised:

- Overlooking/ loss of privacy

Considered below within the planing report

- Additional traffic

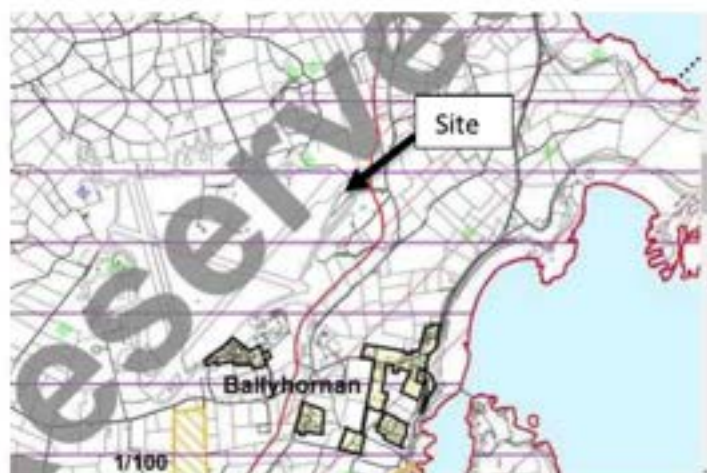
DFI Roads in comments dated 15.09.21 have no issues.

- Noise and disturbance/ Anti-social behaviour

The assessment of the proposal demonstrates that there is no pathway for impacts from the proposal to have an effect on any European site or its selection features.

15.0 HRA Screening: Application screened.

16.0 Down and Ards Area Plan 2015



17.0 Regional Development Strategy (RDS):

The RDS seeks to promote a sustainable approach to the provision of tourist infrastructure. With the importance of striking a balance between benefiting society and the economy whilst ensuring this can be achieved in a sensitive manner. The regional policies of the SPPS, PPS2, PPS3, PP15, PPS16 and PPS21 will be considered further in line with RDS requirements will be set out in the report below.

18.0 Planning Act:

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

19.0 Development Plan:

In this case the Down and Ards Area Plan 2015 (DAAP 2015) is relevant to this application which identifies the site as being within the open countryside in an area of mineral constraint.

There is no specific policy within the DAAP 2015 with the reader directed towards the requirements to meet prevailing policy requirements. This will be considered further below.

20.0 SPPS:

Having considered the relevant policies contained within the SPPS following its publication which is somewhat less prescriptive, the retained policies of PPS2, PPS3, PPS15, PPS16 and PPS21 are relevant and will be given substantial weight in the determination of the application in accordance with paragraph 1.12 of the SPPS.

21.0 SPPS and PPS2 – Natural Heritage

Impact on Natural Heritage and Designated Sites

Consultations with NED and SES returned with no objections to the above proposal. NED stated that the site comprises of rank grassland and some areas of scrub. They also noted that the existing access to the public road has some NI priority habitat hedgerow and the scrub vegetation on site has the potential to support nesting birds.

NED having considered the impacts of the proposal as per the application, on the designated sites and natural heritage interests, and based on the information provided confirmed that they have no concerns subject to planning conditions imposed. Conditions relating to vegetation clearance works to be conducted outside the bird breeding season and a lighting plan submitted to and approved by the Planning Authority to minimise the impact on bats and other wildlife.

Therefore, the proposal is not likely to have an unacceptable adverse impact on or damage to a known priority habitat or priority species. The proposal is considered compliant with Policy NH 2 and NH 5 of PPS 2.

Policy NH 1 of PPS 2 states that planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on a European Site or a listed or proposed Ramsar Site.

The Planning Authority is required by Law to carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Only after having ascertained that it will not adversely affect the integrity of the site, can the Planning Authority agree to the development and impose appropriate mitigation measures in the form of planning conditions if necessary.

Shared Environmental Services (SES) on behalf of Newry, Mourne and Down District Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations completed a Habitats Regulation Assessment (HRA) Stage One Assessment.

The stage one HRA screening has concluded that there could be no conceivable effect on a European Site.

The Planning Department has therefore undertaken an appropriate assessment of the implications for each site in view of that sites conservation objectives, in line with the requirements of Policy NH 1 of PPS 2.

Proposals meet the requirements of the SPPS and PPS2.

22.0 SPPS and PPS3 - Access, Movement and Parking, Parking Standards and DCAN 15 – Vehicular Access Standards

Transport NI in their consultation response dated 15.09.21 have no objection with proposals. The site has adequate incurtilage turning and parking within the scheme.

Proposals meet the SPPS and PPS3

23.0 SPPS and PPS15 (Revised): Planning and Flood Risk:

Rivers Agency in their consultation response dated 27.05.21 have raised no issues of concern.

Proposals are in keeping with the SPPS and PPS15.

24.0 SPPS and PPS16

PPS 16 set out the planning policy for tourism development, including the main forms of tourist accommodation and tourist amenities.

25.0 TSM 6 New and Extended Holiday Parks in the Countryside

Planning permission will be granted for a new holiday park where it is demonstrated that the proposal will create high quality and sustainable form of tourism development.

The location, siting, size, design, layout and landscaping of the proposal must be based on an overall design concept that respects the surrounding landscape, rural character and site context. Proposals must be accompanied by a layout (which was submitted as part of the application) and subject to specific criteria, the assessment of which has been set out below:

(a) The site is located in an area that has the capacity to absorb the holiday park development , without adverse impact on visual amenity and rural character;

The above site layout shows the 5 pods, car parking and a timber shed. It is noted that no plans for the shed have been submitted and the shed is currently in situ on the application site. As the shed does not form part of the proposal, it will not form part of our assessment.

At present the site has a gated entrance with the NE and SE boundaries defined by post and wire fencing. The SW and NW boundaries are currently undefined.

The photographs above show the application site within an open and exposed, flat and largely undefined area of land within the larger abandoned MOD airfield.

The proposal is considered contrary to policy in that, the site is located within an open and exposed flat area of land which lacks natural boundaries or a backdrop to absorb the development that no development of any nature could be adequately be absorbed. The proposed development will be incongruous and prominent in the existing flat landscape adversely impacting the visual amenity and character of the area due to the lack of natural boundaries or a backdrop to absorb the development.

Fails to meet criteria a

(b) Effective integration into the landscape must be secured primarily through the utilisation of existing natural or built features. Where appropriate, planted

areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist its integration with the surrounding area;

The site is devoid of any existing natural or built features in which proposals could utilise. At present the NE and SE boundaries are defined by post and wire fencing whilst SW and NW boundaries are undefined on the ground. Whilst the site layout indicates some additional planting given the natural landscape at this location this is of no benefit in order to soften the visual impact and to integrate proposals into the surrounding area. The development is located within such a flat, open, exposed terrain which has little or no vegetative boundaries. Proposals will require significant swathes of planting to assist with visual impact and to integrate however the introduction of significant areas of planting into such a location will have the opposite effect and planting alone as well as the built development will appear at odds within the local landscape.

There is no design solution that could be presented that would overcome these issues without detracting from the visual aspect, with an inability for this development or any other to be able to blend naturally into the countryside.

Proposals fail criteria b

(c) Adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development;

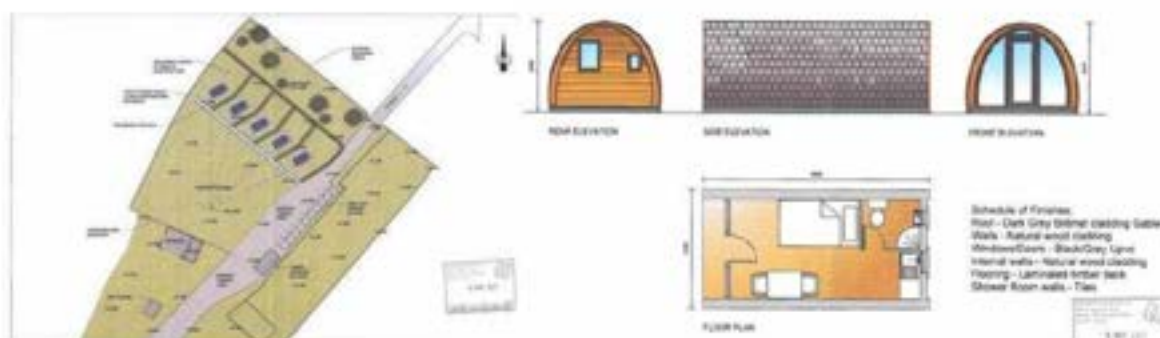
The site layout plan provides for an adequate area of communal open space as an integral part of the development. Each pod is to have their own dedicated area of open space.

The agent has submitted an existing layout annotating existing spot levels within the site. Given the relatively flat natural of the landscape the proposal does not seek to alter the existing levels. There are minimal groundworks associated with the proposal development.

Meets criteria c

(d) The layout of caravan pitches / motor homes is informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping;

(e) The design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing;



The 5 pods are the same size, design and finish and are the typical pod type used. The layout annotates a timber storage building in the south east corner of the site. As stated above this timber shed does not form part of our consideration.

The glamping pods have been located to the N portion of the site comprising of individual plots which are similar in size with rear enclosed amenity space with straight lines of vegetation planting. These have been formally arranged in a linear arrangement along with the linear carparking layout, paths, access as well as landscaping have been designed to look quite formal which will result in inadequate integration which will have an adverse impact upon this rural setting.

Such formal types of development are not common within the countryside area. The overall design/layout of the development is not considered appropriate for the site and the locality.

The proposed materials are not considered to offend the site and surrounding area.

Fails to meet criteria d and e

(f) Environmental assets including features of the archaeological and built heritage, natural habitats, trees and landscape features are identified and, where appropriate, retained and integrated in a suitable manner into the overall design and layout;

Archaeological and built heritage interests are not applicable to this site. Consideration of impact to natural habitat etc considered above (see SPPS and PPS2 considerations).

As proposals meet the requirements of the SPPS and PPS2, proposals therefore meet criteria f.

(g) Mains water supply and sewerage services must be utilised where available and practicable.

The proposed development is to connect to the mains water supply. Northern Ireland Water (NIW) has confirmed that there is a public water supply within 20m of the proposal. The Developer is required to consult with NIW to determine how the proposed development can be served.

The P1 form proposes to discharge foul sewage from the site via a bio-disc treatment. The surface water is to be discharged to a soak away. NIEA WMU having been consulted on the proposal required a condition be attached to the decision, ensuring a practical method of sewage disposal has been agreed in writing with NIW or a consent to discharge granted prior to development commencing.

Subject to condition proposals meet the requirements of criteria g

26.0 TSM 7 - Criteria for Tourism Development

Policy TSM7 for a tourism proposal in addition the policy provisions of this statement i.e. TSM 6 must also fully adhere to design criteria a-f and in addition to this will also be subject to general criteria (criteria g-o set out within TSM 7), this is considered below:

Design Criteria:

(a) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;

The layout supports walking and cycling and given the flat landscape the needs of people whose mobility is impaired can be provided. The proposal will not obstruct a public right of way and there is access to the public transport networks within Ballyhornan (less than a mile from the site).

Criteria a is satisfied.

(b) the site layout, building design, associated infrastructure and landscaping arrangements (including flood lighting) are of high quality in accordance with the Department's published guidance and assist the promotion of sustainability and biodiversity;

The layout does not provide flood lighting. The formal site layout, linear area of car parking and lack of landscaping is not of a high quality and will not assist the promotion of sustainability.

Fails to meet criteria b

(c) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are screened from public view;

Boundary treatment has been provided as a means of enclosure to each individual pod and to define each curtilage space. The boundary treatment is formalised and set out within linear rows and apart from this the introduction of boundary treatments into a vast area of open and exposed space is alien to this particular landscape. Whilst it does provide means of enclosure and will screen outside storage this appears unnatural within this rural setting which is characterised by little or no vegetative planting.

Criteria c has not been satisfied.

(d) utilisation of sustainable drainage systems where feasible and practicable to ensure that surface water run-off is managed in a sustainable way;

Consideration under TSM 6 (g) and remains relevant under TSM 7. As criteria can be satisfied as per condition the same can apply in this instance.

Subject to condition proposals meet the requirements of criteria d

(e) is designed to deter crime and promote personal safety;



The proposed development is located to the NE of a much larger now disused airfield which is open and exposed to access by the public from several access points and is also far removed from any other occupied dwellings which do not allow for informal surveillance. Although intended to enclose each of the pods the car parking area is open and exposed and boundary treatments are penetrable which exposes the site to risk of crime and issue relating to personal safety.

Given the very nature of the site and surrounds it is difficult to envisage an alternative design solution to overcome issues.

Proposals fail to meet criteria e

(f) development involving public art, where it is linked to a tourism development, needs to be of high quality, to complement the design of associated buildings and to respect the surrounding site context.

Not applicable

General Criteria:

(g) it is compatible with surrounding land uses and neither the use or built form will detract from the landscape quality and character of the surrounding area;

The proposed tourist accommodation in the form of glamping pods is not considered compatible within this area of the former MOD Airfield which is now characterised by dispersed residential dwellings, open countryside and the Bishopscourt race track in the distance.

The proposed tourism use and formalised built form, with unnatural formed enclosed plots with the lack of natural boundaries or a backdrop will detract from the existing open landscape quality and character of the area. Due to the undeveloped, flat, open

and exposed nature of the site along with lack of vegetation boundaries this development will clearly be prominent within this locale.

Proposals fail against criteria g

(h) it does not harm the amenities of nearby residents;

The impact of the proposal on the amenity of the nearby residents was a concern raised by several objectors. Having considered the separation distance between the development and the nearby residents with the closest being over 90 metres away there should be no overlooking or loss of privacy to these dwellings. Similarly, with noise/odour concerns the proposal is significantly removed from the development. The Planning Authority consulted Environmental Health Department on the above proposal to get its professional input. The EHD having reviewed the application and the layout returned with no objections.

Criteria h satisfied

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

Not applicable

(j) it is capable of dealing with any emission or effluent in accordance with legislative requirements. The safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains sewerage and water supply services must be utilised where available and practicable;

Considered under criteria g of TSM 6 and remains relevant under TSM 7 considerations.

Subject to condition proposals meet the requirements of criteria j.

(k) access arrangements must be in accordance with the Department's published guidance;

(l) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic;

(m) the existing road network can safely handle any extra vehicular traffic the proposal will generate;

(n) access onto a protected route for a tourism development in the countryside is in accordance with the amendment to Policy AMP 3 of PPS 3, as set out in Annex 1 of PPS 21.

The access to serve the development is via the existing access which serves the applicants dwelling and the nearby residents. DfI Roads has been consulted on the proposal and have returned with no objections subject to additional works at the entrance onto the public road (Ardglass Road) which are to be conditioned within the

decision. The layout allows for 10 car parking spaces. Having considered the proposed development in line with the car parking standards, 1 space per pitch has been provided for. The development provides an area of communal parking separate from the pods.

Proposals satisfy criterion k, l, m and n

- (o) it does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourism asset, unless a suitable alternative is provided;**

Not applicable.

Overview of TSM 6 and TSM 7 – Proposals fail to meet criterion a, b, d and e of TSM 6 and b,c,e and g of TSM 7 for the reasons set out above.

27.0 PPS21 – Sustainable Development in the Countryside (CTY 1, CTY13, CTY14 and CTY16)

PPS 21 set out planning policies for development within the open countryside.

Policy CTY1 states that there is a range of development which may be considered to acceptable and that will contribute to the aims of sustainable development. Planning permission will be forthcoming for non-residential use for tourism in accordance with PPS16 related policies which have already been assessed above. With the remaining policies of PPS21 i.e. CTY 13, 14 and CTY 16 remaining relevant and will be further considered below.

28.0 CTY 13 – Integration and Design of Building in the Countryside and CT14 - Rural Character

In accordance with Policy CTY 13 a new building in the countryside will be accepted where it can be visually integrated into the surrounding landscape, and it is of an appropriate design.

The justification and amplification of the policy states, 'the determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site, including necessary site works, will blend in unobtrusively with its immediate and wider surroundings'.

The development as stated above is proposed to be sited on an exposed area of flat undeveloped land. In such areas, poor siting and design carries with it a greater potential to adversely impact the visual amenity and rural character of an area. The proposed development will not blend sympathetically within its surroundings and will appear incongruous in the landscape due to the lack of natural screening or a backdrop. The proposal lacks existing boundary treatment to provide a suitable degree of enclosure for the development to integrate into the landscape.

Whilst the site block plan indicates the applicants' intention to provide some landscaping and to erect a new site boundary along the north west boundary the proposal lacks sufficient natural boundary treatment to aid its integration into the area. A building on an unacceptable site cannot be successfully integrated into the countryside with the use of new landscaping, this is contrary to policy.

The proposal is considered contrary to Policy CTY 13 criterion a, b, c& f.

29.0 Policy CTY 14 - Rural Character

In accordance with Policy CTY 14 planning permission will only be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

As stated above the proposed development will be incongruous and prominent in the landscape due to the open and exposed nature of the site and lack of natural boundaries. The proposed development will result in a build-up of development within a vulnerable landscaping (flat & exposed) that does not have the capacity to absorb further development.

The proposed development to be constructed in isolation and is not considered to adopt the traditional spacing of buildings found in the locality. The proposal does not respect the traditional pattern of settlement exhibited in the area which tends to be more consolidated residential building groups.

The proposed access from the Ardglass Road will remain unaltered with exception of the required visibility splays.

The proposal is considered contrary to Policy CTY 14 criterion a, b& c.

30.0 CTY16 – Development Reliant on Non-Mains Sewerage

The P1 form proposes to discharge foul sewage from the site via a bio-disc treatment plant. The surface water is to be discharged to a soak away. NIEA WMU having been consulted on the proposal required a condition be attached to the decision, ensuring a practical method of sewage disposal has been agreed in writing with NIW or a consent to discharge granted prior to development commencing. The site layout indicates the bio-disc treatment plant to be positioned within the redline and therefore within lands owned by the applicant.

Subject to condition proposals meet the requirements of Policy CTY 16.

31.0 Consideration and Assessment Summary:

Having had regard to the development plan and all other material considerations (including SPPS, PPS2, PPS3, PPS15, PPS16, PPS21, DCAN15, DOE Parking Standards,) the proposed fails to meet the requirements of planning policy for the reasons set out above and for this reason is recommended for refusal.

32.0 Recommendation: Refusal

33.0 Draft Reasons for Refusal:

1. The proposal is contrary to Paragraph 6.91 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that in that development would if permitted:
 - is a prominent feature in the landscape;
 - unable to provide a suitable degree of enclosure for the building to integrate into the landscape;
 - the proposed building relies primarily on the use of new landscaping for integration;
 - it fails to blend with the existing landform and trees to provide a backdrop and therefore, would not visually integrate into the surrounding landscape.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that:
 - the development would, if permitted, be unduly prominent in the landscape;
 - it results in a suburban style build-up of development when viewed with existing and approved buildings;
 - the development would, if permitted not respect the traditional pattern of settlement exhibited in that area;
4. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and TSM6 of Planning Policy Statement 16 in that:
 - proposals will not create a high quality and sustainable form of tourism development
 - the formalised proposal is not based on an overall design concept that respects the surrounding landscape, rural character and site context
 - the site is located in an area that does not have the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character;
 - effective integration into the landscape cannot be secured through the utilisation of existing natural or built features

- the layout of the pods are not informal or characterised by discrete grouping or clusters
 - the design of the development including the design of other elements including internal roads, paths, car parking areas is inappropriate for the site and the locality and do not respect the best local traditions of form, materials and detailing
5. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and TSM7 of Planning Policy Statement 16 in that:
- the site layout and landscaping arrangements are not of high quality in accordance with the Department's published guidance and assist the promotion of sustainability;
 - inappropriate boundary treatment and means of enclosure are provided
 - has not been adequately designed to deter crime and promote personal safety;
 - is incompatible with surrounding land uses, the use and built form will detract from the landscape quality and character of the surrounding area;

Committee Application

| Development Management Officer Report | |
|--|--|
| Case Officer: Claire Cooney | |
| Application ID: LA07/2020/1385/F | Target Date: |
| Proposal: 4No New build townhouses with associated site works (AMENDED PROPOSAL DESCRIPTION) | Location: Lands to the rear of 2-12 Church Hill Killyleagh |
| Applicant Name and Address: Pearl Capital | Agent Name and Address: The Studio 13 Bangor Road Holywood BT18 0NU |
| Date of last Neighbour Notification: | 30 October 2020 |
| Date of Press Advertisement: | 5 October 2020 |
| ES Requested: No | |
| Consultations: Consultations have been carried out with <ul style="list-style-type: none"> • DfI Roads • Northern Ireland Water • DfI Rivers • DfC Historic Environment Division | |
| Representations: A letter of support has been received from Jim Shannon MP | |
| Letters of Support | 1 |
| Letters of Objection | 0.0 |
| Petitions | 0.0 |
| Signatures | 0.0 |
| Number of Petitions of Objection and signatures | |
| Summary of Issues: | |

Site Visit Report

Site Location Plan:



Date of Site Visit:

Characteristics of the Site and Area

The site is located along Church Hill Killyleagh and is comprised of a portion of vacant land to the rear of those dwellings 2-12 Church Hill, Gocean Mills and buildings Nos 19-29 Cross Street Killyleagh.

Church Hill slopes upwards in a south-easterly direction and therefore the site sits above the land at Cross Street. The site falls away towards its north eastern boundary adjacent the builder yard.

The character of the area is defined by two-storey terraced dwellings of traditional style and form. Cross Street contains many of Killyleagh's local businesses.

The site is located within the settlement limits of Killyleagh as designated in the Ards and Down Area Plan 2015. It is within the Conservation Area and Area of Archaeological Potential of Killyleagh and within the vicinity of a listed building. The site lies adjacent but outside the Local Landscape Policy Area associated with Dibney River in the area plan.

Description of Proposal

4No New build townhouses with associated site works (AMENDED PROPOSAL DESCRIPTION)

Planning Assessment of Policy and Other Material Considerations

- Regional Development Strategy (RDS)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)

- DES 2 PSRNI
- The Ards and Down Area Plan 2015
- Planning Policy Statement 3
- Planning Policy Statement 6
- Planning Policy Statement 7
- Planning Policy Statement 12
- Creating Places and supplementary guidance.

PLANNING HISTORY

Application Number: R/2003/0144/F

Proposal: Change of use of Former Stable Block into 2 dwelling units.

Decision: Permission Granted Decision Date: 10 March 2005

Application Number: R/2004/0424/F

Proposal: Proposed two dwellings (Amended Plans).

Decision: Permission Granted Decision Date: 25 April 2005

Application Number: R/2004/1677/CA

Proposal: Demolition of existing single storey dwelling.

Decision: Consent Granted Decision Date: 25 April 2005

Application Number: R/2006/1240/CA

Proposal: Demolition of existing dwelling and change of use of stables to 2No apartments, provision of 2No apartments, 1No end terrace dwelling and associated carparking (7 spaces) (Amended Plans & Proposal Description).

Decision: Consent Granted Decision Date: 10 September 2007

Application Number: R/2006/1243/F

Proposal: Demolition of existing dwelling and change of use of stables to 2No apartments, provision of 2No apartments, 1No end terrace dwelling and associated carparking (7 spaces) (Amended Plans & Proposal Description).

Decision: Permission Granted Decision Date: 10 September 2007

Application Number: R/2008/1003/F

Proposal: Change of use of former stable block into 2 dwelling units with new road access.

Decision: Permission Granted Decision Date: 07 October 2009

Application Number: R/2008/0148/CA

Proposal: Demolition of existing extensions and outbuildings to the rear of 2 -12 Church Hill.

Decision: Consent Granted Decision Date: 16 September 2010

- DfC Historic Environment Division – No objections

REPRESENTATIONS

A letter of support has been received from Jim Shannon MP

EVALUATION

SPPS

The Strategic Planning Policy Statement for Northern Ireland (SPPS), which sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the council area, retains certain existing planning policy documents and amongst these are: Planning Policy Statement 7: Quality Residential Environments (PPS 7); and the Addendum to PPS 7: Safeguarding the Character of Established Residential Areas and Planning Policy Statement 12. Creating Places also provides relevant planning guidance.

The SPPS states that the Local Development Plan process is the primary focus for assessing future housing land requirements and managing housing growth to achieve sustainable patterns of residential development, as well as fulfilling other SPPS objectives.

Principle of development

The application site is located within the Settlement Limit of Killyeagh as designated in the Ards and Down Area Plan (ADAP) 2015. The ADAP policy for development within settlement limits is contained in Policy SETT 1.

Policy SETT 1 of ADAP states that favourable consideration will be given to development proposals within settlement limits including zoned sites, provided that the proposal is sensitive to the size and character of the settlement in terms of scale, form, design and use of materials. This policy therefore provides broad support for the principle of the proposal.

Policy DES 2 of the PSRNI

This policy requires development proposals in towns to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.

Ards and Down Area Plan 2015.

The site is within the settlement limits of Killyeagh within the town centre boundary. Proposal includes 4 dwelling (townhouses).

PPS 7

Policy QD 1 of Planning Policy Statement 7 'Quality Residential Environments' (PPS 7) states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be

based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area. In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. All proposals will be expected to conform to nine stated criteria.

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

Criterion (a) of Policy QD1 requires that the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, landscaped and hard-surfaced areas. The proposal is for 4 townhouses.

As can be seen from the images below, the site is located to the rear of those dwellings and businesses located along Church Hill and Cross Street. These areas are comprised predominantly of traditionally designed and formed two / three storey buildings.



The proposal seeks permission for 4 townhouses – two pairs of semi-detached, two-storey dwellings. They will be positioned on a vacant plot to the rear of Church Hill and Cross Street and will be accessed via an existing entrance from Church Hill as shown above.

The site is elevated and can be viewed on approach into the village of Killyleagh from the north-east as shown below.



The site slopes gently down in an east to west direction and the dwellings have been designed to respect that, staggering down in height across the site as shown in the cross section below.



The dwellings have a modern appearance but not overly so that they are not in keeping with the more traditional forms existing adjacent. The pitched roofs and vertical emphasis respect the character of that adjacent.

The site lies within the vicinity of a listed building, consultations have been carried out with DfC Historic Environment Division, who have no objections to the proposal. Further discussion on this and the sites location within the Conservation Area of Killyleagh will be set out below.

Overall it is considered that the development respects its surrounding residential context and is appropriate in character layout proportions and massing to the character of the area. Finishes are appropriate for the area. A landscaping plan has been provided showing areas of private and public open space.

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

Constraints of the site have been identified and noted. HED (Historic Buildings) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 built heritage policy requirements.

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

The average rear garden size is noted to be 72sqm. The proposed dwellings will range from 67sqm - 76sqm, providing an acceptable range given the suburban context.

The proposed private amenity space within the site is deemed to be acceptable and adheres to the guidance in 'Creating Places'.

Landscaping is proposed to the front of the development on approach in via the existing dwellings at Church Hill and to the sides / rear of the site which will help to soften the development.

Given the size of the site and scheme, the provisions of PPS8 OS2 do not apply.

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

Neighbourhood facilities are not required as part of this development. Development is within the settlement limits of Killyleagh. Adequate provision has been provided for bin storage and a hard-standing area is provided at the front of the site for bin collection days.

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

The development is accessed directly onto the public footpath within the town centre. Public transport is readily available.

(f) adequate and appropriate provision is made for parking;

Parking is provided at 2 spaces per unit. This is in keeping with parking standards.

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

The scheme is in keeping with the existing type form and detailing of existing development in the area.

SP 18 and DES 2 of PSRNI requires development proposals in towns to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. Given the mix of properties within the vicinity of the site the proposal is considered to meet this aspect of the policy.

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

The proposal has been assessed against Creating Places: Achieving Quality in Residential Environments. The protection of the privacy of the occupants of residential properties is an important element of the quality of a residential environment and is a key consideration where new development is proposed adjacent to existing properties.

The building footprint is positioned 10m from the rear elevation of those dwellings on Cross Street, with the side gable of unit T4 facing these dwellings. There are 3 ground floor windows on the gable of unit T4 (comprising a wraparound dining room window, one kitchen window and a small window in the living room as shown below.



Given the town centre location, this level of proximity of opposing windows has to be expected. The ground floor level of the proposed development is noted to be higher than that of the dwellings at Cross Street. This results in the gable of the proposed essentially siting parallel with the first floor accommodation of these existing dwellings. Given the separation distances and that the gable of the proposed will face the rear elevation of the existing it is not considered that there will be an unacceptable loss of privacy for either the existing or proposed.

The proposed development is suitably separated from those dwellings at Church Hill so as not to have detrimental impact on their amenity etc.

The overall design and layout of the buildings are considered to be acceptable and will not create any conflict with adjacent land uses. The works will not have an unacceptable adverse impact on existing or proposed properties. The overall design and layout will not have a negative impact on the overall character and appearance of the area. It is not considered there will be any demonstrable harm on any existing or approved developments. It is not considered there will be any demonstrable loss of light, overshadowing, overlooking or dominance as a result of the proposal.

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

The layout has been designed so as not to lead to an unsafe environment for residents.

The proposed development complies with the requirements of PPS 7 QD1.

PPS7 Addendum – Safeguarding the Character of Established Residential Areas.

Policy LC1 guides that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria (a) to (c) set out under LC1 are met:

(a) the proposed density when compared with the terraced dwellings adjacent is not considered to be higher than that found in the established residential area is appropriate to its setting in this town centre location

(b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area as discussed under PPS7;

(c) All 4 dwellings comprise 3-bedroom units and are all proposed to be built in adherence to the details as set out in Annex A.

PPS3 – Access / Movement and Parking

The proposal seeks to use the existing access onto Church Hill, with alterations proposed. DfI Roads are content that the intensification of this access meets PPS3 and DCAN15 requirements, subject to attached conditions. The parking as discussed under PPS7 is acceptable to DOE Parking Standards.

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

The 4 New build townhouses with associated site works' located at Lands to the rear of 2-12 Church Hill Killyleagh, affecting HB18 03 048 - Church Hill House (Aka The Old Rectory), Church Hill, Killyleagh, Downpatrick, Co.Down, a Grade B1 listed building of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.

Policy BH 11 is applicable as it relates to development affecting the setting of a listed building. It states that planning permission will not normally be permitted when a proposed would adversely affect the setting of a listed building. Proposals will normally only be considered appropriate where all the following criteria are met:

- (A) The detailed design respects the listed building in terms of scale, height, massing and alignment
- (B) The works proposed make use of traditional or sympathetic building material and techniques which respect those found on the building and
- (C) The nature of the use proposed respect the character of the setting of the building.

Consequently, DfC HED were consulted to provide their expert opinion on the proposals potential impact on the listed feature. HED Historic Buildings considers the proposal satisfies SPPS 6.12 (Development proposals impacting on Setting of Listed Buildings) of the Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development and BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage. Conditions regarding materials and landscaping have been put forward.

Given the sites location with the Conservation Area of Killyleagh Policy BH 12 of PPS 6 is also applicable. It states that planning permission will normally only be permitted for proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a conservation area where all the following criteria are met:

- (a)the development preserves or enhances the character and appearance of the area;
- (b)the development is in sympathy with the characteristic built form of the area;
- (c)the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area;
- (d)the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;
- (e)important views within, into and out of the area are protected;
- (f)trees and other landscape features contributing to the character or appearance of the area are protected; and
- (g)the development conforms with the guidance set out in conservation area documents.

In assessment of the above, officers consider the proposal will enhance the character and appearance of the area, by bringing into use a derelict site. The proposed development is considered to have been sympathetically designed so as to be in keeping with the traditional built forms of the area. The scale, form, material and detailing are considered to respect the characteristics of the adjacent building, in that a simple palette of materials has been used. The roofs are to be finished with slate, rendered painted walls and timber windows and doors.

While the development of this vacant site will result in a significant change for those dwellings which are adjacent, the developments residential nature will not result in environmental problems such a noise, nuisance or disturbance.

Views into the site are limited, given the topography of the site and the surrounding built development. It is positioned on an elevated site and short views will obtained on approach into the village from the west at the bridge on Cross Site. Such views however, will not have a detrimental impact on the Conservation Area as a whole or indeed on the listed church to the immediate east.

The proposal is introducing new planting to the site which is welcomed. Currently it is overgrown with gorse and brambles, officers did not note any vegetation suitable for protection within the site.

Killyleagh Conservation Area Booklet has been reviewed as part of this assessment and officers consider that it recommends the traditional design features and materials currently exhibited throughout Killyleagh should be used in new development. While the proposal offers a modern approach, which has moved slightly away from the Georgian style typical throughout the area, there is sufficient traditional reference, to ensure the proposal is respectful of the Conservation Area. In addition, officers are mindful that the

site is located to the rear of public road on a plot that is surrounded by development whereby design can be more flexible.

Planning Policy Statement 15: Planning and Flood Risk

The site lies 95m south-west of Dibney River.

Following consultation with the DfI Rivers, the Planning Authority have been advised that the site lies outside the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. FLD1 is not therefore engaged.

With regard to FLD3 - Development and Surface Water – DfI Rivers advise, this development does not exceed the thresholds as outlined in Policy FLD 3 and subsequently a Drainage Assessment is not required. They do advise, however, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.

Polices FLD 2, 4 and 5 are not applicable to this case.

PPS 2 Natural Heritage

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

In assessment of the above, NIEA's Bio-Diversity checklist was used as a guide to identify any potential adverse impacts on designated sites. It is considered that the development would not trigger any of the scenarios listed in the Checklist. Therefore the potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar Sites has been assessed in accordance with the requirement of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended).

In consideration of protected and priority species, no scenario was identified that would reasonably require additional survey information.

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

Policy NH 6

Given the sites location within the Strangford and Lecale AONB, Policy NH 6 of PPS 2 is applicable which states that ;

Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
- b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
- c) the proposal respects:
 - local architectural styles and patterns;
 - traditional boundary details, by retaining features such as hedges, walls, trees and gates; and
 - local materials, design and colour.

Based on the assessment above, considering the context, siting, design and landscaping of the proposal, it is considered that it complies satisfactorily with the requirements of Policy NH 6.

Other Matters

Northern Ireland Water

NIW have advised the Planning Authority that there are network capacity issues associated with this proposal. Consequently, the applicant has undertaken a Waste Water Impact Assessment in conjunction with NIW, whereby a solution to the issue has been identified. While the process has not been finalised, the Planning Authority consider a negative condition could be attached to any forth coming approval requiring agreement of final drainage arrangements in writing prior to commencement of development.

Drawings

The drawings considered as part of this assessment are as follows

- 001 Site Location Plan
- 22-1782-001 Private Streets Determination
- 18-03-101 REV F Site Layout Plan
- 18-03-02 Rev C Site Layout Plan
- 18-03-03 REV A Cross Sections
- 18-03-04 REV B Floor Plans
- 18-03-05 REV B Floor Plans
- 18-03-06 REV B Elevations

Having assessed the proposal against the various planning policies and material considerations which apply to the application and taking into account the input of the Councils consultees, it is determined that the proposal is acceptable in planning terms and approval is recommended.

The application will however, be presented to the Planning Committee under the Councils Delegated procedures given the proposal to attach a negative condition in relation to the NIW issues.

Neighbour Notification Checked

Yes

Summary of Recommendation

APPROVAL

Conditions:

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

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

2. The development hereby permitted shall take place in strict accordance with the following approved plans: 001, 22-1782-001, 18-03-101 REV F, 18-03-02 REV C, 18-03-03 REV A, 18-03-04 REV B, 18-03-05 REV B, 18-03-06 REV A.

Reason: To define the planning permission and for the avoidance of doubt.

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

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

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

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

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

Council Planning hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 22-1782-001 Rev B published on 16/10/2024

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980

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

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

7. No dwelling shall be occupied until provision has been made and permanently retained within the curtilage of the site for the parking of private cars at the rate of 2 spaces

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

8. The Street Lighting scheme, including the provision of all plant and materials and installation of same, will be implemented as directed by the DFI Roads Street Lighting Section. (These works will be carried out entirely at the developer's expense.)

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

9. All works, materials and finishes shall be as noted on the information provided.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.

10. All hard and soft landscape works shall be carried out in accordance with the approved details as shown on Drawing No 18-03-02 REV C and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the dwelling.

11. Reason: To ensure the provision, establishment and maintenance of a high standard of landscape and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.

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

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

Case Officer Signature: C Cooney

Date: 28 February 2025

Appointed Officer Signature: Brenda Ferguson

Date: 06/03/25

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

Date _____

Committee Application

| Development Management Officer Report | |
|---|---|
| Case Officer: Claire Cooney | |
| Application ID: LA07/2024/0203/O | Target Date: |
| Proposal: Outline application for residential development comprising 8no dwellings with access and associated site works | Location: Vacant site to the immediate west of No 47 Saul Road and Nos 1, 3 & 5 Drumlin Park, Downpatrick |
| Applicant Name and Address: Telereal General Property GP Limited 5 Aldermanbury Square London EC2V 7HR | Agent Name and Address: Dermot Monaghan 4 College House Citylink Business Park Belfast BT12 4HQ |
| Date of last Neighbour Notification: | 3 September 2024 |
| Date of Press Advertisement: | 27 March 2024 |
| ES Requested: No | |
| Consultations: <ul style="list-style-type: none"> • DfI Roads • Northern Ireland Water (NIW) • Northern Ireland Environment Agency (NIEA) • Environmental Health | |
| Representations: Owner / Occupier 1 Drumlin Park Owner / Occupier 6 Drumlin Park | |
| Letters of Support | 0.0 |
| Letters of Objection | 1 |
| Petitions | 0.0 |
| Signatures | 0.0 |
| Number of Petitions of Objection and signatures | |
| Summary of Issues: | |

Site Visit Report

Site Location Plan:



Date of Site Visit:

Characteristics of the Site and Area

The site is located along the Saul Road to the north-east of Downpatrick Town Centre. It is un-zoned white land within Downpatrick's settlement development limit as designated in the Ards and Down Area Plan 2015 (ADAP).

The site was formerly owned by BT and was used as a depot for its vehicles. There was a building located centrally on it but it was demolished around 2016.

The site is a vacant brownfield plot. It has an area of 0.316ha. In terms of topography, there is a gentle fall from south to north. The site is enclosed by fencing and the western boundary has a line of mature trees.

The site is accessed directly from the public road via an existing entrance on Saul Road. The site is linked to the shops and services in Downpatrick Town Centre by footways along Saul Road.

The site is within the Strangford and Lecale Area of Outstanding Natural Beauty (AONB). It is not affected by flooding and there are no important features of built heritage on the site or in the immediate surroundings.

The surrounding area is predominantly residential. The site is bound to the east and south by housing while there is also residential development to the north across Saul Rd.

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|---|
| <p>Description of Proposal</p> <p>Outline application for residential development comprising 8no dwellings with access and associated site works</p> |
| <p>Planning Assessment of Policy and Other Material Considerations</p> <p><u>PLANNING HISTORY</u></p> <p>Enforcement Application Number: LA07/2017/0057/CA Proposal: Alleged unauthorised deposition of materials Decision: Case Closed Decision Date: 24.10.2017</p> <p>Planning</p> <p>Application Number: R/2008/0002/O Proposal: Proposed residential development comprising 16 no. apartments, car parking and landscaping Decision: Withdrawal Decision Date: 27 October 2008</p> <p>Application Number: R/2008/0723/F Proposal: Provision of 32 semi-detached dwellings and 4 terraced dwellings as detailed for social housing. Decision: Permission Refused Decision Date: 28 April 2010</p> <p>Application Number: R/2011/0018/F Proposal: Proposed siting of a 12.21m X 3.96m Welfare Accommodation and associated site works Decision: Permission Granted Decision Date: 08 September 2011</p> <p>Application Number: LA07/2018/0800/F Proposal: Proposed residential development comprising 14 semi-detached dwellings, 4 detached dwellings (with associated storage buildings where shown on site plan) and 10 apartments in two blocks, with associated access, landscaping and ancillary works. Decision: Permission Granted Decision Date: 07 July 2021</p> <p>Application Number: LA07/2023/3587/F Proposal: Proposed replacement of 2no second floor apartments approved under planning application LA07/2018/0800/F, with 4no second floor apartments, with</p> |

additional parking for new units. Two proposed apartments will be located on each of the two apartment blocks previously approved.

Decision: Application Withdrawn

Decision Date: 19 September 2024

SUPPORTING DOCUMENTS

The application has been supported with the following

- Application Form
- Bat Survey
- Bio-Diversity Checklist
- Phase 2 Environmental Site Investigation
- Design and Access Statement
- Tree Survey
- Ground Level Tree Assessment & Bat Survey
- Lighting Impact Assessment & Isolux Drawing
- Site Location Plan
- Existing Block Plan
- Indicative proposal block plan

CONSULTATIONS

- DfI Roads – No objections subject to conditions
- Northern Ireland Water
- NIEA – No objections subject to conditions
- Environmental Health – No objections in principle

REPRESENTATIONS

Owner / Occupier - 1 Drumlin Park

Owner / Occupier - 6 Drumlin Park

EVALUATION

The ADAP 2015 operates as the current local development plan for this area and identifies the site as being located within the settlement limits of Downpatrick. The ADAP policy for development within settlement limits is contained in Policy SETT 1.

Policy SETT 1 of ADAP states that favourable consideration will be given to development proposals within settlement limits including zoned sites, provided that the proposal is sensitive to the size and character of the settlement in terms of scale, form, design and use of materials. This policy therefore provides broad support for the principle of the proposal.

SPPS

The Strategic Planning Policy Statement for Northern Ireland (SPPS), which sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the council area, retains certain existing planning policy documents and amongst these are: Planning Policy Statement 7: Quality Residential Environments (PPS 7); and the Addendum to PPS 7: Safeguarding the Character of Established Residential Areas and Planning Policy Statement 12. Creating Places also provides relevant planning guidance.

The SPPS states that the Local Development Plan process is the primary focus for assessing future housing land requirements and managing housing growth to achieve sustainable patterns of residential development, as well as fulfilling other SPPS objectives.

Policy DES 2 of the PSRNI

This policy requires development proposals in towns to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.

PPS 7

Policy QD 1 of Planning Policy Statement 7 'Quality Residential Environments' (PPS 7) states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area. In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. All proposals will be expected to conform to nine stated criteria.

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

This part of Saul Road is characterised by detached dwellings of varying design styles, set back from the street and within mature plots. A series of cul-de-sac type developments are also within the vicinity, the development e.g. Drumlin Park to the rear of the site is similarly characterised with detached properties in mature plots.

The proposal seeks outline planning permission for 8 dwellings. While detailed plans have not been submitted, an indicative layout has been provided to inform officers how the site could be developed. This layout shows a detached dwelling fronting onto Saul Road (public road) and the internal road layout of the development. To the rear of this and progressing southwards through the site, the indicative layout shows 2 pairs of semi-

detached dwellings (4 dwellings) and a further detached dwelling, with a final pair of semis (2 Dwellings) at the rear boundary.

A two-way road will provide access to and from the site, this feature will run along the eastern boundary of the site and to the front of the proposed dwellings.

The spacing of the layout and indicative plots suggest that two storey dwellings are proposed.

Such layout is typical of that present within the surrounding context of the site. The site sits slightly above road level with land gently rising southwards. Overall it is considered that the development respects its surrounding residential context and is appropriate in character layout proportions and massing to the character of the area.

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

No archaeological or built heritage constraints are noted within or immediately surrounding the site. The site does benefit from the presence of mature trees particularly to the western side, these are noted on the indicative plan a number are to be removed, while that remaining shall be retained. The vegetation to the east of the site to the immediate rear of those properties at Drumlin Park are noted to be outside the red line of the site and therefore would not form part of this development.

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

The indicative layout suggests that each dwelling will have adequate provision of private amenity space in line with the guidance contained within 'Creating Places'.

Communal open space is not required in a development of this size.

A robust landscaping scheme will be conditioned as part of the Reserved Matters submission to ensure that the proposal respects the character of the surrounding area and softens the visual impact of a new development.

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

Neighbourhood facilities are not required as part of this development. The proposed development site is within the settlement limits of Downpatrick. Adequate provision can be made for bin storage and collection.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way,

provides adequate and convenient access to public transport and incorporates traffic calming measures;

The development is accessed directly onto the public footpath. Public transport is readily available.

(f) adequate and appropriate provision is made for parking;

The indicative layout shows that in-curtilage car parking at 2 spaces per dwelling can be achieved. This is in keeping with parking standards.

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

Given the outline nature of the proposal, details of the proposed dwellings form, material and detailing are not before the Planning Authority. The proposal seeks to establish in the first instance the principle of housing being erected on this site. The Planning Authority consider the detail of dwellings can be considered in a subsequent Reserved Matters application. Suitably designed dwellings, in keeping with character in the surrounding area would be acceptable.

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

Officers consider that the indicative layout sufficiently demonstrates that dwellings can be erected on this site without detriment to those neighbouring properties. It is noted that the closest neighbours to the site lie within Drumlin Park. Officers consider there to be sufficient separation distance between these existing properties and that proposed not to have an adverse effect on each other.

The land to the west of the site is currently undeveloped, however, officers note that planning permission has been granted for 14 semi-detached dwellings, 4 detached dwellings (with associated storage buildings) and 10 apartments in two blocks under planning reference number LA07/2018/0800/F.

A review of that approved indicates that should the proposed in this case be developed in accordance with the indicative plan, there would be no issues with unacceptable adverse impact such as overlooking, loss of light, overshadowing given the orientation and separation of that proposed and approved respectively.

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

The layout has been designed so as not to lead to an unsafe environment for residents.

The proposed development complies with the requirements of PPS 7 QD1.

PPS7 Addendum – Safeguarding the Character of Established Residential Areas.

Policy LC1 guides that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites

(including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria (a) to (c) set out under LC1 are met:

(a) the proposed density while higher than that found in the established residential area is considered appropriate to the suburban setting

(b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area as discussed under PPS7;

(c) while the details of the dwellings are not before the Planning Authority, it is considered that all 8 dwellings could is appropriately designed adhere to the details as set out in Annex A.

PPS3 – Access / Movement and Parking

The proposal seeks to create a new access onto Saul Road.

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

(A) Such access will not prejudice road safety or significantly inconvenience the flow of traffic

(B) The proposal does not conflict with Policy AMP3 Access to Protected Routes

Category A is applicable.

DfI Roads have been consulted and are content with that proposed.

The parking as discussed under PPS7 is acceptable to DOE Parking Standards.

PPS 2 Natural Heritage

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

The applicant / agent completed a Bio-Diversity Checklist, some of the questions within the checklist have been answered 'yes', indicating that the proposed development may impact on biodiversity or other natural heritage interests. Further survey work was therefore carried out and the following has been noted.

Statutory Designations

The proposed site is not located in any internationally or nationally recognised designated sites which include: Natura2000 sites i.e. Special Area of Conservation (SAC) or Special Protection Areas (SPA), RAMSAR sites, Area of Special Scientific Interest (ASSI), National Nature Reserve (NNR) or Nature Reserves (NR). However, there are 14 internationally or nationally designate sites within 5km of the site. The closest being the Quoile ASSI / Quoile Pondage Basin Nature Reserve / Strangford Lough RAMSAR/SPA, all of which protect the Quoile River, present approximately 1km north of the site.

Non-statutory Designations

The site is not located within any sites recognised under a non-statutory designation, including Sites of Local Nature Conservation Importance (SCLNIs), Local Nature Reserves (LNRs) or Wildlife Refuges. However, there are 6 locally protected sites preent within 5km of the application site, the closest being Portulla Wood, approximately 1.4km north-west.

A search was carried out for evidence of site potential, and up to 30m beyond, to support protected mammal species such as: badger, bats, otter, pine martin and red squirrel. Other protected species included within the search are: smooth newt, common lizard breeding and nesting birds, lepidoptera species and listed plant species.

The site exhibited moderate potential for commuting and foraging bats in the form of linear features such as hedgerows and treelines and due to the presence open foraging space. It also exhibited moderate potential for roosting bats in the form of several mature trees present along the western boundary. As such, a bat roost potential survey was carried out on all trees identified for removal on site.

No invasive non-native plants i.e. those listed on schedule 9 of The Wildlife (Northern Ireland) Order 1985 as amended, were observed on site. Several introduced shrubs and garden species were present throughout the site, however none are listed as schedule 9 species.

The applicant commissioned a comprehensive survey of the site including numerous bat surveys and submission of lighting plan.

This information has been reviewed by Natural Environment Division, who have advised the Planning Authority that they acknowledge the updated bat survey in which endoscope surveys were carried out on trees proposed for removal and found that no

roosting bats were identified during the manual inspections of the three trees. All sides of any trees to be felled should be assessed for roost features prior to removal.

Any plans for further trees to be trimmed, felled or otherwise affected by the proposal, appropriate bat surveys should be carried out prior to works. NED are content with the submitted lighting plan and Isolux drawing which clearly shows boundary vegetation will not be exposed to light spills greater than 1 lux.

NED have requested the submission of a detailed landscaping scheme at Reserved Matters stage, this will be conditioned along with that recommended regarding bats.

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

Other Matters

Northern Ireland Water

NIW have advised the Planning Authority that there are network capacity issues associated with this proposal. Consequently, the applicant has undertaken a Waste Water Impact Assessment in conjunction with NIW, whereby a solution to the issue has been identified. While the process has not been finalised, the Planning Authority consider a negative condition could be attached to any forthcoming approval requiring agreement of final drainage arrangements in writing prior to commencement of development.

NIEA: Regulation Unit

Given the brownfield nature of the site, and that a factory previously occupied the site, Regulation Unit (RU) Land and Groundwater Team considered the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water.

A Phase II Environmental Site Investigation dated April 2016 was presented in support of this application. The GQRA is informed by the findings of a Preliminary Risk Assessment (PRA) completed in October 2015. The GQRA reports low risk to the water environment however the setting of the site and the surrounding area may have changed in the approximately nine years since the PRA report was completed. Regulation Unit (RU) Land and Groundwater Team advise that the GQRA should be reviewed by a suitably qualified and experienced environmental consultant. An updated Conceptual Site Model and Generic Quantitative Risk Assessment (GQRA) based on the current site setting and current quality standards should be provided if necessary. The review and any subsequent report should be submitted to the Planning Authority for agreement.

Regulation Unit (RU) Land and Groundwater Team have no objection to this application provided conditions and informatives are attached to any Decision Notice as recommended.

Consideration of representations / objections

1 Drumlin Park raised the following concerns

- Clarification regarding exiting boundary vegetation between their property and the site.
- Increased Traffic
- Privacy
- Ability of the sewerage and water systems to cope with the additional dwellings.

6 Drumlin Park raised concerns about the ability of the sewerage and water systems to cope with the additional dwellings.

In consideration of the issues raised, while there will be an increase in traffic to and from the site, should 8 dwellings be developed, DFI Roads are satisfied that road safety can when entering and exiting the site can be achieved.

With regard to the network capacity issues, a solution has been identified which could resolve the issue. the developer will be required to agree final arrangements with NIW prior to commencement of works.

In consideration of privacy, the proposal seeks approval for the erection of 8 dwellings in principle. The Planning Authority are satisfied that this can be achieved, provided a suitable layout and design is proposed at further detailed application stage. The indicative layout provided by the applicant shows that the new dwellings will be sufficiently separated from those dwellings at Drumlin Park not to detrimentally impact on their privacy. In addition to this there is a strong boundary to the rear of Drumlin Park properties which lies outside the red line of the site and should not therefore form part of any proposed development.

Further to this issue, the case officer met several times with the owners of 1 Drumlin Park, visiting their property to ascertain the boundary of the site. It was concluded that the trees along the rear boundary of this property lie outside the area outlined for development and do not form part of the proposal. It is noted that the indicative layout is ambiguous on this matter with an annotation that refers to removal of hedges where the new internal road is to be placed. This drawing is for information only and will not form part of the approved drawings in this current application.

Drawings

The drawings considered as part of this assessment are as follows

- PL-01 Site Location Plan
- PL-02 Existing block plan
- PL-03B – Proposed Block Plan

Conclusion:

Having assessed the proposal against the various planning policies and material considerations which apply to the application and taking into account the input of the Councils consultees, it is determined that the proposal is acceptable in planning terms and approval is recommended.

The application will however, be presented to the Planning Committee given the proposal to attach a negative condition in relation to the NIW issues.

Neighbour Notification Checked

Yes

Summary of Recommendation

Approval

Conditions:

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
 - i. the expiration of 5 years from the date of this permission; or
 - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. The development hereby permitted shall take place in accordance with the following approved plans PL-01

Reason: To define the planning permission and for the avoidance of doubt

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

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

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

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

6. At Reserved Matters, the Phase II Environmental Site Investigation report dated 19th April 2016 presented by Ramboll Environ (Report Ref. UK14-22797) shall be reviewed by a suitably qualified and experienced person. The review shall be provided to the Planning Authority for agreement. In the event that an updated quantitative assessment is considered necessary, this should be provided to the Planning Authority for agreement.

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

use.

7. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:

<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

8. After completing all remediation works required, and prior to operation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:

<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

The verification report should present all the remediation, monitoring and waste Management works undertaken and demonstrate the effectiveness of the works in managing all development wastes and risks and in achieving the remedial objectives.

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

9. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed prior to commencement and other requirements in accordance with the attached form RS1.

REASON: To ensure there is a satisfactory means of access in the interests of

road safety and the convenience of road users.

10. The felling of the 3 trees on the western boundary shall be carried out using soft-fell techniques, under the supervision of a competent ecologist, within the time periods March to 15th May or 15th August to 15th October or 15th only. The ecologist shall write a report detailing the works carried out and the implementation of mitigation measures and this shall be submitted to the Planning Authority within 6 weeks of the completion of felling and arboricultural works on these trees.

Reason: To protect bats

11. At Reserved Matters a Landscaping and Planting Plan shall be submitted to the Planning Authority. No development activity, including ground preparation or vegetation clearance, shall take place until the Plan has been approved in writing by the Planning Authority. The Plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority. The Plan shall include:

- The retention of mature trees and hedgerows on the site; (specify trees if they are identified on a Drawing or Report)
- Details of the protection of retained trees and hedgerows by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations;
- Planting Schedule to include details of new planting with appropriate numbers of native species of trees/shrub.

The scheme of planting as finally approved shall be carried out during the first planting season after the dwelling is occupied. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the council gives written consent to any variation.

Reason: To protect existing trees and minimise the impact of the proposal on the biodiversity of the site, including protected/priority species and to ensure the provision establishment and maintenance of a high standard of landscape

Case Officer Signature: C COONEY

| | |
|---------------------------------------|-------------------------------|
| Date: 20 February 2025 | |
| Appointed Officer: A.McAlarney | Date: 20 February 2025 |

Development Management Consideration

Details of Discussion:

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

Group decision:

D.M. Group Signatures _____

Date _____



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2024/0077/F

Date Received: 15th December 2023

Proposal: Part demolition, reconfiguration and extension (8No. classrooms) to St. Patrick's Primary School and Irish Medium Unit Gaelscoil Phadraig Naofa, to provide a total of 17No. base classroom primary school; alterations and refurbishment works to the existing school building; repositioning and retention of 2No. mobile units (4No. classrooms); temporary relocation and provision of additional mobile classrooms for temporary use during the construction period; and external works including access, pupil play areas, car parking, landscaping and all associated site works.

Location: 54 Carran Road, Carran, Crossmaglen, BT35 9JL

1.0 SITE CHARACTERISTICS & AREA CHARACTERISTICS:

- 1.1 The site comprises lands currently occupied by a Primary School and Nursery and associated outbuildings / structures, including temporary portacabins, with car parking to the front and playing fields to the rear / north within the existing grounds.
- 1.2 The site is located along the western side of Carran Road, within the northern periphery of the settlement limits of Crossmaglen; with part of the northern, eastern and western site boundaries adjoining the edge of settlement limit boundary. The area comprises an established residential area, with developments to the south and east, with rural lands located to the north. There is a standing stone some 200m north-west of the site.

2.0. SITE HISTORY:

- **LA07/2023/2976/PAN:** PAN acceptable 20.11.2023
- **LA07/2020/0857/PAD:** Consultations issued
- **LA07/2018/1225/F:** Provision of double prefabricated accommodation and toilet block - permission granted 20.09.2018;

- **P/2014/0215/LDP:** Proposal to extend existing primary school building to provide a new hygiene room and general storey extension block, cavity walls, rendered aluminium windows and doors to match existing flat roof to match existing, aluminium gutter and downpipes to match existing - permitted development
- **P/2013/0832/F:** Single storey double modular unit comprising 2 no. classrooms, toilets and lobby, permission granted 05.02.2014;
- **P/2009/0723/F:** Erection of new general purpose stores, permission granted 09.09.2009
- **P/2007/0865/F:** Erection of perimeter security fencing to replace existing, permission granted
- **P/2007/1659/F:** Erection of a 10.5 x 7.2m temporary timber framed modular building and associated site works, permission granted
- **P/1997/1316:** Erection of Nursery School, valid

2.1 Legislative Pre-Application Requirements

As this application is classified as 'major,' owing to the site area, it has been preceded by a Proposal of Application Notice (PAN) as required by Section 27 of the Planning Act (NI) 2011(reference LA07/2023/2976/PAN.) The PAN was submitted on 20th June 2023 and considered acceptable to legislative requirements on 20th November 2023.

2.2 The current application was subsequently submitted following the required 12 week application notice / consultation period, with the application received on 15th December 2023. The application has been accompanied by with a Pre-application Public Consultation Report (PACC) which confirms that community consultation has taken place in line with the statutory minimum requirements, with the following pre-application steps undertaken:

- A public consultation event was held on the 8th August 2023 at St Patrick's Primary School hall in Crossmaglen and opportunity for feedback on the proposal was provided via a comments box;
- A digital platform was also published online on the 8th August 2023, accessed via web domain <https://stpatrickspproposal.squarespace.com/>. Opportunity for feedback on the proposal was provided via a Contact Form on the website with links to Hamilton Architects office email address;
- Notices relating to the public consultation event and digital platform were published in local newspapers at least 7 days prior to the event, (Newry Democrat - 25th July and Newry Reporter - 26th July 2023). The advertisement

provided information on the details of the event, web address for digital access and how comments relating to the proposal may be made.

- 2.3 The details provided meet the legislative requirements (Sections 27, 28) of The Planning Act (NI) 2011. The PACC report is also material to this assessment, as considered further below. With the exception of the PAN application, there are no previous planning records affecting the application site.

3.0 PLANNING POLICIES & MATERIAL CONSIDERATIONS:

- The Regional Development Strategy (2035) (RDS)
- The Strategic Planning Policy Statement for Northern Ireland (SPPS)
- The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)
- A Planning Strategy for Rural NI (PSRNI) – Policy DES2

- PPS2 – Natural Heritage
- PPS3 – Access, Movement & Parking
- PPS6 – Planning, Archaeology and the Built Heritage
- PPS8 – Outdoor Sports and Recreation
- PPS13 – Transportation and Land Use
- PPS15 (Revised) – Planning and Flood Risk

- DCAN 10 (Revised) – Environmental Impact Assessment
- DCAN11 – Access for all
- DCAN15 – Vehicular Access Standards
- DOE Parking Standards
- Living Places - An Urban Stewardship and Design Guide for NI

4.0 OBJECTIONS & REPRESENTATIONS:

- 4.1 As required by The Planning (General Development Procedure) Order (Northern Ireland) 2015, the application was advertised in local press on 28th February 2024 and 24 neighbouring properties were notified of the application on 19th February 2024.

- 4.2 Both the statutory advertising and neighbour notification periods expired on 13th March 2024 and 4th March 2024 respectively, and no objections or representations have been received at the time of writing this report.

5.0 CONSULTATIONS:

Dfl Roads (12.04.2024, 27.01.2025, 13.03.2025) Advised a meeting is the best way forward. A subsequent meeting was held on 17th June 2024 with Planning, Roads and the relevant Design Team members. Subsequent amendments have been submitted, including PSD details, and considered by Dfl Roads who have advised on conditions and informatives in final comments dated 13th March 2025.

NMDDC Environmental Health (final response 16.07.2024) – Consulted on 5 occasions. GQRA and Noise Impact Assessment Reports (as revised) considered. No objections subject to conditions.

DAERA (14.05.2024, 06.06.2024, 01.07.2024, 28.10.2024, 17.01.2025):

Water Management Unit - initially advised the proposal has the potential to adversely affect the surface water environment (in relation to foul sewerage constraints.) A PDE from NIW dated Jan 2024 was subsequently submitted and in a further response, WMU is content with the proposal subject to conditions and any relevant statutory permissions being obtained.

Regulation Unit - A Preliminary Risk Assessment (PRA) was originally submitted with the application which identifies potential moderate risks to the water environment. RU advised that the recommended Generic Quantitative Risk Assessment (GQRA) is required. This has subsequently been submitted and issued to RU who in further comments confirm this is acceptable, with no further objections or concerns, subject to conditions (06.06.2024.)

Natural Environment Division (NED) – Following concerns in relation to PPS2 in relation to impacts on species and/or habitats protected by law, an Ecological Appraisal and Survey Report and associated file note addressing NED's concerns has been submitted for further consideration. NED in final comments dated 17th January 2025 advised they are content with the proposal subject to conditions relating to the requirement for a NIEA Wildlife Licence.

DfI Rivers Agency (15.03.2024) – No objections, informatives attached.

DfC Historic Environment Division (13.03.24) - Historic Monuments is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. Historic Buildings offer no comments.

NI Electricity (06.03.2024) – No objections, guidance provided

NI Water Strategic Applications (22.02.2024) – Recommend approval, with standard planning conditions.

Shared Environmental Services (19.02.2024) - Having considered the project, it is concluded that it is eliminated from the need for Habitats Regulations Assessment because it could not have any conceivable effect on a European site.

6.0 CONSIDERATION AND ASSESSMENT:

6.1 Summary of Proposal

This proposal relates to the part demolition, reconfiguration and extension (8 no. classrooms) to the existing main school building to provide a 17 no. classroom based primary school.

6.2 Alteration and refurbishment works are proposed to the existing school building; repositioning and retention of 2 no. mobile units (4 no. classrooms); temporary relocation and provision of additional mobile classrooms for temporary use during the construction period; and external works including access, pupil play areas, car parking, landscaping and all associated site works.

- 6.3 Partial ground floor alteration works are proposed towards the front of the existing main school building. An existing 205m² area, consisting of an entrance porch, reception area, 2No. classrooms, 2No. offices, staff room, stores and other ancillary accommodation are to be reconfigured into a secure welcome area and admin wing for the school.
- 6.4 A 1330m² two-storey extension is proposed towards the western side of the site, consisting of 8No. Classrooms Multi-Purpose Hall, Multi-Purpose Teaching Room, Resource Areas, Changing and WC's, Plant Rooms and Other Ancillary Accommodation etc. Landscaping works include any cut / fill / grading of existing ground levels to accommodate the new entrance, extension and relocated mobile units, additional hard and soft play areas, new areas of planting etc. Visual extracts from the Design and Access Statement are included below:



Existing Site Model



Proposed Site Model

- 6.5 The following submitted details (as amended) are considered within this assessment:

Drawing No's

- 20041-HAM-XX-XX-DR-A-0101 REV P2 – Existing Site Layout Plan (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0100 REV P1 - Site Location Plan (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0102 REV P1 - Existing Site Topographical Survey (dated 17/11/2023);

- 20041-HAM-XX-XX-DR-A-0103 REV P1- Existing Level 00 - Ground Floor Plan – GA (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0104 REV P1- Existing Level 01 - First Floor Plan – GA (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0105 REV P1 - Existing Level 02 - Roof Plan – GA (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0123 REV P1 - Existing Building Elevations (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0130 REV P1 - Existing Building Sections Sheet 1 (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-0131 REV P1 - Existing Building Sections Sheet 2 (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-4100 REV P1 - Proposed Building Sections (dated 17/11/2023)
- 20041-HAM-XX-XX-DR-A-1001 REV P4 - Proposed Site Layout Plan (dated 20/09/2024)
- 20041-HAM-XX-XX-DR-A-1102 REV P1 - Existing and Proposed Alterations - Level 00 - Ground Floor Plan – GA (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-1300 REV P1 - Proposed Extension Level 00 - Ground Floor Plan (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-1301 REV P1 - Proposed Extension Level 01 - First Floor Plan (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-1302 REV P1 - Proposed Extension Level 02 - Roof Plan (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-3102 REV P1 - Proposed Building Elevations (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-3104 REV P1 - Proposed Building Elevations Sheet 5 (dated 17/11/2023);
- 20041-HAM-XX-XX-DR-A-1200 REV P2 - Proposed Level 00 - Ground Floor Plan (dated 23/08/2024)
- 20041-HAM-XX-XX-DR-A-1201 REV P2 - Proposed Level 01 - First Floor Plan (dated 23/08/2024)
- 20041-HAM-XX-XX-DR-A-1202 REV P2 - Proposed Level 02 - Roof Plan (dated 23/08/2024)
- 20041-HAM-A-600 REV P2 – Proposed External 3D views (dated 23/08/2024)
- GB01T20A45//PSD01 REV A – PSD Works (dated Feb 25)
- C-0110 REV P2 - Proposed Drainage Layout (dated 04/11/2024)
- 20041-HAM-XX-XX-DR-A-1002 REV P1 - Proposed Parking Layout Plan (dated 20/02/2025)

6.6 Supporting Details:

- Preliminary Risk Assessment (Hamilton Architects Ltd dated 25th June 2020)
- Preliminary Ecological Appraisal (BW Ecology, dated June 2020)
- Transport Assessment Form;
- Drainage CCTV Survey Report (Tetra Tech, dated June 2021;)
- Pre-application Community Consultation Report and appendices (Hamilton Architects, dated Dec 2023;)
- Design and Access Statement (Hamilton Architects, dated Dec 2023;)

- Proposed external 3D views;
- LUC Consulting Protected Species Report (dated Oct 21.) submitted 29th Feb 2024
- NIW PDE Response dated 5th January 2024
- Noise Impact Assessment (F.R. Mark & Associates, March 2024)
- Generic Quantitative Risk Assessment (Ref 787-A117857 Tetrattech, May 2024)
- Ecological Appraisal and Bat Survey Report (LUC, October 2024)
- DfI Rivers Agency Schedule 6 Consent dated 20th June 2024
- Response to NIEA dated 17th December 2024 (File Note from LUC)
- Response to Roads dated 12th February 2025

6.7 Environmental Impact Assessment (EIA Regulations NI 2017 and DCAN10 (Revised) – Environmental Impact Assessment:

The proposal falls within the scope of Schedule 2 (10b - Urban development projects, including the construction of shopping centres and car parks where the area of development exceeds 0.5 hectare) of the above Regulations and as such, the Council is obliged to complete an EIA screening. Following completion of an EIA screening, the Council determined on 1st March 2024 that the proposal would not result in any significant environmental impacts and as such, an Environmental Statement is not required. Environmental matters can be appropriately dealt with through the planning application assessment, including the use of mitigation measures and the imposition of planning conditions, if necessary.

6.8 RDS 2035 and the SPPS:

The RDS provides an overarching strategic planning framework which sets out clear sustainable development objectives for the region. The SPPS is a material consideration in all planning applications and sets out the core planning principles which are fundamental to achieving sustainable development. Of relevance to this assessment are the principles of Supporting Good Design and Positive Place Making and Preserving and Improving the Built Environment.

- 6.9 Section 45 of the Planning Act (Northern Ireland) 2011 requires the Council to have regard to the local development plan, so far as material to the application, and to any other material considerations. The proposal relates to an established educational facility and in principle, fits with these core principles of the SPPS and wider strategic objectives of the RDS. The proposal detailing will fall to be determined by the provisions of the Local Development Plan and Prevailing Planning Policies listed above.

6.10 Banbridge, Newry and Mourne Area Plan 2015 (BNMAP):

The application site is located within the settlement limits of Crossmaglen (CM01) and a small part of the site (SW corner) is also within a Local Landscape Policy Area (CM17,) as identified by the Banbridge / Newry and Mourne Area Plan 2015 (BNMAP.) Policy CVN3 of Vol 1 of the Plan, directs that where proposals are within and / or adjoining a designated LLPA, a landscape buffer

may be required to protect the environmental quality of the LLPA. Zoning CM17 LLPA (Glenlough House, Stream Corridor and Standing Stone) identifies the features that contribute to the environmental quality, integrity or character of this LLPA as:

- Glenlough House is a locally distinctive building on a localised landform with associated vegetation; **-the proposed works are significantly removed from this building. HED have also been consulted on the proposal details and have not raised any concerns in relation to the impact on Glenlough House.**
- The setting of the standing stone, stream corridor and associated landforms and vegetation. **The standing stone is located approximately 200m north-west of the application site, whilst the stream is located approximately 93m to the west. The application site is separated from the adjoining LLPA by mature trees and hedgerow and the proposal does not propose to alter the existing landscaping.**

6.11 In the context of the established school and nursery buildings and the fact that the existing landscaped boundaries separating the site from the LLPA, there would not be a requirement for further landscape buffering. The existing landscape buffering along the north will remain unaltered and as such, the proposal would not mar the distinction between the settlement and surrounding countryside to the north. **The proposal overall is considered acceptable to Policy CVN3 Vol 1 of the Area Plan.**

6.12 Policy ECU1 (Education, Health, Community and Cultural Uses) within Vol 1 of the Plan is also relevant to this assessment. Under this policy, planning permission will be granted for educational uses within settlement development limits provided all the following criteria are met:

- ***there is no significant detrimental effect on amenity or biodiversity;*** the proposed extension is located on the footprint of an existing portacabin structure and in terms of residential amenity would be located c. 25.5m away from the nearest residential properties at Rathkeelan Park. There is a cluster of mature trees within the SE corner of the site positioned between the proposed extension and residential development which will help to screen the development. It is noted that 7-8 of these trees are proposed to be removed to facilitate the new extension, in addition to a new 2m high retaining wall. However given the separation distances, the remaining mature landscaping within the site and the lack of window openings along the southern gable of the extension, the proposal would not result in a significant impact on residential amenity by way of privacy, dominance, overshadowing, loss of light or otherwise. The ecological details submitted in October 2024 and December 2024 have been reviewed by DAERA's Natural Environment Division who advise the proposal is acceptable to PPS2 requirements, subject to conditions (see PPS2 assessment below.)
- ***the proposal does not prejudice the comprehensive development of surrounding lands, particularly on zoned sites;*** The proposal does not alter

or prejudice the orderly development of surrounding zoned housing lands to the south;

- ***the proposals are in keeping with the size and character of the settlement and its surroundings;*** The proposed development has been carefully designed to integrate into the existing development on the site and the overall context within the streetscape; with the two storey elements to the rear / west of the site so as to not overly dominate the visual aspect of the site from Carran Road.
- ***where necessary, additional infrastructure is provided by the developer;*** The proposal provides a betterment in terms of road infrastructure and safety of both cars and pedestrians to and from the site, as considered below and further under PPS3 considerations.
- ***there are satisfactory access, parking and sewage disposal arrangements.*** The proposal includes altering the existing access to include a one way in / out system for provision of safer access / egress to the site. In addition, it includes the creation of a new drop off bay along the road frontage. Parking provision within the site is also improved. Overall, proposals are a betterment in terms of providing satisfactory access and parking provisions (see PPS3 considerations) with DfI Roads offering no objections in this regard. The proposal relates to an established use on the site in terms of foul and water supply connections, with NI Water confirming there are no objections to the extended / redevelopment works.

6.13 Overall the proposal is also considered acceptable to Policy ECU1 Vol1 of the BNMAP 2015. There are no further provisions within the Local Development Plan applicable to this site and as such, the proposal will fall to be further considered under the retained planning policies outlined above.

6.14 SPPS and PPS6 (Planning, Archaeology and the Built Heritage):

There are no listed buildings or structures in the vicinity of the proposed development. As noted, there is a standing stone circa 200m north-west of the application site, which is a protected archaeological site and monument (ARM 030:006 and ARM 030:029.) HED Historic Monuments having been consulted on the proposal advise that due to its scale and nature, is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. (response dated 13.03.2024.)

In summary, subject to attached conditions being met, the proposal is considered satisfactory to the policy requirements of PPS6.

6.15 SPPS, PPS3 (Access, Movement and Parking,) PPS13 (Transportation and Land Use) and DCAN15:

At present there are two vehicular access points to the site, separated by a 'grass island.' Only one of these is in daily use, for staff vehicles and deliveries, while the other is typically closed. A separate pedestrian gate is located towards

the front of the site (to the north,) next to the neighbouring laneway. The proposal involves an alteration of the existing vehicular access off Carran Road, to create separate 'in' and 'out' points, with the creation of a new drop off / pick up layby within the school yard including spaces for 4 no. cars and the existing pedestrian gate to the north is to be closed up.

- 6.16 The internal vehicular road layout within the site runs primarily along the front of the building (eastern area of the site) with parking provision for staff and visitors, with 32 spaces in total, including 2 no. disabled parking spaces. Cycle stands (12 no bays) are also incorporated into the layout. The existing pedestrian access point is to be omitted and new pedestrian routes are proposed at both vehicular site entrance and exit points. Pedestrian footways are included across the site frontage, with crossing points within the internal layout road and also a controlled pedestrian crossing point on Carran Road.
- 6.17 Based on DOE Parking Standards, a total of 75No. car parking and 50No. cycle parking spaces are required to serve the overall site. The Design and Access Statement acknowledges this figure and states that is not achievable without occupying additional land. Whilst these figures cannot arguably be achieved within the constraints of the site, efforts have been made to improve access and parking arrangements.
- 6.18 The proposed layout intends to increase designated parking numbers to 32 No. car parking spaces (inc. 2No. disabled spaces) and 12No. cycle parking spaces. A lay-by is provided in close proximity to the main entrance as a designated drop-off / pick-up area and will also be used for occasional bus parking when required. Appropriate turning area is provided within the site towards the Nursery Unit and Playground 3. This has been assessed and a swept path analysis carried out to ensure its viability, facilitating delivery and emergency vehicles with appropriate turning space.
- 6.19 A Transport Assessment Form has also been submitted with the application. As noted, a meeting was held on 17th June 2024 with DfI Roads and the design team to address the concerns of DfI Roads. Since this, the proposal has been amended, with drawings submitted for further consideration, including Drawing no. 20041 HAM-XX-XX-DR-A-1001 REV P3 Proposed Site Layout Plan and Drawing PSD01 - PSD Details. DfI Roads having been re-consulted on 20th September 2024 and 5th March 2025 with the revised proposals. In their final comments dated 13th March 2025 DfI Roads have advised on conditions and informatives. In the context of the established school, as the works do not increase vehicles to the site from the existing arrangements, the proposed parking provision, which includes an additional 18 no. spaces is considered acceptable. The proposal details are in accordance with the general principles of PPS13 in addition to Policies AMP3, AMP7, AMP9 of PPS3.
- 6.20 **Overall, subject to conditions, the proposal in its amended form, is considered acceptable to the requirements of SPPS, PPS3, PPS13, DCAN15 and DOE Parking Standards.**

6.22 SPSS and PPS2 (Natural Heritage) and Habitats Regulations Assessment (Conservation (Natural Habitats, etc) (Amendment) Regulations (Northern Ireland) 2015):

A Habitats Regulation Assessment screening has been completed for the proposal, whereby it has been determined in consultation with SES that the application can be screened out for the need for a HRA as it could not have any conceivable effect on a European site as there are no European sites in proximity to the development and any potential hydrological connectivity within European sites in Dundalk Bay is tenuous. Given the nature and scale of the development, the downstream distance of 35+ km and the presence of Lough Ross along the pathway, the proposal would have no conceivable effect.

The proposal is therefore considered acceptable to PPS2 Policy NH1 (European and Ramsar Sites – International) and HRA legislative requirements.

6.23 Policy NH2 – Species Protected by Law

Policy NH2 only permits development proposals that are unlikely to harm a European Protected Species. The proposal involves the removal of 13 no. trees to facilitate the proposed development, including trees in the SW corner to facilitate the extension and along the site frontage to facilitate the access proposals. Otherwise, existing trees are proposed to be retained and the layout incorporates 3 no. new trees along the road frontage, set back from sightlines. The Ecological details originally submitted with the application (including PEA (BW Ecology, dated June 2020) and Protected Species Report (LUC Consulting dated Oct 21) were issued to DAERA's Natural Environment Division (NED) for their advice. NED advised that they do not accept ecological surveys or reports more than two years old and NED require the results of up to date surveys in order to assess the potential impact to natural heritage and this must be determined before NED can recommend approval.

6.24 NED also raised concerns regarding the discrepancies between the two reports submitted and advised in the absence of further information, the proposal would be contrary to PPS2 in that the development would be likely to harm species and/or habitats protected by law and insufficient information has been submitted to establish otherwise. NED advised that additional details are required including: an updated Preliminary Ecological Appraisal (PEA) and should the ecologist assess any building on site to have low (or above) Bat Roost Potential (BRP) or any tree to have moderate (or above) BRP. Further bat activity surveys may be required.

6.25 In response, an Ecological Appraisal and Bat Survey Report (LUC, Oct 2024) has been further submitted. The report concludes the following findings in relation to Species Protected by Law:

- *The proposal will not pose any significant adverse impacts on foraging and commuting activities of bats, with mitigating and enhancement measures recommended;*
- *A bat roost has been confirmed within the site and therefore a Protected Species Mitigation licence may be required from NIEA;*
- *There is no suitable habitat for smooth newts within the site*
- *Precautionary mitigation has been recommended in relation to badgers;*

- *Precautionary mitigation has been recommended in relation to nesting birds;*

A further File Note (LUC, Dec 2024) addressing NED's concerns was submitted. The submitted ecological information was issued to NED for further advice via formal re-consultation on 8th October 2024 and 17th December 2024. In further comments dated 17th January 2025 NED advised that having considered the impacts of the proposal on designated sites and other natural heritage interests they have no concerns subject to conditions. The proposal is therefore acceptable to Policy NH2, subject to the conditions being complied with, as detailed at the end of this report.

6.26 Policy NH3 – Sites of Nature Conservation Importance (National)

The proposal does not impact on any known Area of Special Scientific Interest, Nature Reserve, National Nature Reserve; or marine Nature Reserve which is acceptable to PPS2 Policy NH3.

6.27 Policy NH4 – Sites of Nature Conservation Importance (Local)

The proposal does not impact on any known Local Nature Reserve or Wildlife Refuge, which is acceptable to PPS2 Policy NH4 requirements.

6.28 Policy NH5 Habitats, Species or features of Natural Heritage Importance

Policy NH5 prohibits development which would result in an unacceptable adverse impact on: priority habitats, priority species, active peatland, ancient and long-established woodland, features of earth science conservation importance, features of the landscape which are of major importance for wild flora and fauna, rare or threatened native species, wetlands (includes river corridors); or other natural heritage features worthy of protection.

- 6.29** The submitted Ecological Report notes that the habitats present within the site are of low ecological value. Whilst the proposal would result in the loss of 13 no. trees, precautionary mitigation measures have been recommended to safeguard legal compliance. In addition, there are no records of invasive plant species recorded within the site from recent surveys completed. The Ecological Report concludes that there will be no impact on priority habitats as a result of the proposal. DAERA's Natural Environment Division, having reviewed the details provided, have no concerns and therefore the proposal complies with Policy NH5.

- 6.39** **In summary, the proposal is deemed acceptable to the SPPS and PPS2 requirements, subject to the conditions outlined at the end of this report being complied with.**

6.31 Sewerage and Water supply:

The proposal seeks to connect to NIW public water supply and dispose of foul sewage via mains sewage network. Drainage details have been provided, including a Drainage report with CCTV which identifies there are 2 no. collapsed sewers within the existing network (1 foul, 1 surface water,) which would be required to be replaced prior to any further connections.

- 6.32 NIW having been consulted on the proposal details, advise in their response dated 22.02.202 that the existing premises may already be connected to public water supply and a formal water connection application will be required to be submitted to NIW where it is proposed to re-use existing connection. In relation to foul sewerage, NIW advise there is capacity at the receiving wastewater treatment works and that the existing premises/site may already be connected to public wastewater network. A formal foul sewer connection application will be required to be submitted where it is proposed to re-use existing connection. Subsequently, NIW recommend approval of the proposal, with standard conditions.
- 6.33 DAERA's Water Management Unit were consulted in relation to the proposed sewerage details and initially raised concerns in relation to capacity at NIW Infrastructure and potential adverse impacts on groundwater. Since this response, the applicant has submitted a PDE response from NIW (dated 5th January 2024) which is valid until 6th July 2025. This PDE response confirms there is capacity at Crossmaglen WwTW to serve the proposal and have raised no concerns in relation to the existing foul sewerage network.
- 6.34 These details have been issued to WMU who further advise as NIW has advised in their planning response and in their Pre-Development Enquiry (PDE) response that they are content that both the receiving WwTW and the associated sewer network for this development can take the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal.
- 6.35 On the basis of NIW's advice, provided the necessary conditions are met and on the basis of the information provided, the proposal can be successfully implemented without adversely impacting on existing NIW sewerage infrastructure or public water supply.**
- 6.36 SPPS and PPS15 (As revised - Planning and Flood Risk):**

The application site is not located within a river or sea floodplain or reservoir inundation area, though Dfl flood maps indicate some surface flooding across parts of the site (existing and predicted including climate change considerations.) The proposal involves the use of soakaways to deal with surface water drainage. The proposed development which includes additional areas of hardstanding has the potential to impact upon drainage and/or flood defence provisions and increase surface runoff from the site. Dfl Rivers Agency having been consulted on the proposal, have not raised any concerns in relation to Policies FLD1, FLD2, FLD4 and FLD5 and advise the following in relation to Policy FLD3 (Development and Surface Water):

- *A Drainage Assessment is not required but the applicant should still be advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere.*
- *This will involve acquiring consent to discharge storm water run-off from the site. If the proposal is to discharge into a watercourse, then an application*

should be made to the Rivers Directorate local area office for consent to discharge storm water under Schedule 6 of the Drainage (NI) Order 1973. If it is proposed to discharge storm water into an NI Water system, then a Pre-Development Enquiry should be made and if a simple solution cannot be identified then a Network Capacity Check should be carried out.

- 6.37 Further to this response, a PDE response from NIW has been submitted (dated 5th January 2024) which details that there is no public storm water sewer to serve the proposal and as such, the applicant should liaise with DfI Rivers Agency to see if discharge would be possible to any local watercourses. Following this, the applicant may wish to requisition NI Water to provide a suitable storm outfall sewer to the approved discharge location. Under no circumstances will storm water be permitted to enter a public foul sewer.
- 6.38 Following request, the Planning Authority has been provided with a Schedule 6 consent (issued by DfI Rivers, dated 20.06.2024) to discharge stormwater to an existing watercourse (near the western site boundary) at a maximum rate of 4l/s as per drawing no.C-0110 REV P01. Rivers Agency note that this approved discharge rate is a maximum discharge rate for all rainfall events up to and including the 1 in 100 year rainfall event. The headwalls and splash plate must be constructed as detailed and aligned with the flow of the watercourse. Anti-erosion measures must also be put in place at the discharge location. On the basis of this consent to discharge, which is valid until June 2026, the submitted details demonstrate a satisfactory means of surface water discharge from the site. A copy of Drawing No. C-0110 REV P2 Proposed Drainage Layout (dated 04.11.24) was requested and submitted with the Planning Application, to ensure that the proposed drainage details can be appropriately conditioned within the decision notice, in the interest of ensuring the development does not result in flood risk to the development or elsewhere in accordance with PPS15 (Revised) Policy FLD3.
- 6.39 In summary, subject to necessary conditions and informatives being adhered to, the requirements of PPS15 (Revised) can be fully satisfied.**

6.40 Contamination:

A PRA (dated 2020) has been submitted with the planning application, which identifies potential sources of contamination on site which could pose a risk to both environmental receptors and public health. The site comprises fuel tanks, with physical evidence of minor spillage identified during the site walkover survey completed at that time, with further identification of ground / fill material located to the western site area. Completion of a Generic Quantitative Risk Assessment would determine the risks identified from hydrocarbons associated with fuel tanks on site, with the GQRA to include the following analysis:

- 12 No. soil samples for TPH CWG, PAH asbestos inorganics & metals (0.00-1.00m);
- 12 No. TPH CWG & PAH (samples from depths >1.00m)
- 2 No. soil and 1No groundwater sample for PCB
- 7 No. groundwater samples for TPH CWG, PAH & metals
- 8 No. soil samples for Waste Acceptance Criteria analysis

- 6 No. gas monitoring rounds from installed boreholes
- 1 No. tarmac / Bitmac sample for interpretation of waste disposal

6.41 The Preliminary Risk Assessment Report submitted with the application has been issued to DAERA's Regulation Unit who in initial comments advise that insufficient information has been submitted to fully assess the environmental risks from this proposed development and advised that A Generic Quantitative Risk Assessment (GQRA) informed by targeted intrusive site investigation is required. A GQRA Report was subsequently submitted 20.05.24 and issued to RU for further consideration, which identifies low to moderate risks to the water environment. **Regulation Unit (RU) Land and Groundwater Team have considered the information provided and have no objections to this application provided the recommended Conditions and Informatives are placed on any Planning Decision Notice.**

6.42 The Council's Environmental Health Department also confirm that they have no concerns about contamination in respect of human health, having reviewed the submitted details, subject to conditions being complied with in relation to the discovery of unknown contamination. A planning condition to this effect is detailed at the end of this report.

6.43 **SPPS and PPS8 (Open Space, Sport and Outdoor Recreation):**

Land at the site is not zoned as protected open space, however as noted, there are existing playing field to the rear of the school (northern part of the site.) School playing fields are included within the definition of 'outdoor sports facilities' which are a form of 'open space' for the purposes of PPS8 (Annex A, para A2.)

6.44 The proposal will result in the minimal loss of this area of open space, with a remaining playing field as existing. In addition to the grass playing field, there is an existing tarmacked area within the central portion of the site marked for sports. The proposed relocation of a modular building to this area, will result in a reconfiguration of the recreational area to east – west orientation, to prevent the loss of recreational space. Incorporating the footprint of the new extension into the existing site has resulted in a reduced grass play area of 5550m², but the introduction of an additional playground to the south (2 no external playgrounds,) which increases hard play area to 3310m². There are also existing indoor sport facilities at the school, catering for a wide range of activities. Proposals will merely remodel the facilities, with the marginal loss of the existing grassed area between the school buildings and playing field considered acceptable, in the context of the remaining level of recreational spaces overall both internally and externally to facilitate the overall development.

On this basis, the proposal is considered acceptable to PPS8 policy requirements.

6.45 SPPS and Residential Amenity:

Whilst the proposal relates to an established school and its facilities at this site, the proposal has the potential to generate noise and air pollution and general disturbances which could impact on the amenity of surrounding residents.

The proposal is not expected to introduce increased numbers to the site during operational stages so effects of noise and general disturbance are expected to be short-term, with the existing operational noise levels to remain unchanged as a result of this proposal. There are no expected changes to all other outward noise aspects from the school as present, with the existing playing field areas to remain unaltered in the northern part of the site.

- 6.46 Environmental Health having been consulted for advice in this regard initially advised a GQRA is required and clarification on flood lighting. EH also advised that a management plan should be submitted to demonstrate how such impacts will be managed to not cause a detriment to the amenity. A Noise Impact Assessment Report (F.R. Mark & Associates, dated March 2024) was subsequently submitted for further consideration and clarification that the proposal does not include flood lighting. EHD having reviewed these additional details (including proposed noise mitigation measures) raise no further concerns, though advise that planning conditions are necessary in relation to: permitted times for demolition and construction activities, a noise and dust management plan and piling. These conditions are detailed at the end of this report.
- 6.47 Whilst the proposal includes an extension to the existing building, this is significantly separated from surrounding residential development and would not result in any issues in relation to overlooking, dominance, overshadowing, loss of light etc to surrounding properties. Given the nature and scale of the development, it is unlikely there will be any further impact to amenity above and beyond what already exists at the site and no third-party objections or representations received in respect of residential amenity.
- 6.48 In summary, subject to conditions being adhered to in respect of the proposed acoustic barrier, the proposal is considered acceptable to considerations of the SPPS in terms of residential amenity considerations.**
- 6.49 SPPS, PSRNI (Policies DES2: Townscape and SP18: (Design in Towns and Villages) & Design Considerations:**
- Para 4.26 of the SPPS directs that design is an important material consideration in the assessment of all proposals and particular weight should be given to the impact of development on existing buildings. The application is supported by a detailed Design and Access Statement and it is noted that pre-application discussions have been undertaken (LA07/2020/0857/PAD) which have helped to inform the design proposal.
- 6.50 The proposal aims to link a new two-storey extension with the existing main school building to provide a more pleasant and up-to-date teaching environment. A simple material selection of buff brick, white render and metal

cladding are proposed, using a sympathetic colour palate to sensitively integrate the new with the old and yet clearly identify the different architectural languages. The chosen materials are durable and fitting for this project, aimed not only at reducing maintenance costs, but also towards longevity and consideration of the building lifecycle as part of economic and environmental feasibility. The extension is a two-storey linear building, as the site is not large enough to accommodate a single storey extension, utilising the western side of the site and running at right angles to the existing building. The entrance to the building will be both through the existing corridor and on the east facing elevation, visible from the hard play area in the middle of the site

6.51 The proposed design will result in a build-up of development on the site, by consolidating the existing temporary buildings within other parts of the site and extending the school to the west. The school design has been formed based on the following principles:

i. Seventeen Classroom Based Primary School.

a. Existing Building: 9No. Classrooms, Offices, Staff Room, Kitchen, Dining Hall, WC's, Plant Rooms and Other Ancillary Accommodation etc.

b. Proposed Extension: 8No. Classrooms, Multi-Purpose Hall, Multi-Purpose Teaching Room, Resource Areas, Changing and WC's, Plant Rooms and Other Ancillary Accommodation etc.

ii. Due to the constrained site, a two-storey design has been presented, in efforts to meet requirements for the surrounding Play Areas, Parking, and Drop-Off / Pick-Up Areas.

iii. The new Classrooms are in clusters accessed from a central circulation space also containing resource areas.

iv. The new Multi-Purpose Hall is accessed from the main circulation area within the extension and can facilitate out of hours community activities by secure zoning. Access to the existing school building is controlled at the new link abutment and access to the teaching wing in the new extension is controlled within the circulation corridor.

v. The administrative areas remain in the existing school building but are slightly reorganised in the main entrance block to offer more suitable and efficient office space with greater supervision of the playground and visual linkage to main entrance for safety and security.

vi. Visually, the extension runs adjacent to the existing main school building with a central spine finished in buff facing brick. The teaching spaces and auxiliary storage project from this and are primarily finished in white render with buff brick feature panels in places.

vii. Single vehicular site access and double pedestrian site access routes are proposed. The site will implement a one way clockwise vehicular route to control the traffic flow and maintain a high safety standard. Within the school site

the pedestrian footway will be raised at road crossings to increase safety across vehicle entrances.

- 6.52 In terms of density, the site is approximately 1.57h, containing 7235m² existing grass play areas, 2080m² existing hard play areas and accommodating a 9No. classroom school. The proposed scheme is located within the existing 1.57h site, utilising some of the existing hard and soft areas and relocating some existing modular units.
- 6.53 The proposed building is two-story in height, in keeping with the mainly domestic surroundings. An overall flat roof height of approximately 8.3m is proposed, remaining slightly lower than the ridge height of the existing double two-storey blocks. The multipurpose hall is single-storey with a flat roof height of approximately 5.5m. The design reflects a similar 'cranked' footprint to that of the existing building on the site, connected by a flat roof link.
- 6.54 The proposed extension is suitably scaled to provide the necessary accommodation whilst being respectful to the surrounding environment and adopts similar principles of building scale and configuration to that of the existing building. A group of single storey structures are located at the entrance of the site, connected to a double two storey wing further back through a series of single-storey flat roof links. Naturally, the proposed extension block adopts the same characteristics, connecting a similar scaled two-storey structure to existing using a single storey flat roof link. The extension responds to the landscape positively and aims to be sympathetic to its site context.
- 6.55 A boundary of hedgerow and mature trees help screen the western edge, creating a natural backdrop to the rear of the extension which would help to integrate the scheme into the adjacent Local Landscape Policy Area and rural lands to the north. The overall configuration and arrangement of structures onsite would comfortably fit within the landscape.
- 6.56 **Based on the details provided, the proposal in design terms would make a positive contribution to the townscape and is respectful of the character of the area surrounding the site in terms of design, scale, form, massing and use of materials, in accordance with Policies DES2 and SP18 of PSRNI .**

7.0 **RECOMMENDATION:** Approval, subject to conditions.

7.1 Summary recommendation

The proposed development reconfigures and extends the existing school, with enhanced and modern facilities benefitting the local community. No third party comments have been received. The overall design and layout (as amended) is considered acceptable to prevailing policy requirements, subject to the necessary planning conditions below being adhered to.

8.0 PLANNING CONDITIONS:

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

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

2. The development hereby permitted shall take place in strict accordance with the following approved details:
 - Drawing no. 20041-HAM-XX-XX-DR-A-0100 REV P1- Site location plan (dated 17/11/2023);
 - Drawing no. 20041-HAM-XX-XX-DR-A-1001 REV P4 - Proposed Site Layout Plan (dated 20.09.2024)
 - Drawing no. 20041-HAM-XX-XX-DR-A-1102 REV P1 - Existing and Proposed Alterations - LEVEL 00 - GROUND FLOOR PLAN – GA (dated 17/11/2023);
 - Drawing no. 20041-HAM-XX-XX-DR-A-1300 REV P1 - Proposed Extension Level 00 - Ground Floor Plan;
 - Drawing no. 20041-HAM-XX-XX-DR-A-1301 REV P1 - Proposed Extension Level 01 - First Floor Plan;
 - Drawing no. 20041-HAM-XX-XX-DR-A-1302 REV P1 - Proposed Extension Level 02 - Roof Plan (dated 17/11/2023);
 - Drawing no. 20041-HAM-XX-XX-DR-A-3102 REV P1 - Proposed Building Elevations (dated 17/11/2023);
 - Drawing no. 20041-HAM-XX-XX-DR-A-3104 REV P1 - Proposed Building Elevations Sheet 5 (dated 17/11/2023);
 - Drawing no. 20041-HAM-XX-XX-DR-A-1200 REV P2 - Proposed Level 00 - Ground Floor Plan (dated 23/08/2024)
 - Drawing no. 20041-HAM-XX-XX-DR-A-1201 REV P2 - Proposed Level 01 - First Floor Plan (dated 23/08/2024)
 - Drawing no. 20041-HAM-XX-XX-DR-A-1202 REV P2 - Proposed Level 02 - Roof Plan (dated 23/08/2024)
 - Drawing no. 20041-HAM-XX-XX-DR-A-4100 REV P1 - Proposed Building Sections (dated 17/11/2023)
 - Drawing No. GB01T20A45//PSD01 REV A – PSD Works (dated Feb 25)
 - Drawing No C-0110 Revision P2 – Proposed Drainage Layout (dated 04/11/2024)
 - 20041-HAM-XX-XX-DR-A-1002 REV P1 – Proposed Parking Layout Plan (dated 20/02/2025)
 - Noise Impact Assessment (F.R. Mark & Associates, March 2024)
 - Generic Quantitative Risk Assessment (Ref 787-A117857 Tetrattech, May 2024)

Reason: To define the planning permission and for the avoidance of doubt.

3. Demolition and construction activities associated with the development hereby approved shall only be carried out during the following times:
 - Monday to Friday 7am – 6pm
 - Saturday 8am – 1pm
 - Sunday – no operations

Reason: In the interest of residential amenity.

4. Prior to commencement of any demolition or construction works associated with the development hereby approved, a Noise and Dust Management Plan shall be submitted to and approved in writing by the Planning Department (in consultation with Environmental Health) incorporating the mitigation recommendations in the approved Noise Impact Assessment (as prepared by F.R. Mark & Associates, dated March 2024).

Reason: In the interest of residential amenity.

5. In the event that piling is found to be necessary, no works hereby approved shall commence until a revised Noise Impact Assessment with relevant mitigation measures is submitted to and agreed in writing by the Planning Department (in consultation with Environmental Health).

Reason: To minimise noise annoyance during demolition and construction in the interest of residential amenity.

6. In the event that piling is required, no development or piling work shall commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:
<https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

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

7. A suitably qualified and experienced person shall be retained to monitor excavation works at the site. If during the works, new contamination or risks are encountered which have not previously been identified, works shall cease, and the Planning Department shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. This strategy should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at:
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

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

8. After completing any required remediation works, and prior to operational use of the development hereby approved, a Verification Report shall be submitted in writing and agreed with Planning Department. This report shall be completed

by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

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

9. During the first available planting season after the operational use of the approved development, or as otherwise agreed in writing by the Planning Department, landscaping shall be carried out in accordance with Drawing no. 20041-HAM-XX-XX-DR-A-1001 REV P4- Proposed Site Layout Plan (dated 20.09.2024) and maintained in perpetuity.

Reason: In the interest of visual amenity.

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

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

11. No works shall be carried out on the main school building denoted within the Ecological Appraisal and Bat Survey Report completed by LUC, dated October 2024, as building 1, until a NIEA Wildlife Licence has been obtained. The details of which shall be submitted to and agreed in writing by the Planning Department to the satisfaction of NIEA.

Reason: To protect bats.

12. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. PSD01 Rev A Published 05th March 2024.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

13. No other development hereby permitted, shall become operational until the Footway has been completed in accordance with details submitted to and approved by Planning on Drawing No PSD01 Rev A Published 05th March 2024.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

14. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No other development hereby permitted shall become operational until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing PSD01 Rev A Published 05th March 2024. The Council hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

15. The vehicular access and egress including visibility splays of 2.4m by 60m, and pin kerb to delineate private and public roadway and any forward sight distance, shall be provided in accordance with Drawing No PSD01 Rev A Published 05th March 2024 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

Case Officer Signature: Karen Bronte

Date: 19.03.2025

Appointed Officer Signature: Patricia Manley

Date: 19.03.2025

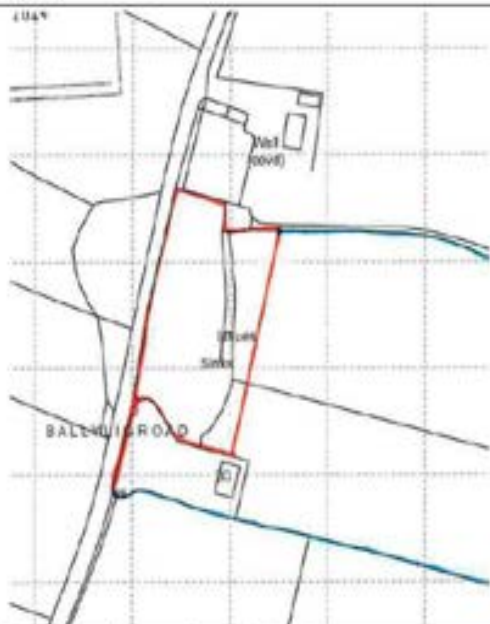
Delegated Application

| Development Management Officer Report | |
|--|--|
| Case Officer: Fionnuala Murray | |
| Application ID: LA07/2024/0409/O | Target Date: |
| Proposal: Proposed 2 no. dwellings and garages on infill site under Policy CTY8 of PPS21 | Location: Lands between 28 & 30 Ballylig Road Killough, Downpatrick BT30 8LG |
| Applicant Name and Address: Mr Ryan Burns 11 Ballytrustan Road Downpatrick BT30 7AQ | Agent Name and Address: Tumelty Planning Services 11 Ballyalton Park, Downpatrick, BT30 7BT |
| Date of last Neighbour Notification: | 16.10.2024 |
| Date of Neighbour Notification Expiry: | 30.10.2024 |
| Date of Press Advertisement: | 08.05.2024 |
| Date of advertisement expiry: | 22.05.2024 |
| ES Requested: No | |
| <p>Consultations:</p> <p>DFI Rivers was consulted in relation to the application and responded with no objections however request that should approval issue a working strip should be retained and shown on approved drawings. In terms of FLD 3 the development does not appear to exceed the thresholds set out therefore a Drainage Assessment is not required.</p> <p>DFI Roads was consulted and responded with no objections in principle to the development subject to conditions.</p> <p>Shared Environmental Services was consulted and responded stating that based on the information provided and discussion the proposal will have no significant effect on the features of conservation objectives of Murlough SAC or any other European Site.</p> <p>NI Water was consulted and has responded with no objections to the proposal.</p> | |
| Representations: | |
| The application was advertised and neighbours notified as per above and to date there have been no representations received in relation to the proposal. | |
| Letters of Support | 0 |
| Letters of Objection | 0 |
| Petitions | 0 |
| Signatures | 0 |

| | |
|--|--|
| Number of Petitions of Objection and signatures | |
| Summary of Issues: There are no outstanding issues as a result of the neighbour notification and publicity process. | |

Site Visit Report

Site Location Plan:



Date of Site Visit: 02nd October 2024

Characteristics of the Site and Area

The site in question is a piece of what appears as agricultural ground that is flat in nature and has an area of grass and to the northern portion of the site is a more boggy type area of wetland and some trees and scrub. The boundary along the road contains a planted hedge row and also a wooden fence, there are also two electric poles along the site frontage.

The site is not located within any settlement development limits as defined in the Ards and Down Area Plan 2015. The site is within the Strangford and Lecale Area of Outstanding Natural Beauty and is also constrained by an area liable to surface water flooding. The area is a rural area of generally flat lands in close proximity to the coastal region.

Description of Proposal

Proposed 2 no. dwellings and garages on infill site under Policy CTY8 of PPS21

Planning Assessment of Policy and Other Material Considerations

PLANNING HISTORY

There is no recent site history in relation to the application site or surrounding lands.

CONSIDERATION AND ASSESSMENT

The proposal has been assessed against the following policies and plans:

- The Ards and Down Area Plan 2015
- Regional Development Strategy (RDS)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2 Natural Heritage.
- Planning Policy Statement 15 Planning and Flood Risk
- Planning Policy Statement 3: Access Movement and Parking
- Planning Policy Statement 21: Sustainable Development in the Countryside

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Strategic Planning Policy Statement for NI Ireland (SPPS) is material to all decisions on individual applications. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council Area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS.

Consideration against PPS 21

Policy CTY 1 of PPS 21 sets out a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development – CTY 8 of PPS 21 Ribbon Development states that planning permission will be refused for a building which creates or adds to a ribbon of development with an exception being the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage (SCBUF) and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purpose of this policy the definition of a substantial and built-up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

Currently along the Ballylig Road either side of the site sit dwellings. North of the site and bounding the site in part is the dwelling known as no 28 Ballylig Road, this dwelling consists of a large plot with a detached single dwelling and detached garage that is set to the side of the existing dwelling, it is visible from the road and reads along the road frontage given its position within the site. It is noted that the curtilage of the site runs right

to the road however it is noted that the ground to the front of the site is overgrown and planted out however the site inspection confirmed the ground is part of the residential curtilage of no 28.

To the south of the site sits the dwelling known as no 30 Ballylig Road, this site consists of a single dwelling within again a substantial curtilage running down to the Ballylig Road. For the purposes of this policy it is accepted that there is a current ribbon of development of three buildings with a frontage presenting to the Ballylig Road.

No 28 Ballylig Road has a frontage of approx. 55.5m along the Road and has a site area of approx. 0.35ha

No 30 Ballylig Road has a frontage of approx. 48m and a site area of approx. 0.2ha.

The site in question has a frontage of approx. 101m and a site area of approx. 0.56ha.

Given that there are only two properties to consider in terms of averages it is accepted that in terms of frontage and overall site area the gap in terms of the red line submitted does respect the existing character of the existing frontages and plot sizes however it has to be taken into account the overall building to building gap that exists at the location, this being the gap to be filled and in this instance given the positioning of no 28 within its curtilage the gap to be filled is some 151m in length therefore the gap in existence could accommodate more than two dwellings and on this basis it cannot be considered that the policy requirements are met as there is not a gap sufficient to accommodate up to a maximum of two dwellings. The proposal is considered contrary to policy CTY 8 as it has not met the requirements set out within the policy and as such cannot be deemed an exception and therefore must also be considered to fail to meet the provisions set out in CTY 1.



The above aerial image shows the gap between no 28 and no 30 Ballylig Road in relation to the gap sought as being filled (extent of red line). The site could accommodate more than 2 dwellings.

Consideration against CTY 13 Integration and Design of Buildings in the Countryside

CTY 13 states that permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. Consideration was given to the policy context set out within the policy. Policy states that development would be unacceptable where:

(a) it is a prominent feature in the landscape.

Taking account of the site characteristics and the surrounding landscape and back drop the site can make use of it is not considered that the appropriate development of this site would result in the works being prominent with the landscape. This aspect of policy is not offended.

- (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape**
(c) it relies primarily on the use of new landscaping for integration.

The site has some boundaries that are only defined by either wooden fencing or wire fencing however there is sufficient planting in existence to provide a degree of screening and enclosure for the site and the character of the wider context of the area is taken into consideration and it is noted that due to the proximity to the shore more open sites are characteristic with the overall impact lessened with the flat nature of the site. With adequate planting appropriately designed dwellings would be considered acceptable on the site without the reliance of new planting for integration. There are more substantial boundaries to the rear of the site that can be improved upon and utilised.

- (d) ancillary works do not integrate with their surroundings.**

This is an outline application therefore full particulars have not been provided however given the location of the site and the proximity to existing utilities it is not considered that the provision of ancillary works will have any detrimental impacts on the surroundings.

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

As this is an outline application the design has not been presented for consideration however provided that two dwellings, differing in style, but both respecting the existing character of the immediately adjacent lands are presented it is not considered that suitably designed dwellings would be inappropriate at this location.

- (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.**

The site can accommodate the development within the existing landscape and will not detract from the existing landform. The development can respect the existing contours without resulting in any detrimental impacts. The works will not detract from the character or appearance of the area and there is a suitable natural backdrop of additional lands so as to not have any detrimental impacts on the surrounding landscape or result in prominence.

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

Permission is not sought under CTY 10 therefore this policy consideration is not applicable.

Consideration of CTY 14 Rural Character

CTY 14 states that permission will be granted for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area. A new building will be unacceptable where:

(a) it is unduly prominent in the landscape.

As stated previously within the report it is not considered that works will be prominent in the landscape taking account of the site and surrounding context.

(b) it results in a suburban style build-up of development when viewed with existing and approved buildings.

The development of this site would not change the overall character and appearance of the area in terms of changing the overall character of development within the area. It is not considered that there will be a suburban style build up of development if the works should be approved.

(c) it does not respect the traditional pattern of settlement exhibited in that area.

The site is characterised by single dwellings in individual plots or farm complexes, this development seeks permission to develop two single dwellings within what they consider to be a ribbon of development, the overall development proposal would not be considered to disrespect the overall pattern of development provided all policy requirements are met.

(d) it creates or adds to a ribbon of development (see Policy CTY 8)

Through the assessment of CTY 8 above it is considered that the development does not meet the requirements of CTY 8 as the gap between buildings within the existing ribbon of development exceeds what is acceptable to accommodate only up to two dwellings it must then follow that the development of this site would add to a ribbon of development along the Ballylig Road.

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

As discussed previously within the report it is not considered that the ancillary works will have any detrimental impacts in terms of rural character. Ancillary works can be accommodated on the lands without having any demonstrable harm visually.

CONSIDERATION OF PPS 2 NATURAL HERITAGE

The provisions of NH 2 and NH 5 are considered and taking account of the nature of the site with what appears a wet lands and overgrown grassy areas it was necessary to request a Biodiversity Checklist to consider the potential for impact as a result of the works, again given the characteristics of the site an Ecological Statement was required and this was submitted along with the Bio Diversity Checklist. The information was provided by a suitably qualified ecologist and found there to be no likely impacts as a result of the works on protected species or habitat however did recommend development outside of nesting season to ensure nesting birds/bird nests were not disrupted or destroyed. On this basis it is not considered that any further information is required and again compensatory planting would be of benefit for the loss of any young trees etc identified on the site at present.

In terms of the access arrangements DFI Roads require splays of 2m by 60m for each access, this will require the loss of a small section of planted hedging to the northern section of the splay, reinstatement planting would be a condition of any approval granted.

As there are no other likely impacts in terms of the requirements of PPS 2 it is not considered the proposal offends the provisions set out in PPS 2.

CONSIDERATION OF PPS 3 ACCESS, MOVEMENT AND PARKING

Policy AMP 2 Access to Public Roads is considered and states that permission will be granted for a development proposal involving direct access, or the intensification of the use of an existing access onto a public road where:

- a) **such access will not prejudice road safety or significantly inconvenience the flow of traffic.**

DFI Roads have considered the proposed access and consider it to be acceptable subject to conditions, on this basis it is not considered that the works will have any detrimental impacts on road safety or inconvenience road users or the flow of traffic.

- b) **the proposal does not conflict with Policy AMP 3 Access to Protected Routes.**

The Ballylig Road is not a protected route and it is not considered that allowing additional accesses out onto this road will not conflict with policy AMP 3 access to protected routes. 2m by 60m sight splays are required by DFI Roads and they are content these can be achieved given no objections have been raised.

| | |
|--|-----|
| Neighbour Notification Checked | Yes |
| Summary of Recommendation | |
| <p>Having considered the proposal against relevant policy context it is considered that the proposal does not meet the policy requirements set out in CTY 8 and CTY 14 of PPS 21 and therefore a recommendation of refusal is made for the reasons outlined below.</p> | |
| Reasons for Refusal: | |
| <ol style="list-style-type: none"> 1. The proposal is contrary to the SPPS and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement. 2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill dwelling as there is no small gap sufficient to accommodate up to a maximum of two houses in an otherwise substantial and built-up frontage and it would, if permitted, result in the addition of ribbon development along the Ballylig Road. | |
| Case Officer Signature: Fionnuala Murray | |
| Date: 26 February 2025 | |
| Appointed Officer Signature: Brenda Ferguson | |
| Date: 26/02/25 | |

Planning Committee Schedule of 2nd April 2025

Planning reference: LA07/2024/0409/O

Proposal: **Proposed 2 no. dwellings and garages on infill site under Policy CTY8 of PPS21**

Applicant: **Ryan Burns**

Recommendation: **Refusal**

Refusal Reasons:

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

2 The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy CTY8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill dwelling as there is no small gap sufficient to accommodate up to a maximum of two houses in an otherwise substantial and built-up frontage and it would, if permitted, result in the addition of ribbon development along the Ballylig Road.

Refusal Reason 1.

The development of a small gap site within an otherwise substantial and continuous built up frontage in accordance with Policy CTY8 falls within the range of types of development which in principal are considered to be acceptable in the countryside and will contribute to the aims of sustainable development and as such this application is a gap site and its meets with criteria and is compliant with SPPS and Policy CTY1 of PPS21 and as such is not contrary to the policies and it clearly meets the tests of Policy CTY1. The application site is on the Ballylig Road located North of No30 and between that property and No 28.

Refusal Reason 2

CTY8

The Policy states that planning permission will be refused for a building which creates or adds to a ribbon of development with an exception being the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage such as the application site purports to. The dwellings at 28 & 30 Ballylig Road both have road frontages with the curtilages of both sites running to the road while No 28 comprises a dwelling and detached garage No 30 consists of only a dwelling at present, It is accepted by the Planning Authority that there is a current ribbon of development comprising three buildings with frontage presenting to the public road as required by the policy. The site frontage of No 28 is some 55m while No 30 is 48m and the double infill is 50.5m each with the average frontage coming in at fractionally over 51m while site areas go from 0.2h through the application sites at 0.26ha to 0.4ha.

The officer's report accepts that the in terms of frontage and overall site size/area the application site respects the existing character of the area existing frontage and plot size.

It is contended that the site as applied for thus meets the requirements of the said policy and is capable of accommodating a maximum of two houses and associated garages and should benefit from the grant of permission as applied for.

CTY14

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

It is argued that the gap site is capable of accommodating two dwellings The application site is in compliance with the requirements of the said policy and would not be out of keeping and would not be unduly prominent when read with the existing development. The case officer accepts that the proposed site would not be prominent in the landscape and would not change the overall character of the area and the officer also states that the proposal would not lead to suburban style build up if the development were approved. The officer further states that “the overall development would not be considered to disrespect the overall pattern of development” or would ancillary works have any detrimental impacts in terms of rural character or demonstrable visual harm.

Based on the above favourable assessments of the policy context it has to indicate that the application site is capable of taking only 2 dwellings and associated garages and thus the proposal does not add to ribboning rather it avails of the gap site that exists at this location and as such is compliant with Policy CTY14.

Other Agencies

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

PPS 3 DFI - Roads issued a RS1 form, indicating 2m by 60m visibility spays are required and these are achievable within the proposed road frontage, it is considered that there is sufficient land to accommodate parking, turning and manoeuvring.

Natural Heritage -The proposal is not considered to offend protected species or priority habitats based on Ecology Statement provided as part of the submission.

DFI Rivers – No Objections.

Ni Water – No Objections.

Shared Environmental Services - no significant effect on the features of conservation objectives.

No objections from neighbours or the publicity process.

Conclusion

The site as chosen complies with the requirements of 2 No dwellings and garages under Policy CTY8 as it is located in a small gap site between No28 and No30 Ballylig Road this provides for the gap in a continuous built up frontage as required by the policy.

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

TRACKING ACTION SHEET ARISING FROM PLANNING COMMITTEE MEETINGS

| Minute Ref | Subject | Decision | Lead Officer | Actions taken/ Progress to date | Remove from Action Sheet Y/N |
|--|--|---|---------------|---|------------------------------|
| PLANNING COMMITTEE MEETING 29 JUNE 2022 | | | | | |
| LA07/2019/0868/F | Proposed commercial unit comprising creche and associated site works - 107 Camlough Road, Newry, BT35 7EE. | Removed from the schedule at the request of Planners | M Fitzpatrick | Readvertisement Aug 24 following amended proposal description. Under consideration. | N |
| PLANNING COMMITTEE MEETING 13 DECEMBER 2023 | | | | | |
| LA07/2021/1479/F | Lands immediately opposite No.3 Newtown Road, Bellek, Newry - Erection of petrol filling station with ancillary retail element, car parking, rear storage and all associated site and access works | Defer for further legal clarification; to allow applicant to submit new information relating to retail and for a site visit. | M Fitzpatrick | Deferred for further legal clarification; to allow applicant to submit new information relating to retail and for a site visit. Agent contacted to advise retail info received and under consideration. Site visit arranged 17/02/2025 – awaiting legal advice | N |

| Minute Ref | Subject | Decision | Lead Officer | Actions taken/ Progress to date | Remove from Action Sheet Y/N |
|---|---|---|---------------|--|------------------------------|
| PLANNING COMMITTEE MEETING 7 FEBRUARY 2024 | | | | | |
| LA07/2022/1712/O | Lands between 51 and 53 Dundrinne Road, Castlewellan - 2no. infill dwellings and garages | Deferred – to allow applicants to submit amendments | B Ferguson | In progress | N |
| PLANNING COMMITTEE MEETING 5 FEBRUARY 2025 | | | | | |
| LA07/2022/1602/F | To the rear and immediately NE of 7-9 Queen Street Warrenpoint - Proposed 4 no. 3 bedroom semi-detached dwellings with in curtilage parking with access onto Queen Street | Deferred to allow the agent to work with Planning Department to provide further information | M Keane | | N |
| PLANNING COMMITTEE MEETING 5 MARCH 2025 | | | | | |
| LA07/2023/3476/O | - Lands between 12 and 20 (on private lane) Raleagh Road, Crossgar - Proposed infill for 2 dwellings, garages and associated site works | Deferred to be considered at future committee date | B Ferguson | To be tabled at future committee meeting. | N |
| LA07/2023/3647/F | Adjacent to and north of 9 Station Road, Jonesborough BT35 8JH - Detached | Deferred for a site visit | M Fitzpatrick | Site visit attended 11/03/25. To be tabled at April Committee | Y |

| Minute Ref | Subject | Decision | Lead Officer | Actions taken/ Progress to date | Remove from Action Sheet Y/N |
|------------------|--|------------------------------------|---------------|--|------------------------------------|
| | dwelling and garage under PPS21/CTY 8 | | | | |
| LA07/2021/0869/F | NE of 81 Ardglass Road, Ballywooden, - Downpatrick - Proposed 5 No. glamping pods, associated car parking and site works with hard and soft landscaping. | Deferred for a site visit | P Manley | Site visit attended 11/03/25. To be tabled at April Committee | Y |
| LA07/2023/3316/O | 50m SE of No. 21 Forkhill Rd, Mullaghbawn, Newry, BT35 9XJ (Site On Upper Rd, Mullaghbawn, Newry, BT35 9XL) - Proposed outline planning application for a replacement dwelling and garage. (Dwelling to be replaced to be retained for storage purposes). | Deferred to allow for a site visit | M Fitzpatrick | Site visit attended 11/03/25. To be tabled at April Committee | Y |