

June 17th, 2025

Notice Of Meeting

You are requested to attend the meeting to be held on **Thursday, 19th June 2025** at **12:00 pm** in **Council Chamber, Downshire Civic Centre.**

Committee Membership 2025-26

Councillor M Larkin **Chairperson**

Councillor G Hanna **Deputy Chairperson**

Councillor W Clarke

Councillor C Enright

Councillor K Feehan

Councillor C King

Councillor D McAteer

Councillor D Murphy

Councillor S Murphy

Councillor A Quinn

Councillor M Rice

Councillor J Tinnelly

Agenda

1.0 Apologies and Chairperson's Remarks

2.0 Declarations of Interest

Development Management - Planning Applications for determination

3.0 LA07/2023/2274/F - Lands at Abbey Way Multi-Storey Car Park Mill Street & Lower Water Street, Newry - Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park.

For Decision

APPROVAL

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

Speaking rights have been requested as follows:

In objection: Mr Andy Stephens, Simon Warke, Cannon Francis Brown and Anthony Patterson

In support: Mr Mark Priestly, Hamilton Architects; Mr Kieran Carlin, Carlin Planning; supported by Mr Stephen Livingston, Systra, who will be present to answer any questions that may arise.

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Invitees

Cllr Terry Andrews

Cllr Callum Bowsie

Fionnuala Branagh

Cllr Jim Brennan

Cllr Pete Byrne

Cllr Philip Campbell

Cllr William Clarke

Cllr Laura Devlin

Ms Louise Dillon

Cllr Cadogan Enright

Cllr Killian Feehan

Cllr Doire Finn

Ms Lynne Fitzsimons

Cllr Conor Galbraith

Cllr Mark Gibbons

Cllr Oonagh Hanlon

Cllr Glyn Hanna

Mrs Catherine Hanvey

Cllr Valerie Harte

Cllr Martin Hearty

Cllr Roisin Howell

Cllr Tierna Howie

Ms Catherine Hughes

Mrs Lois Jackson

Cllr Jonathan Jackson

Cllr Geraldine Kearns

Miss Veronica Keegan

Mrs Josephine Kelly

Mrs Sheila Kieran

Cllr Cathal King

Cllr Mickey Larkin

Cllr David Lee-Surginor

Cllr Alan Lewis

Cllr Oonagh Magennis

Mr Conor Mallon

Cllr Aidan Mathers

Mrs Annette McAlarney

Cllr Declan McAteer

Cllr Leeanne McEvoy

Jonathan McGilly

Maureen/Joanne Morgan/Johnston

Cllr Kate Murphy

Cllr Selina Murphy
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Sinead Murphy
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Cllr Declan 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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Ms Margaret Rodgers
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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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Sarah Taggart
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Cllr David Taylor
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Cllr Jarlath Tinnelly
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Cllr Jill Truesdale
.....
Mrs Marie Ward
.....
Cllr Helena Young
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Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin
**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2023/2274/F

Date Received: March 2023

Proposal: Full planning permission is sought for a proposed new Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park

Location: Lands at Abbey Way car park, Abbey Way, Newry.

1.0. Site Characteristics & Area Characteristics:

- 1.1. The application lands, outlined in red, comprise the grounds of the existing Abbey Way car park, which can be accessed from Abbey Way and Mill Street. This car park includes surface level parking and also a small, part 2 level, (multi-storey) element of parking. This car park and the extent of the application site extends from Abbey Way to adjoin a number of properties along several streets including Mill St, Hill St, John Mitchel Place, St Colman's Park, whereby the lands generally fall from Abbey Way towards the shopping area of Hill St, (See Appendix A, Extent of Application Boundary).
- 1.2. This site is located in an area of high-density mixed uses with a variety of building types.

- 1.3.** The entire site is located within the boundary of Newry Town Centre as designated within the Banbridge / Newry and Mourne Area Plan 2015. (Newry was formally designated a City in 2002; the provisions of the adopted Area Plan still apply). The site is outside the boundary of the Primary Retail Core and Frontage. It is within the boundary of the Conservation Area and is also within an Area of Archaeological Potential. Other designations including the Protected Route (Abbey Way) and its proximity to listed buildings, Newry River and a Local Landscape Policy Area, (LLPA) is also noted. (See Appendix B, Extract from Plan Map).

2.0. Site History:

- 2.1.** A history search has been undertaken for the site and surroundings. The most recent and relevant history includes:

- **LA07/2023/2275/DCA-** Abbey Way car park, Abbey Way, Newry. Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park. Conservation Area Consent application- Pending- *Legislation requires that this application is dealt with by DFI. This DCA application remains on hold pending the outcome of this Full application. DFI will issue a Notice of Opinion, after this Full application has progressed through Planning Committee.*
- **LA07/2019/1722/PAD-** Abbey Way car park, Abbey Way, Newry. Civic Hub building accommodating council room, meetings rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park
- **LA07/2019/1736/PAN-** Abbey Way car park, Abbey Way, Newry Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park
- **LA07/2024/0301/F-** Cecil St, Newry. The site is be developed as a carpark for 49 no. carpark spaces, Full, Pending.
- **LA07/2024/0602/F-** Lands 100m south of Flat 6, Block G Lindsay Walk and 80m east of 10A Lower Water Street. The site is to be developed as a carpark for 301 no. carpark spaces, Full, Pending

3.0. Planning Policies & Material Considerations:

- 3.1.** The relevant planning policy context is provided by:

- Banbridge / Newry and Mourne Area Plan 2015

- SPPS – Strategic Planning Policy Statement for Northern Ireland
- PPS 2 – Natural Heritage
- PPS 3 – Access, Movement and Parking
- PPS 4 – Planning and Economic Development
- PPS 6 – Planning, Archaeology and the Built Heritage
- PPS13 – Transportation and Land Use
- PPS 15 – (Revised) Planning and Flood Risk
- Planning Strategy for Rural Northern Ireland – PSRNI, Policies DES 2 and SP 8
- DCAN15 – Vehicular Access Standards
- Published Parking Standards
- Newry Conservation Area Guide

4.0. Consultations:

4.1. Consultation was undertaken with a number of statutory bodies during the assessment of the application. This included an initial round of consultations on the original proposal, in 2023, with NI Water (NIW), Department of Infrastructure Roads (DFI Roads), Department of Infrastructure Rivers (DFI Rivers), Environmental Health, NI Environment Agency (NIEA), Shared Environmental Services (SES) and Historic Environment Division (HED).

4.2. The responses are summarised below.

- *Environmental Health*- No objections in principle, subject to conditions.
- *Loughs Agency*- No objections in principle, subject to conditions.
- *Department for Infrastructure (DFI) Rivers*- No objections in principle. (FLD1, 2, 3, 4, 5 all satisfied). In respect of FLD3 having account the current ground conditions (car park/area of hard-standing), it is considered the proposals will not create any further hard-standing, thus there is no need for a detailed Drainage Assessment (DA). The content of the generic preliminary DA is noted.
- *NI Water*- Refusal recommended due to network capacity issues with the public foul sewer. The receiving WWTW has capacity. Applicant required to submit a Wastewater Impact Assessment.
- *Historic Environment Division (HED)*- Monuments and Buildings noted the previous Pre-Application Discussion (PAD) and offer no objections in principle.
- *Northern Ireland Environment Agency (NIEA)*- (MFD, WMU, RU and NED) offer no objections in principle, subject to conditions.
- *Shared Environmental Services (SES)*- no objections in principle, subject to conditions.
- *DFI Roads*- Initial holding reply, advising the application is unacceptable and suggested an office meeting. (Duly facilitated in Sept 2023).

4.3. Amended plans and further information, in response to the comments from DFI Roads and NI Water, were then submitted in 2024, which resulted in further consultation being undertaken with HED, DFI Roads and NIW. Design changes were also subsequently submitted by the applicant, which initiated a further formal consultation with HED. The responses are summarised below.

- *HED*- HED Buildings noted the design changes and sought further clarification and requested further information from the agent.
- *DFI Roads*- (Final response 21-08-24): No objections in principle subject to conditions, while registering a limited issue of concern regarding the level of detail submitted. A condition has been included to deal with this issue.
- *NI Water*- (Final response 29-05-24): No objections in principle subject to conditions.

4.4. Further information and changes to the design were then received in June 2024 in response to comments from HED.

HED- Final response (26-06-24): No objections subject to conditions. Historic Monuments Unit (HMU) previously offered no objection subject to conditions also.

5.0. Objections & Representations:

5.1. In line with statutory requirements, procedure and practice, neighbour notification (NN) and advertising was carried as part of the processing of this application.

5.2. An initial round of NN was undertaken in April 2023. Further rounds of NN were then undertaken in February and March 2024, on receipt of amended plans.

A final round of NN was undertaken in August 2024. No interested party has been prejudiced.

5.3. Details of the application were also advertised, in the local press in April 2023, in line with statutory requirements. As noted above, further rounds of NN were undertaken during the processing of the application, following receipt of amended plans, to ensure all those who had made representations on the

application were updated. It should also be noted that the amended details received did not make any changes to the proposal, in terms of proposal description or to the nature, and general size, scale and siting of the building. The discretion to re-advertise application details, during the course of an application, lies with the Planning Department, and, in the context of the above amendments and in line with normal practice, it was not considered necessary to readvertise details of this proposal.

- 5.4.** To date, approximately 2570 representations have been received in opposition to the proposals (16-09-24). Some 2530 of these representations were from the Church parishioners, which were based on 2 standard proforma letter templates.

All representations have been considered, in consultation with relevant statutory agencies, as part of the Planning Department's assessment of the application.

These included a number of matters which are not material planning considerations, for example, whether there was a need for the offices, querying why the council was building these offices, when it had existing offices in Downpatrick, cost to the ratepayer and the City Deal project team within Council. These are not relevant to the exercise of the Councils statutory obligations as a planning authority, which is to determine the application before it. Comment has also been made about the appropriateness of the council's planning department determining its own planning application. This is expressly provided for in planning legislation and happens throughout the UK. It is a matter for DFI to consider whether it wishes to call in the application.

The objections did however set out a number of material planning considerations, in addition to those matters, outside the remit of planning, referred to above. All matters raised have been listed purely for the purposes of completeness, below:

- Loss of parking (of existing spaces), unless alternative provision is made, and no provision of parking for staff,

- As a result, this will exacerbate already significant parking issues in Newry City Centre, which will deter shoppers and visitors and negatively impact on the local economy. Additionally, given one of the primary reasons for moving from Monaghan Row was to address the lack of parking, it is astounding council would actively pursue plans that will not only make these parking issues worse, but transport them to the heart of the city,
- Where will church parishioners/tourists/shoppers park if there is less parking space available. Newry has so little parking. Knock on effect to retailers and loss of trade if parking along Hill St, etc, is filled with church attendees. Tourists will no longer stop as cannot get parked,
- No consideration for the ageing population. The Cathedral has a capacity of 1000 people. Where is it expected these people will park. Weddings/funeral also raised,
- The cumulative net loss of public car parking is contrary to Policy AMP2 and AMP7 of PPS3,
- The proposal may breach the conditions of the approval for the health hub,
- The car parking surveys were carried out during the COVID pandemic, and are not reflective of normal conditions. As such the entire evidence base is compromised and not robust,
- The walking isochrones are unrealistic on the basis that this is N.I. where there are more wet days than dry. To suggest someone is going to walk 20min is not reality. It also fails to understand the rural hinterland whereby the private car is the predominant form of transport given public transport services are limited. Consequently, the modal split proposal is irrational,
- concerns around the emphasis on the modal split, and TRICS data given Newry's rural hinterland. The approach advocated is not based in the "real world" nor does it take account of the actual situation in Newry,
- Council offices can be built elsewhere outside the city centre for a cheaper price and less disruption to traffic,
- This application did not go through the proper channels and failed to speak to the people impacted,
- Rate payers did not ask for this new building but will have to pay for it. It is not for the people, rather is for Councillors. Impact on rates,

- Is there a need for this new building. It is not value for money. Since the pandemic most staff WFH or have limited time in office,
- The council already has a fit-for-purpose, modern civic centre at the Downshire in Downpatrick. It does not need a second HQ, and whilst there may be a need for new council offices in Newry, there is no need for plans of this scale which represent a clear duplication of services at a time when public sector budgets are already stretched,
- Size and Design concerns and its appropriateness in this setting, visual and physical impact on Cathedral/Listed Buildings and cityscape, and that the building bears no relationship with its surroundings. It will detract from key heritage buildings and will be a very prominent building, is unsympathetic to and will damage the distinctive character and heritage of the visual aesthetics of the area/town centre, being contrary to PPS6. The Cathedral is arguably the most historical and architecturally important building in Newry. The Cathedrals impact and historical context will be diminished by the building proposed,
- Design flaws and poor working conditions (with subterranean level),
- What is the economic rationale behind the development, the feasibility of the project, anticipated economic benefits. No evidence that a PACC and means of considering the entire strategy was ever carried out,
- The application is premature and insufficient info has been provided,
- For the public to have confidence in the impartiality of the decision and in the integrity of the planning system, this application should be called in by the Dept, as planners are now directly employed in the Council, and this will be seen as putting them in an invidious position,
- This application cannot be seen in isolation. It is part of the Newry Regeneration Project, which in turn is part of City Deal. Since first announced in 2015 the situation in town centres has changed, retail has collapsed while the demand for office space has also radically changed. This project is predicated on the need for new office space for staff and new office space for letting. In view of the fact that the future need for office space is not yet clear, this should be a material planning consideration,
- The site is within the floodplain and needs to be deemed an exception,
- No preliminary bat roost assessment has been carried out,

- Consultees are opposed to the proposals, namely DFI Rds and NI Water,
- Contrary to the grandiose and inflated claims within the Business Case for this project, it will in fact have an adverse economic impact in the long term on Newry City centre and is therefore contrary to PPS 4: Planning and Economic Development. This is in part reflected in fact that Newry BID, the largest organisation representing businesses in Newry, is currently lodged as an objector to this proposal,
- there is a lack of clarity over whether unoccupied office space in the hub will be rented out for bookings, generating an income for council whilst at the same time competing with, and potentially undercutting, the already fragile private office accommodation sector in Newry,
- It is inevitable that the council's attempts to centralise its administrative functions in Newry will lead to a pull factor away from the council's current HQ at the Downshire Civic centre in Downpatrick. This will, over time, result in more positions being located in Newry and a subsequent disincentive for the labour market in the Down District area to apply for these jobs. This is highly likely given Belfast has more employment opportunities and is both closer and more accessible from much of the greater Downpatrick area than Newry is,
- At one stage or another, the vast majority of councillors elected before the 2023 term will have in some capacity indicated their support or opposition to these plans. Numerous debates, discussions and votes have taken place regarding the Hub, and it is therefore highly unlikely that a planning committee consisting of elected members could make a transparent, unencumbered or impartial decision on its merits on planning grounds alone. The council must urgently clarify how this potential perceived conflict of interest will be addressed if councillors are to make the final decision on this application.
- The proposed 'civic and regional hub' forms part of the council's bid to the Belfast City Region Deal (BCRD), and should be called in by the Dept,
- This project has already been subject to an internal governance review, the results of which were not shared with the public or key stakeholders, which speaks for itself,
- The economic context has changed considerably since plans for this Civic Hub were first advanced, yet these plans have largely stayed the same. The council has abjectly failed to take into consideration changing dynamics within

the workforce, particularly the role of flexible working patterns such as working from home,

- The council has failed to properly consider the impact that the cost of this project will have on public finances in the face of rising inflation. This is particularly reckless when no external funding is being provided for this project and ratepayers will therefore be saddled with a bill for a project with no fixed cost,
- The council has failed to use the changing economic context as an opportunity to consider alternative sites, many of which have become available since the pandemic. Taking over an existing premises and retrofitting it would cost ratepayers far less and potentially deliver much greater regeneration value for Newry City centre. Efforts by a number of councillors to encourage council to consider alternative opportunities post-COVID have been ignored,
- In 2021 the council reluctantly agreed to do a public consultation on the civic hub project. The public's views were made abundantly clear, with the consultation receiving the highest number of responses (1,585) of any consultation in the council's history, as well as 6129 individual comments.
- The overwhelming majority of these responses were negative and questioned the value of and need for such a Hub, with 70% of respondents ranking it 5th out of 5th when given a choice of projects they would want to see prioritised in Newry. Despite this, council has opted to ignore these responses, and decided to instead proceed with a behind closed doors consultation process until they get the response they wanted.
- This approach flies in the face of community planning legislation, good governance and codesign principles. Council have made it clear they are unwilling to listen to what the vast majority of ratepayers actually want, and instead are intent on pushing forward an eye watering expensive capital project wanted only by a few members of management and some political parties. The question must be asked why this project has even been able to get this far in the first place,
- Lack of engagement from agent/Council with interested parties,
- Accuracy of info submitted contained within the Transport Assessment and Travel Plan regarding footways, cycle ways and parking,

- Inadequate cycle storage and active travel provision,
- The council already has a fit-for-purpose, modern civic centre at the Downshire in Downpatrick. It does not need a second HQ, and whilst there may be a need for new council offices in Newry, there is no need for plans of this scale which represent a clear duplication of services at a time when public sector budgets are already stretched,
- continued delusion that your building can be on site by mid 2024. Council are being misled that this building can be on site in the timescales identified, and recommend Council take independent advice,
- The likely planning delay that can be expected given the significant planning hurdles that now need to be overcome as the current assessment of a 9 month delay is not only unrealistic, but demonstrates the Project Delivery Team is not competent,
- Would having a retained Real Estate Advisory firm on the project (which by the way is standard practice when developing an office) have identified better alternative sites since the announcement of the project in 2016,
- Is the project exposed to greater delivery risk as a result of not having an independent project management consultancy to lead and deliver this project,
- Why it is deemed acceptable to demolish a building currently in use with a high embedded carbon content and which has many more years' life remaining in it either in current use or alternative use, when alternative brownfield sites exist within 300m of the selected Civic Centre site,
- Why is a 50,000sq foot building is being constructed when a building of 25,000sq foot 30,000 sq foot building will more than satisfy the Councils current and future needs,
- Has the construction cost inflation impact of a 2 year delay to this project been considered as the lack of Plan 'B' alternatives, which could offer savings in terms of cost, timeframe and better meet the councils project brief suggests this has not happened,
- Why the preferences of council employee survey regarding active travel plans and result of the public consultation undertaken in 2020/2021 been ignored,
- Why the prospect of a judicial review has been considered low risk and not factored into the project programme as a high risk issue,

- If you go straight to the heart of the issues with the proposed Civic Centre, it is the wrong sized building, in the wrong location, designed to suit pre covid working patterns, which is too expensive, will take too long to deliver and is not as good as it could have been if alternative plan “B” locations had been considered,
 - code of conduct of Councillors,
 - how the Council could possibly look to progress the appointment of a contractor on a scheme, which to date is fundamentally flawed and which has no planning permission (reference to newspaper article in Oct 2023). This rather suggests to the public that there is a preconceived outcome, which would engage aspects of apparent bias and predetermination of a planning application made by the Council, processed and determined by the Council,
 - It is remarkable that the Council are pursuing this vanity project given the Department of Economy has placed Netherleigh House on the market for sale (as per the attached), and the NIO have exited from Stormont House with Dundonald House is presently empty. The logic to raising this matter is that it enables the asset to be sold to the market given it is underutilised and in a drive to be more efficient and effective with public funds,
 - the Council are pursuing a brand new office building, when all of the market forces are indicated a hybrid working pattern continuing. The rationale behind this project is fundamentally flawed, notwithstanding the car parking surveys will never stack up, no matter how many times they are undertaken, given previous planning permissions in the area,
 - there has been a failure to meaningfully engage and consult with the church administration and wider community, whereby concerns have been ignored,
 - lack of re-neighbour notification and re-advertisement,
- 5.5.** Following receipt of amended plans and further information a further round of NN was undertaken in August 2024 whereby a further representation was received from Canon Brown advising that he and the parishioners of Newry Parish remain opposed to the position of the building but not the concept of a civic centre. An alternative site was suggested.

- 5.6. The full content of representations received can be viewed online.
- 5.7. The planning matters raised are referenced and assessed throughout this report.
- 6.0. **Consideration and Assessment:**
 - 6.1. As stated above, this is a full planning application for a proposed new Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation, with associated public realm works to part of existing surface car park. The proposal falls within the category of a Major planning application and this application was preceded by the submission of a formal Pre-Application Notice application, in line with prevailing requirements at that time.
 - 6.2. A suite of various drawings was submitted, as part of this application, together with additional supporting documentation including, a Preliminary Acoustic Report, Archaeological Impact Assessment, Preliminary Drainage Assessment, Wastewater Assessment, Preliminary Flood Risk Assessment, Preliminary Ecological Appraisal, Transport Assessment, Travel Plan, Design and Access Statement with viewpoints, Preliminary Sources Study, Heritage Statement, Ground Investigation Reports and Risk Assessment.
 - 6.3. The main planning issues to be considered, as part of the assessment of this application include: the principle of the proposed development in the context of relevant planning policy, including area plan designations; impact on the setting of Newry Conservation Area, listed buildings and heritage; design and integration; impact on amenity and road safety, including parking and access; and impact on protected sites and habitats.
 - 6.4. 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 & Mourne Area Plan 2015 as the Council has not yet adopted a local development plan.

- 6.5.** The entire site is located within the boundary of Newry Town Centre as designated within the Banbridge / Newry and Mourne Area Plan 2015 and is also within the boundary of the Newry Conservation Area and Area of Archaeological Potential. S104 (11) of the Planning Act applies. The site is outside the boundary of the Primary Retail Core and Frontage.
- 6.6.** This site is located within an area of mixed use. It is considered the proposed use of this site, as a Civic Centre, is appropriate, in land-use terms. It is appropriate to, and will compliment, the existing uses within the City Centre, and will assist in adding critical mass to support local businesses by attracting staff and visitors to the City Centre. The proposed use within Newry City Centre is considered appropriate to its primary role, as a City within the settlement hierarchy. It is considered it will have a positive impact and is in accordance with the terms of the Area Plan and relevant planning policy, including the SPPS and the associated town centre first approach. This is also in line with Policy PED1 of PPS4.

It is noted certain alternative sites were suggested by third parties in the representations received during the course of the application. The Planning Department can only assess the merits of the site proposed by this application.

Proposed Design and Layout.

- 6.7.** This proposal will see the existing surface level and multi-storey car park demolished/removed, to be replaced with a new Civic Centre building. (This building and site will be bounded by the existing road network of Abbey Way (to the east side) and Lower Water St (west side) to either side. The existing vehicular entrances onto Abbey Way will remain as per existing. Details of the site layout and contextual elevations are provided in Appendix C.
- 6.8.** This new Civic Centre will be broadly rectangular in shape, comprising 3 floors of accommodation, with a flat roof, and is designed to provide frontages on all sides.

- 6.9.** The proposed finishes include: expressed brick (to reflect the Cathedral), including brick piers, mourne granite stone colonnade and cladding, curtain walling with dull bronzed coloured frames (to match brick).
- 6.10.** The main entrance and reception area will be located on the north side. The floors of accommodation will include, but is not limited to, the following:-
- Ground floor- main entrance, foyer, and exhibition space, various meeting/ceremony rooms, toilets, open plan office, plant rooms, bike storage and bin storage.
 - First floor- open plan office, various meeting rooms, break-out areas, and toilets, (With a possible future bridge link to provide pedestrian access to Abbey Way).
 - Second floor- open plan office, various meeting rooms, council chamber, chair persons room, conference room, kitchen, and toilets.
- 6.11.** The site sections provided show the level of the site in relation to the level of Abbey Way to the east and Lower Water Street to the West.
- 6.12.** The proposed building is modern in appearance, designed to reflect its intended use as a civic hub and offices. In general, it is based on a simple rectangular form based on 2 blocks, one positioned above the other. The overall pattern of fenestration is based on well-proportioned openings, with appropriate rhythms, with a vertical emphasis.
- 6.13.** It is considered that the contemporary design approach will fit with the immediate context, based, as it is, on a variety of building styles. It is also considered that the inclusion of the flat roof will minimise the impact on significant adjacent buildings, including the Cathedral. It is also considered that the proposed design will preserve and enhance the overall townscape character, again mindful of the immediate context. In this regard, the city centre location, with the associated high-density development and mix of building sizes, styles, designs and use together with the appearance of the existing car park are noted. A number of adjacent sites are subject to ongoing development.

- 6.14.** The proposed ground floor level will sit below the road level along Abbey Way to the east, beyond which levels generally fall towards Newry River/Canal, to the west. It is considered that the proposed building will integrate within the overall topography of the site and its immediate context.
- 6.15.** While it is acknowledged the footprint is sizeable and will also be sited close to the adjacent road network, it is considered that the site can accommodate a development of this size, design, height, scale, massing, form, alignment and finishes and appearance, without appearing unduly prominent, and will enhance the townscape character of this part of the City which will, undoubtedly, benefit from the associated regeneration. In this context, the proposal is also considered to be in accordance with Policy DES 2 of the Planning Strategy for Rural Northern Ireland which requires that new development proposals should 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.
- 6.16.** The building has been designed to include large areas of glazing to allow light to penetrate within a large open plan office space, thereby ensuring natural light through the building. It is noted the ground floor gable, facing towards Abbey Wall, will face a retaining wall, however it is considered that the proposed layout and design will ensure sufficient space and natural light.

Planning Policy Statement 6 (PPS 6): Planning, Archaeology and the Built Heritage

- 6.17.** As previously noted, the application site is within the boundary of the Newry Conservation Area. Newry Conservation Area (CA) was originally designated in 1983, before being extended in 1992 and again in 2001. It is also adjacent to a number of listed buildings and within an Area of Archaeological Potential. The provisions of the SPPS and PPS6 apply.
- 6.18.** Para 6.29 of the SPPS states, in respect of conservation areas, that these are areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Policy BH 12 of PPS 6 which deals with 'New Development in a Conservation Area'

states, the Department will normally only permit development proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a conservation area where, amongst other things, (a) the development preserves or enhances the character and appearance of the area, (as also required by Article 104 of the Planning Act (Northern Ireland) 2011; (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; (e) important views within, into and out of the area are protected; and (g) the development conforms with the guidance set out in conservation area documents.

- 6.19.** The site lies towards the periphery of the CA boundary, along Abbey Way, which also includes the museum and lands towards Courtney Hill. Planning policy also requires that new developments do not impact on views within, into and out of the CA.
- 6.20.** The overall Design Concept, including supporting information and the character of the site and its surroundings have been considered, in detail, by the Planning Department, as part of its assessment of the application.
- 6.21.** The main elements of the proposed building design and layout are outlined in Paras 6.8 - Para 6.15. It is considered that the proposed building will preserve and enhance the character of this part of Newry Conservation Area, as required by planning policy and legislation.
- 6.22.** The Planning Department also consulted HED Monuments (HMU) and Buildings (HBU), as part of the assessment of the application.
HED, HBU confirmed no objection, subject to planning conditions, based on amendments to the proposal, which addressed previous concerns about the impact of the proposal on adjacent listed buildings. It confirmed that the siting, and the concept of the size, design, height, scale, massing, form, alignment, finishes and appearance of the development proposed will not adversely affect the setting of any listed building. Its comments were made in relation to the requirements of paragraph 6.12 of Strategic Policy Planning Statement for Northern Ireland and policy BH 11 (Development affecting the Setting of a

Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

HMU noted the proposed development is within the Area of Archaeological Potential for Newry and in the environs of Bagnal's Castle (DOW 046:040), a regionally significant late medieval Scheduled Monument. The development area has previously been subject to targeted archaeological test-trenching as part of the PAD process. HED (Historic Monuments) confirmed it is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

- 6.23.** Policy BH14 of PPS 6 is also relevant in that it relates to demolition of an unlisted building in a Conservation Area. It states that the demolition of an unlisted building in a conservation area will only be permitted where the building makes no material contribution to the character or appearance of the area. It also states that where conservation area consent for demolition is granted this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.
- 6.24.** While it is noted there are no buildings on site at present, the proposed demolition of the multi storey car park structure within the Conservation Area is considered to require demolition consent. This is currently the subject of a Consent to Demolish application (DCA). This DCA application is a matter for DFI to determine and remains on hold pending the outcome of this full application. DFI will issue a Notice of Opinion, after this full application has progressed through Planning Committee.

The Planning Department has assessed the contribution the existing multi storey car park makes to the townscape character of this part of Newry and the Conservation Area in the context of this planning application. It is considered that this structure although sizeable and visible, does not make a material contribution to the character and appearance of the area due to its age,

construction, appearance and condition. In addition, as outlined above, it is considered that the replacement of the multi-storey structure with the Civic Hub building, considering the proposed design and layout, will preserve and enhance the character of the Conservation Area, as previously outlined.

- 6.25.** Accordingly, it is considered this proposal does not offend Policy BH14 of PPS6 or the SPPS.

Impact on Residential Amenity

- 6.26.** While it is noted the site is located within the boundary of the City Centre, it is noted there are residential properties in the vicinity of the site. It is considered the building proposed, together with ancillary works, are sited a sufficient distance from any private residential property to prevent any unacceptable loss of amenity in terms of overlooking, overshadowing, loss of light or dominant impact in this urban city centre setting.

Planning Policy Statement 2 (PPS 2): Natural Heritage

- 6.27.** The application site is located beyond the boundary of an Area of Outstanding Natural Beauty which covers a portion of Newry City.
- 6.28.** The proposals will not result in the loss or damage to trees or landscape features which contribute significantly to the local environmental quality or provide habitat. A Preliminary Ecological Appraisal was submitted which concluded the proposals would have negligible impact on any protected species, including Bats. No further information was required in this regard.
- 6.29.** The proposal complies with the requirements of PPS2.

Planning Policy Statement 3 (PPS 3): Access, Movement and Parking, Policy AMP 1 and AMP 2.

- 6.30.** As previously stated, the application site is effectively enclosed by the existing road network, comprising Abbey Way along the eastern boundary and the access road serving the existing multi storey car park. The existing vehicular entrance from Abbey Way is to be retained with a new road layout and access

onto Mill Street, (with no access from Mill Street permitted). DFI Roads has confirmed no objections to the proposed access arrangements, subject to planning conditions. The proposal complies with the provisions of Policy AMP 2.

- 6.31. Policy AMP1 also seeks to ensure new developments take into account the needs of people with disability. Buildings which will be open to the public also need to be designed to provide suitable access for all (including visitors, customers and employees). The layout shows the proposed access arrangements, which include provision for disabled parking bays in close proximity to the entrance and a wide pedestrian circulation area in front of the entrance which is accessible and usable for all, with dropped kerbs and crossing points also provided. It is considered that the proposal complies with the provisions of Policy AMP 1.

Proposed Car Parking Provision.

- 6.32. Policy AMP7 of Planning Policy Statement 3 (PPS 3) requires that development proposals provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the Department's published standards. The Parking Standards guidance document sets out the parking standards to have regard to in assessing proposals for new development.
- 6.33. The Parking Standards guidance document indicates, based on the proposed level of floorspace, that in the region of some 220 parking spaces would be required to serve this proposed office building (approx. 230 when including the wedding suite). The proposals do not provide any specific on-site or in-curtilage parking. Future parking at the proposed Civic Hub site will operate on a 'first come, first served' basis, for both staff and members of the public, with parking charges applicable where they currently exist.
- 6.34. The proposals submitted indicate that the building will accommodate a total of some 215 members of staff, who will be relocated from existing Council offices within Newry. The applicant has also confirmed that Newry Mourne &

Down District Council operates a hybrid (agile) working policy and will only provide desks for 162 staff (75%).

- 6.35.** A Transport Assessment (TA) and Travel Plan (TP) were submitted in support of the application. These were updated during the course of the application with final versions submitted in August 2024 (dated 31-07-24). Updated parking surveys were also undertaken in 2023 to reflect current trends since the pandemic. The Planning Department has no reason to question, and accepts, the content of both the TA and TP.
- 6.36.** The Transport Assessment (TA) also confirms future anticipated staffing numbers using the Civic Hub. It states that, because of the agile working policy, desks will be provided for 162 staff to work there on a daily basis (i.e. 75% of the 215 members of staff that will be based at the Hub). It is also stated that only 146 will travel by car.
- 6.37.** The Transport Assessment (TA) also states that current NMDDC staff who are currently located in Newry, at Monaghan Row and McGrath House, already occupy available public car park spaces within the city centre. While it is noted there is some on-site parking on Monaghan Row, the TA advises NMDDC staff who are currently located in Newry at Monaghan Row and McGrath House are already occupying up to 96 of the available public car park spaces in Newry, (76 spaces for staff at Monaghan Row and 20 for staff at McGrath House). This existing level of usage on city centre parking, should, it states, be factored into the anticipated car parking requirement for the Civic Hub. The anticipated future additional requirement could be reduced from 146 car parking spaces to 50.
- 6.38.** In support of the application, the TA also states that:
- the city centre location means the Hub will be accessible by all modes of transport including, fundamentally, active travel and public transport, given the close proximity to the bus station (5-minute walk);
 - the site is also well-situated to take advantage of the existing pedestrian and cycling network within Newry, with good accessibility to local bus services; and

- as part of the development proposals, an electric shuttle bus service is proposed between the existing and proposed areas of car parking available at the Leisure Centre, Cecil Street and the Civic Hub.

- 6.39.** The TP includes a number of measures, which are broadly broken up in to 5 main sections, and include, Information and Promotion, Walking, Cycling, Public transport, and Managing Car use.

The SPPS recognises that planning has a vital role for improving connectivity and promoting more sustainable patterns of transport and travel.

As part of the Council's strategy to address current and future parking demands in Newry City the Council has also submitted planning applications that propose to formalise the current unmarked 260 space car park at North Street (increasing capacity to 301 spaces) and plans to create a 49-space car park at Cecil Street (for use by NMDDC staff) as part of the Newry City Centre Regeneration.

- 6.40.** As stated, no parking is being provided for the proposed development, rather a case is made that the parking surveys undertaken, in 2023, demonstrate there is an abundance of parking provision which exceeds demand and that there is sufficient existing car parking capacity within Newry city centre at present; however further city centre provision is also being proposed along Cecil St and North St, via the 2 separate planning applications previously referred to as outlined in the TP.

- 6.41.** Other measures being proposed as part of the application include the provision of cycle parking spaces for staff and the public (including electric bikes and charging facilities). There will effectively be a number of methods of travel to access this site, given its central city centre location including by private vehicle, walking, cycling and public transport. While concern was raised, in the representations received, regarding the extent of the walking isochrones and local weather, walking is only 1 method of travel. It is also considered reasonable to anticipate a certain level of walking to office and civic buildings within a city centre.

6.42. The Planning Department has assessed all of the supporting information, as part of its assessment of the application. It also consulted DFI Roads, as outlined above. DFI Roads has confirmed no objections to the proposal, based on the supporting information, subject to a number of planning conditions.

6.43. It is considered that sufficient justification has been provided to support the scheme, including:

- the application site's city centre location, centrally located and easily accessible via several modes of transport, existing working practices and current parking patterns;
- the supporting information, in relation to the level of existing and proposed car parking provision within the City Centre to serve the proposal, which has demonstrated there is sufficient provision of parking within the city centre to serve the development, while also providing further city centre parking provision; and
- the measures outlined in the Transportation and Travel Plan.

In view of the above and all relevant factors, the proposal is considered to fit with the requirements of PPS3, Policy AMP 7, in relation to car parking provision, subject to appropriate conditions.

It is also noted that DFI Roads had raised the issue of car parking associated with existing committed developments. It has now confirmed no objections, based on all of the information submitted in support of the application including the TA and TP.

6.44. The Planning Department has considered the nature of the planning conditions submitted by DFI Roads, in its final consultation response. It specified the requirement for a service bus every 20minutes from 08:00 to 18:00 for staff and members of the public.

The TP, submitted with the application, indicates this shuttle bus is to operate from 08:00-10:00 and 16:00-18:00 and is for staff only.

While the need for a service bus to link Cecil Street/Newry Leisure centre with the proposed Civic Hub, (as referenced in the TP) for staff and visitors to the

Civic Hub, for business, is accepted, the level of service, suggested by DfI Roads, is considered excessive and would not be sustainable. The frequency of the existing Translink town service times within the city centre is also noted.

It was considered that the wording of this condition required amendment, with a review period to be included also. Following further discussions with DfI Roads, it confirmed no objection, subject to the following amended planning condition.

A shuttle bus service, for both staff and members of the public specifically visiting the Civic Hub to access services, shall operate to and from the new Civic Hub to car parking at Cecil Street Leisure Centre **at 30 min intervals** between 0800 to 1000 and 1600 to 1800 and at hourly intervals between 1000 and 1600. This service shall be subject to review following 12 months, from the date the building hereby approved is occupied and with any proposed changes to be assessed and agreed by NM&DC Planning Department in consultation with DFI Roads.

- 6.45.** DFI Roads had also included planning condition in relation to the proposed 49 space car park at Cecil Street (for use by NMDDC staff), requiring that this is fully operational prior to the occupation of the proposed Civic Hub.

Notwithstanding that the supporting information submitted has demonstrated there is adequate parking capacity within the city centre to accommodate the development proposed, the final TP submitted includes a commitment to provide additional parking. It is considered this matter can be dealt with by way of a separate planning condition. DFI Roads has confirmed no objection to this approach, based on the following planning condition:

All active travel/travel measures outlined in the Travel Plan (dated 31-07-24), including Information and Promotion, Walking, Cycling, Public Transport, Managing Car Use and Staff Parking, shall be fulfilled in full prior to the occupation of any part of the building hereby approved. These measures shall continue and be fully complied with thereafter, unless otherwise agreed in writing in advance by the Council.

- 6.46.** A number of objectors, including adjacent church members, have raised the issue of the loss of public car parking spaces, should the proposal go ahead, due to the demolition of the multi storey car park.
- 6.47.** By way of background, there is currently a total of some 304 parking spaces on site at present including the multi storey car park, (196 spaces) and an area of surface level area of parking to the north, (108 spaces). There is also on-street carparking in the immediate vicinity of the site (30 spaces). This amounts to an overall total provision of 334 spaces on the site and its immediate vicinity.
- 6.48.** The proposal will result in the loss of the multi storey car park, which amounts to some 196 spaces, (although the applicant has stated that the upper deck of the multi storey area of parking, comprising some 61 parking spaces, has been, closed for some time, is therefore out of use).
- 6.49.** It is proposed to retain 138 of the existing car parking spaces within and adjacent to the planning application site, as indicated on the latest site layout plan, comprising 108 existing spaces on the existing surface level parking spaces to the north of the application site and the 30 on- street parking spaces. The proposals will therefore result in the loss of a total of 196 parking spaces, or 105 operational parking spaces in the city centre, (based on the applicant's contention that the upper deck of the multi-storey has not been operational for a significant period).
- 6.50.** The Planning Department has fully considered this issue, as part of its assessment of the planning application. It is acknowledged that there will be a loss of existing spaces, as outlined above, and it fully appreciates the concerns expressed. On balance, however, it is considered, taking into account all relevant material considerations and the alternative existing and proposed car parking provision referred to above, that the loss of the car parking spaces would be insufficient to justify a refusal of this application.

PPS 15 – Planning and Flood Risk

- 6.51.** Consultation was undertaken with DfI Rivers. It confirmed no objection when considered against the provisions of FLD 1, '*Development in Fluvial and Coastal Flood Plains*', FLD 2 '*Protection of Flood Defence and Drainage Infrastructure*' and FLD 3, '*Development and Surface Water*' FLD4 - *Artificial Modification of watercourses, and FLD5 - Development in Proximity to Reservoirs* of PPS 15.

The representations received allege the site is within a flood plain. DfI Rivers has confirmed the site is not within the flood plain, and that the proposals do not offend PPS15.

NI Water and Shared Environmental Services (SES)

- 6.52.** NI Water initially responded recommending Refusal due to potential network capacity issues (public foul sewer). A Wastewater Assessment had been submitted with the application. Following a subsequent meeting with NIW officials in May 2024, NIW subsequently provided final comment in May 2024 confirming no objections subject to conditions, which will ensure any drainage proposals are laid correctly and in a timely manner. These conditions also allow for the existing structure to be removed, site cleared and construction to sub-floor level.
- 6.53.** SES was also consulted. It confirmed this planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Newry, Mourne and Down District Council which is the competent authority responsible for authorising the project. The assessment which informed this response is attached at Annex D.

Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.

In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to mitigation measures being conditioned in any approval regarding the method of sewage disposal, the wording of which overlaps and is covered by that proposed by NIW.

Environmental Impact Assessment (EIA)

- 6.54.** The proposal falls within Category 10(b) of Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, whereby the site area exceeds 0.5 hectare. The site is not located within a designated area (e.g. AONB.) The Planning Department has however determined, through an EIA screening, that the proposal is not EIA development and an Environmental Statement is not required

Noise/Nuisance

- 6.55.** Consultation was undertaken with Environmental Health. Environmental Health offer no objections to the proposal subject to conditions.

Summary

- 6.56.** The level of representation and opposition to the proposals are noted, however it is considered the development proposed complies with all relevant planning policy. The application was subject to pre-application community consultation and officers are satisfied that the Applicant has complied with its statutory obligations in relation to consultation. Statutory consultees offer no objections subject to conditions.
- 6.57.** Accordingly, approval is recommended subject to the following planning conditions, (drafted below).

7.0. Recommendation: Approval

7.1. Draft 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: Drawing No.s TBC.
3. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry, Mourne and Down District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - ☐ The identification and evaluation of archaeological remains within the site;
 - ☐ Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
 - ☐ Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - ☐ Preparation of the digital, documentary and material archive for deposition.Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.
4. All site works and development shall be in accordance with the programme of archaeological work approved under the condition above.
Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.
5. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition above.
These measures shall be implemented and a final archaeological report shall be submitted to Newry, Mourne and Down District Council within 12 months of

the completion of archaeological site works, or as otherwise agreed in writing with Newry, Mourne and Down District Council.

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

6. No external brickwork or stonework shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external materials.

7. No windows, or external doors shall be installed unless in accordance with details that shall have first been submitted to and approved in writing by the Council. The details shall include their design, profile, materials, finish and colour, cills, head and reveals.

8. Notwithstanding the submitted details, no development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless the detailed design of the recesses to the windows and external doors have been submitted to and approved in writing by the Council. The details shall include scaled section drawings. The development shall not be carried out unless in accordance with the details so approved.

9. No external roofing, including flashings, fascia boards and paving slabs, shall be constructed or applied unless in accordance with a written specification and a physical sample, details of which shall have first been submitted to and approved in writing by the Council.

The sample shall be provided on site and made available for inspection by the Council for the duration of the construction works.

Reason: To ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the setting of surrounding listed buildings. The long, low form of the building set at the base of a hill means it is prominent and therefore high-quality materials and detailing are important.

10. Prior to commencement of external landscaping, samples shall be submitted and approved in writing by the Council in respect of all external materials and finishes proposed, to include;

- a) Retaining wall along Abbey Way
- b) Paving slabs
- c) Paving setts
- d) Kerbs
- e) Steps
- f) Handrails and guardings

Reason: to ensure that the landscaping is of appropriate quality in the interests of maintaining the character and appearance of the setting of surrounding listed buildings

11. No external lighting shall be installed unless in accordance with details which shall have been submitted to and approved in writing by the Council. The details shall include the specification of the lighting including luminance levels (Lux) and the design and appearance of fixtures including columns, casings and brackets as applicable.

Reason: to ensure that the lighting does not disproportionately attract attention away from the Grade A listed St Patrick's Cathedral building and form a competing focus to it.

12. No drainage shall be laid until the developer has entered into an agreement with NI Water under Article 161 of the Water and Sewerage Services

(Northern Ireland) Order 2006.

13. No development shall proceed beyond sub-floor construction until the foul sewerage network engineering solution as shown on solution design drawing to mitigate the downstream foul capacity issue as agreed with NI Water is provided by the developer to the satisfaction of NI Water.

Reason: To ensure a practical solution to sewage disposal is possible at the site that will protect features of indirectly connected European Sites in Carlingford Lough from adverse effects.

14. The development shall not be occupied until the developer has complied with all of the requirements set out in the agreement entered into with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.

Reason: To ensure a practical solution to sewage disposal from this site is possible

15. The vehicular accesses at mill street and abbey way, including visibility splays, forward sight distance and the crocodile teeth at mill street shall be provided in accordance with Drg No 19048-HAM-XX-XX-DR-A-1001-P5-Proposed Site Plan date published 25-06-24 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.

16. The access gradient(s) to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

17. No retailing or other operation in or from any building hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing Drg No 19048-HAM-XX-XX-DR-A-1001-P5- Proposed Site Plan date published 25-06-24 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing, and traffic circulation within the site.

18. A shuttle bus service, for both staff and members of the public specifically visiting the Civic Hub to access services, shall operate to and from the new Civic Hub to car parking at Cecil Street Leisure Centre **at 30 min intervals** between 0800 to 1000 and 1600 to 1800 and at hourly intervals between 1000 and 1600. This service shall be subject to review following 12 months, from the date the building hereby approved is occupied and with any proposed changes to be assessed and agreed by NM&DC Planning Department in consultation with DFI Roads.

Reason: To ensure that adequate provision has been made for parking and traffic circulation.

19. All active travel/travel measures outlined in the Travel Plan (dated 31-07-24), including Information and Promotion, Walking, Cycling, Public Transport, Managing Car Use and Staff Parking, shall be fulfilled in full prior to the occupation of any part of the building hereby approved. These measures shall continue and be fully complied with thereafter, unless otherwise agreed in writing in advance by the Council.

Reason: To ensure the orderly development of the site.

20. All plant equipment on the roof shall be acoustically screened to ensure no noise disturbance to neighbouring residential accommodation.

Reason: In the interests of residential amenity.

21. Prior to any demolition and construction works commencing on site an operational plan shall be submitted to and approved in writing by Planning Office (for consultation with Environmental Health) which adequately deals with noise, vibration and dust, including hours of operation, dust suppression, monitoring of noise and vibration as per Acoustic Report.

Reason: To ensure the orderly development of the site.

22. in the event that any previously unknown contamination is discovered development on the site shall cease immediately pending submission of a written report which appropriately investigates the nature and extent of that contamination and reports the findings and conclusions of the same and provides details of what measures will be taken as a result of the contamination for the prior written approval of Planning Office (in consultation with Environmental Health at Newry, Mourne and Down District Council).

Reason: To ensure the orderly development of the site.

Case Officer Signature: M Keane

Date: 18 September 2024

Appointed Officer: P Rooney

Date: 18 September 2024

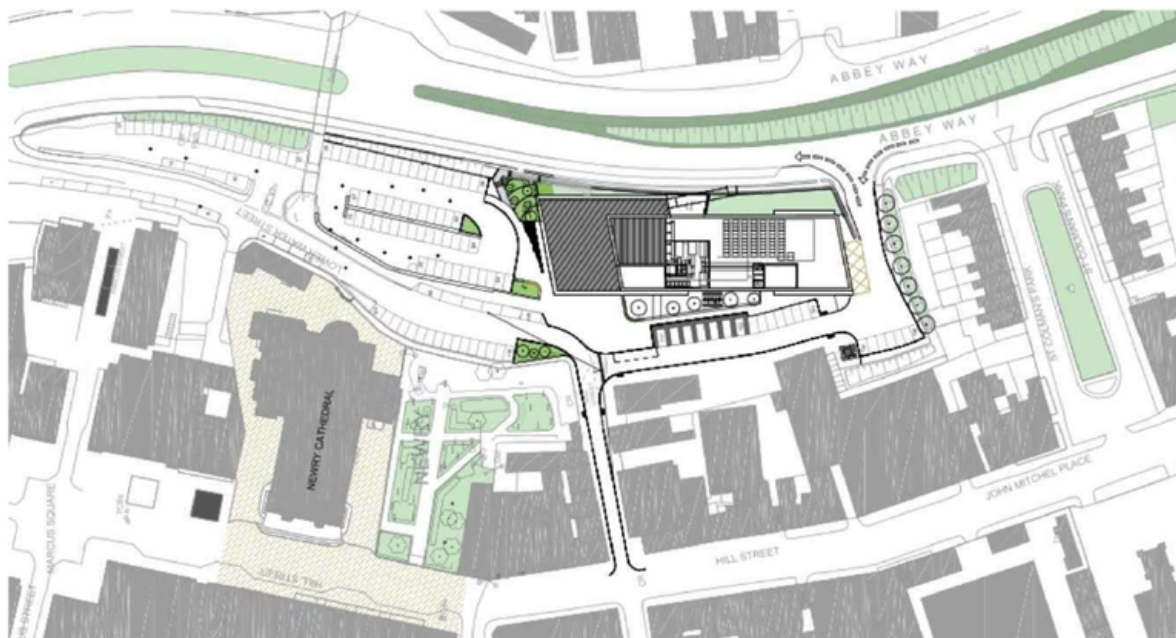
Appendix A. Extent of Application Boundary.



Appendix B. Development Plan Map Extract.

Appendix C. Site Layout and Contextual Elevations.

Proposed Site layout plan below



Contextual North & West elevations



Contextual South & East elevations



Contextual Elevation South 1:200 @ A1



Appendix D: Appropriate Assessment under Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended)



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

Application Reference: LA07/2023/2274/F

ADDENDUM REPORT (November 2024)

Date Received: March 2023

Proposal: Full permission is sought for a Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Public realm works to part of existing surface car park, part of Lower Water Street and along Mill Street. Demolition of the existing multi-storey car park and alterations to the existing road network.

Location: Lands at Abbey Way multi storey car park, Mill Street and Lower Water Street, Newry.

Note: Both the site address and proposal description have been amended, from that originally submitted.

(This Addendum report should be read in conjunction with the original report dated 18-09-24).

Re-Advertisement and Re Neighbour Notification have been undertaken.

Background

This application had previously been recommended for Approval on 18th September 2024, subject to a number of conditions (Draft), and was due to be presented to the Planning Committee on Wed 2nd October 2024, in line with the Councils Scheme of Delegation.

The application was deferred at this meeting, following receipt of a representation which was required to be considered. This representation was received from Matrix Planning Consultancy via email on 1st October, and as there was no opportunity to consider its content in advance of the Planning Committee on 2nd Oct, the application was deferred from this Planning Committee meeting to allow consideration of the matters raised.

This representation included a covering email and a number of attachments including detailed objection from Matrix Planning Consultancy, detailed objection from SW Consultancy with associated appendices, reference to planning appeal, case law, and minutes from a previous Planning Committee meeting (16-10-2019).

Subsequent to this representation, further representations have been received which are summarised below.

Matters raised

These representations are available for viewing on the public portal, whereby the main issues raised include:

Letter from Matrix Planning Consultancy (01-10-24):

- The requirement to consider information submitted until a decision is made,
- Alleged conflicts of interest of members of the Planning Committee,
- Deficiencies in the planning application submitted (Proposal description, Certificate signed, no details of retaining wall, need for Technical Approval (TAS) of roads issues, submission of a preliminary drainage assessment (DA), submission of a Preliminary Ecological Assessment (PEA), publication of all documents,

- Failure to re-advertise the application
- Deficiencies in the Transport Assessment (TA),
- The speed at which the application is being determined,

Letter from SW Consultancy

- Review of the information submitted and objections primarily focused on traffic, transportation and parking issues. With Appendices also provided.

Email from Matrix Consultancy (11-10-24)

- The failures in the submission of the application, the additional information now submitted and re-consultation and re-advertisement now required.
- There remains inaccurate (P1 form) and insufficient detail (retaining walls) submitted,
- The TA is fundamentally flawed,
- AMEY should be consulted to independently review the information submitted,
- Original raw data of car parks surveyed is not provided,
- Alleged failure to provide and disclose all information, transparency in the decision making process.

Email from Matrix Consultancy (15-10-24)

- Reference to TAS approval for the proposed retaining wall, and the description of the development which excludes retaining wall,
- Current layout cannot meet requirements of DFI Roads re: 5m buffer from Abbey way retaining wall and building. Therefore a re-design is required.
- The physical restrictions of the site and significant shortfall in car parking are indicators of significant overdevelopment of the site. This was previously highlighted to the Council in 2016,
- baseline data of the car parks is now required,

Representation from F Lambe

- Working practices to WFH since COVID, and questioning the need for the building,

- To build behind the Cathedral is out of place,
- Amending the plans potentially invalidates the representations received,

Email from Matrix Consultancy (22-10-24)

- Sections provided do not include sufficient detail, turning head not to standards, the parking tables are not accurate and staff travel survey is out of date,

Representation from P Welsh

- Seeking reassurance that due processes are carried out by the Planning Department and that comprehensive due diligence will be carried out

Representation from PM Lambe

- The Council are proceeding with this proposal against the wishes of the people who voted for them,
- Questions the need for further office space, as there are empty buildings at present in this area (Lidl) with parking,
- Where will people park to go to Cathedral, Hill St,
- Is the cathedral not listed,
- Was the proposal published in the paper,

Representation from M Hanna

- form of discrimination against disabled and older people to go to their place of worship, and to do their business in Hill Street area.
- This notice does not appear to have been put in either 2 of the local newspapers Newry Reporter/Mourne Observer,

Email from Matrix Consultancy Ltd (04-11-24 & 11-11-24 response)

- aware that the DFI RPGL issued a Holding Direction under Article 17 & 18 of the Planning (General Development Procedural) Order (NI) 2015 on the Council on 28th October 2024, and requested this is published on the portal,

Representation from S Begley & Co Solicitors

- whilst in support of a new civic centre, the site chosen is not suitable as it will impinge on the car parking available for the users of the traditional heart of the city namely Hill Street,
- prejudice older members of the community in accessing the supermarkets, bakeries and other shops on Hill Street due to the need to carry their shopping further to access car parking and as they are older this may drive them away from the city centre,
- Any loss of car parking in the city centre will have an adverse effect on the businesses located there. We already have a number of vacant sites and buildings and numerous charity shops in that area
- Cause damage to the social fabric of the city centre which is unnecessary when other sites are available,
- Will discriminate against those members of the community who avail of the cathedral for Mass, weddings, funerals and other services.

Email from Matrix Planning Consultancy (18-11-24)

- Reference to S23 of Planning Act and meaning of development,
- Reference to case law and the information required for a full application,
- Retaining walls are proposed and structural details are required,
- DFP CPD Structural Engineering Branch should be consulted in respect of the details of the retaining wall, so that they have been independently considered,
- Issues raised by DFI Roads are still to be addressed,
- all material considerations are required to be considered until the application is determined,
- reference to the frequency of the shuttle bus,
- where a design solution is being proposed to the road, it is unacceptable to assume you can make alterations to the public road network at condition stage, as this is not transparent and claims the application has been pre-determined,

- The parking surveys completed are not accurate, involve miss-counts, don't tally, remove spaces that exist, add spaces that aren't even permitted and include car parks so far away it is irrational. The reliance on the car parking survey between 16th-19th November 2023, to support this scheme will not stand up to scrutiny.
- Further representations are to follow which will demonstrate further flaws and errors in the application that will highlight its vulnerabilities, and if unremedied would result in an erroneous decision

Email from Matrix Planning Consultancy (28-11-24)

- Notes recent meeting taken place between Planning Dept and DFI Roads,
- Reference to case law which highlighted that there is a "disproportionate reliance on presumptively expert consultees" and that consultees "do not absolve planning officials and committees alike from their duty to carefully evaluate the evidence assembled,
- insufficient detail to demonstrate how the public transport will be used to adequately facilitate the transfer of both public and staff to/from the new Civic hub. This detail is a flimsy attempt to mitigate against the parking impacts. Not least the parking survey, constitutes a gross failure to provide a robust evidence base for determination, and amounts to a misdirection, as we will demonstrate, when our own car park data is analysed and presented,
- DFI Roads issues around the parking survey, as expressed publicly have vanished,
- Questions the need for a Private Streets Determination (PSD) drawing for alterations to the public road,
- Condition 2, 4, 8 cannot be met. This is a Full application whereby sufficient details are required to be in the public domain prior to determination, especially given it relates to work on the public_road network
- The direction from DFI has not been published.

Assessment

As stated, the application was deferred for consideration of the matters raised in the representation received on 1st October. This representation was also forwarded to the applicant's nominated agent for comment as per standard practice.

As outlined above, further representations have since been received and the applicant's agent was asked for comment.

In response the agent submitted the following information:

- Revised P1 application form with amended description and P2 form with amended Certificate (Oct 2024),
- Updated Preliminary Ecological Appraisal (PEA), (Oct 2024)
- Updated 'Final' Flood Risk and Drainage Assessment, (Oct 2024)
- Detailed letter (07-10-24) referencing the description, retaining wall, flood risk and drainage assessment, natural heritage, and transport issues,
- Detailed letter (17-10-24) with further data associated with the parking figures,
- Reference to email correspondence with DFI Roads and their comments in the Pre-Application Discussion (PAD) in relation to TAS approval in 2020,
- Revised site layout plan and proposed sections plan (Oct 2024).
- Detailed letter (14-11-24) in response to the issues raised by DFI Roads.

Publicity

Following deferral of the application and receipt of further information the application was re-advertised in October 2024 (published W/C 7th October 2024), while further rounds of neighbour notification were also undertaken in Oct 2024 (8th and 18th October 2024).

The further round of advertising and neighbour notification undertaken in early October 2024 was following receipt of an amended description, site address and certificate and also further supporting documentation from the agent.

The latest round of neighbour notification was undertaken following receipt of amended/additional plans (site layout plan and section plan) and further parking data. The description and nature of the proposal did not change thus it was not considered necessary to further re-advertise the proposal.

The most recent correspondence received from the agent on 14th November 2024, was solely a letter in response to comments from DFI Roads. No amendments were made. Accordingly, it was not considered necessary to re NN.

The Planning Department are satisfied that neighbour notification and advertisement has been carried out in line with requirements, following receipt of relevant materials/plans and no interested party has been prejudiced.

As noted above, further representations have been received.

It is noted some of the issues raised since the application was deferred, were previously raised and covered in the original report. All representations received remain valid. Any material planning considerations contained within those representations have been fully considered and assessed as part of the original report and this Addendum.

Re-Consultation

The Planning Department issued further consultations to DFI Rivers, NIEA (NED) and DFI Roads on receipt of this additional information.

DFI Rivers- (23-10-24) Rivers Directorate comments in relation to PPS 15 FLD 2, 4 & 5 remain unchanged as per our previous consultation response dated 27th April 2023 (No objections).

In respect of FLD1 Flood Maps (NI) indicates that the proposed development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. Rivers Directorate has no reason to sustain an objection under policy FLD 1.

Rivers Directorate acknowledges the submission of a Flood Risk Assessment by RPS, dated January 2024 and comments as follows: Rivers Directorate, while not being responsible for the preparation of this Flood Risk Assessment accepts its logic and has no reason to disagree with its conclusions.

In respect of FLD3 Rivers Directorate has reviewed the Drainage Assessment by RPS, dated January 2024 and comments as follows: Rivers Directorate, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions.

The responsibility for the accuracy of the information submitted lies with the developer and their professional advisors.

Informatives recommended.

NIEA (NED)- (11-10-24) NED acknowledges receipt of an updated Preliminary Ecological Appraisal report dated October 2024. The ecologists have noted that Japanese Knotweed and Giant Hogweed are present outside the red line boundary of the proposed development and have advised a 7m buffer zone to the stand of Japanese Knotweed which falls within the development boundary.

The building and vegetation within the site could support nesting birds, and NED thus advises of the informative as below. NED considers that the proposal is unlikely to significantly impact natural heritage issues and has no concerns with the proposal. Informatives recommended.

DFI Roads-

(Response 15-10-24) DfI Roads consider the application unacceptable as submitted. Insufficient detail is available on transportation issues and list 4 issues to be address.

(Response 11-11-24) DfI Roads consider the application unacceptable as submitted. Insufficient detail is available on transportation issues and list 6 points.

(Response 27-11-24) DFI Roads have limited issues of concern and offer no objections in principle subject to conditions. These are listed below as draft conditions.

Direction from Department for Infrastructure

On 9th October 2024, DFI issued a direction to the Council under the powers conferred to it by article 17 and 18 of The Planning (General Development Procedure) Order (NI) 2015.

This direction requires the Council to notify the Department in the event the Councils Planning Committee reach a recommendation in relation to the application. This direction allows the Department to have the opportunity to assess, prior to a decision being issued on the application, and decide if it requires the application to be referred to it for determination.

This direction does not commit the Department to 'calling' in the application, however reserves the right for it to intervene.

The Planning Department acknowledges receipt of the Direction from DFI and will adhere to its requirements.

Application Site location

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 & Mourne Area Plan 2015 as the Council has not yet adopted a local development plan.

The entire site is located within the boundary of Newry Town Centre as designated within the Banbridge / Newry and Mourne Area Plan 2015 and is also within the boundary of the Newry Conservation Area and Area of Archaeological Potential.

S104 (11) of the Planning Act applies. The site is outside the boundary of the Primary Retail Core and Frontage.

This site is located within an area of mixed use. It is considered the use proposed at this location is appropriate in land-use terms and will compliment the existing uses within the City Centre and will assist in adding critical mass to support local businesses by attracting staff and visitors to the City Centre.

Reconsideration

As noted at the outset an amended site address and proposal description were submitted.

The site address and description are considered sufficient to inform any interested party of both the location and nature of the development proposed. No design changes have been made

A Revised P2 and certificate were also provided with notice served on DFI Roads.

This is a Full application for a new Civic Hub building, to accommodate a council chamber, meeting rooms, council offices and associated ancillary accommodation. Also, public realm works are proposed to part of existing surface car park, part of Lower Water Street and along Mill Street. The existing multi-storey car park is to be demolished and alterations to the existing road network

As outlined above, further re-consultation has been undertaken with several statutory bodies, whereby NIEA, DFI Rivers and DFI Roads now offer no objections in principle.

Planning Policy Statement 3 (PPS 3): Access, Movement and Parking.

Policy AMP 1 and AMP 2.

As previously stated, the application site is effectively enclosed by the existing road network, comprising Abbey Way along the eastern boundary and the access road serving the existing multi storey car park. The existing vehicular entrance from Abbey Way is to be retained with a new road layout and access onto Mill Street, (with no

access from Mill Street permitted). DFI Roads has confirmed no objections in principle to the proposals, subject to planning conditions. The proposal complies with the provisions of Policy AMP2.

Policy AMP1 also seeks to ensure new developments take into account the needs of everyone including the specific needs of people with disability. Buildings which will be open to the public also need to be designed to provide suitable access for all (including visitors, customers and employees). The layout shows the proposed access arrangements, which include provision for disabled parking bays in close proximity to the entrance and a wide pedestrian circulation area in front of the entrance which is accessible and usable for all, with dropped kerbs and crossing points also provided. It is considered that the proposal complies with the provisions of Policy AMP 1.

Proposed Car Parking Provision

As outlined previously, Policy AMP7 of Planning Policy Statement 3 (PPS 3) requires that development proposals provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking is determined according to the specific characteristics of a development and its location having regard to the Department's published standards. The Parking Standards guidance document sets out the parking standards to have regard to in assessing proposals for new development.

The Parking Standards guidance document indicates, based on the proposed level of floorspace, that in the region of some 220 parking spaces would be required to serve this proposed office building (approx. 230 when including the wedding suite). The proposals do not provide any specific on-site or in-curtilage parking.

The proposals submitted indicate that the building will accommodate a total of some 215 members of staff, who will be relocated from existing Council offices within Newry. The applicant has also confirmed that Newry Mourne & Down District Council operates a hybrid (agile) working policy and will only provide desks for 162 staff (75%).

A Transport Assessment (TA) and Travel Plan (TP) were submitted in support of the application. These were updated during the course of the application with final versions submitted in August 2024 (dated 31-07-24). Updated parking surveys were also undertaken in 2023 to reflect current trends since the COVID pandemic.

As stated, no parking is being provided for the proposed development, rather a case is made that the parking surveys undertaken, in 2023, demonstrate there is an abundance of parking provision which exceeds demand and that there is sufficient existing car parking capacity within Newry city centre at present; however further city centre provision is also being proposed along Cecil St and North St, via 2 separate planning applications as referenced in the TP.

The existing circumstances of NMDDC staff who are currently located in Newry, at Monaghan Row and McGrath House, and who already occupy available public car park spaces within the city centre, is also noted. This was considered previously.

Other measures being proposed as part of the application include the provision of cycle parking spaces for staff and the public (including electric bikes and charging facilities). There will effectively be a number of methods of travel to access this site, given its central city centre location including by private vehicle, walking, cycling and public transport. While concern was raised, in the representations received, regarding the extent of the walking isochrones and local weather, walking is only 1 method of travel. It is also considered reasonable to anticipate a certain level of walking to office and civic buildings within a city centre.

A shuttle bus is also being proposed for both staff and members of the public from Cecil Street to the civic hub.

The Planning Department has reviewed all of the supporting information, as part of its assessment of the application. It also consulted DFI Roads, as outlined above. DFI Roads has confirmed no objections to the proposal, based on the supporting information, subject to a number of planning conditions. DFI Roads also clarified they are content with the parking survey data provided by the applicant. The Planning Department have no reason to question the veracity of the parking surveys submitted, in the absence of any counter surveys submitted by any third party.

It is considered that sufficient justification has been provided to support the scheme, including:

- the application site's city centre location, centrally located and easily accessible via several modes of transport, existing working practices and current parking patterns;
- the supporting information, in relation to the level of existing and proposed car parking provision within the City Centre to serve the proposal, which has demonstrated there is sufficient provision of parking within the city centre to serve the development, while also providing further city centre parking provision; and
- the measures outlined in the Transportation and Travel Plan.

In view of the above and all relevant factors, the proposal is considered to fit with the requirements of PPS3, Policy AMP 7, in relation to car parking provision, subject to appropriate conditions.

It is also noted that DFI Roads had raised the issue of car parking associated with existing committed developments. It has now confirmed no objections, based on all of the information submitted in support of the application including the TA and TP.

The Planning Department has considered the nature of the planning conditions submitted by DFI Roads, in its final consultation response, and having reviewed the logic for the frequency for the shuttle bus, agree with the wording of the condition suggested by DFI Roads.

DFI Roads have clarified this condition is to mitigate the shortfall to the requirement for 120 spaces to be provided by the committed development in the area of the proposal and is in line with modal shift guidance together with the reduction of vehicles from the City Centre hub.

Notwithstanding that the supporting information submitted has demonstrated there is adequate parking capacity within the city centre to accommodate the development proposed, the final TP submitted includes a commitment to provide additional parking.

It is considered this matter can be dealt with by way of a separate planning condition. DFI Roads has confirmed no objection in principle to this approach, based on the following planning condition:

All active travel/travel measures outlined in the Travel Plan (dated 31-07-24), including Information and Promotion, Walking, Cycling, Public Transport, Managing Car Use and Staff Parking, shall be fulfilled in full prior to the occupation of any part of the building hereby approved. These measures shall continue and be fully complied with thereafter, unless otherwise agreed in writing in advance by the Council.

A number of objectors, including adjacent church members, have raised the issue of the loss of public car parking spaces, should the proposal go ahead, due to the demolition of the multi storey car park.

By way of background, there is currently a total of some 304 parking spaces on site at present including the multi storey car park, (196 spaces) and an area of surface level area of parking to the north, (108 spaces). There is also on-street carparking in the immediate vicinity of the site (30 spaces). This amounts to an overall total provision of 334 spaces on the site and its immediate vicinity.

The proposal will result in the loss of the multi storey car park, which amounts to some 196 spaces, (although the applicant has stated that the upper deck of the multi storey area of parking, comprising some 61 parking spaces, has been closed for some time, is therefore out of use).

It is proposed to retain 138 of the existing car parking spaces within and adjacent to the planning application site, as indicated on the latest site layout plan, comprising 108 existing spaces on the existing surface level parking spaces to the north of the application site and the 30 on- street parking spaces. The proposals will therefore result in the loss of a total of 196 parking spaces, or 105 operational parking spaces in the city centre, (based on the applicant's contention that the upper deck of the multi-storey has not been operational for a significant period).

The Planning Department has fully considered this issue, as part of its assessment of the planning application, has interrogated all supporting information submitted, and has reviewed the status of each car park referred to in the TP. It is noted a number of these car parks have a formal layout, while a number are informal, a number are free, while a number are pay, and finally, a number are inside the town centre boundary, while several are outside. It is acknowledged that there will be a loss of existing spaces, as outlined above, and it fully appreciates the concerns expressed.

However, it is considered, taking into account all relevant material considerations and the alternative existing and proposed car parking provision referred to above and other measures proposed, that the loss of the car parking spaces is justified and no persons will be discriminated against.

Extensive consultation has been undertaken with DFI Roads since the application was first submitted. Previous comments from DFI Roads have been noted, office meetings held (Minutes recorded and published), and following receipt of further information and having reviewed their position, DFI Roads in its final comment offer no objections in principle subject to conditions.

Retaining wall/TAS Approval

It is noted a retaining wall is required along the boundary of the site adjacent to Abbey Way. This wall will require technical approval.

DFI Roads are now content that the level of detail provided at this stage for the proposed retaining structure along Abbey Way is sufficient as a more detailed assessment will be required as part of the Technical Approval (TAS) process.

DFI Roads also advised the retaining wall as part of the proposal will be the responsibility of the applicant/management company in terms of maintenance and ownership and that DFI will have no responsibility for this structure and the Applicant will be required to enter into a legal agreement with DFI Roads to indemnify the Department against any claims or failures in the public road arising from the

implementation of the new civic hub and the ongoing performance of the retaining wall structure.

The technical approval associated with the retaining wall and also the need for a legal agreement will be conditioned accordingly (pre-commencement). There is no need or requirement to consult with DFP CPD Structural Engineering Construction Service at this time.

It is also noted an engineering solution will be required to ensure only service vehicles can exit from the proposal onto Lower Water Street. DFI Roads have clarified the short stretch of road from the junction of Abbey Way to Lower Water Street, shall remain private (and will not be adopted). The relevant DFI Section Office will require to be contacted to obtain a permit to open the road.

The Planning Department consider this matter can be dealt with by way of an appropriately worded condition (pre-commencement).

While it is acknowledged this is a Full application, it is considered there is sufficient information and detail provided to make an informed decision, whereby the matters above can be dealt with by way of negative pre-commencement conditions.

Summary

The Planning Department fully appreciates there is continued opposition to this application from third parties, however having assessed and interrogated all information provided, consider there is sufficient information available to make an informed decision, whereby the proposal complies with all relevant planning policies.

Accordingly, Approval is recommended subject to a number of conditions.

Recommendation: Approval

Draft 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: Drawing No.s TBC.
3. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Newry, Mourne and Down District Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - ☐ The identification and evaluation of archaeological remains within the site;
 - ☐ Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
 - ☐ Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - ☐ Preparation of the digital, documentary and material archive for deposition.
 - ☐ Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.
4. All site works and development shall be in accordance with the programme of archaeological work approved under the condition above.
Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.
5. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition above.

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

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

6. No external brickwork or stonework shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external materials.

7. No windows, or external doors shall be installed unless in accordance with details that shall have first been submitted to and approved in writing by the Council. The details shall include their design, profile, materials, finish and colour, cills, head and reveals.
8. Notwithstanding the submitted details, no development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless the detailed design of the recesses to the windows and external doors have been submitted to and approved in writing by the Council. The details shall include scaled section drawings. The development shall not be carried out unless in accordance with the details so approved.
9. No external roofing, including flashings, fascia boards and paving slabs, shall be constructed or applied unless in accordance with a written specification and a physical sample, details of which shall have first been submitted to and approved in writing by the Council.

The sample shall be provided on site and made available for inspection by the Council for the duration of the construction works.

Reason: To ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the setting of surrounding listed buildings. The long, low form of the building set at the base of a hill means it is prominent and therefore high-quality materials and detailing are important.

10. Prior to commencement of external landscaping, samples shall be submitted and approved in writing by the Council in respect of all external materials and finishes proposed, to include;

- a) Retaining wall along Abbey Way

- b) Paving slabs

- c) Paving setts

- d) Kerbs

- e) Steps

- f) Handrails and guardings

Reason: to ensure that the landscaping is of appropriate quality in the interests of maintaining the character and appearance of the setting of surrounding listed buildings

11. No external lighting shall be installed unless in accordance with details which shall have been submitted to and approved in writing by the Council. The details shall include the specification of the lighting including luminance levels (Lux) and the design and appearance of fixtures including columns, casings and brackets as applicable.

Reason: to ensure that the lighting does not disproportionately attract attention away from the Grade A listed St Patrick's Cathedral building and

form a competing focus to it.

12. No drainage shall be laid until the developer has entered into an agreement with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.

13. No development shall proceed beyond sub-floor construction until the foul sewerage network engineering solution as shown on solution design drawing to mitigate the downstream foul capacity issue as agreed with NI Water is provided by the developer to the satisfaction of NI Water.

Reason: To ensure a practical solution to sewage disposal is possible at the site that will protect features of indirectly connected European Sites in Carlingford Lough from adverse effects.

14. The development shall not be occupied until the developer has complied with all of the requirements set out in the agreement entered into with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.

Reason: To ensure a practical solution to sewage disposal from this site is possible

15. The vehicular accesses at Mill Street and Abbey Way, including visibility splays, forward sight distance shall be provided in accordance with Drg No 19048-HAM-XX-XX-DR-A-1001-P6- Proposed Site Plan date published 18-10-24 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.

16. An engineering design solution shall be submitted to the Council prior to the commencement of any other development hereby permitted for agreement in writing by the Council and DFI Roads to ensure only service vehicles can exit from the proposal onto Lower Water Street. Once agreed this measure shall be implemented prior to the commencement of any other development hereby permitted.

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

17. The access gradient(s) to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

18. No retailing or other operation in or from any building hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing Drg No 19048-HAM-XX-XX-DR-A-1001-P6- Proposed Site Plan date published 18-10-24 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing, and traffic circulation within the site.

19. A shuttle bus service, for both staff and members of the public, shall operate to and from the new Civic Hub to car parking at Cecil Street Leisure Centre **at 20 min intervals** between 0800 to 1000 and 1600 to 1800 and every 30 minute intervals between 1000 and 1600 Monday to Friday. This service shall be subject to review following 12 months, from the date the building hereby approved is occupied and with any proposed changes to be assessed and agreed by NM&DC Planning Department in consultation with DFI Roads.

Reason: To ensure that adequate provision has been made for parking and traffic circulation.

20. The development hereby permitted shall not be commenced until any highway structure/retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG300 of Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with CG300 of Design Manual for Roads and Bridges.

21. The Retaining wall as part of the proposal will be the sole responsibility of the applicant/management company in terms of maintenance and ownership and DFI will have no responsibility for this wall. The Applicant shall enter into a legal agreement with DFI Roads to indemnify the Department against any claims or failures in the public road arising from the implementation of the new civic hub and retaining wall.

As is required, this indemnity will correspond with the TAS approval for the design life of the wall of 120 years as per DMRB standard.

Reason: To ensure that the structure is designed and constructed in accordance with CG300 of Design Manual for Roads and Bridges and that the Department is indemnified for failure of structure

22. All active travel/travel measures outlined in the Travel Plan (dated 31-07-24), including Information and Promotion, Walking, Cycling, Public Transport, Managing Car Use and Staff Parking, shall be fulfilled in full prior to the occupation of any part of the building hereby approved. These measures shall continue and be fully complied with thereafter, unless otherwise agreed in writing in advance by the Council.

Reason: To ensure the orderly development of the site.

23. All plant equipment on the roof shall be acoustically screened to ensure no noise disturbance to neighbouring residential accommodation.

Reason: In the interests of residential amenity.

24. Prior to any demolition and construction works commencing on site an operational plan shall be submitted to and approved in writing by Planning Office (for consultation with Environmental Health) which adequately deals with noise, vibration and dust, including hours of operation, dust suppression, monitoring of noise and vibration as per Acoustic Report.

Reason: To ensure the orderly development of the site.

25. in the event that any previously unknown contamination is discovered development on the site shall cease immediately pending submission of a written report which appropriately investigates the nature and extent of that contamination and reports the findings and conclusions of the same and provides details of what measures will be taken as a result of the contamination for the prior written approval of Planning Office (in consultation with Environmental Health at Newry, Mourne and Down District Council).

Reason: To ensure the orderly development of the site.

DFI Roads INFORMATIVE

1. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involve making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Department for Infrastructure Section Engineer whose address is 3 Springfield Road Newry. A monetary deposit will be required to cover works on the public road.

The developer is required to enter into a legal agreement with DFI Roads to indemnify the Department against any claims or failures in the public road arising from the implementation of the new civic hub and retaining wall prior to the commencement of any other development hereby permitted.

It is a DFI Roads requirement that all structures which fall within the scope of the current version of CG300 of Design Manual for Roads and Bridges shall require Technical Approval. Details shall be submitted to the Technical Approval Authority through the relevant Division.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc, deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing roadside drainage is preserved and does not allow water from the road to enter the site.

Case Officer Signature: M Keane Date: 29-11-24
Appointed Officer Signature: A McAlarney Date: 29.11.2024



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin

**Newry, Mourne
and Down**
District Council

PRE-DETERMINATION HEARING.

Date: 9th April 2025

Development Management Officers Report

Application Ref Number: LA07/2023/2274/F
Date Received: March 2023.
Proposal: Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Public realm works to part of existing surface car park, part of Lower Water Street and along Mill Street. Demolition of the existing multi-storey car park and alterations to the existing road network.

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

Associated application

Application Ref Number: LA07/2023/2275/DCA
Date Received: March 2023.
Proposal: Demolition of multi storey car park. Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park.

1.0. Background.

- 1.1.** Application reference number LA07/2023/2274/F, was recommended for approval to the Council's Planning Committee on 18th December 2024. The Planning Committee voted to accept the recommendation.
- 1.2.** Application LA07/2023/2275/DCA, seeks demolition consent for the removal of the existing multi storey car park on site, being located within Newry Conservation Area. Legislation requires this associated DCA is processed by the Department for Infrastructure (DfI) and which remains with the Department at this time.
- 1.3.** On 9th October 2024, DfI issued a direction to the Council under the powers conferred to it by article 17 and 18 of The Planning (General Development Procedure) Order (NI) 2015. This direction required the Council to notify the Department in the event the Council's Planning Committee reached a recommendation in relation to the application. The Council duly notified DfI of the outcome of the Planning Committee meeting of 18th December 2024, on 7th January 2025.

On 5th March 2025 correspondence was received from DfI which concluded that they did not intend to invoke their Call-In powers under Section 29 of the Planning Act (NI) 2011. The Council can now continue to process the application.

Conclusion

- 1.4** As this application has been the subject of a direction from DfI, the Council is required to hold a pre-determination hearing pursuant to Regulation 7(1) of the Planning (Development Management) Regulations (NI) 2015 where the application has not been called in by DfI under Section 29 (1) of the 2011 Act.
- 1.5.** The purpose of this report is to provide information for the Planning Committee to inform the pre-determination hearing and to enable the applicant and interested parties to be heard ahead of determining the application. The hearing will follow a

similar format to the Planning Committee in that the officer will give an oral presentation of the application and key issues. The applicant and interested parties will then have an opportunity to speak. The objective of the hearing will be to focus on the material planning considerations and explore these to facilitate the Planning Committee in making its determination on the application.

- 1.6** Following the pre-determination hearing, the planning application will be reconsidered and determined by the Planning Committee which will follow the hearing.

The original case Officers report and subsequent Addendum are appended for information.

M Keane

Senior Planning Officer.

26th March 2025.



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**Newry, Mourne
and Down**
District Council

PRE-DETERMINATION HEARING REPORT

Application Ref Number: LA07/2023/2274/F

Date Received: March 2023.

Proposal: Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Public realm works to part of existing surface car park, part of Lower Water Street and along Mill Street. Demolition of the existing multi-storey car park and alterations to the existing road network.

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

Associated application

Application Ref Number: LA07/2023/2275/DCA

Date Received: March 2023.

Proposal: Demolition of multi storey car park. Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park

A Pre Determination Hearing (PDH) for the above was held on Wednesday 9th April 2025. Those in attendance included representatives for the applicant (Mr Mark Priestly, Mr Kieran Carlin and Mr Stephen Livingstone) and third parties (Mr Andy Stephens, supported by Mr Simon Warke, Cannon Francis Brown and Mr Anthony Patterson). Representatives availed of speaking rights.

A number of issues were raised during the presentation by both parties, most of the issues raised were not new issues the majority of which had been raised and addressed during the processing of the planning application.

A summary of the main issues raised include the following:-

- Out of date information/reports being submitted,
- Timeline of Historic Environment Division response
- Extent of parking surveys undertaken by parties,
- The economic benefits of the proposal,
- The level of accommodation provided,
- The number of disabled spaces provided,
- Statement by 3rd party that further representation would be submitted in relation to impact of the proposal on the Listed Cathedral.
- Other matters.

Each of the above shall now be considered in full.

Out of date information/reports being submitted.

This is not a new matter but was raised and fully taken into account during the processing of the application.

Further supporting information was submitted by the agent in October 2024 including an updated Preliminary Ecological Appraisal, Flood Risk Assessment and Drainage Assessment. Consultation was undertaken with NIEA and DFI Rivers, who offered no objections. Both this information and subsequent consultee responses were fully assessed by the Planning Department in assessment of the proposal. The Planning Dept is content that it based its assessment of the proposed development on up to date information available to it at that time.

Inadequate publicity

This is not a new matter but was raised and fully taken into account during the processing of the application.

A revised application form with amended proposal description and site address, together with an amended Certificate and further detailed plans were received in October 2024.

The application was re-advertised in October 2024 (published W/C 7th October 2024), while further rounds of neighbour notification were also undertaken in Oct 2024 (8th and 18th October 2024).

The further round of advertising and neighbour notification undertaken in early October 2024 was following receipt of an amended description, site address and certificate and also further supporting documentation from the agent.

The latest round of neighbour notification was undertaken following receipt of amended/additional plans (site layout plan and section plan) and further parking data. The description and nature of the proposal did not change thus it was not considered necessary to further re-advertise the proposal.

The most recent correspondence received from the agent on 14th November 2024, was solely a letter in response to comments from DFI Roads. No amendments were made. Accordingly, it was not considered necessary to re NN.

The Planning Department are satisfied that neighbour notification and advertisement has been carried out in line with requirements, following receipt of relevant materials/plans and no interested party has been prejudiced.

Timeline of Historic Environment Divisions comments/responses

Comments made in reference to the consultee response received from Historic Environment Division (HED) in December 2024 and the date published on the public portal.

By way of background, the final formal consultation response from HED was received on 26th June 2024, with no objections in principle to the proposals.

Following completion of the consultation process and assessment of the application, approval was recommended by the case officer on 29th Nov 2024 and was included on the schedule of the Planning Committee meeting on 18th December 2024.

Following recommendation, a further 6 representations were received from Matrix Planning between the 4th December and the 18th December 2024, this included a Listed Building Setting Assessment by Consarc Conservation.

Due to its late nature, the Planning Department forwarded the Listed Building Assessment to HED for comment via email. HED's response, while dated 9th December was forwarded to the Planning Department on 17th December 2024, following which it was published on the public portal on 19th December 2024.

The Planning Department had full regard to the contents of the HED response of 17th December 2024 before the Planning Committee meeting of 18th December 2024. At the Planning Committee meeting of 18th December 2024, the presenting officer made those present aware that HED had replied and provided a summary of their position. All third parties were present at that meeting.

The response from HED has been available to third parties to comment on since the 19th December 2024. No comments have been received to date.

The Planning Department consider no third party has been prejudiced in any way.

Extent of parking surveys undertaken by parties

This is not a new matter but was raised and fully taken into account during the processing of the application.

The matter of parking surveys undertaken by respective parties was raised.

Surveys by applicants were undertaken June 2021, Feb 2022, June 2022, and most recently Nov 2023.

Raw data has been provided from the Nov 2023 survey, which took place over 4 days (Thursday 16- Sunday 19th Nov) and which extended to include some 18 separate car parks.

Surveys by third parties were undertaken in May, Oct, and Nov 2024.

The data provided sets out that a survey was undertaken for 4 days (18th May, 24th Oct, 15th & 16th Nov), which covered 1 car park.

The most recent survey undertaken by the applicants (Nov 2023) was post COVID, DFI Roads accepted the methodology used by the applicant and data provided. It is noted 2 of the days (Thursday & Friday) were during the working week, while 2 (Saturday & Sunday) were over the weekend.

It is reasonable to expect the respective surveys undertaken at different times by respective parties would have different findings.

The Planning Dept has fully interrogated this matter and is content with the information provided. The issue of parking has been fully considered throughout the processing of this application. The Planning Department has considered all relevant factors and consider a case has been made demonstrating there is sufficient parking capacity within the town centre to accommodate the proposal, while the central and highly accessible location of the site from various modes of travel together with the active travel and measures proposed are also considered to fit with the requirements of PPS3, in relation to parking provision, subject to appropriate conditions.

The loss of existing car parking spaces has also been fully considered and has been justified.

The economic benefits of the proposal

This matter was raised in relation to the economic benefit of the proposed development to Newry City Centre.

The Planning Department note that the site is located within the town centre as identified in the Area Plan. Regional Planning Policy provided by the Strategic Planning Policy Statement (SPPS) advises that town centres provide a wide variety of retailing and related facilities, including employment, leisure and cultural uses. The SPPS seeks to encourage development at an appropriate scale in order to enhance the attractiveness of town centres, helping to reduce travel demand. The aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the

appropriate first choice location of retailing and other complementary functions, consistent with the RDS.

The Planning Department consider the use of this site as a civic centre is appropriate and will complement existing uses whilst the creation of additional footfall will benefit local businesses with the aim of supporting and sustaining a vibrant City Centre.

The proposed development is considered appropriate to its primary role as a City within the settlement hierarchy. It is considered to comply with the Area Plan and relevant planning policies, including the Strategic Planning Policy Statement (SPPS).

There is no requirement in Regional Policy for a business case to be made to justify the proposed development and in this regard the Planning Department is content sufficient information has been submitted to make an informed decision on the proposed development.

The level of accommodation provided

The level of floorspace and its usage was queried by third parties.

The development proposes some 5680sqm of floor-space and is to accommodate some 215 staff who will be relocated from existing Council offices within Newry. The Council operate a hybrid (agile) working policy and will only provide desks for 162 staff.

The building comprises 3 floors of accommodation.

Ground floor- main entrance foyer, exhibition space, meeting/ceremony rooms, toilets, open plan office, bike/bin storage, and plant rooms,

First floor- open plan office, meeting rooms, break out areas, toilets.

Second floor- chamber, meeting rooms, chairperson's room, conference room, open plan office, toilets and plant rooms.

The agent advised during the PDH that some 275sqm of floorspace would be rented accommodation, however since the PDH, have clarified this was an error, and that there is no rental accommodation within the Civic Hub. An Innovation Hub is proposed on the ground floor (some 184sqm floor space). This is not additional floor area, it is public space and has been considered by the Transport Assessment. It is not lettable office space, but public space for local businesses and students to innovate and engage with emerging technologies, on an ad hoc basis.

The Planning Department consider this issue has been now clarified and requires no further interrogation.

The number of disabled spaces provided

The development proposed provides for 7 disabled spaces immediately adjacent to the proposed civic centre building.

This is compliant with Planning Policy.

Additional information to be received

The Officers Addendum Report was completed and signed off on 29th Nov 2024.

As outlined above since this date, further representations were received from Matrix Planning, while representation was also received from Ulster Architectural Heritage, Tom McEvoy and Paul Lennon, the content of which have all been fully considered.

During the PDH third parties advised of their intention to submit a further representation in response comments from HED received 17th December 2024 and uploaded 19th December 2024. Given the comments have been in the public domain since 19th December 2024, the agent has been requested to submit this information on or before 12pm Wed 16th April 2025 for full consideration by the Planning Department.

Other matters

As previously set out the application site is located within the boundary of the town centre and is also located within the boundary of the Newry Conservation Area. Section 104 of the Planning Act 2011 states special regard must be had to the desirability of—

- (a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;
- (b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise.

The character of the Newry Conservation Area is informed by a mix of building types of varying architectural quality. The characteristic form of this part of the Conservation Area is Georgian as seen from the listed buildings on Castle Street and St Coleman’s Park. This has influenced the strong rhythm of the proposed building facades. The proposed development respects the characteristics of adjoining buildings through the sculpted nature of the design of the building, which frames views through the site whilst ensuring it does not dominate in its immediate environs. The building is stepped in nature, reducing its overall dominance, leaving the Cathedral as the dominant feature in the Conservation Area. Although the proposed building is of horizontal mass, the elevational treatment with expressed structure helps to breakdown the overall mass, while reflecting the expressive structure of the Cathedral.

The height and massing of the building has been well-considered to ensure significant views and vistas of Newry Cathedral bell tower, the spire of St. Mary’s Church and other important historic buildings are retained and framed to further enhance their significance within the city.

The proposed development will enhance visual connections between important landmarks and buildings through framing views of Newry Cathedral.

The proposal involves the demolition of the Multi Storey Car Park, an unattractive building within the Conservation Area, which currently detracts from the Conservation Area.

For these reasons the Planning Department consider the development proposed will both preserve and enhance the special character and setting of this Conservation Area for Newry.

Conclusion

The Planning Department has had full regard to the matters raised during the Pre Determination Hearing. The Planning Department is content that the majority of matters raised during the meeting were not new matters and had previously been addressed during the processing of the planning application. Any new issues which have arisen during the PDH have been addressed as above. In light of the above the Planning Department are content that the application can now progress towards determination with a recommendation to approve subject to conditions.

Case Officer Signature: M Keane 16-04-25

Appointed Officer Signature: A McAlarney 16-04-25



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**Newry, Mourne
and Down**
District Council

PRE-DETERMINATION HEARING.

ADDENDUM

Date: 11th June 2025

Development Management Report

Application Ref Number: LA07/2023/2274/F
Date Received: March 2023.
Proposal: Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Public realm works to part of existing surface car park, part of Lower Water Street and along Mill Street. Demolition of the existing multi-storey car park and alterations to the existing road network.

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

Associated application

Application Ref Number: LA07/2023/2275/DCA
Date Received: March 2023.
Proposal: Demolition of multi storey car park. Proposed Civic Hub building accommodating council room, meeting rooms, council offices and associated ancillary accommodation. Associated public realm works to part of existing surface car park.

1.0. Background.

- 1.1. Application reference number LA07/2023/2274/F, was recommended for approval to the Council's Planning Committee on 18th December 2024. The Planning Committee voted to accept the recommendation.
- 1.2. Application LA07/2023/2275/DCA, seeks demolition consent for the removal of the existing multi storey car park on site, being located within Newry Conservation Area. Legislation requires this associated DCA is processed by the Department for Infrastructure (DfI). DfI issued a Notice of opinion to grant Demolition Consent to the Council on 2nd April 2025.
- 1.3. Prior to this, DfI issued a direction to the Council under the powers conferred to it by Article 17 and 18 of The Planning (General Development Procedure) Order (NI) 2015, on 9th October 2024. This direction required the Council to notify the Department in the event the Councils Planning Committee reached a recommendation on LA07/2023/2274/F.
- 1.4. The Council duly notified DfI on 7th January 2025, of the outcome of the Planning Committee meeting of 18th December 2024. On 5th March 2025 correspondence was received from DfI which concluded that this application did not raise issues of such importance that its impact was considered to extend to a sub-regional or regional level, nor are the circumstances of the case exceptional to warrant the use of the Departments Call-In power under Section 29 of the Planning Act (NI) 2011. The Council could therefore continue to process the application.
- 1.5. As this application was previously the subject of a direction from DfI , the Council is required to hold a pre-determination hearing (PDH) pursuant to Regulation 7(1) of the Planning (Development Management) Regulations (NI) 2015 where the application has not been called in by DfI under Section 29 (1) of the 2011 Act. A PDH was initially carried out on the 9th April 2025, following which the application was presented to Planning Committee on the 30th April 2025 with a recommendation to approve. At this meeting the application was deferred for legal

advice regarding an issue of validity of the application raised by an objector. Legal advice was sought and has been obtained.

2.0 Matters raised

2.1 During the Planning Committee meeting of 30th April 2025, representations from third parties alleged the application was invalid, due to the application being re-categorised by the Planning Department as a major from a local application and the necessity for a Pre Application Community Consultation (PACC) Report to accompany the applications submission. Since the Committee meeting further representations have been received raising issues to include:

- querying the fee paid on the application, and
- the Climate Change Act (NI) 2022 has not been considered.

2.2 In addition to the above, during a comprehensive review of the application, the Planning Department became aware of a procedural failure to Neighbour Notify a number of properties adjoining the application site. This was as a result of a mapping error on the system. Additional neighbours have been identified and have been notified. The notification exercise was carried out on the 28th May and expires 11th June 2025, at the time of writing there have been no representations raised by the additional neighbours notified.

3.0 Consideration of new matters raised

3.1 In respect of the re-categorisation of the application from a local application to a major application and submission of the PACC, the Planning Department note that the

requirement to undertake pre-application community consultation (PACC) and to submit a PACC report emanates from sections 27 and 28 of the Planning Act (NI) 2011.

3.2 Article 3 of The Planning (General Development Procedure) Order (NI) 2015 ("GDPO"), sets out the details which an application for planning permission must contain and the documents which must accompany an application. Article 3(3)(e) states:

“The application must be accompanied-

...

(e) where the application relates to development belonging to the category of major development, by a pre-application community consultation report.”

Article 3(3)(e) does not itself state that the point in time at which the PACC report (or the other documents listed at article 3(3)) must be submitted. It simply says that the application *“must be accompanied”* by the documents.

The objector however relies on wording contained within Development Management Practice Note (DMPN) 10, to support the contention that if the PAAC report is not filed when the application is submitted, the application is invalid.

The language of paragraph 7.9 of DMPN 10 goes further than Article 3(3) GDPO in expressing the time at which the PACC report must be submitted. It is also important to note that the introductory text to DMPN 10 cautions that it is not intended to be a source of definitive legal advice and that *“reference should be made to the actual legislation referred to in this document and if any discrepancy or conflict exists between the practice note and legislation the provisions of the legislation will prevail.”*

- 3.3 A PACC was submitted when the application was recategorized as a major application which is permissible. Recategorising an application from local to major is also permissible. The legislative requirement has been complied with. The application is therefore valid.
- 3.4 In respect of the issue regarding the payment of the correct fee for the application, the Planning Dept has reviewed the planning fee paid and is content the correct fee has been paid in line with fee regulations. The application is valid.

- 3.5 The Climate Change Act (NI) 2022 sets general targets on all Northern Ireland Departments, and while it is a material consideration it is not planning policy. The Planning Department operates in the interests of promoting sustainable development, the proposal has been assessed against the applicable planning policy, the proposal is considered to represent a sustainable form of development at this location.

4.0 Conclusion

- 4.1 In light of the additional matters raised, following the holding of the initial PDH, another PDH is being held to ensure that any interested parties have a further opportunity to have their views heard on the application.
- 4.2 The purpose of this report is to provide information for the Planning Committee to inform the pre-determination hearing and to enable the applicant and interested parties to be heard, ahead of determining the application. The hearing will follow a similar format to the Planning Committee in that the officer will give an oral presentation of the application and key issues. The applicant and interested parties will then have an opportunity to speak. The objective of the hearing will be to focus on the material planning considerations and explore these to facilitate the Planning Committee in making its determination on the application.
- 4.3 The original case Officers report, subsequent Addendum and previous Pre Determination Hearing and associated Pre Determination Hearing Report are appended for information.
- 4.4 Following the PDH, the planning application will be considered by the Planning Committee for decision. The officer's recommendation is currently one of Approval, this is however subject to the outcome of the PDH and any new matters raised.

M Keane

Senior Planning Officer.

11th June 2025.

Ref – LA07/2023/2274/F – Lands at Abbey Way Car Park – Proposed Civic Hub - PDH

This proposal seeks to demolish the multi-storey car park at Abbey Way and construct a new building of approx. 5,680m² over 3 floors on a development site, of approx. 7,000sqm area.

The site is physically constrained by a 200year old gothic Grade A cathedral 45m to the west, a protected route 5m to the east, and residential dwellings 25m to the south.

An understanding of alternative sites, and need for the development are always a material consideration, in the planning process. Especially where there are clear alternative sites, which would avoid causing demonstrable harm to interests of acknowledged importance.

In this circumstance the Council undertook an **independent review by Gray Design of 23 alternative sites in 2016. The independent report discounted this site** due to its physical and functional constraints of the Abbey Way site based on its irregular shape, difference in levels, constrained by roads, significant loss of car parking, and proximity to the Cathedral.

The Deloitte Report – May 2018 confirms that **“no direct economic impact has been calculated for the Civic Hub component”** and raises the lack of information for the **additional quantum of floorspace, which would be let to another organisation (>2500sqm for 162desks).**

There are **no details of who will occupy the additional office floorspace in the planning application nor has any consideration in any iterations of the TA.** There has been no assessment or evaluation of rental yields for office space in Newry City centre or consideration of the rental yield against the build costs, which continue to rise. **There is no economic of business case to support this project.**

It is noted that **officers accept that the proposed floorspace of 5,680m² would require 230no. car parking spaces.** However, the proposal provides **zero parking on-site or in curtilage with the loss of the 304no.car parking spaces** from the demolition of the multi-storey car park.

The **Community Treatment and Care Centre, proposes 12,655sqm of floorspace, with a max patient and staff occupancy of 781 at peak times.** This is a **committed development**, as accepted by DFI Roads and SYSTRA.

The CTCC and Civic Centre will create a cumulative effect on car parking within the Abbeyway and Lower water street car parks. The cumulative net loss of car parking in the area is significant, which will have a profound and long-lasting negative impact on Newry City Centre, affecting shoppers, businesses, parishioners, tourists, families and all those who visit Newry.

The justification from the applicant is a **“snapshot” parking survey of 4 consecutive days in November 2023, at car parks around the city as far as 15mins from the subject site to “spot check” the parking surveys completed during COVID.**

There are numerous **inconsistencies between the iterations of the TA’s with 18 car parks surveyed in one version and 12 car parks surveyed in another. Staff numbers vary between the iterations of the TA’s (287 in V1 then 215 in V2), and that numerous**

assumptions are made, which are not supported by evidence or any reasoned analysis, as the staff questionnaire is not included at Appendix A online in the final TA.

The Travel Plan and mitigation pays **no regard to the fact that 88% of staff travel alone by private car and that 91% of households in Newry Mourne & Down have access to 1 or more cars (NISRA), which would reflect its rural nature.**

Notwithstanding this there has been no consideration in respect of the parking or travel characteristics of the additional office space, who will occupy it, how will they get there or where will they park.

The latest iteration of the TA still **includes additional spaces at Cecil Street and North Street, despite those planning applications not being determined, not being referenced in this application description and no longer being included as conditions** from DFI Roads (paragraph 6.45 of the DMOR dated 18th September 2024), but still referenced as determining in the TA and the addendum report.

The figures as presented are a misrepresentation of the actual circumstances on the ground, which amounts to a misdirection. There has been a **lack of adequate enquiry into the points raised by the 3rd party objectors who provide more up-to-date counter surveys, in May, October and November 2024. It is also noted that DFI Roads, has not consulted with external consultants AMEY to check and validate the applicant's findings in the TA.**

Especially given the starting position of a significant net loss of car parking, zero car parking provision, cumulative net loss of car parking from the CTCC development, high proportion of staff and public private car use given the rural hinterland, and additional office space. The audit trail of DFI Roads consultations does not reconcile with their earlier concerns, nor how they have now arrived at the conclusion of no objection, which we reject, as not being robust.

At its closest point, the **Civic Hub is 45m from the rear corner of the Grade A listed – 200year old gothic cathedral.** The applicant accepts in their Design & Access Statement the particular importance and “need to be able to view both the bell tower of Newry Cathedral and the spire of St Mary’s Church”. **The site also sits between two of the most significant historical buildings – Newry Cathedral and Bagenal’s Castle. We do not accept HEDs findings, as being balanced or objective.** The size, scale and massing of the proposal would significantly detract from the ecclesiastical vistas and setting of the Cathedral from transient and static viewpoints around Newry, as clearly set out in the report by CONSARC.

The removal of existing car parking spaces will prejudice parishioners with mobility issues attending mass services, and large numbers of families attending 1st communions, weddings, and funerals. **Section 75 of the Northern Ireland Act places a statutory obligation on Public Authorities to carry out their functions with due regard to the need to promote equality of opportunity and good relations in respect of religious belief, political opinion, gender, race, disability, age, marital status, dependants and sexual orientation.**

The proposal **constitutes overdevelopment of the site** helmed in by Abbey Way, housing, requiring retaining walls, which no details has been provided, requiring sewer diversions, grossly deficient in the quantum of parking, and significantly reducing existing city centre car parking, whilst **detracting from the critical public viewpoints of the Cathedral.**



19048 Newry Civic & Regional Hub – PDH & Planning Committee Meeting – 19.06.2025

Request for Speaking Rights

Mr. Mark Priestley – Hamilton Architects

Mr. Kieran Carlin – Carlin Planning

Project Overview:

- Newry Civic Hub is part of the NCCR programme, which is supported by Belfast Region City Deal
- The project is a key component of the Council's plans to rationalise its estate and services.
- The proposed Civic Hub is designed to adapt to flexible working, with a modern - open plan office working environment.
- Civic Hub has a GIA of 5,005sqm which includes a Council Chamber, Wedding Venue, Meeting Rooms, and Innovation Hub, open plan Office space and ancillary accommodation.
- Development of a city centre 'brownfield' site. The building is designed to BREEAM 'excellent'.

Local Development Plan:

- The RDS recognises the importance of accessible and vibrant city / town centres.
- This is supported by the Strategic Planning Policy Statement. It requires:
 - A town centre first approach for the location of future retailing and other main town centre uses – including 'business' uses such as the Civic Hub.
 - A sequential approach...when decision-taking, to ensure that a proposal does not undermine the town centre first approach.
 - A diverse range of uses including business, to enhance diversity and attract footfall.
 - High quality design...sustainable, attractive, accessible and safe environments.
 - Accessibility to and within the town centre.

The site is located within Newry City Centre, where a diverse range of uses are encouraged, including:

- Retail, office, commercial, employment, entertainment, cultural, social, religious, community, leisure, sport and transport buildings.
- Occupancy of and visitors to the Civic Hub will help boost city centre economy

PPS 4 – Planning & Economic Development:

- Policy PED 1 - A development proposal for a Class B1 business use will be permitted in a city or town centre...*the objective is to capitalise on development opportunities provided by the concentration of people and goods combined with available infrastructure and the clustering of a range of business services, including the professional, technical and financial services essential to economic development.*
- Compiles with the general criteria for Economic development in Policy PED 9.

Car Parking:

- 138 existing car parking spaces retained immediately adjacent the proposed Civic Hub
- 9 accessible spaces are to be provided (includes 2 existing spaces)
- Current photos clearly demonstrate to multi-decked car park is under utilised

The application meets ALL the criteria of Planning Policy AMP 7 which states a reduced level of car parking provision may be acceptable in the following circumstances:

1. Transport Assessment has identified a package of measures to promote alternative transport modes; or
2. Highly accessible locations well served by public transport; or
3. Where the proposal can benefit from spare capacity available in nearby public car parks or adjacent on-street car parking; or

4. Where shared car parking is a viable option; or
5. Flexibility would aid urban regeneration, facilitate a better quality of development.

Justification for the approach to parking:

- Over half of the existing public parking on the site will be retained.
- Only the under utilised multi-decked car park will be re-developed
- Package of measures including regular shuttle bus (conditioned).
- Evidenced backed car parking analysis:
 - Detailed city centre parking surveys, several occasions and latest in Nov. 2023
 - 16 days of data obtained over a 3-year period.
 - Surveyed Approx. 1,779 car parking spaces & 450 on-street spaces
 - On-street – Min. 10% (45 spaces) availability throughout Thursday & Friday daytime with 40% availability on a Sunday
 - Car Parks – Min. 40% (712 spaces) availability across the city centre (Thu. 11:00 – 12:00).
 - Robustly demonstrates ample parking available in the city centre, especially in the car parks.
- Case Officer's report provides a robust and detailed analysis of car parking, which does not solely rely on upon DfI Roads consultation responses.

Building Design:

- Thorough site analysis and detailed discussions with HED the building has been sculpted to ensure views of the Cathedral remain.
- The building height and mass has been tested with verified views from strategic viewpoints identified by HED.
- The scheme has undergone a Ministerial Advisory Group review and a presentation to the Historic Buildings Council.
- The building does not try to compete with the grand gothic architecture of the Cathedral but merely acknowledges the significance of the ecclesiastical building and is sympathetic with the expression of structure to the façade and the choice of materials.

Drainage:

- Well known wastewater network capacity issues across Northern Ireland
- NI Water recognise the need for new solutions, and this will be controlled through an appropriately worded planning condition.

Retaining wall:

- Existing structure and stone wall to Abbey Wall to remain.
- Proposed new retaining wall will act as support to both the Abbey Way carriageway and the envelope of the Civic Hub building and will be subject to TAS approval.

Summary:

- The application was subject to pre-application community consultation.
- Project will contribute to the vitality and viability of Newry City Centre.
- Project is in accordance with the Local Development Plan and all Regional and Local Planning Policies.
- Robust city centre parking surveys were carried out over a 3-year period with 16 days of data obtained.
- The application has been robustly assessed by all appropriate statutory consultees who are satisfied with the application.
- Robustly scrutinised by the Planning Committee at multiple committee meetings.
- All necessary Conditions have been included.