

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

12.1	Planning Applications	<i>For Information</i>
12.2	Planning Application No D/2007/0028/F	<i>Request application be approved</i>
12.3	Application No D/2006/0583/F	<i>Further information requested</i>
12.4	Minutes – Meeting No 11 – 21.3.07	<i>Adopted</i>
12.5	Presentation – Microgeneration Permitted Development Rights – Consultation	<i>Submit Council Comments to Consultation Document</i>
12.6	Northern Ireland Fire & Rescue Service	<i>Invite to meeting to update Council on its Consultation Review</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 12, held in the Council Chamber, Riada House, Ballymoney on Monday 16th April 2007 at 7.30 pm.

IN THE CHAIR: Alderman H Connolly

PRESENT:**Aldermen**

F Campbell
C Cousley
J Simpson

Councillors

A Cavlan	M McCamphill
P McGuigan	D McKay, MLA
T McKeown	A Patterson
E Robinson	I Stevenson
M Storey, MLA	R Wilson

APOLOGIES:**Councillors**

J Finlay
B Kennedy

IN ATTENDANCE:

Director of Borough Services
Committee Clerk

DoE Planning Department

Mr Gary McClelland (Items 1-3)

Farningham McCreadie Partnership

Mr M Graham (Item 12.5)

Press**12.1 PLANNING APPLICATIONS**

Planning Application No's 1-54 and 1-3 (deferred) were considered and the opinion of the Planning Service accepted, except where stated otherwise.

ITEM NO **1**

APPLIC NO D/2006/0013/O Outline Date Valid 09/02/2006

APPLICANT Mr J Mcmichael

APPLIC ADDRESS Studio Rogers, c/o The Egg Store, 1 Mountsandel Road, Coleraine, BT52 1JB

LOCATION 12 Kilraughts Road, Ballymoney

PROPOSAL Site for residential development comprising a mix of dwelling types to include associated car parking

REPRESENTATION 1 Objections 0 Support 0 Petition of Objection 0Support Petitions

OPINION REFUSAL

- 1 The proposed development is unacceptable in that it would result in unsatisfactory piecemeal development, thereby prejudicing the comprehensive development of the area, contrary to the provisions of Policy QD1 and QD2 of Planning Policy Statement 7: Quality Residential Environments.

Objections related to: Density, environmental damage, access provision and parking

ITEM NO **2**

APPLIC NO D/2006/0022/F Full Date Valid 17/01/2006

APPLICANT Coleraine Developments Ltd.

APPLIC ADDRESS C/o Moore Design, New Row, Coleraine

LOCATION 13 & 15 Kilraughts Road, Ballymoney

PROPOSAL Housing development and roadway for private streets determination

REPRESENTATION 2 Objections 0 Support 0 Petition of Objection 0Support Petitions

OPINION REFUSAL

- 1 The proposed development is unacceptable in that it would result in unsatisfactory piecemeal development, thereby prejudicing the comprehensive development of the area, contrary to the provisions of Policy QD1 and QD2 of Planning Policy Statement 7: Quality Residential Environments.

Objections related to: Density, environmental damage, impact on privacy and amenity.

ITEM NO **3**

APPLIC NO D/2006/0051/F Full Date Valid 09/02/2006

APPLICANT Landbank Homes Ltd

APPLIC ADDRESS C/o Moore Design, 63 New Row, Coleraine, BT52 1EJ

LOCATION 5 & 7 Kilraughts Road, Ballymoney

PROPOSAL Housing development and roadway for Private Streets Determination

REPRESENTATION 2 Objections 0 Support 0 Petition of Objection 0Support Petitions

OPINION REFUSAL

JM/JMc

- 1 The proposed development is unacceptable in that it would result in unsatisfactory piecemeal development, thereby prejudicing the comprehensive development of the area, contrary to the provisions of Policy QD1 and QD2 of Planning Policy Statement 7: Quality Residential Environments.

Objections related to: Density, environmental damage, access, parking and impact on privacy.

MOTION ONE

It was proposed by Councillor Storey, seconded by Councillor McGuigan

that the applications as outlined in Items 1, 2 & 3 be deferred for an Office Meeting under Criterion No 5.

MOTION TWO

Councillor Stevenson proposed, seconded by Alderman Simpson.

that Council accept the decision of Planning Service to refuse applications as outlined in items 1, 2 & 3 for the reasons indicated.

Alderman Connolly put motion one to the vote (recorded at the request of Councillor Stevenson), as follows:

12 members voted in favour of the motion

Councillors	Aldermen
D McKay, MLA	F Campbell
M McCamphill	H Connolly
A Cavlan	C Cousley
P McGuigan	
T McKeown	
A Patterson	
E Robinson	
M Storey	
R Wilson	

With 2 members voting against.

Councillor I Stevenson
Alderman J Simpson

The Chair declared that Motion One was carried.

ITEM NO 4

APPLIC NO D/2006/0145/O Outline Date Valid 26/05/2006

APPLICANT Seaport Investments Ltd

APPLIC ADDRESS C/o Carson McDowell Solicitors, Murray House, Murray Street, Belfast, BT1 6DN

LOCATION 41 Ballymena Road, Ballymoney

PROPOSAL Site for residential development

REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions

OPINION REFUSAL

- 1 The proposal is contrary to the Department's Planning Policy Statement 4, Industrial Development and Policy IBD 3 of Draft Planning Policy Statement 4, Industry, Business and Distribution in that the existing industrial land and buildings are a valuable resource with the potential to accommodate employment opportunities and should therefore be retained in their present use.

Objections received following production of the schedule relate to:

Loss of industrial land, access onto Riada Avenue causing restriction of commercial vehicles, danger to children caused by heavy industrial vehicles using the access.

MOTION ONE

It was proposed by Alderman Campbell, seconded by Councillor Wilson

that the application be deferred for an Office Meeting under Criterion No 5.

MOTION TWO

Alderman Simpson proposed the following amendment (Motion Two), seconded by Councillor McCamphill

that Council accept the decision of Planning Service to refuse the applications for the reasons indicated.

The Chair put Motion Two to the meeting. Two members voted in favour with five members voting against. The Chairman declared Motion Two lost.

Motion One, on being put to the meeting, was carried.

Councillor McGuigan expressed the view that all applicants should be entitled to office meetings to discuss their applications. Councillor Storey concurred with these comments and requested consideration be given to future challenges to council relating to the use of industrial land for residential development to enhance what may become derelict sites due to lack of investment in the town and surrounding areas. Councillor Stevenson believed that such developments would change the character of the area and was against the use of industrial sites for residential dwellings.

ITEM NO 8

APPLIC NO D/2006/0274/O Outline Date Valid 26/05/2006
 APPLICANT Mr R Irwin
 APPLIC ADDRESS Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION Site 160m North East of 255 Moycraig Road, Dervock
 PROPOSAL Site for replacement cottage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0Support Petitions
 OPINION REFUSAL

1 Contrary to CTY1 and CTY5 of PPS14 - residential use abandoned.

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor Wilson)

ITEM NO 9

APPLIC NO D/2006/0275/O Outline Date Valid 26/05/2006
 APPLICANT Mr R Irwin
 APPLIC ADDRESS Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION Site at Urbal Road, 145m North East of 255 Moycraig Road, Dervock.
 PROPOSAL Site for replacement cottage.
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0Support Petitions
 OPINION REFUSAL

1 Contrary to CTY1 and CTY5 of PPS14 - residential use abandoned.

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor Wilson)

ITEM NO 11

APPLIC NO D/2006/0345/O Outline Date Valid 19/07/2006
 APPLICANT Mr & Mrs Gamble
 APPLIC ADDRESS C/o Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION Site of Moneycannon Road, 65m north of 87 Finvoy Road, Ballymoney
 PROPOSAL Site for dwelling & garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0Support Petitions
 OPINION REFUSAL

1 Contrary to CTY1 (insufficient need), CTY11 (rural character) and CTY12 (ribbon development) of PPS14.

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor Wilson)

ITEM NO 17

APPLIC NO

Full Date Valid 13/10/2006

APPLICANT Wj Watters Ltd

APPLIC ADDRESS 39 Glenstall Road, Ballymoney

LOCATION 91 & 91A Bann Road, Bendooragh.

PROPOSAL Housing development to provide 16no. dwellings (one-and-a-half and 2 storey), road & sewers. Access from approved entrance off Bann Road.

REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION REFUSAL

- 1 The proposed development is contrary to the Department's Planning Policy Statement 7, in that it fails to create a quality residential environment.

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor Storey)

ITEM NO 18

APPLIC NO D/2006/0487/O Outline Date Valid 16/10/2006

APPLICANT Mr & Mrs Mcaleese

APPLIC ADDRESS Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL

LOCATION Site to the rear of 44 Finvoy Road, Ballymoney

PROPOSAL Site for single storey dwelling and garage

REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION REFUSAL

- 1 Contrary to CTY1 and CTY4 (PPS14) - insufficient case for dwelling for non-agricultural business enterprise

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor McKay)

ITEM NO 21

APPLIC NO D/2006/0499/O Outline Date Valid 20/10/2006

APPLICANT Messrs Harkness, O'Kane & Barkley

APPLIC ADDRESS C/o MKA Planning, 15 Harper's Quay, Spencer Road, Derry, BT47 6AE

LOCATION Lands at Nos. 25-35 Ballymena Road, Ballymoney

PROPOSAL Site for housing development (to replace existing industrial units & associated outbuildings)

REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION REFUSAL

JM/JMc

- 1 The proposal is contrary to the Department's Planning Policy Statement 4, Industrial Development and Policy IBD 3 of Draft Planning Policy Statement 4, Industry, Business and Distribution in that the existing industrial land and buildings are a valuable resource with the potential to accommodate employment opportunities and should therefore be retained in their present use.

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor Storey). Councillor Storey requested the meeting take place at the premises and the Planning Officer agreed.

ITEM NO 23

APPLIC NO D/2006/0507/F Full Date Valid 23/10/2006
 APPLICANT Mr P Mackie
 APPLIC ADDRESS C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
 LOCATION 82 Ballyveely Road, Loughguile
 PROPOSAL Proposed restoration & extension to property to provide additional living space
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 Contrary to CTY5 of PPS14 - residential use abandoned.
 2 Contrary to BH15 of PPS6 (re-use of non-listed vernacular buildings).

It was AGREED: that an office meeting be held under Criterion No 5, at the Planning Office in Coleraine (Alderman Connolly)

ITEM NO 25

APPLIC NO D/2006/0522/F Full Date Valid 31/10/2006
 APPLICANT Ms I McMullan
 APPLIC ADDRESS 9 Drumdult Park, Ballymoney, BT53 6NG
 LOCATION 9 Drumdult Park, Ballymoney
 PROPOSAL Two storey extensions to side & rear of dwelling. Erection of single storey porch and bay window to front of dwelling. Erection of detached domestic store.
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Alderman Campbell thanked the Planning Service for this decision.

ITEM NO 28

APPLIC NO D/2006/0549/F Full Date Valid 13/12/2006
 APPLICANT Mr N Cubitt
 PPLIC ADDRESS C/o Richard Burnside, 41 Dromona Road, Cullybackey, BT42 1NT
 LOCATION 18 Drumack Lane, Rasharkin
 PROPOSAL Replacement farmworkers dwelling
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 Contrary to CTY1, CTY2 and CTY5 of PPS14 - stated need not of sufficient weight to justify relaxation of strict policy applied within countryside and residential use of building abandoned.

It was AGREED: that an office meeting be held under Criterion No 5 (Councillor Wilson)

APPLICATIONS DEFERRED FROM PREVIOUS MEETING**ITEM NO D 1**

APPLIC NO D/2006/0245/F Full Date Valid 05/05/2006
 APPLICANT Mr P Given
 APPLIC ADDRESS Moore Design, 63 New Row, Coleraine, BT52 1EJ
 LOCATION Adjacent to 12 Kirk Road, Ballymoney
 PROPOSAL Proposed temporary change of use from car sales / showroom to shop - convenience store
 REPRESENTATIONS 1 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Councillor Stevenson thanked the Planning Service for this decision.

ITEM NO D 2

APPLIC NO D/2006/0318/O Outline Date Valid 26/06/2006
 APPLICANT Mr S Casey
 APPLIC ADDRESS 319 Townhill Road, Rasharkin
 LOCATION Land adjacent to 319 Townhill Road, Rasharkin
 PROPOSAL Site for retirement single storey dwelling with detached domestic garage
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 The proposal is contrary to Policy CTY1 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside and the accompanying Ministerial JM/JMc

Statement in that there is a presumption against development throughout the countryside and it does not merit being considered an exception to the policy nor are there any overriding reasons why this development is essential and could not be located within a settlement.

- 2 The proposal is contrary to Policy CTY12 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the development would, if permitted, result in the creation of ribbon development along Townhill Road and would therefore adversely affect the visual amenity and character of the countryside.
- 3 The proposal is contrary to Policy CTY12 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the dwelling would, if permitted result in a build-up of development when viewed with existing and approved buildings and would therefore result in a detrimental change to the rural character of the countryside.
- 4 The proposed development would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide adequate sight lines where the proposed access joins Townhill Road.

ITEM NO D 3

APPLIC NO	D/2006/0325/O	Outline	Date Valid	03/07/2006
APPLICANT	Ms V Brady			
APPLIC ADDRESS	94 Macfin Road, Ballymoney, BT53 7QW			
LOCATION	94A Macfin Road, Ballymoney			
PROPOSAL	Proposed - 2 storey dwelling & garage (domestic)			
REPRESENTATIONS	0	Objections 0	Support 0	Petition of Objection 0
OPINION	REFUSAL			

- 1 The proposal is contrary to Policies CTY1 & CTY2 Draft PPS 14, Sustainable Development in the Countryside and the accompanying Ministerial Statement and does not merit being considered as an exceptional case as the stated need for this dwelling does not justify a relaxation of the strict planning controls in the countryside.
- 2 The proposal is contrary to Policy CTY12 & CTY12 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the dwelling) would, if permitted result in a build-up of development when viewed with existing and approved buildings, would not respect the traditional pattern of settlement exhibited in that area, create or add to a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.
- 3 The proposal is contrary to Policy CTY10 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed site lacks long established natural boundaries/ is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not integrate into this area of the countryside.

JM/JMc

- 4 Unacceptable access arrangement.

APPEAL DECISIONS NOTIFIED

ITEM NO	1			
APPLIC NO	D/2005/0422/O	PAC NO	2006/A0015	
RESULT OF APPEAL	Dismissed			
APPLICANT	Mr P Mc Kenna			
LOCATION	Lands to the rear of St. Columbs RC Church, 120 Bendooragh Road, Ballymoney			
PROPOSAL	Site for traditional rural style dwelling			

Office Meetings: 27th April 2007

12.2 PLANNING APPLICATION NO D2007/0028/F

Councillor Storey highlighted the long delay in bringing this application to Council, stating that the time period to date is unreasonable as issues relating to Roads Service have now been resolved.

It was proposed by Councillor Storey, seconded by Councillor Stevenson

that this application be presented to Council for approval without further delay.

The Planning Officer agreed to look into this matter.

12.3 APPLICATION NO D/2006/0583/F

At the request of Councillor McCamphill, the Planning Officer advised that currently, no information is available relating to this application and that Planning Service is awaiting further information from the consultees before an assessment can be made.

The Planning Officer left the meeting at 8.00 pm.

12.4 MINUTES OF MEETING NO 11 – 21ST MARCH 2007

It was proposed by Councillor Storey, seconded by Alderman Cousley and **AGREED:**

that the minutes of Consultation Meeting No 11 on 21st March 2007, as circulated, be confirmed as a correct record.

Matters Arising

4.1 Planning Applications (11.2)

Councillor Robinson requested that Planning Service make every endeavour to consider Council's plans for dealing with waste, in accordance with Council's letter to David Ferguson, Planning Headquarters.

12.5 MICROGENERATION PERMITTED DEVELOPMENT RIGHTS – CONSULTATION

At the request of Council, Farningham McCreadie Partnership have drafted a response to a consultation document relating to Planning Service proposals to extend permitted development rights for solar energy, wind energy and fuel cell generation. The closing date for comments is the end of April and Mr Michael Graham from Farningham McCreadie attended the meeting to present a suggested Council response.

*** The Press left the meeting at 8.17 pm**

Mr Graham went through the draft document and all comments were accepted with the exclusion of questions (3), (6), (12), (17), (30), (36) and (39) which will be re-visited and revised responses prepared to reflect the Council's views

*** Councillor Wilson left the meeting at 8.35 pm**

*** Alderman Connolly left the meeting at 8.50 pm. Councillor Storey assumed the Chair at this time.**

It was proposed by Alderman Campbell, seconded by Councillor Robinson and **AGREED:**

that Council approve the draft response presented, subject to the amendment to questions as referred to above and that the response be forwarded to the Chief Executive to be submitted on Council's behalf.

*** Councillor McCamphill left the meeting at 9.00 pm.**

12.6 NORTHERN IRELAND FIRE & RESCUE SERVICE

Councillor Storey advised members that the Northern Ireland Fire & Rescue Service has re-issued its risk management plan with an intention to review this over the coming weeks. Councillor Storey will be meeting with the Chief Fire Officer in the near future and will report back to Council on the outcome of his meeting and it was agreed that following this, an invitation be extended to the Fire Service to attend a meeting of Council to explain its plans further.

This being all the business, the meeting closed at 9.30 pm.