

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

49.1	Minutes – Meeting No 48 – 15 th March 2010	<i>Confirmed</i>
49.2	Planning Applications	<i>Response agreed</i>
49.3	Planning Appeals Commission	
	3.1 Mr S Laverty	<i>Support appeal</i>
	For Information	
	3.2 Mr A Millen	<i>For information</i>
	3.3 Mr K McMullan	<i>For information</i>
	3.4 Mr R Camac/Mr P McCullough	<i>For information</i>
49.4	The Planning Service	
	4.1 Proposed erection of wind turbine at 583m North of 42 Reservoir Road, Corkey	<i>For information</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 49, held in the Council Chamber, Riada House, Ballymoney on Monday 19th April 2010 at 2.00 pm.

IN THE CHAIR Alderman H Connolly

PRESENT

Aldermen
C Cousley, MBE, Deputy Mayor
J Simpson

Councillors
J Finlay
R Halliday
M McCamphill
E Robinson
I Stevenson

APOLOGIES: Alderman F Campbell, Mayor
Councillor A Patterson

IN ATTENDANCE Chief Executive
Committee Clerk
Press

DoE Planning Service
M McCrystal

49.1 MINUTES – MEETING NO 48 – 15TH MARCH 2010

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

that the minutes of Meeting No 48 – 15th March 2010 be confirmed as a correct record.

* Alderman Simpson joined the meeting at 2.02 pm.

49.2 PLANNING APPLICATIONS

2.1 Applications 1-6 were considered and the opinion of the Planning Department accepted except where stated otherwise.

Full details of applications can be viewed at:

http://apps.planningni.gov.uk/council_schedules/ballymoney.aspx

Item 2 - D/2009/0282/F – Refusal

Proposed farm dwelling and garage adjacent to 58 Bravallen Road, Ballymoney for Mr JD Perry.

The Planning Officer advised that two refusal reasons from Roads Service were also attached to the application.

1. Inadequate visibility splays
2. Inadequate access arrangements

It was **AGREED:** That an Office Meeting be held (Councillor Finlay).

Item 3 – D/2009/0347/O – Refusal

Site of farm dwelling and garage adjacent to 24 Drumack Lane, Rasharkin for Mr D McMullan.

It was **AGREED:** That an Office Meeting be held (Councillor Finlay).

Item 6 – D/2010/0040/F – Refusal

Erection of new domestic workshop/garage and utility space at 79B Finvoy Road for Mr J. O’Kane.

It was **AGREED:** That an Office Meeting be held (Councillor Halliday).

2.2 Applications deferred from Previous Meeting

Applications 1-6 (deferred) were considered and the opinion of the Planning Department accepted except where stated otherwise.

Item 1 – D/2007/0635/F – Approval

Amended plans have been received which satisfy Historic Buildings and Building Control and the Department is now able to approve.

Item 2 – D/2008/0401/F – Refusal

At the request of Councillor Stevenson, the Planning Officer reminded members of the objections to the application eg

1. Additional traffic and road safety issues
2. Extending forward of existing building line which would impact on site lines and future road widening
3. Noise and odour

Councillor Finlay requested clarification on the status of the application, his understanding being that this had been withdrawn. Councillor Finlay, Councillor Stevenson and Councillor Robinson recorded their disappointment at the refusal stating the need for a hotel within the borough and the subsequent replacement of a derelict building.

The Planning Officer **AGREED** To hold the application for two weeks pending information from the applicant on the withdrawal of the application.

Item 3 – D/2009/0029/F – Refusal

Roads Service issues have not been addressed and the Department's decision to refuse the application remains.

Councillor Stevenson recorded his concerns relating to retrospective applications.

Item 4 – D/2009/0273/F – Approval

Amended plans have been submitted which satisfy Roads Service issues.

Item 5 – D/2009/0348/O – Approval

Amended plans have been received which address Roads Service issues and acceptable access to the site can now be provided. Councillor Finlay welcomed the decision of the Department to approve the application.

Item 6 – D/2009/0391/A - Refusal

Councillor Finlay and Councillor Stevenson expressed disappointment at refusal of the application stating the need for promotion of businesses in the current economic climate.

2.3 Appeal Decisions Notified

Item No 2 – D2006/0082/O PAC NO 2007/a1254

Councillor Finlay welcomed the decision of the Planning Appeals Commission to uphold the application.

**Date of Office Meetings: Monday 10th May 2010 at 2.00 pm
McKinley Room, Riada House**

* The Planning Officer and members of the press left the meeting at 2.20 pm.

49.3 PLANNING APPEALS COMMISSION

**3.1 The Planning (Northern Ireland) Order 1991 Appeal Against Enforcement Notice.
Issued on 16th February 2010 to Mr Seamus Laverty**

The alleged unauthorised erection of dwelling, retaining wall & associated hard standing. Land 140m north of 118A Coolkeeran Road, Ballyknock, Loughgiel

The Commission has received an appeal against the enforcement notice. The Commission is required under Article 69 (5) of the Planning (Northern Ireland) Order 1991 to notify the District Council of such appeals and in exercising its powers to take account of any representations received from the Council. Representations should be submitted within 5 weeks of the date of the correspondence.

It was proposed by Alderman Connolly, seconded by Councillor Finlay.

that Council support the appeal against the enforcement notice.

**3.2 The Planning (Northern Ireland) Order 1991.
Appeal: Mr Aylmer Millen.**

Demolition of existing derelict dwelling (3 no) and construction of new dwelling - Land to south west of 54 Glenstall Road, Ballymoney.

Commission's decision: The appeal is allowed and outline planning permission is granted subject to certain conditions. Details are available from Office of the Chief Executive.

**3.3 The Planning (Northern Ireland) Order 1991
Enforcement Appeal: Mr Kevin McMullan**

The alleged unauthorized use of the land as a builders yard/storage area making a material change in the use of said lands. Land adjacent to No 1 Lisheegan Lane, Ballymoney

Commission's decision: The outcome of the enforcement appeal is as follows:

- (i) The appeal on Ground (d) fails;
- (ii) The appeal on Ground (a) fails and the deemed planning application is refused.
- (iii) The notice is upheld.

Details are available from the Office of the Chief Executive.

**3.4 The Planning (Northern Ireland) Order 1991
Enforcement Appeal: 2008/E060 & 2008/E061:
Mr Roy Camac**

Alleged unauthorized use of the land for a moto-cross circuit making a material change in the use of the said lands &

Alleged unauthorized moto-cross circuit and mounds development carried out without the grant of planning permission required. Land at 180m of SW of 62 Kirk Road, Ballymoney

The Planning (Northern Ireland) Order 1991
Appeal 2007/A1296: Mr Philip McCullough
Retain moto-cross circuit, change of use from agricultural land to moto-cross circuit. 180m SW of Kirk Road, Ballymoney

Commission's decision:

2008/E060 (Notice 1 – Material change of use)

- (i) The appeal on Ground c fails.
- (ii) The appeal on Ground (d) fails.
- (iii) The appeal on Ground (a) fails and the deemed planning application is refused.
- (iv) The appeal under Ground (f) fails.
- (v) The appeal under Ground (g) fails.
- (vi) The Notice is upheld.

2008/E061 (Notice 2 – Operational development)

The appeal is on ground (d) succeeds and the enforcement notice is quashed.

2007/A1296

The appeal is dismissed and full planning permission is refused. The decision relates to the plans submitted and the planning application. Details are available from the Office of the Chief Executive.

49.4 THE PLANNING SERVICE

4.1 Location: 583m North of 42 Reservoir Road, Corkey

Proposal: Erection of wind turbine, not exceeding 100m or 2.5MW, with associated hard standing. Substation with 1.2m roof mounted antennae together with hard standing and 2.4m high galvanized steel security fencing around perimeter. Together with temporary met mast and new access track to access substation and turbine site.

The application has been withdrawn.

The meeting closed at 2.30 pm.