

**BALLYMONEY BOROUGH COUNCIL
CONSULTATION COMMITTEE**

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Ballymoney Borough Council

Minutes of Consultation Committee Meeting No 57, held in the Council Chamber, Riada House, Ballymoney on Monday 20th December 2010 at 2.00 pm.

- IN THE CHAIR:** Alderman H Connolly
- PRESENT:**
- Aldermen**
F Campbell
C Cousley, MBE, Deputy Mayor
J Simpson
- Councillors**
A Cavlan
J Finlay
R Halliday
B Kennedy, Mayor
M McCamphill
T McKeown
A Patterson
E Robinson
I Stevenson
M Storey, MLA
- APOLOGIES:**
- Councillors**
P McGuigan
C McLaughlin
- IN ATTENDANCE:**
- Chief Executive
Head of Corporate & Development Services
Committee Clerk
- Press**
Planning Service(Item 3)
P Mc Grogan, Planning Officer

57.1 PRESENTATION – AGE CONCERN

Alderman Connolly explained that due to the adverse weather conditions, Age Concern postponed their presentation until early in the New Year.

57.2 MINUTES - Meeting No 56 – 15th November 2010

It was proposed by Alderman Campbell, seconded by Alderman Cousley and
AGREED:

that the minutes of Meeting No 56 – 15th November 2010, as circulated, be confirmed as a correct record.

57.3 PLANNING APPLICATIONS

- 3.1 Applications 1 – 11 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/councilschedules/ballymoney.aspx>

Item 1 - D/2009/0197/F - Approval

Proposed development of additional pitch and hurling wall including floodlighting. The Planning Officer advised that approval was granted.

Objection Letters: (1) Concern about the impact of flood lighting.

Item 2 – D/2010/0141/F – Approval

Proposed wind turbine, 1 gaia-wind 11kw turbine (lattice tower construction). No objection letters.

Item 3 – D/2010/0150/O – Refusal

Four reasons for refusal. The Planning Officer advised that insufficient information had been provided to allow the Department to determine the application.

It was **AGREED:** That an office meeting be held (Alderman Campbell).

Item 4 – D/2010/0257/F – Refusal

Proposed 5 no. dwelling including 1 no. detached and 4 no. semi-detached. The Council accepted the Planning Department's decision.

(See D/2010/0257/F) Page 4

***Alderman Simpson joined the meeting at 2.10 p.m.**

Item 5 – D/2010/0265/O - Refusal

Proposed dwelling and garage at West of 53 Tamlaght Road, Rasharkin. Two reasons for refusal.

It was **AGREED:** That an office meeting be held (Councillor Cavlan).

***Councillor Storey arrived at 2.10 p.m.**

Item 6 – D/2010/0267/O – Refusal

Proposed site for dwelling on a farm, plus detached garage. Proposal refused regarding Roads Service matter.

It was **AGREED:** That an office meeting be held (Alderman Connolly).

Item 7 – D/2010/0268/O - Refusal

Proposed dwelling on a farm. The Planning Officer advised that this proposal was refused owing to Road Service concerns – inadequate sight lines.

It was **AGREED:** That an office meeting be held (Alderman Connolly).

Item 8 – D/2010/0274/O – Refusal

Proposed site for 1 no. single storey dwelling. Proposal refused due to concerns with Road Service issues – inadequate sight lines.

It was **AGREED:** That an office meeting be held (Councillor Storey).

Item 9 – D/2010/0289/F - Approval

Proposed two storey extension to rear of dwelling and new garage.

Objection letters: (1) Concern about the impact on residential amenity.

After consideration of objection letter the Planning Department decided it appropriate for approval.

**** Councillor Storey at this point in the meeting referred back to Item 4 – D/2010/0257/F – Refusal**.**

It was **AGREED:** Than an office meeting be held (Councillor Storey).

Item 10 – D/2010/9293/F – Approval

Proposed replacement hall. Councillor Patterson thanked the planning department for approval.

*** Press arrived at 2.15 p.m.**

Item 11 – D/2010/0309/F - Refusal

Proposed 2 No. Detached dwellings at 41 Newal Road, Ballymoney. Four reasons for refusal.

It was **AGREED:** That an office meeting be held. (Councillor Kennedy, Mayor).

***Councillor Stevenson arrived at 2.15 p.m.**

3.2 Applications Deferred from Previous Meeting

Applications 1 – 8 were considered and the opinion of the Planning Department accepted except where stated otherwise.

***Councillor Patterson arrived at 2.17 p.m.**

***Councillor Finlay arrived at 2.17 p.m.**

Item 1 D/2006/0430/F - Approval

Discussion ensued with a number of Councillors voicing objections to this approval regarding: (1) Parking and bin collection, (2) The modern structure does not fit in with the area and (3) ten apartments being too many for the vicinity.

Written objections related to parking issues and general servicing matters. The Planning Officer explained that it was not a listed building and approval has now been granted.

Item 2 D/2007/0198/F - Refusal

The Planning Officer explained that the applicant has lodged an enforcement appeal on the planning merits of the case and the appeal to the Planning Appeals

Commission is taking place on 12th January 2011. A number of Councillors voiced their objections to this proposal being refused and requested a meeting to discuss. Alderman Campbell explained that the applicant would consider relocating and building with brick to match the cluster of houses. The Planning Officer indicated that he would hold the application until after the appeal process was concluded.

It was proposed by Councillor Finlay, seconded by Councillor Stevenson and **AGREED:**

that Council write to the MP to request a meeting with the Divisional Planning Manager on the application.

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

that Council lend its support to the application.

On being put to the meeting ten voted in favour and the Chair declared the motion carried.

***The Head of Corporate and Development Services left the meeting at 2.30 p.m.**

***The Press left the meeting at 2.30 p.m.**

Councillor McKeown joined the meeting at 2.30 p.m.

Item 3 D/2008/0272/DCA - Refusal

The Planning Officer explained that their department have not been made aware of the redevelopment taking place. Alderman Simpson stated that the site is in a conservation area, and that he supports the decision of the Planning Department.

It was **AGREED:**

that the application be held for one month until Planning Service receive agreement that this application is withdrawn.

Item 4 D/2008/0369/O - Refusal

Three reasons for refusal. The Planning Officer explained that the objection letter was due to the impact of the residential amenity. The Council accepted the Planning Department's decision on this matter.

Item 5 D/2919/0004/RM - Approval

Proposed dwelling and garage behind 140 Vow Road, Ballymoney. Now approved.

Item 6 D/2010/0122/RM - Approval

Proposed 6 No. Apartments and parking area. - Approved. Councillor Finlay welcomed the Planning Department's decision in approving Item No's 5 and 6.

Item 7 D/2010/0123/RM – Approval

Proposed 6 No. Apartments and parking area. - Approved. Councillor Stevenson stated that he did not welcome the decision made in approving Items No's 6 and 7.

Item 8 D/2010/0132/F - Approval

Proposed erection of a 250kw wind turbine with a tower height of 31m.
The Planning Officer advised that after taking one objection letter into consideration the application was approved. Councillor Finlay welcomed the decision.

**Office Meetings: Thursday 6th January 2011 at 10.00 a.m.
McKinley Room, Riada House**

***The Planning Officer left the meeting at 3.00 p.m.**

57.4 DRAFT NORTHERN AREA PLAN (dNAP) OBJECTIONS

Report from Planning Consultant following member workshop on 11th November 2010 is attached.

It is recommended that the report be adopted and Council agrees to the submission of a joint response, with Limavady Borough Council, to the Examination in Public on the draft Northern Area Plan.

It was proposed by Councillor Finley, seconded by Councillor McCamphill and **AGREED:**

that the report be adopted and Council agrees to the submission of a joint response, with Limavady Borough Council, to the Examination in Public on the draft Northern Area Plan.

57.5 PROPOSED ALTAVEEDAN WIND FARM – PLANNING APPLICATION SUBMITTED

RES has submitted a planning application for Altaveedan Wind Farm along with an Environmental Statement (ES) to the Planning Service Headquarters. Altaveedan Wind Farm is located in the townlands of Altaveedan North, Altaveedan South, Aldorough and Shelton South, approximately 2km east of Loughgiel. The proposal is for up to 9 turbines, with a maximum height to tip of 101.2 metres.

As part of the development process RES has conducted environmental impact assessments. The findings from all the site studies we have undertaken have been written up in a comprehensive ES. The non technical summary can be downloaded from www.altaveedanwindfarm.co.uk or view them at Loughgiel Millenium Centre or Ballymoney Library.

In response to Councillor Cavlan, the Chief Executive explained that there may have been a technical problem when she was unable to download the summary and that he would look into this and report back to her

57.6 PPS 4 'PLANNING AND ECONOMIC DEVELOPMENT' AND DRAFT PPS 16 'TOURISM'

Further to the recent NILGA lobbying campaign on planning issues consultations are now underway on two planning policy statements (PS11 and PPS16) and also on proposals for a new planning charging mechanism. The NIGLA/SOLACE Planning Working Group has met to consider the NILGA approach to these consultations.

57.7 PPS 11 PLANNING AND WASTE MANAGEMENT

The Environment Minister has announced his intention to review planning policy for waste management to take account of recent changes to European legislation. Current policy is contained in Planning Policy Statement (PPS) 11 – Planning and Waste Management published in December 2002.

Comments were invited by the end of December. There were no comments offered.

58.8 PRESENTATION REQUEST

A request had been received from the Electoral Office NI to present to Council.

It was proposed by Councillor Cavlan, seconded by Councillor Stevenson and
AGREED:

that the request received from the Electoral Office NI to present to Council be granted.

58.9 GRITTING OF PAVEMENTS

Councillor Robinson referred to the matter of gritting pavements discussed at length at the previous Council meeting and sought clarification on policy decision reached.

The Chief Executive clarified the outcome of the Council meeting and stated that there was no appetite to take on the work but it had been agreed, to continue to support the Chamber of Commerce in their work and that a delivery of grit had been obtained from Roads Service and placed at the rear of commercial premises on Main Street, Ballymoney. This enabled business owners to access the grit and use it outside their premises. At Council's request the eight local villages were also taken into account when requesting grit from Roads Service. The Chief Executive had liaised with Sinn Féin and DUP Constituency Offices at this time in order to identify appropriate delivery areas outside Ballymoney. Road Service subsequently confirmed the following day that their salt supplies were running low and that they could only then supply stone chippings. DUP and Sinn Féin were informed of this and in some instances the stone chippings were deemed suitable. Councillor Cavlan advised that secure sites had been arranged for grit in Dunloy and Loughgiel and community associations and volunteers were spreading grit on footpaths.

Councillor Finlay said he was disappointed that Council were not assisting local traders in clearing the footpaths particularly during the run up to Christmas particularly since other councils in the region were clearing footpaths.

Tribute was paid to Dalriada Rugby Team who had cleared ice and snow from footpaths on Saturday.

There was a lengthy discussion between the members. The matters raised were:-

Concern re Council setting a precedent for the future; Need for Department of Regional Development to take responsibility on this matter and put a plan in place; Extra costs and increase in rates which could result if Council took responsibility for clearing of footpaths; Responsibility taken on by local traders themselves to clear the footpaths; Availability of Council manpower; Indemnity; Extensive media coverage; Possible action under Emergency Planning; need to step up help to traders as conditions get more severe; Supply and deliver the grit by Roads Service Identification of areas for delivering the grit; Minister's assertion that the cost of the task was prohibitive but at the same time asking Council to do task within existing resources.

At this stage in the meeting the Chief Executive highlighted a number of points in response to the issues raised.

- He explained the redeployment of street sweeping and grounds maintenance staff in the present adverse weather conditions to assist refuse collection squads, clearing Council car parks and Council premises in order to keep access clear;
- Snow clearance from footpaths at Cemetery to facilitate funerals, clearing football pitches;

Following attention to these immediate issues some assistance could be provided to support the efforts of traders to help clear some footpaths in the run up to Christmas.

However, he cautioned regarding setting a precedent and explained that the amount already offered by Roads Service for the period of September to March is £478.75. Confirmation would also need to be sought from the Department of Regional Development regarding indemnity assurance. He advised that the help Council could offer would be limited. He clarified that Council could not offer a service at the weekend, its help being only during normal working hours.

The Chief Executive acknowledged that this is a critical time for traders and that he had spoken to the Chairperson of the Chamber of Commerce and had undertaken to update her on the outcome of the meeting.

Councillor Robinson advised that Solace had requested a legal opinion from NILGA and that each Council be given a copy of that legal opinion.

The Chief Executive also clarified at the request of Alderman Simpson that help will be provided within Council's staffing resources. There will be no overtime or employment of extra people and the offer was on the basis of the main streets identified by the Chamber:

Both sides of Main Street, Church Street, one side of Victoria and Linenhall Street. Access into Castle Street and Church Street car parks..

Councillor Finlay suggested that footpaths outside the Council premises be cleared also and the access from the Townhead Street Car Park to High Street.

It was proposed by Councillor Finlay, seconded by Councillor Halliday and
AGREED:

that Council do something (to assist with clearing snow and ice from town centre footpaths) with its own workers, by employing someone or doing something in association with traders/Chamber of Commerce, to help traders as a one-off

emergency situation between now and Christmas Eve 2010, any costs to be met from the emergency planning budget.

The designated commercial area agreed was:

- ***High Street to Town Hall junction, including to pedestrian access to Townhead Street Car Park***
- ***Main Street (both sides)***
- ***Church Street (both sides), including pedestrian access to car park***
- ***Linenhall Street (post office side)***
- ***Victoria Street (Music Box side)***
- ***Also footpath at front of Council offices***

FOR (13)

AGAINST (1)

The Chairperson wished everyone a Happy Christmas.

The meeting closed at 4.25 p.m.