

BALLYMONEY BOROUGH COUNCIL

Council Meeting No 836 – 19th April 2006

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836.1 Planning Applications

BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 836 held in the Council Chamber, Riada House, Ballymoney on Wednesday 19th April 2006 at 7.30 pm.

IN THE CHAIR: Alderman Cousley (Mayor)

PRESENT: **Aldermen**
F Campbell H Connolly
J Simpson

Councillors
Mrs Cavlan J Finlay
D McKay A Patterson
E Robinson R Wilson

APOLOGIES: B Kennedy
M McCamphill P McGuigan, MLA
T McKeown I Stevenson (Deputy Mayor)
M Storey, MLA

IN ATTENDANCE: Chief Executive
Committee Clerk

DoE Planning Department
P McGrogan

Press

836.1 PLANNING APPLICATIONS

The applications No's 1-36 and 1-17 (deferred) were considered and the opinion of the Planning Services accepted, except where stated otherwise.

ITEM NO	1				
APPLIC NO	D/2004/0485/F	Full	Date Valid	09/08/2004	
APPLICANT	Mr Y Cheung				
APPLIC ADDRESS	C/O Agent - R. Robinson & Sons, 59 High Street, Ballymoney				
LOCATION	No's 27 & 28 Shandon Park Garryduff Road Ballymoney				
PROPOSAL	Change of use of existing retail premises to licensed restaurant associated with existing fast-food restaurant.				
REPRESENTATION	1 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Approval			XX	

The objection was: **related to access and disposal of fumes.**

ITEM NO 2

APPLIC NO D/2005/0206/O Outline Date Valid 02/03/2005
 APPLICANT Mr McBride
 APPLIC ADDRESS 15 Altnahinch Road, Armoy
 LOCATION 250m North of 34 Altnahinch Road, Armoy
 PROPOSAL Site for dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 Contrary to PPS2 - Planning and Nature Conservation - in that the development would, if permitted, damage the nature conservation value and feature of the River Bush corridor.

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Councillor Cavlan)*

ITEM NO 3

APPLIC NO D/2005/0397/O Outline Date Valid 12/04/2005
 APPLICANT Mr Hanna
 APPLIC ADDRESS 303 Craigs Road, Rasharkin
 LOCATION Approx 600m North East of 29 Drumack Road, Rasharkin
 PROPOSAL Site for dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up.
- 3 The proposed development would, if permitted, prejudice the safety and convenience of road users since adequate forward sight distance is not available on the public road at the proposed access.

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Councillor Wilson)*

ITEM NO **4**

APPLIC NO D/2005/0430/O Outline Date Valid 18/04/2005

APPLICANT Mr Mc Quaide

APPLIC ADDRESS 9 Castlehill Drive, Ballymoney, BT53 6RS

LOCATION 26 Ballymena Road, Ballymoney

PROPOSAL Site for 2 no. detached dwellings and garages

REPRESENTATION 3 Objections 0 Support 0 Petition of Objection 0 Support Petitions

OPINION Approval

The objections were: related to privacy.

ITEM NO **9**

APPLIC NO D/2005/0617/F Full Date Valid 13/06/2005

APPLICANT Mr Mathewson

APPLIC ADDRESS C/O Trevor Fleming, Market Studio, 14 Market Studio, Ballymena

LOCATION Former filling station at junction of Rodeing Foot and Meeting-house Street, Ballymoney

PROPOSAL Mixed use development comprising 2 no. ground floor hot food bars, ground floor reception area, first floor office space and associated parking and bin storage

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

OPINION Approval

The objection was: related to disposal of waste food.

ITEM NO **10**

APPLIC NO D/2005/0681/O Outline Date Valid 11/07/2005

APPLICANT Mr L O' Hagan

APPLIC ADDRESS C/O. ASI Architects, 2 - 4 Shipquay Place, Londonderry, BT48 6DH

LOCATION Rear of 60 Galdanagh Road, Dunloy, Co. Antrim

PROPOSAL Site for dwelling

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

OPINION Refusal

- 1 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 Galdanagh Road
- 2 The proposed development would, if permitted, prejudice the safety and convenience of road users since adequate forward sight distance is not available on the public road at the proposed access.

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Alderman Connolly).*

ITEM NO 11

APPLIC NO D/2005/0774/F Full Date Valid 31/08/2005
 APPLICANT Armoy Homes
 APPLIC ADDRESS 79 Ballykenver Road, Armoy, Ballymoney, BT53 8RP
 LOCATION Adjacent to Gracehill Golf Club, 143 Ballinlea Road, Stranocum
 PROPOSAL Proposed new access to development as per planning application
 D/2003/0260/F

REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal
 1 Unacceptable visual impact of access/driveway - DES5 of PSRNI

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Councillor Robinson on behalf of Councillor Kennedy)*

ITEM NO 12

APPLIC NO D/2005/0820/O Outline Date Valid 30/09/2005
 APPLICANT Miss Cameron
 APPLIC ADDRESS 14 Seacon Road, Ballymoney, BT53 6PZ
 LOCATION Adjacent 17 Tullaghgore Road, Ballymoney
 PROPOSAL Site for Dwelling and Garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 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 Tullaghgore Road.

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Councillor Patterson)*

ITEM NO 13

APPLIC NO D/2005/0824/O Outline Date Valid 03/10/2005

APPLICANT Mr A Mc Collum

APPLIC ADDRESS c/o Bell Architects, 76 Main Street, Ballymoney, BT53 6AL

LOCATION Site 500m south east of 140 Lislaban Road, Cloughmills

PROPOSAL Site for dwelling and garage

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

OPINION Refusal

- 1 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 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 Lislaban Road

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Alderman Connolly).*

ITEM NO 16

APPLIC NO D/2005/0879/F Full Date Valid 27/10/2005

APPLICANT Mr S Boyd

APPLIC ADDRESS C/O Hunter Associates, 8 Charlotte Street, Ballymoney

LOCATION 58 Benvardin Road, Ballymoney

PROPOSAL Proposed New Dwelling to replace existing dwelling & demolish existing dwelling

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

OPINION Refusal

- 1 Not in compliance with outline approval
- 2 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 3 The proposal is contrary to Policies SP6/DES6/HOU8 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Councillor Robinson)*

ITEM NO 22

APPLIC NO D/2005/0920/F Full Date Valid 17/11/2005
 APPLICANT Mrs Murray
 APPLIC ADDRESS c/o Trevor Fleming, Market Studio, 14 Market Road, Ballymena
 LOCATION 160m North West of 54 Ballymaconnelly Road, Lisheegan,
 Rasharkin,
 Ballymena (site 1)
 PROPOSAL Site for dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 Inappropriate design

Councillor Finlay confirmed the architect's request for this application to proceed as a refusal.

ITEM NO 23

APPLIC NO D/2005/0921/F Full Date Valid 17/11/2005
 APPLICANT Mrs Murray
 APPLIC ADDRESS c/o Trevor Fleming, Market Studio, 14 Market Road, Ballymena
 LOCATION 170m North of 54 Ballymaconnelly Road, Lisheegan, Rasharkin,
 Ballymena
 (site 2)
 PROPOSAL Site for dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 Inappropriate design

Councillor Finlay confirmed the architect's request for this application to proceed as a refusal.

ITEM NO 28

APPLIC NO D/2005/0930/O Outline Date Valid 24/11/2005

APPLICANT Mr Logan

APPLIC ADDRESS 337 Craigs Road, Rasharkin

LOCATION Adjacent to 340 Craigs Road, Rasharkin

PROPOSAL Site for replacement dwelling and garage

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

OPINION Refusal

1 Not replacement category

2 The proposal is contrary to Policies SP6/DES6/HOU8 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up.

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Councillor Wilson).*

Councillor Finlay queried the opportunity for a site meeting in view of site specific issues relating to replacement dwelling. The Planning Officer agreed to look into the matter.

ITEM NO 30

APPLIC NO D/2005/0940/O Outline Date Valid 25/11/2005

APPLICANT Mr Henry

APPLIC ADDRESS 16 Ballynaree Ave, Balnamore, Ballymoney

LOCATION Adjacent to no 1 Shanaghy Road, Ballymoney

PROPOSAL Site for one and a half Storey Dwelling

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

OPINION Refusal

1 Impact on trees DES10

2 Detrimental to visual amenity

3 The proposal is contrary to Policies SP6/DES6/HOU8 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Alderman Cousley).*

ITEM NO 31

APPLIC NO D/2005/0947/O Outline Date Valid 30/11/2005
 APPLICANT Glendun Developments Ltd
 APPLIC ADDRESS C/O Agent, Trevor W Fleming, 14 Market Street, Ballymena
 LOCATION 70m North West of 5 Ballyveeley Road, Armoy
 PROPOSAL Site for Dwelling
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up

Councillor Finlay confirmed the architect's request for this application to proceed as a refusal.

ITEM NO 32

APPLIC NO D/2005/0948/O Outline Date Valid 30/11/2005
 APPLICANT Glendun Developments
 APPLIC ADDRESS C/O Agent, Trevor W Fleming, 14 Market Road, Ballymena
 LOCATION 60m North of 5 Ballyveeley Road, Armoy (site 3)
 PROPOSAL Site for Dwelling and Garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up

Councillor Finlay confirmed the architect's request for this application to proceed as a refusal.

ITEM NO 33

APPLIC NO D/2005/0949/O Outline Date Valid 30/11/2005
 APPLICANT Glendun Developments
 APPLIC ADDRESS C/O Agent, Trevor Fleming, 14 Market Road, Ballymena
 LOCATION 60m North of 5 Ballyveely Road, (site 2) Armoy
 PROPOSAL Site for Dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural

character of this area of countryside by reason of build-up

Councillor Finlay confirmed the architect's request for this application to proceed as a refusal.

ITEM NO	35				
APPLIC NO	D/2005/0977/F	Full	Date Valid	06/02/2006	
APPLICANT	Mr J.P Mc Mullan				
APPLIC ADDRESS	20-24 Glenbush Road, Armoy, Ballymoney, BT53 8YG				
LOCATION	20-24 Glenbush Road, Armoy, Ballymoney				
PROPOSAL	Proposed redevelopment/extension to licensed premises and dwelling house				
REPRESENTATION	0 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Refusal				
1	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 Glenbush Road				
2	The proposed development would, if permitted, prejudice the safety and convenience of road users since adequate forward sight distance is not available on the public road at the proposed access.				

It was **AGREED:** *to defer this matter for one month at the request of Alderman Connolly in view of the fact that the applicant is now able to meet Roads Service requirements. Revised details to be put to Roads Service via the Planning Department.*

ITEM NO	36				
APPLIC NO	D/2005/0998/F	Full	Date Valid	21/12/2005	
APPLICANT	Mrs K King				
APPLIC ADDRESS	39 Raceview Drive, Ballymoney, BT53 7UE				
LOCATION	39 Raceview Drive, Ballymoney				
PROPOSAL	Proposed garage				
REPRESENTATION	0 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Refusal				
1	The location of the garage is unacceptable in that it will not allow a vehicle to park in the driveway, which prejudices the safety and convenience of road users and pedestrians				

It was **AGREED:** *that an Office Meeting be held under Criterion No 5 (requested by Alderman Campbell).*

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

APPLIC NO D/2004/0612/F Full Date Valid 13/08/2004
 APPLICANT Mr Doyle
 APPLIC ADDRESS 35a Lough Road, Ballymaguigan
 LOCATION 40 metres west of 151 Vow Road, Ballymoney
 PROPOSAL Dwelling & garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Approval

ITEM NO 2

APPLIC NO D/2004/0791/F Full Date Valid 21/10/2004
 APPLICANT Costcutter Developments
 APPLIC ADDRESS C/O Hunter Associates, 8 Charlotte Street, Ballymoney
 LOCATION Market Street, Ballymoney
 PROPOSAL To Demolish Existing Public House and Build 9 No. New Self Contained Apartments
 REPRESENTATION 0 Objections 1 Support 0 Petition of Objection 0 Support Petitions
 OPINION Approval

ITEM NO 3

APPLIC NO D/2005/0041/F Full Date Valid 20/01/2005
 APPLICANT Armoy Homes Ltd
 APPLIC ADDRESS C/O Moore Design, 63 New Row, Coleraine, BT52 1EJ
 LOCATION Site Nos: 2 and 3 Castlehill Phase 4. (Bewteen Postal Nos. 2 and 8 Castlehill Gardens) Ballymoney
 PROPOSAL Change of House Types
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Approval

ITEM NO 4

APPLIC NO D/2005/0218/O Outline Date Valid 03/03/2005
 APPLICANT Mr J Gillan
 APPLIC ADDRESS 143 Ballinlea Road, Stranocum, Ballymoney, BT53 8PX
 LOCATION 250m North East of 147 Ballinlea Road, Gracehill, Stranocum
 PROPOSAL Site for dwelling
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 Adverse impact on roadside hedgerow
- 2 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.

The Planning Officer advised that the Department remains of the opinion to refuse this application.

Alderman Campbell recorded his disappointment at the decision which was in relation to hedgerows, a matter which could have been addressed.

ITEM NO 5
 APPLIC NO D/2005/0338/F Full Date Valid 24/03/2005
 APPLICANT Mr A Smyth
 APPLIC ADDRESS C/O. Mr W.J. Atkinson, 18 Milltown Road, Ballymoney, BT53 6LF
 LOCATION 68/70 Main Street, Ballymoney
 PROPOSAL Proposed shop with 3no. flats over with parking to the rear of 10-16 Meeting House Street
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Approval

ITEM NO 6
 APPLIC NO D/2005/0413/O Outline Date Valid 14/04/2005
 APPLICANT Mr Doran
 APPLIC ADDRESS 197 Castlecatt Road, Ballymoney, BT53 8AT
 LOCATION Approx 150m South East of 197 Castlecatt Road, Derrykeighan
 PROPOSAL Two storey dwelling with detached garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Approval **XX**

ITEM NO 7
 APPLIC NO D/2005/0441/O Outline Date Valid 22/04/2005
 APPLICANT Mr Christie
 APPLIC ADDRESS C/O. Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION Site approx 500m West of 135 Culcrum Road, Cloughmills
 PROPOSAL Site for dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Approval

ITEM NO **8**
APPLIC NO D/2005/0647/O Outline Date Valid 28/07/2005
APPLICANT K O'Hagan
APPLIC ADDRESS 317 Townhill Road, Rasharkin
LOCATION Approx 120m South East of 263 Lisnahuncheon Road, Rasharkin
PROPOSAL Site for dwelling and garage
REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION Refusal

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up
- 2 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 Lisnahuncheon Road.
- 3 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.

The Planning Officer advised that the Department remains of the opinion to refuse this application.

Councillor McKay indicated that he understood that item (2) had been resolved with Roads Service. However, the Planning Officer advised that following discussions at an office meeting, the Development Control Group felt that the application could not proceed.

It was proposed by Councillor McKay, seconded by Councillor Cavlan and **AGREED:**

that Council support this application at appeal.

ITEM NO **9**
APPLIC NO D/2005/0714/O Outline Date Valid 03/08/2005
APPLICANT Mr J Mc Elheran
APPLIC ADDRESS C/O Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
LOCATION 250m North East of Ballinlea Road, Stranocum
PROPOSAL Proposed site for new dwelling and garage
REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions

OPINION Refusal

- 1 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.

- 2 Impact of laneway on access to open countryside

The Planning Officer advised that the Department remains of the opinion to refuse this application.

ITEM NO	10				
APPLIC NO	D/2005/0781/O	Outline	Date Valid	05/09/2005	
APPLICANT	Mr Fleming				
APPLIC ADDRESS	391A Craigs Road, Rasharkin				
LOCATION	Approx 80m North West of 5 Dreen Road, Rasharkin				
PROPOSAL	Site of dwelling and garage				
REPRESENTATION	0 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Approval				

Councillor Wilson thanked the Planning Department for their approval of this application.

ITEM NO	11				
APPLIC NO	D/2005/0782/O	Outline	Date Valid	06/09/2005	
APPLICANT	Mrs Cuning				
APPLIC ADDRESS	C/O George Shaw, 18 Sandmount Park, Galgorm, Ballymena				
LOCATION	90m East of 122 Bridge Road, Dunloy				
PROPOSAL	Site for dwelling				
REPRESENTATION	0 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Approval				

Alderman Connolly thanked the Planning Department for their approval of this application.

ITEM NO **12**

APPLIC NO D/2005/0784/O Outline Date Valid 19/08/2005

APPLICANT Mr O'Mullan

APPLIC ADDRESS C/O GM Design, 22 Lodge Road, Coleraine

LOCATION Lands approx 250m East/South East of 55 Gortahar Road,
Rasharkin

PROPOSAL Proposed site for dwelling

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

OPINION Refusal

- 1 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.

The Planning Officer advised that the Department remains of the opinion to refuse this application.

Councillor McKay recorded his disappointment at this decision.

ITEM NO **13**

APPLIC NO D/2005/0788/O Outline Date Valid 08/09/2005

APPLICANT Mr Graham

APPLIC ADDRESS 12 Ballydonnelly Lane, Ballymoney, BT44 8SY

LOCATION 53m North East of 5 Ballydonnelly Lane, Rasharkin

PROPOSAL Proposed dwelling house with detached garage for domestic use

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

OPINION Refusal

- 1 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 The proposal is contrary to Policies SP6/DES6/HOU8 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up
- 3 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 Ballydonnelly Lane.

The Planning Officer advised that this application has been withdrawn.

ITEM NO 14
 APPLIC NO D/2005/0794/O Outline Date Valid 23/09/2005
 APPLICANT Mr J Calderwood
 APPLIC ADDRESS C/O Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
 LOCATION 80m South East of 72 Bann Road, Rasharkin
 PROPOSAL Proposed new dwelling and detached garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up
- 2 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 Bann Road
- 3 The proposed development would, if permitted, prejudice the safety and convenience of road users since adequate forward sight distance is not available on the public road at the proposed access.

The Planning Officer advised that the Department remains of the opinion to refuse this application.

ITEM NO 15
 APPLIC NO D/2005/0800/O Outline Date Valid 20/09/2005
 APPLICANT Mr D Mc Mullan
 APPLIC ADDRESS 301 Gortgole Road, Ballymena, BT44 8TQ
 LOCATION 260m North East of 65 Tamlaght Road, Rasharkin
 PROPOSAL Site for 2 storey dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION Refusal

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of buildup

The Planning Officer advised that the Department remains of the opinion to refuse this application.

It was proposed by Alderman Connolly (on behalf of Councillor McCamphill in his absence), seconded by Councillor McKay and **AGREED:**

That Council support this application should an appeal be put forward.

ITEM NO	16				
APPLIC NO	D/2005/0808/O	Outline	Date Valid	23/09/2005	
APPLICANT	Mr E Mc Carry				
APPLIC ADDRESS	C/O Bell Architects, 76 Main Street, Ballymoney, BT53 6AL				
LOCATION	260m South West of 58 Shelton Road, Loughgiel				
PROPOSAL	Proposed new domestic dwelling and garage				
REPRESENTATION	0 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Refusal				

- 1 The proposal is contrary to Policies SP6/SP19/HOU8 and DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 2 The proposal is contrary to Policies SP6/DES6/HOU8 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up.

It was proposed by Alderman Connolly, seconded by Councillor Cavlan and **AGREED:**

That Council support this application at appeal.

ITEM NO	17				
APPLIC NO	D/2005/0886/O	Outline	Date Valid	11/12/2005	
APPLICANT	Mr O'Kane				
APPLIC ADDRESS	43 Bellaghy Road, Dunloy, BT44 9DX				
LOCATION	Adjacent to 43 Bellaghy Road, Dunloy				
PROPOSAL	Proposed Development to include 3no Dwellings				
REPRESENTATION	0 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	Refusal				

- 1 Contrary to SP6 and HOU8 - multiple housing in countryside
- 2 Contrary to DES3 re: setting of settlement limit of Dunloy

- 3 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence.
- 4 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of buildup
- 5 The proposal is contrary to Policy DES7 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, adversely affect the visual amenity and character of the countryside by the creation of ribbon development along Bellaghy Road
- 6 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 Bellaghy Road

The Planning Officer advised that the Department remains of the opinion to refuse this application.

Following presentation of the schedule, Councillor Finlay referred the Planning Officer to an application, which had previously been brought to Council with an opinion to refuse but for which amended plans had been later submitted for consideration. Councillor Finlay believed that the Planning Department had set a precedent in this respect and requested advice from the Planning Officer as to whether this would be applicable in other cases.

The Planning Officer advised that the Planning Department had received correspondence from councillors immediately following the meeting requesting an opportunity to discuss the issues raised. As amended plans had been submitted to the Department immediately following the meeting at which the refusal had been advised, they were able to consider the amendments. He advised that no final decision had yet been made and that the application would be looked at without prejudice to the Planning Department's initial decision.

The Planning Officer then went on to discuss the following issues relating to planning applications:

1. The Planning Officer referred to the Departmental website where there is a statement including questions and answers that have been raised with the department relating to the dPPS14. It was agreed that this document be circulated to all Members for their perusal.
2. The Planning Officer advised the Minister's concern that the Northern Division are not adhering to the strict guidelines on the deferral process and advised that, whilst some flexibility had taken place to date, consideration in future must be given to specific reasons as to why a deferral has been requested eg criterion 5. He advised that this should be a matter for the agent and that all information is available on the departmental website two weeks prior to meetings. Agents should be in possession of the reasons why deferrals have been requested and his advice to Councillors was to refer the applicant to the Agent to ascertain if criterion 5 or any other Criteria apply. He

confirmed that this would be the aim of the Northern Division in the future.

At the request of Alderman Campbell as to what advice should be given if an applicant makes a direct approach to Councillors, the Planning Officer again reiterated his advice to refer the applicant to his Agent. He read out guidelines for the deferral procedure, a copy of which has been made available to Council. He also confirmed that the Department are hoping to retain the opportunity of one office meeting per application.

The Department are currently working towards processing their current backlog of applications (around 500), in particular in relation to rural sites.

In response to point (2), the Chief Executive advised that he thought it was correct that the Northern Division had been flexible in terms of Office Meetings. His concerns were now whether Council needed to appoint a Planning Consultant to advise on reasons for an office meeting and also what level of detail was expected to be provided at the Council meeting.

The Planning officer indicated that, whilst it was not his recommendation, it was Council's decision as to whether or not to appoint a Planning Consultant. He also indicated that the reasons for requesting a meeting need not be in great detail.

Office Meeting Date: Friday 5th May 2006-04-20

APPEAL DECISIONS NOTIFIED**COUNCIL** Ballymoney**Start Date:-** 01 February 2006**End Date:-** 28 February 2006**ITEM NO 1**

APPLIC NO	D/2004/0560/O	PAC NO	2004/A669
APPLICANT	Landbank Homes Ltd		
LOCATION	Charlotte Street/Balnamore Road, 88 Charlotte Street and South of Charlotte		
PROPOSAL	Site for housing development (Re-advertisement - amended blue line on site)		
	Dismissed		

At the request of Councillor McKay, the Planning Officer advised that this appeal had been dismissed on the basis that a traffic impact analysis had been requested but this had not been submitted.

ITEM NO 2

APPLIC NO	D/2004/0887/O	PAC NO	2005/A093
APPLICANT	F. P Mccann Dev. Ltd		
LOCATION	Lands to rear of No.29 Main Street, Rasharkin		
PROPOSAL	Site for housing development		
	Upheld		

Councillor McKay asked the Planning Officer if he was able to indicate the number of houses to be built on the development. The Planning Officer advised that he understood the number to be approximately 30 dwellings.