

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on TUESDAY the 25<sup>th</sup> day of September, 2007 at **7.30 p.m.**

D. WREATH,

Acting Town Clerk and Chief Executive.

Cloonavin,  
66 Portstewart Road,  
COLERAINE.

A G E N D A

1. Minutes (enclosed):
  - 1.1 Council Meeting – 28<sup>th</sup> August, 2007
2. Committee Reports (enclosed):
  - 2.1 Leisure and Environment Committee – 4<sup>th</sup> September, 2007
  - 2.2 Planning Committee – 28<sup>th</sup> August, 2007
  - 2.3 Planning Committee – 11<sup>th</sup> September, 2007
  - 2.4 Policy and Development Committee – 18<sup>th</sup> September, 2007
3. Electoral Office Registration Week  

Mrs. Patricia Murphy, Area Electoral Officer, will be in attendance to make a presentation.
4. Tender – Portballintrae Harbour Wall Repairs (Report enclosed)
5. Leisure Services Report (enclosed)
6. Consultation List (enclosed)
7. Correspondence
8. Documents for Sealing

**Enclosed for Information:**

- (i) Minutes of the Northern Health and Social Services Council dated 6<sup>th</sup> June, 2007
- (ii) The Sustainable Development Duty and Your District Council – A Strategic Overview – June 2007

To: Each Member of Council.

21<sup>st</sup> September, 2007.

## **COUNCIL MEETING**

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 28<sup>th</sup> August, 2007.

**Convened:** As per Notice attached.

**Present:** The Mayor, Councillor J. M. Bradley, in the Chair  
The Deputy Mayor, Councillor E. A. Johnston (Mrs.)

### **Aldermen**

E. T. Black (Mrs.)	D. McClarty
W. T. Creelman	W. J. McClure
M. T. Hickey (Mrs.)	

### **Councillors**

D. D. Barbour	S. Gilkinson
O. M. Church (Mrs.)	N. F. Hillis
A. S. Cole	W. A. King
J. J. Dallat	G. L. McLaughlin
T. J. Deans	A. McQuillan
B. Fitzpatrick	

**Officers in Attendance:** Acting Town Clerk and Chief Executive, Director of Corporate Services, Director of Environmental Health, Director of Leisure Services, Head of Administrative Services, Head of Development Services, Technical and Waste Management Officer and Administrative Assistant

**Apologies:** Councillors Ms. Alexander, Mrs. Fielding, Leonard and McPherson

## **1.0 THREATS TO COUNCILLORS**

The Mayor condemned the recent threats and intimidating behaviour against a number of Coleraine Councillors. The members fully supported this statement.

## **2.0 ACKNOWLEDGEMENT OF SYMPATHY**

Councillor Gilkinson thanked members for their sympathy on the death of his brother.

## **3.0 MULTI-PURPOSE KICKABOUT AREAS**

### **3.1 Proposed Multi-Purpose Kickabout Area in Garvagh**

The Mayor welcomed Mr. McStay opposing and Mrs. Whiteside supporting the proposal.

Mr. McStay addressed the Council meeting on behalf of a number of residents who were opposed to the choice of site for the kickabout area in Garvagh. Their concerns were that the floodlighting would be intrusive as would the potentially increased noise and vandalism.

Mr. McStay advised that the views of the residents in the neighbouring area, mainly older people, had not been fully ascertained nor sufficiently taken account of.

Mrs. Whiteside then spoke on behalf of a number of residents who supported the proposed location of the kickabout area as an accessible and safe site near the town centre.

Agreed:

That members defer further consideration to September's Leisure and Environment Meeting; also to familiarise themselves with the proposed site in Garvagh and to visit one or more of the three kickabout areas already provided at Windyhall, Ballysally and the Ropewalk.

In response to a query, the Director of Leisure Services confirmed that NEELB had been approached about another potential kickabout site in Garvagh but that there had been no response as yet. He would follow this up with the NEELB.

3.2 Proposed Multi-Purpose Kickabout in Macosquin

The Director of Leisure Services' recommendation to purchase NIHE land at £8,000 was agreed.

#### 4.0 **MINUTES**

The Minutes of the Council Meeting of 24<sup>th</sup> July, 2007 were confirmed and signed.

#### 5.0 **COMMITTEE REPORT**

5.1 Planning Committee

The Chairman, Alderman McClure, moved the adoption of the Planning Committee Report; this was duly seconded by Councillor Mrs. Johnston and agreed.

#### 6.0 **LEISURE SERVICES REPORT**

6.1 Land at Portballintrae

The Director of Leisure Services confirmed that the vendor of the land would not sell without the land swap being included in the transaction.

Following discussion, members agreed to withdraw from the purchase of this land.

6.2 Coleraine Showgrounds

Agreed:

That the Director of Leisure Services' recommendation to hold a Special Meeting to address management proposals for

Coleraine Showgrounds on Thursday, 20<sup>th</sup> September, 2007 be approved.

6.3 Blue Plaque, Charles Lever

Agreed:

That the Director of Leisure Services' recommendation for the erection of a Blue Plaque at 22a The Promenade, Portstewart be adopted.

6.4 Museums Association Conference – 22<sup>nd</sup>-24<sup>th</sup> October, 2007

Ms. Helen Perry will be in attendance at this conference. Members wishing to attend should contact Ms. Perry.

**7.0 CORPORATE SERVICES REPORT**

7.1 Review of Domestic Rating Review

Agreed:

- i) That the Director of Corporate Services recommendations for a draft response based on positions previously agreed by Council in respect of rates relief, vacant property, pensioners' deferment schemes, second homes and maximum/minimum payments be adopted.
- ii) That for the longer term, while a local sales tax should be one of the considerations, a tourist tax should not be considered.

7.2 Industrial Derating

Agreed:

That the Director of Corporate Services' recommendation for Council's continuing support for maintaining industrial derating be made known to the Department of Finance and Personnel's review team be adopted.

Members noted the opportunity to attend a manufacturing sector meeting on industrial derating at Spanboard in the near future.

7.3 Recruitment of Town Clerk and Chief Executive

It was proposed by Councillor Deans, seconded by Alderman Mrs. Black and agreed:

That Council retain the original shortlist and interview panels.

It was further proposed by Alderman Mrs. Hickey and seconded by Councillor Dallat:

That the re-advertisement should be placed in the Irish Times as well as the Irish News, The Belfast Telegraph and the

Newsletter, the latter three having been used before.

It was then proposed as an amendment by Councillor Deans and seconded by Councillor McQuillan:

That Council use only the original three newspapers.

On being put to the vote the amendment was carried by 12 votes for and 4 against.

## **8.0 ENVIRONMENTAL HEALTH REPORT**

### **8.1 Approval of Products of Animal Origin Establishments under EC Regulation 853/2004**

Following recommendations by the Director of Environmental Health it was agreed:

- i) That Council approve Dairy Produce Packers' premises at Millburn Road, Coleraine for cheese recovery operations.
- ii) That the previous approval for Kabanos, 50 Quilly Road, Coleraine be updated from conditional to full.
- iii) That Council give full approval to McKillen Meat Wholesaler, 108 Ballyrashane Road, Coleraine.

## **9.0 TECHNICAL SERVICES REPORT**

### **9.1 Entertainment's Licence**

Agreed:

That an occasional licence for 14 unspecified days within a twelve month period be granted to Tom Duffy's Circus subject to compliance with N.I. Fire & Rescue Service and all other requirements of Council's Licensing Department.

### **9.2 Street Trading Licence**

Agreed:

That an application for a statutory street trading licence for Mr.C. Kennedy to trade at Bishop's Gate lay-by on east side of Mussenden Road be approved.

### **9.3 Tender for Temporary Capping at Craigahulliar Landfill Site, Portrush**

Five tenders were received in response to the public advertisement for this work:

Geo Hess (UK) Ltd	£164,275.00
F.P. McCann Ltd	£196,870.00
A. McKee & Co	£204,205.00
B. Mullan & Sons Ltd	£237,800.00

J. & R. Contracts Ltd £240,416.00

Agreed:

That Council accept the lowest priced tender from Geo Hess (UK) Ltd for the sum of £164,275.

9.4 Tender for the Installation of Gas Wells at Craighulliar Landfill Site, Portrush

Three tenders were received in response to the public advertisement for this work:

A.F.S. Ltd	£ 72,170.00
Quinn Piling	£ 96,630.00
Glover's Site Investigations	£116,000.00

Agreed:

That Council accept the lowest priced tender from A.F.S. Ltd for the sum of £72,170.

## 10.0 DEVELOPMENT SERVICES REPORT

The Report of the Head of Development Services was considered (previously supplied).

Matters arising:

10.1 Binevenagh AONB Management Plan

Following the recommendation by the Head of Development Services it was agreed:

That £1,500 be contributed to The Causeway Coast & Glens Heritage Trust to assist with the development of the Binevenagh AONB Management Plan, estimated at £53,000.

10.2 Mountsandel Interpretive Project

Members endorsed the Head of Development Services' proposal to establish a project team including EHS and Forestry Service representation and to proceed to specification and tender stage for the different elements of the project, as outlined in the report.

10.3 European Funding – Delivery Arrangements

The Head of Development Services outlined the 'clustering' implications of the three major strands of funding. Members expressed concerns about the potential dilution of Coleraine Borough interests as a result of extended clustering.

It was proposed by Councillor Mrs. Church, seconded by Councillor Dallat and agreed:

That Council, in it's response to the Minister, emphasise the importance of supporting existing networks and the need

to maintain a local focus within the new delivery arrangements.

In respect of Peace III, it was agreed:

That Council contribute up to £1,500 towards a scoping study to address the SEUPB minimum population catchment requirement.

10.4 Eurocall Conference

Agreed:

That Council approve a request from the University of Ulster for the Mayor to host a welcome reception for delegates in The Diamond and contribute to the conference delegate packs at an overall cost of £1,000.

Members acknowledged the benefits of this in promoting the Borough to an international audience.

10.5 Exporting by eBay

Agreed:

That Council contribute £12,525 to the eBay business, as detailed in the report.

10.6 Change of Diary Dates

The Special Meeting to receive presentations on the Coleraine Development Schemes scheduled for 6<sup>th</sup> September had been changed to Thursday, 13<sup>th</sup> September, 2007.

The launch of 'Invest in Coleraine' scheduled for 26<sup>th</sup> September would now take place on Wednesday, 10<sup>th</sup> October, 2007.

10.7 Council Year Books

Noted.

In response to a member's query, the Head of Development Services agreed to investigate changing the Council Year Books from A4 to A5 size and report back.

## 11.0 LAND AND PROPERTY

The Report of the Head of Administrative Services was considered (previously supplied).

Matters arising:

11.1 Land at Portmore Road, Portstewart

Members noted that the Developer would be advised that encroachment onto the adjoining Council land would result in action for trespass.

11.2 Land at Sweeney's Wine Bar

Following concerns about the legal complexities of renewing or rejecting the 5 year lease, it was agreed:



That this matter be referred to the next Property Working Group Meeting in late September.

**12.0 NILGA/SOLACE - INFLUENCING STRATEGY - REVIEW OF PUBLIC ADMINISTRATION**

The Report of the Acting Town Clerk and Chief Executive was considered (previously supplied).

Mr. Wreath updated members on the NILGA/SOLACE work in developing an Influencing Strategy consisting of:

- i) A manifesto for strong Local Government (NILGA);
- ii) An economic and technical report underpinning the Manifesto (SOLACE)
- iii) Meetings and PR activities.

Noted.

**13.0 CONSULTATION IN CHANGES TO THE DPP APPOINTMENT PROCESS FOR INDEPENDENT MEMBERS**

Agreed:

That the proposed changes be noted as acceptable.

**14.0 NORTHERN CORRIDOR RAILWAYS GROUP - LAUNCH OF REPORT**

The Acting Town Clerk and Chief Executive encouraged members to demonstrate a united front at the launch of the NCRG's report 'Northern Corridor-Railway Renaissance' in the City Hotel, Londonderry on Tuesday, 18<sup>th</sup> September, 2007 at 10.30am. Attending members agreed that they would travel to the meeting by train.

**15.0 THE COURT OF THE UNIVERSITY OF ULSTER**

Read letter from the University informing members of their intention to reduce numbers of external bodies as members of the Court.

Agreed:

That Council seek to remain a member of the Court of the University of Ulster.

**16.0 NILGA CONSTITUTION**

Read letter from NILGA consulting on proposed amendments to their constitution.

Agreed:

That Council respond supporting the two amendments.

**17.0 DIARY DATES**

17.1 North Coast Scheme

A site meeting was scheduled for Wednesday,

29<sup>th</sup> August, 2007 at 2.00pm. Anyone wishing to attend should meet at the North Coast project office (off Roselick Road).

17.2 World Rural Women's Day

This would take place at Glenavon Hotel, Cookstown on 15<sup>th</sup> October, 2007. Anyone interested in attending should contact Ms. McGuinness.

**18.0 McQUILLAN CASTLE**

Members noted that the archaeological excavation at McQuillan Castle, approved by Council in 2000, would commence shortly.

**19.0 PROPOSED PENALTY FARES (INCREASE) ORDER (NORTHERN IRELAND) 2007**

Agreed:

That Council support the proposal by the Department for Regional Development to increase the penalty fare for persons travelling on a bus or train without paying from £10.00 to £20.00.

**20.0 PRICEWATERHOUSECOOPERS**

Read letter inviting Council to put forward four Councillors to attend a stakeholder event regarding developing a shared vision for local government in Northern Ireland on Wednesday, 12<sup>th</sup> September, 2007 at the Ramada Hotel, Belfast.

Agreed:

That The Mayor, Alderman McClure, Councillors Hillis and King attend.

**21.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

1. Cemetery Titles Grant of Rights of Burial – Deeds Register Nos. 3342-3353 (inclusive):

Agherton	2
Ballywillan	2
Coleraine	4
Kilrea	1
Portstewart	3

Advanced Deeds – Register Nos. 0186-0190 (inclusive):

Agherton	1
Ballywillan	2
Coleraine	0
Portstewart	2

2. Loan Agreement Council with Barclays Bank
3. Contract Council with Higgins Construction (Garvagh) Ltd. – Bungalow at Carrick Dhu Caravan Park, Portrush.

## **22.0 ANY OTHER BUSINESS**

Following concern by a member about dumping in the Agivey River and the effects on angling, it was agreed:

That Council would write to the relevant bodies and express these concerns.

# LEISURE AND ENVIRONMENT COMMITTEE

4<sup>th</sup> September, 2007.

**Present:** Councillor R. A. McPherson, in the Chair

The Deputy Mayor, Councillor E. A. Johnston (Mrs.)  
(Items 1.0 – 6.5)

## **Aldermen**

E. T. Black (Mrs.)	D. McClarty
W. T. Creelman	(Items 1.0 – 7.1)
M. T. Hickey (Mrs.)	W. J. McClure

## **Councillors**

C. S. Alexander (Ms.)	B. Fitzpatrick
(Items 1.0 – 7.6)	S. Gilkinson
D. D. Barbour	N. F. Hillis
O. M. Church (Mrs.)	(Items 1.0 – 7.6)
A. S. Cole	W. A. King
J. J. Dallat	(Items 1.0 – 7.6)
(Items 1.0 - 7.3)	B. Leonard
T. J. Deans	G. L. McLaughlin
(Items 1.0 - 6.5)	A. McQuillan
E. P. Fielding (Mrs.)	(Items 5.0 – 7.2)

## **Officers in Attendance:**

Acting Town Clerk and Chief Executive, Director of Leisure Services, Director of Environmental Health, Leisure Services Officer (Facilities), Head of Administrative Services, Principal Building Control Officer (Items 5.0 – 15.0), Senior Technical Officer and Administrative Assistant

**Apology:** The Mayor, Councillor J. M. Bradley

### **1.0 WELCOME**

The Chairman welcomed everyone to the meeting and thanked his party for nominating him for Chairman.

### **2.0 SYMPATHY**

The Chairman expressed sympathy to the family circle of Mr. Ronnie Cochrane who had been killed in a recent road accident. A letter of sympathy would be forwarded to his family.

### **3.0 CONGRATULATIONS**

The Chairman congratulated Mr. Richard Chambers who recently won a gold medal for rowing at the World Championships in Munich. The Mayor would acknowledge his achievement.

### **4.0 ULSTER IN BLOOM**

The Deputy Mayor informed members that Coleraine won best 'Town' and 'Roses

in Town' categories in the Ulster in Bloom gardening competition. The Chairman congratulated the Parks Department.

## **5.0 GARVAGH MUSEUM - FINANICAL ASSISTANCE**

It was agreed to move this item to the beginning of the agenda.

The Chairman welcomed Mr. Jack Clyde, Secretary and Mr. Wilbert Patterson, Chairman of Garvagh Museum and Heritage Centre, who were in attendance to give a presentation on the Museum.

Mr. Clyde and Mr. Patterson updated members on the progress of the Museum and elaborated on various issues including:

- Background of the Museum
- Sources of income
- Current need
- Support to date
- Museum Improvement Project

The representatives invited members to the official opening of the Historic Canning Gates, Main Street, Garvagh on Saturday 29<sup>th</sup> September, 2007 at 11.30 a.m. followed by refreshments and a tour of the Museum.

The Chairman thanked the representatives for their presentation and congratulated them on their work.

Councillors Mrs. Church and McQuillan expressed an interest in this topic.

Following a period of discussion, it was proposed by Councillor Cole, seconded by Alderman McClarty and recommended:

That Council support a renewal of the grant of £5,000 per annum for three years and agree in principle to assist with capital funding subject to detailed proposals being forwarded.

Mr. George McLroy's contribution to the Museum was noted. Following a request for volunteers to assist in the museum on a part-time basis, Alderman Mrs. Hickey volunteered.

The representatives thanked members after which they withdrew.

## **6.0 ENVIRONMENTAL HEALTH REPORT**

The Report of the Director of Environmental Health was considered (previously supplied).

Matters arising:

### **6.1 Houses in Multiple Occupancy - Proposed Planning Policy**

Consideration was given to information on this topic, as detailed in the report.

Following discussion, it was recommended:

That the Mayor, Aldermen McClarty and McClure, Councillors Ms. Alexander, Dallat and McQuillan seek a meeting with

the Minister, Ms. Arlene Foster, to discuss the matter further.

The Director of Environmental Health would arrange a suitable date.

6.2 Consultation Document - Northern Ireland Housing Executive – Review of Housing and Health - Towards a Shared Agenda

Consideration was given to information on this document, as detailed in the report.

Following discussion it was recommended:

That Council commend the Northern Ireland Housing Executive's work in promoting health and well-being through its current Housing and Health Policy.

However, Council expressed concern as to the level of commitment to and priority of the proposed actions as this policy could only be effective if adequately resourced and prioritised within the broader remit of the Northern Ireland Housing Executive's work.

The Director of Technical Services would reply to a letter sent to Councils regarding surplus land for housing.

6.3 Inter-Agency Approach to Joint Enforcement and Anti-Social Behaviour

Consideration was given to information on this topic, as detailed in the report.

Whilst recognising the benefits of P.S.N.I. and Council joint enforcement, members expressed concern about continuing anti-social behaviour in various areas of the Borough.

The Director of Environmental Health was asked to provide more information on successful interventions when presenting the full review to Council at a later date.

6.4 Safe Use of Inflatable Dinghies/Aquatic Toys

Consideration was given to information on this topic, as detailed in the report.

After discussion it was proposed by Councillor

Leonard, seconded by Alderman Mrs. Hickey and recommended:

That Council explore the possibility of introducing a new Bye-Law which would prohibit the use of inflatable dinghies/aquatic toys on Council beaches.

The Director of Environmental Health would also explore the potential for additional signage to at least deter inflatables.

6.5 The Dogs (N.I.) Order 1983 as amended by The Dangerous Dogs (N.I.) Order 1991 - Outcome of Legal Proceedings

Members noted the undernoted details regarding this topic:

Defendant: Mr. J. Golligher  
37 Glentaisie Park  
Portrush

Offences: (i) Having possession of a dog of the type known as a Pit Bull terrier;  
(ii) Keeping a dog without a valid licence;  
(iii) Not having valid identification on a dog;  
(iv) Allowing a dog to stray.

Result: £250 fine for keeping a Pit Bull type dog  
£50 for not having a licence  
£50 for not having identification  
£50 for straying offence  
£50 for court fees  
£200 legal costs  
£1995 kennelling costs

A Destruction Order was made in respect of the dog.

The owner of the dog was offered the opportunity to voluntarily surrender the dog in order to avoid the necessity for legal proceedings, but the offer was refused.

The dog was kept at private kennels outside the Borough as an economy measure because the U.S.P.C.A. would not support Council in these proceedings by keeping the dog under the existing contractual arrangements between Council and U.S.P.C.A.

A member requested to know if the defendant received legal aid. The Director of Environmental Health would clarify and report back at a future meeting.

## **7.0 LEISURE SERVICES REPORT**

The Report of the Director of Leisure Services was considered (previously supplied).

Matters arising:

7.1 Multi-Purpose Kickabout Area - Garvagh

Consideration was given to information on this topic, as detailed in the report.

After discussion it was proposed by Councillor McQuillan and seconded by Alderman McClarty:

That Council proceed with the project, subject to planning consent etc.

An amendment was then proposed by Councillor Hillis and seconded by Councillor Barbour:

That Council postpone making a decision until the North Eastern Education and Library Board responded to a request for land for a different project at Lyttlesdale, Garvagh.

On being put to the meeting, the amending recommendation was carried by ten votes to nine.

Members noted that a case could be made for facilities at both locations, with Lyttlesdale being a more limited local facility.

7.2 Coleraine Collections Access Post

Consideration was given to information on this topic, as detailed in the report.

It was proposed by Alderman Mrs. Black, seconded by Councillor King and recommended:

That Council extend the contract of the Collections Access Officer for another two years.

7.3 Christie Park, Coleraine

Consideration was given to information on this topic, as detailed in the report.

It was proposed by Councillor Ms. Alexander, seconded by Councillor Fitzpatrick and recommended:

That Council ask the architect to revise the plans so that the disabled friendly access could be located in such a way as to save the specimen trees at the 'Old Bridge'.

Councillor Ms. Alexander requested that it be recorded she thought that the proposed scheme, at £2.2 million, was too expensive.

7.4 Land at Knocklynn Road, Coleraine

The owner of a small piece of private land at Knocklynn Road, Coleraine has agreed to transfer the land to Council ownership and to leave it in amenity grass standard. Coleraine Parks would maintain the area to an acceptable standard within their current work programme.



Recommended:

That Council acquire the strip of land.

7.5 Caravan Parks -  
Security of Tenure

It was proposed by Alderman McClure, seconded by Councillor Mrs. Fielding and recommended:

That Council retain the ownership, the letting and maintenance of Carrick Dhu and Juniper Hill Caravan Parks for the lifetime of the present Council and also recommend to any Council succeeding Coleraine Borough Council that there be no change for at least five years.

7.6 Coleraine Leisure  
Centre

A request had been received from Coleraine Swimming Club to hire the pool at Coleraine Leisure Centre on Saturday 3<sup>rd</sup> November, 2007 from 9.30 a.m. – 5.00 p.m. to host a workshop for local coaches and swimmers.

Recommended:

That Council approve the application subject to the normal charges being applied.

7.7 For Information

The Director of Leisure Services provided information in his report on the following:

Museum Service

- Creative Youth Partnership
- Falklands War Exhibition

## 8.0 TECHNICAL SERVICES REPORT

The Report of the Director of Technical Services was considered (previously supplied).

Matters arising:

8.1 D.R.D. Roads Service –  
Coleraine Street/  
Agivey Road, Kilrea

Members noted information on this topic, as detailed in the report.

8.2 Apprentice Garage  
Fitter

Recommended:

That Council employ an apprentice fitter in the vehicle maintenance garage at Loughanhill Works Depot.

The apprentice would be given full training on site and attend College on a day release basis. The employment of an apprentice had been included in the 2007/2008 estimates.

### 8.3 For Information

#### 8.3.1 Litter – Legal Proceedings

Members noted the following details regarding this topic.

Defendant: Mr. P. Neill  
41B Hazelbank Road  
Coleraine

Offence: Leaving litter under Article 3(1) of the Litter (N.I.) Order 1994.

Result: Fined £500.00  
Court Costs £32.00  
Legal Costs £70.00

Mr. Neill is currently appealing the decision of the court.

#### 8.3.2 Craigahulliar Landfill Site

Members noted information on this topic, as detailed in the report.

#### 8.3.3 Portballintrae Harbour Wall Repair

Tenders for this work had been received and would be presented to Council at a later meeting in September with a view to commencing work in October.

### 8.4 Building Control

#### 8.4.1 Approvals

Members noted that approval had been granted for 70 applications.

#### 8.4.2 New Building Control Officer

Recommended:

That Council employ one additional Building Control Officer.

Members noted that the Building Control Section is self-financing through fees charged.

## 9.0 CONSULTATION LIST

The following consultation paper had been received and would be available for members who wished to consider making a response:

1. B.B.C. Audience Council for Northern Ireland – Consultation on Indigenous Minority Languages.

Comments due: 20<sup>th</sup> September, 2007.

## 10.0 PPS14 JUDICIAL REVIEW

Members noted that judgement on the PPS14 Judicial Review would be delivered at the High Court at 9.30 a.m. on Friday, 7<sup>th</sup> September, 2007.

Members would be informed of the outcome.

#### **11.0 SHORT-TERM RESIDUAL WASTE CONTRACT**

Council was advised that R.P.S. Consultants had been appointed from the agreed Joint Waste Related Services framework to provide procurement documentation and evaluation of submission for a short term contract up to 2011/12 to deal with residual waste. The cost of the consultants' fees being £37,750 and would be shared between the fifteen member councils of the North West Region Waste Management Group and the Southern Waste Management Partnership. This procurement exercise would now commence.

#### **12.0 NORTHERN CORRIDOR RAILWAYS GROUP**

Members noted that there would be a meeting of the Northern Corridor Railways Group on 18<sup>th</sup> September, 2007 at the City Hotel, Londonderry. Members were reminded of the importance of the meeting and were asked to inform the Head of Administrative Services if attending.

#### **13.0 WARNING SIGNAGE AT PORTSTEWART**

The Director of Leisure Services would investigate the location of the warning signage at the Convent Walk and the small beach to the rear of the Edgewater.

#### **14.0 PORTSTEWART HARBOUR**

The Director of Leisure Services would investigate security and parking at Portstewart Harbour.

#### **15.0 TELEPHONE KIOSK - PROSPECT ROAD, PORTSTEWART**

The Director of Leisure Services would investigate if the telephone kiosk, which was frequently vandalised, was surplus to requirements.

## PLANNING COMMITTEE

28<sup>th</sup> August, 2007.

**Present:** Alderman W. J. McClure in the Chair  
The Mayor, Councillor J. M. Bradley (Items 1.3 – 5.3)  
The Deputy Mayor, Councillor E. A. Johnston (Mrs.)

### **Aldermen**

E. T. Black (Mrs.)  
W. T. Creelman  
(Items 1.6 – 5.3)

M. T. Hickey (Mrs.)  
D. McClarty

### **Councillors**

C. S. Alexander (Ms.)  
D. D. Barbour  
(Items 1.3 – 5.3)  
O. M. Church (Mrs.)  
A. S. Cole  
(Items 1.17 – 5.3)  
J. J. Dallat  
T. J. Deans

B. Fitzpatrick  
S. Gilkinson  
N. F. Hillis  
(Items 1.3 – 5.3)  
W. A. King  
G. L. McLaughlin  
(Items 1.25 – 5.3)  
A. McQuillan

**Also in Attendance:** Representatives from the Planning Service –  
Mr. P. Duffy and Mr. W. McIlmoyle

**Officers in Attendance:** Acting Town Clerk and Chief Executive, Administrative  
Officer and Administrative Assistant

**Apologies:** Councillors Mrs. Fielding, Leonard and McPherson

## **1.0 PLANNING APPLICATIONS**

A list of one hundred and twenty-seven applications was presented for consideration (previously supplied).

### **Applications Deferred from Previous Meeting**

- |     |   |   |
|-----|---|---|
| 1.1 | <u>Application No. D1</u><br><u>C/2004/0512/F</u><br><u>Change of use from offices and workshop to off-licence, public bar and restaurant at 76 and 78 Main Street, Garvagh for Mr. E. Mullan</u> | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be held for seven days to facilitate the submission of additional information.<br><br>If the information was not submitted the application would be refused. |
| 1.2 | <u>Application No. D2</u>   | The opinion of the Planning Service was   |

- C/2005/0951/A  
Business signage and sponsor's advertisement signage at 1 Rugby Avenue, Coleraine for Coleraine Rugby Club
- to approve.
- It was agreed that the application be approved.
- 1.3 Application No. D3  
C/2005/1220/F  
Change of use from farm building to farm machinery workshop and sales adjacent to 7 Laragh Road, Swatragh for Mr. D. O'Kane
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and unanimously agreed:
- That the application be approved.
- 1.4 Application No. D4  
C/2005/1401/F  
Extension to existing dwelling to provide attached granny flat accommodation at 18 Ballyhome Road, Coleraine for Mr. D. Hanson
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be removed from the schedule.
- It was noted that the application would be brought back to Council at a later date.
- 1.5 Application No. D5  
C/2006/0232/LB  
Proposed extension and alterations to existing mid-terrace dwelling at No. 2 Cliff Terrace (Tunnel Brae), Castlerock for Mr. McCleery
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.6 Application No. D6  
C/2006/0308/O  
Site for dwelling and garage 220m south west of 48 Ballyversal Road, Coleraine for Mr. Curry
- The opinion of the Planning Service was to approve.
- Following discussion it was proposed by the Mayor, seconded by the Deputy Mayor and unanimously agreed:
- That the application be deferred for one month to facilitate further discussions regarding access.
- The Administrative Officer would write to the Divisional Planning Manager requesting a second deferral.
- 1.7 Application No. D7  
C/2006/0923/A  
Shop sign at gable of 1 Strand Road, Coleraine for Chinese Medical Centre
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.8 Application No. D8
- The opinion of the Planning Service was

- C/2006/0928/RM  
Erection of one and a half storey dwelling with adjoining double garage with playroom over studio/workshop and boiler house, also stables and tack room at Shinnys Road, Ringsend, Coleraine (site entrance located 0.7 miles south east of junction with Cashel Road and 0.6 miles from Letterloan Road) for Mr. L. Phillips and Ms. C. Hankin
- to approve.
- It was agreed that the application be approved.
- 1.9 Application No. D9  
C/2006/0973/F  
Reduction of unit size from 900m<sup>2</sup>–535m<sup>2</sup> (moving of unit entrance by one structural bay) at Unit 1 Newmills Road Retail Park, Newmills Road, Coleraine for Skyline Ltd.
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be refused.
- 1.10 Application No. D10  
C/2006/1046/F  
Change of house type from semi-detached to town house development at site adjacent to No. 21 Claragh Hill Grange, Kilrea for F. P. McCann
- The opinion of the Planning Service was to refuse.
- It was agreed that the application be held for one week to facilitate the submission of amended plans.
- If the amended plans were not submitted the application would be refused.
- 1.11 Application No. D11  
C/2006/1142/F  
Erection of replacement dwelling (by sub-dividing semi detached block) at 27 Corbally Road, Portrush for Mr. G. Smyth
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 1.12 Application No. D12  
C/2007/0006/LB  
Erection of direction sign to rear of premises on yard wall at 1 Strand Road, Coleraine for Chinese Medical Centre
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.13 Application No. D13  
C/2007/0067/F  
Storey and a half extension to gable of existing single storey dwelling at 80 Dunboe Road, Castlerock, Coleraine for Mrs. S. McMullan
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved.
- 1.14 Application No. D14  
C/2007/0085/F  
Erection of dwelling (change of
- The opinion of the Planning Service was to approve.

- |      |  |  |
|------|--|--|
|      | <u>house type from one and a half storey to two storey dwelling) at Artidillon Road, Castlerock (90m north-north-east of 34 Glebe Road, Castlerock) for Mr. and Mrs. O. Hyndman</u>  | It was agreed that the application be approved.  |
| 1.15 | <u>Application No. D15<br/>C/2007/0094/F<br/>Extension to existing dwelling to provide large kitchen, master bedroom suite and outside drying room at 14 Carthall Crescent, Coleraine for Mr. W. B. S. Tosh</u>                              | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved. |
| 1.16 | <u>Application No. D16<br/>C/2007/0097/F<br/>Change of driveway layout at 50 Glebe Road, Macosquin, Castlerock for Mr. and Mrs. E. Jorgensen</u>   | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved. |
| 1.17 | <u>Application No. D17<br/>C/2007/0099/F<br/>Conversion of barn with extension/replacement of existing garage to provide additional accommodation to rear of 12/14 Coleraine Street, Kilrea – access via Maghera Street for Mr. J. Burke</u> | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be refused.   |

## **NEW APPLICATIONS**

- |      |  |   |
|------|--|---|
| 1.18 | <u>Application No. 2<br/>C/2006/0536/F<br/>Replacement dwelling with integral garage and store at 7 O'Hara Drive, Portstewart for M. Nicholl</u>   | The opinion of the Planning Service was to refuse.<br><br>It was proposed by Councillor Deans, seconded by Councillor McQuillan and agreed:<br><br>That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed. |
| 1.19 | <u>Application No. 6<br/>C/2006/0793/F<br/>Erection of 12 no. townhouses and 4 no. apartments with associated parking, landscaping and improved access at 63 Beach Road, Portballintrae for N. M. Developments</u> | The opinion of the Planning Service was to refuse.<br><br>It was proposed by Alderman McClarty and seconded by Councillor Fitzpatrick:<br><br>That the application be deferred for one month to facilitate an office meeting on the grounds   |

that all material planning considerations had not been assessed.

As an amendment it was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Hickey:

That the application be refused.

On being put to the Meeting the amendment was carried, eight members voting in favour and no one voting against.

1.20 Application No. 8  
C/2006/1034/F  
Replacement with shop  
unit/apartment above and two  
townhouses at Nos. 11 – 13  
Portstewart Road, Portrush for  
T. Blair

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Deans, seconded by Councillor Hillis and agreed:

That the application be deferred for one month to facilitate an office meeting on grounds relating to design.

1.21 Application No. 9  
C/2006/1066/F  
Extension to dwelling at 53  
Ballintrae Park, Portballintrae,  
Bushmills for Jon and Denise  
Henry

The opinion of the Planning Service was to refuse.

It was proposed by Alderman McClarty, seconded by Alderman Mrs. Black and agreed:

That the application be deferred for one month to facilitate an office meeting on grounds relating to design.

1.22 Application No. 10  
C/2006/1068/F  
Erection of a 22.5 m lattice tower  
mast with 3 no. 1.7 m 3G  
antennae, 6 no. 0.3 m  
transmission dishes and ancillary  
equipment at Coleraine Plant Hire,  
102 Bushmills Road, Coleraine for  
Hutchinson 3G

The opinion of the Planning Service was to refuse.

It was proposed by Alderman McClarty and seconded by Councillor Barbour:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

As an amendment it was proposed by Councillor Ms. Alexander and seconded



by the Mayor:

That the application be refused.

Following discussion Alderman McClarty withdrew his proposal and it was agreed that the application be refused.

1.23 Application No. 11  
C/2006/1071/F  
First floor conversion into two flats  
(change of use) at 27 – 29  
Maghera Street, Kilrea for  
Mr. and Mrs. S. Pollock

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, seconded by Councillor Mrs. Church and agreed:

That the application be deferred for one month to facilitate an office meeting on grounds relating to design.

1.24 Application No. 14  
C/2006/1161/F  
Proposed replacement two storey  
dwelling with detached double  
garage at 75 Mussenden Road,  
Castlerock for Mr. S. Hanna

The opinion of the Planning Service was to refuse.

It was proposed by Councillor King, seconded by Councillor Mrs. Church and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that amended plans were now available.

1.25 Application No. 15  
C/2006/1183/F  
Proposed 10 no. townhouses, 6  
no. apartments and roadway for  
private streets determination at  
Nos. 61, 63, 65 and 67 Castleroe  
Road, Coleraine for Salmon Leap  
Developments

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Ms. Alexander and seconded by the Mayor:  
That the application be refused.

As an amendment it was proposed by Alderman McClarty:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

Alderman McClarty failed to receive a seconder for his proposal.

- On being put to the Meeting the proposal to support the recommended refusal was carried, twelve members voting in favour and no one voting against.
- 1.26      Application No. 16  
C/2006/1188/F  
Erection of three and a half storey apartment block containing 14 no. apartments at Nos. 20, 22 and 24 Newmarket Street, Coleraine for Mr. Clark
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Black:
- That the application be refused.
- On being put to the Meeting the proposal was carried, fourteen members voting in favour and no one voting against.
- 1.27      Application No. 18  
C/2007/0011/F  
12 no. two bed apartments at 65 Portrush Road, Coleraine for Mr. J. Gilloway
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and unanimously agreed:
- That the application be refused.
- 1.28      Application No. 19  
C/2007/0037/F  
Reinstatement of former car repair garage at 25a Islandtasserty Road, Coleraine for Mr. R. Stewart
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Deans, seconded by Councillor Ms. Alexander and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.29      Application No. 34  
C/2007/0189/F  
Proposed garage at 16 Boghill Road, Coleraine for Mr. and Mrs. S. Bradley
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 1.30      Application No. 45  
C/2007/0223/F  
Development of 14 apartments and parking at 23 – 27 Princess Street, Portrush for Mr. Diamond
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Hickey:

That the application be refused.

As an amendment it was proposed by Councillor Dallat and seconded by Councillor McLaughlin:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

On being put to the Meeting the proposal to support the recommended refusal was carried, ten members voting in favour and no one voting against.

1.31 Application No. 50  
C/2007/0257/F  
Proposed residential development comprising 47 no. apartments, associated car parking and communal and public open space at Nos. 20, 22 and 22a Portstewart Road, Coleraine for O’Kane & Devine Ltd.

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Hickey:

That the application be refused.

As an amendment it was proposed by the Deputy Mayor and seconded by Councillor Dallat:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

On being put to the Meeting the amendment was lost, six members voting in favour and ten members voting against.

1.32 Application No. 53  
C/2007/0274/O  
Proposed farmworker’s dwelling and detached garage 150m south west of 10 Clintagh Lane, Macosquin for Irene Malone and Mark Campbell

The opinion of the Planning Service was to refuse both applications.

It was proposed by Councillor McQuillan, seconded by Councillor Deans and agreed:

That the applications be deferred for one month to facilitate an office

Application No. 54  
C/2007/0275/O

- Retirement farm dwelling and detached garage at site 260m west of 10 Clintagh Lane, Macosquin for Mrs. M. Malone
- meeting on the grounds that all material planning considerations had not been assessed.
- 1.33 Application No. 57  
C/2007/0287/O  
Site for dwelling adjacent to 86 Gorrán Road, Garvagh, Coleraine for Mr. McKay
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.34 Application No. 59  
C/2007/0300/F  
Proposed bed and breakfast accommodation at King's Country Cottages, Ringrash Road, Coleraine for King's Country Cottages
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Hillis, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.35 Application No. 63  
C/2007/0318/F  
Proposed development of 1 no. dwelling for residential purposes adjacent to No. 3 Ballysally Road, Coleraine for Heaney Developments
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClure, seconded by Councillor Barbour and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.36 Application No. 78  
C/2007/0375/F  
Proposed infill dwelling and garage adjacent to 51 Agivey Road, Movanager, Kilrea for Mr. G. Kiernan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor McLaughlin and agreed:

- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.37 Application No. 82  
C/2007/0392/F  
Provision of 2 no. terraced dwellings and 1 no. detached dwelling (3 no. dwellings in total) to include associated car parking and amenity space at 31 High Road, Portstewart for Mr. and Mrs. Shaw
- The opinion of the Planning Service was to refuse.
- It was proposed by the Deputy Mayor:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- The Deputy Mayor failed to receive a seconder for the proposal.
- It was agreed that the application be refused.
- 1.38 Application No. 83  
C/2007/0397/F  
Proposed housing development (5 no. townhouses) 110m north west of 72 Moneydig Road, Garvagh for Croftmore Developments Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Gilkinson, seconded by Councillor Mrs. Church and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.39 Application No. 87  
C/2007/0411/F  
Proposed redevelopment of site to 4 no. townhouses and associated car parking at 11 Lissadell Avenue, Portstewart for Gillen Developments Ltd.
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

Alderman McClarty failed to receive a seconder for the proposal.

It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and agreed:

That the application be refused.

- 1.40 Application No. 89  
C/2007/0421/O  
Replacement of existing detached dwelling and garage with 3 no. proposed town houses at 50 Strand Road, Portstewart for D. and S. Loughran
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 1.41 Application No. 90  
C/2007/0422/F  
Demolition of existing dwelling and erection of 2 no. semi-detached dwellings at 126 Coleriane Road, Portstewart for Mr. R. Orr
- The opinion of the Planning Service was to refuse.
- The application had now been withdrawn.
- 1.42 Application No. 94  
C/2007/0439/F  
Change of house type from that approved under C/2001/0187/RM opposite 25 Knocknougher Road, Articlave for Mr. J. McFetridge
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 1.43 Application No. 96  
C/2007/0454/O  
Proposed demolition of dwellings Nos. 5 and 7 for the development of 1 detached dwelling, 4 semi detached dwellings and 6 no. apartments at Nos. 5 and 7 St. Paul's Road, Articlave Lower, Articlave for Mr. M. Clancy
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman Mrs. Hickey and seconded by Councillor Dallat:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- On being put to the Meeting the proposal was lost, five members voting in favour

and ten members voting against.

The application would be refused.

- 1.44 Application No. 102  
C/2007/0554/F  
Proposed housing development  
(12 no. apartments) at 65/67  
Lodge Road, Coleraine for AMG  
Property Developers Ltd.

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Deans, seconded by Councillor Ms. Alexander and agreed:

That the application be refused.

## **2.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 21st September, 2007.

## **3.0 PLANNING ISSUES RAISED BY MEMBERS**

- 3.1 Railway Arms - Coleraine

Reference was made to the proposed extension and renovation work at the Railway Arms, Coleraine.

Mr. Duffy advised that the application was being processed but some information was still awaited.

- 3.2 Former Site – Coleraine Hospital

Reference was made to the condition of the former site of Coleraine Hospital.

Mr. Duffy advised that delay in developing the site was due to the land being contaminated.

- 3.3 Application No. C/2006/994

Alderman McClarty referred to the delay regarding this application as the office meeting had been held three months ago.

Mr. Duffy would contact Alderman McClarty with an update.

## **4.0 GENERAL PLANNING ISSUES**

- 4.1 Application No. C/2007/0101 -  
20 Glen Road, Garvagh

Reported that this application was for a shooting range. Reports were awaited from Environmental Health and Roads Service.

- 4.2 Application No. C/2006/0708 –  
116 Strand Road, Portstewart

Reported that this application was for an underground boat shed. A report was still awaited from the Environment and Heritage Service.

## **5.0 PLANNING APPEALS INFORMATION**

Consideration was given to the Administrative Officer's Report on Planning Appeals Information (previously supplied).

- 5.1 Appeal Against Enforcement Notice – Alleged Unauthorised Works to a Listed Building – 15 The Diamond, Portstewart
- The Planning Appeals Commission had received an appeal against this Enforcement Notice and had requested Council's opinion.
- Following discussion it was agreed:
- That Council support the Planning Service on this matter.
- 5.2 Housing Development – Lisderg, 109 Station Road, Portstewart
- This application was the subject of an Article 32 Appeal and the Planning Service had submitted an additional reason for refusal (copy letter dated 1<sup>st</sup> August, 2007 previously supplied).
- Noted.
- 5.3 Article 32 Appeal by Mr. J. Gaston against the refusal of planning permission for a dwelling and garage on land 100m north of Aghadowey Presbyterian Church, Ardreagh Road, Aghadowey
- Read letter from the Planning Service advising members that the following additional reason for refusal would be added in respect of this appeal:
- The proposal and ancillary works are contrary to Policy FLD 1 of Planning Policy Statement 15 in that the development would, if permitted, be at risk of flooding and would be likely to increase the risk of flooding elsewhere.
- Noted.



## PLANNING COMMITTEE

11<sup>th</sup> September, 2007.

### Present:

Alderman W. J. McClure in the Chair

The Mayor, Councillor J. M. Bradley  
(Items 3.0 – 11.0)

The Deputy Mayor, Councillor E. A. Johnston (Mrs.)

### Aldermen

E. T. Black (Mrs.)  
W. T. Creelman  
(Items 3.0 – 11.0)

D. McClarty  
(Items 3.0 – 11.0)

### Councillors

C. S. Alexander (Ms.)  
(Items 3.0 – 11.0)  
O. M. Church (Mrs.)  
A. S. Cole  
(Items 3.0 – 11.0)  
J. J. Dallat  
B. Fitzpatrick  
(Items 3.0 – 11.0)

S. Gilkinson  
N. F. Hillis  
W. A. King  
B. Leonard  
G. L. McLaughlin  
R. A. McPherson  
A. McQuillan  
(Items 3.0 – 7.1)

### Also in Attendance:

Representatives from the Planning Service –  
Mr. P. Duffy and Mr. W. McIlmoyle

### Officers in Attendance:

Administrative Officer, Head of Development  
Services (Items 8.0 – 11.0), Principal Environmental  
Health Officer and Administrative Assistant

### Apologies:

Alderman Mrs. Hickey, Councillors Barbour,  
Deans and Mrs. Fielding

## **1.0 WELCOME**

The Chairman welcomed everyone to the Meeting.

## **2.0 SYMPATHY**

The Chairman referred to the recent death of Alderman Mrs. Hickey's mother-in-law and extended sympathy to the family. Everyone present stood in silence as a mark of respect.

## **3.0 REDEVELOPMENT OF SPITTAL HILL QUARRY, COLERAINE**

The Chairman welcomed Mr. C. Shanks, Ms. J. West and Mr. D. Craigan from Turley Associates and Mr. J. Clark, Director of Farrans Construction, who were in attendance to present the proposed scheme for the redevelopment of Spittal Hill Quarry, Coleraine prior to the submission of a planning application.

The representatives outlined the proposed scheme which would incorporate a diverse housing mix of approximately four hundred and fifty dwellings on the site covering forty-six acres. A focal point of the scheme would be a lake with the quarry face creating an outstanding backdrop.

A period of discussion ensued during which the representatives answered members' questions.

The Chairman thanked the representatives for attending.

#### **4.0 JUDICIAL REVIEWS**

Consideration was given to the Administrative Officer's Report on Judicial Reviews delivered on Friday 7<sup>th</sup> September, 2007 for Draft Planning Policy Statement 14 Sustainable Development in the Countryside and the Draft Northern Area Plan (circulated to each member).

- |     |   |   |
|-----|---|---|
| 4.1 | <u>Draft Planning Policy Statement 14</u> | Reported that the Judge made an order quashing the decision of the Minister with responsibility for Regional Development whereby he purported to introduce a new planning policy statement PPS14 and secondly, made a declaration that the said decision and the said Planning Policy Statement 14 were unlawful and ultra vires. Noted.  |
| 4.2 | <u>Draft Northern Area Plan</u>           | <p>Reported that in his concluding summary the Judge found that:</p> <ul style="list-style-type: none"><li>● the designation of the Department of the Environment as the consultation body under Regulation 4 of the 2004 Regulations did not properly transpose Article 6.3 of the Directive;</li><li>● the absence of appropriate time frames in Regulation 12 did not properly transpose Article 6.2 of the Directive;</li><li>● the environmental report prepared for the draft Northern Area Plan was not in substantial compliance with Schedule 2 of the Regulations and Article 5 and annex 1 of the Directive;</li><li>● the sequencing of the environmental reports and the draft plans was not in compliance with Regulations 11 and 12 and Articles 4 and 6 of the Directive.</li></ul> <p>Noted.</p> |
| 4.3 | <u>Planning Applications</u>              | Mr. Duffy advised that neither judgement had been finalised and pending further developments with the   |

Court any applications on the schedule pertaining to PPS14 and DNAP would be deferred for further consideration and would not be treated as Council deferrals.

## 5.0 PLANNING APPLICATIONS

A list of eighty-five applications was presented for consideration (previously supplied).

### Applications Deferred from Previous Meeting

- |     |  |   |
|-----|--|---|
| 5.1 | <u>Application No. D1</u><br><u>C/2006/0190/O</u><br><u>Five townhouses at 10, 12 and 14</u><br><u>Upper Heathmount, Portstewart for</u><br><u>Ms. W. &amp; A. Hayes</u>   | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be refused.  |
| 5.2 | <u>Application No. D2</u><br><u>C/2006/0747/F</u><br><u>Proposed new laneway to access</u><br><u>approved dwelling approximately</u><br><u>50m east of 89 Mettican Road,</u><br><u>Garvagh for Mr. McFarlane</u>                               | The opinion of the Planning Service was to refuse.<br><br>The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process. |
| 5.3 | <u>Application No. D3</u><br><u>C/2006/0824/O</u><br><u>Site for replacement dwelling at</u><br><u>56A Coolnasillagh Road, Garvagh</u><br><u>for Mr. K. Mullan</u>   | The opinion of the Planning Service was to refuse.<br><br>The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process. |
| 5.4 | <u>Application No. D4</u><br><u>C/2006/0941/F</u><br><u>Construction of 29 no. new</u><br><u>apartments with underground car</u><br><u>parking and storage areas at</u><br><u>9 – 12 Lansdowne Crescent,</u><br><u>Portrush for A. Stewart</u> | The opinion of the Planning Service was to refuse.<br><br>It was agreed that the application be refused.  |
| 5.5 | <u>Application No. D5</u><br><u>C/2006/0994/F</u><br><u>Erection of conservatory to existing</u><br><u>dwelling house to the south of</u><br><u>169 Mountsandel Road, Coleraine</u><br><u>for Mr. A. Kennedy</u>                               | The opinion of the Planning Service was to refuse.<br><br>The application would be deferred for further consideration pending the final outcome of the DNAP Judicial Review process.  |
| 5.6 | <u>Application No. D6</u><br><u>C/2006/1012/F</u><br><u>Erection of shed for storage of</u><br><u>building contractors vehicles and</u><br><u>plant to rear of 34 Liscall Road,</u><br><u>Garvagh for Higgins Construction</u>                 | The opinion of the Planning Service was to refuse.<br><br>The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review          |

- |      |   |   |
|------|---|---|
|      | <u>Ltd.</u>   | process.  |
| 5.7  | <u>Application No. D7</u><br><u>C/2006/1050/O</u><br><u>Proposed demolition of semi-detached block (Nos. 8 and 10 Glenvale Avenue) and replacement with 2 no. new detached dwellings (two storey) at Nos. 6A, 8 and 10 Glenvale Avenue, Portrush for Messrs. Medcalf and Richards</u> | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.  |
| 5.8  | <u>Application No. D8</u><br><u>C/2006/1164/F</u><br><u>Extension and alteration to two front existing balconies (retrospective application) at Nos. 7 and 8 Heathmount, Portstewart for Mullan and Cosgrave</u>  | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.  |
| 5.9  | <u>Application No. D9</u><br><u>C/2007/0022/F</u><br><u>Demolition of existing dwelling and garage and erection of one new one and a half storey dwelling with integrated double garage adjacent to 61 Ballymacrea Road, Portrush for Gemini Homes</u>                                | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.  |
| 5.10 | <u>Application No. D10</u><br><u>C/2007/0046/O</u><br><u>Site for detached dwelling and garage 75m south west of 170 Agivey Road, Coleraine for Mr. M. O'Reilly</u>   | The opinion of the Planning Service was to refuse.<br><br>The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process. |
| 5.11 | <u>Application No. D11</u><br><u>C/2007/0203/F</u><br><u>First floor extension and alterations to dwelling (including an increase in ridge height) at 14 Gloucester Crescent, Portstewart for Mr. and Mrs. V. Campbell</u>  | The opinion of the Planning Service was to approve.<br><br>It was agreed that the application be approved.  |

### **New Applications**

- |      |   |  |
|------|---|--|
| 5.12 | <u>Application No. 5</u><br><u>C/2006/0630/F</u><br><u>4 no. semi-detached dwellings with associated parking at 4 Cherry Park, Castleroe, Coleraine for Mr. G. McCann</u> | The opinion of the Planning Service was to approve.<br><br>It was proposed by Councillor McQuillan, seconded by Councillor McPherson and agreed: |
|------|---|--|

That the application be deferred for one month

to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

- 5.13      Application No. 8  
C/2006/0758/F  
Replacement dwelling at No. 27  
Grove Road, Garvagh, Coleraine  
for Mr. H. Holmes
- The opinion of the Planning Service was to refuse.
- Councillor Mrs. Church declared an interest in this application and Mr. Duffy noted her comments regarding the replacement status of the application.
- The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process.
- 5.14      Application No. 16  
C/2006/1091/O  
Site for farm retirement building to  
the rear of 38 Gateside Road,  
Coleraine for Mr. J. Irons
- The opinion of the Planning Service was to refuse.
- The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process.
- 5.15      Application No. 18  
C/2006/1192/F  
Retention of existing shed  
(currently used as a car service  
workshop) for use as a detached  
double domestic garage and  
garden shed at 40 Liscall Road,  
Garvagh for Mr. B. Mullan
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Councillor McPherson and unanimously agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 5.16      Application No. 22  
C/2007/0074/F  
Provision of 2.4m x 2.4m porta-  
cabin for occasional part time  
hairdressing purposes (2.5 days  
per week) at 20 Somerset Park,  
Coleraine for Mrs. J. Langtry
- The opinion of the Planning Service was to approve.
- It was agreed that the application be approved with a temporary three year condition.
- 5.17      Application No. 23  
C/2007/0083/F  
Conversion of existing attached  
domestic garage to living  
accommodation at 42 Priestland  
Road, Bushmills for Ms. R. Lomas
- The opinion of the Planning Service was to refuse.
- The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review

- process.
- 5.18 Application No. 24  
C/2007/0162/O  
Site for replacement of existing  
cottage at 27 Gortfad Road,  
Gortfad, Garvagh for  
Mr. and Mrs. M. Armstrong
- The opinion of the Planning Service was to refuse.
- The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process.
- 5.19 Application No. 28  
C/2007/0235/F  
Change of use from public car  
parking layby to vehicle parking  
and display area opposite No. 9  
Agivey Road, Kilrea for  
Mr. R. Patterson
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor McQuillan, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 5.20 Application No. 47  
C/2007/0372/F  
Proposed variation of condition No.  
11 to enlarge area shaded green  
to include additional lands for re-  
siting of dwelling 60m east of 39  
Kinneyglass Road, Coleraine for  
Mr. E. Woods
- The opinion of the Planning Service was to refuse.
- The application would be deferred for further consideration pending the final outcome of the PPS14 Judicial Review process.
- 5.21 Application No. 50  
C/2007/0429/O  
Development of 6 no. two bedroom  
apartments at 14 Ballynameen  
Avenue, Garvagh for  
Mr. J. J. O'Kane
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Leonard and seconded by Councillor McLaughlin:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- It was further proposed by Councillor McQuillan and seconded by Councillor Cole:
- That the application be refused.
- On being put to the meeting three members voted in favour of Councillor

Leonard's proposal and nine members voted in favour of Councillor McQuillan's proposal.

It was agreed that the application be held for seven days to facilitate withdrawal.

If the application was not withdrawn it would be refused.

## **6.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on 5<sup>th</sup> October, 2007.

## **7.0 PLANNING ISSUES RAISED BY MEMBERS**

- 7.1 Office Meetings – 21<sup>st</sup> September, 2007 Following reference to the office meetings scheduled for 21<sup>st</sup> September, 2007 Mr. Duffy would check how many applications were affected by PPS14 or DNAP.
- 7.2 Planning Application – Causeway Visitors' Centre Reference was made to the planning application submitted in 2002 in respect of the Causeway Visitors' Centre.
- Mr. Duffy advised that, as an Article 31 application, it was being dealt with by Planning Headquarters.
- Following a full discussion it was proposed by Councillor Dallat, seconded by the Mayor and unanimously agreed:
- That Council support the original concept of a public sector developed facility at the site and also write to the Ministers for Environment and Enterprise, Trade and Investment seeking explanations to their recent statements regarding the proposals for the Causeway Visitors' Centre.
- 7.3 Tree Preservation Order Reference was made to difficulties experienced in contacting officers connected with the Tree Preservation Order.
- Mr. Duffy would forward Councillor Gilkinson's query direct to Mr. John

**8.0 PLANNING APPLICATION C/2007/0692**  
**WEST STRAND BEACH VILLAS, PORTRUSH**

Consideration was given to the Preliminary Advice Note prepared by BDP Planning in respect of the above planning application.

The Head of Development Services elaborated on the Advice Note and emphasised how this area was the focal part of the Regeneration Strategy for Portrush.

Following discussion it was agreed:

That BDP Planning be asked to prepare a detailed report on this matter for further consideration by Council.

**9.0 PLANNING APPEALS COMMISSION -**  
**RESIDENTIAL DEVELOPMENT AT CASTLEROE**  
**ROAD OFF LOWER PADDOCKS, COLERAINE**  
**FOR MAXBRO**

Read letter from the Planning Appeals Commission advising members that the appeal for the above application had been dismissed and outline planning permission refused. Noted.

**10.0 ASSETS RECOVERY AGENCY -**  
**STEPHEN AND DENISE BAXTER**

Reference was made to the recent Assets Recovery Agency court case involving Belfast couple Stephen and Denise Baxter.

The Acting Town Clerk and Chief Executive was asked to check out judgment on present or future tenders being awarded to the Baxters.

**11.0 ALL-IRELAND JUNIOR CAMOGIE FINAL**

Congratulations were extended to the Derry Camogie team who had won the All-Ireland Junior Camogie final at Croke Park.

It was agreed that Council forward a letter of congratulations and host a reception for the team in recognition of the achievement.



# POLICY AND DEVELOPMENT COMMITTEE

18<sup>th</sup> September, 2007.

**Present:** Councillor N. F. Hillis, in the Chair  
The Mayor, Councillor J. M. Bradley (Items 3.0 – 14.0)  
The Deputy Mayor, Councillor E. A. Johnston (Mrs.)

## Aldermen

E. T. Black (Mrs.)                      W. T. Creelman  
(Items 1.0 – 4.2)                      W. J. McClure

## Councillors

C. S. Alexander (Ms.)                      E. P. Fielding (Mrs.)  
(Items 1.0 – 4.2)                      B. Fitzpatrick  
D. D. Barbour                              S. Gilkinson  
A. S. Cole                                      W. A. King  
(Items 1.0 – 4.4)                      B. Leonard  
J. J. Dallat                                      (Items 1.0 – 3.0)  
T. J. Deans                                      G. L. McLaughlin  
(Items 1.0 – 3.0)                      R. A. McPherson

**Officers in Attendance:** Director of Corporate Services, Head of Development Services, Head of Administrative Services, Tourism Manager (Items 1.0 – 2.0) and Administrative Assistant

**Also in Attendance:** Mr. G. Thompson, National Trust Director for the Giant's Causeway (Items 1.0 – 2.0)  
  
Mr. I. Donaghy, Chairman, Ms. Sharon Scott and Ms. Julienne Elliot, Town Centre Managers, Coleraine Town Partnership (Items 1.0 – 4.1).

**Apologies:** Alderman McClarty and Councillor Mrs. Church

## **1.0 WELCOME**

The Chairman welcomed everyone to the meeting, with a special welcome to Mr. Fred Nankuyu, responsible for Building Control and Planning with Zomba Municipal Assembly. Mr. Nankuyu will be in Coleraine for three months, spending six weeks with Coleraine Borough Council and six weeks with Planning Service, funded by a Commonwealth Scholarship.

## **2.0 CORPORATE SERVICES REPORT**

The Report of the Director of Corporate Services was considered (previously supplied).

Matters arising:

2.1 Policy Statement - Pension Fund                      Consideration was given to information on this issue, as contained in the report.

It was proposed by Councillor McPherson, seconded by the Deputy Mayor and recommended:

That Council adopt the recommendations of the Director of Corporate Services, viz:

- (i) approve the required alterations to the existing policy;
- (ii) approve, in principle, the introduction of a further section dealing with flexible retirement, the specific provisions to be brought back to Committee following discussions with employee representatives.

## 2.2 Matters for Information

### 2.2.1 The Exercise by Local Government Auditors of their Functions – A Report from The Chief Local Government Auditor

The Director of Corporate Services drew members' attention to key issues in this report (previously supplied). The report would be discussed in more detail at the Capital Programme Workshop in October.

### 2.2.2 Financial Statement

Consideration was given to the Financial Statement for the four months to 31<sup>st</sup> July, 2007 and the contents noted.

### 2.2.3 Accounts

Members noted that accounts for August 2007 had been issued.

### 2.2.4 Recruitment of Town Clerk and Chief Executive

Members noted the timetable which had been agreed with the Local Government Staff Commission, as contained in the report.

### 2.2.5 New Appointments

The following appointments had been made in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection:

#### Technical Services Department

Cleansing Labourer: Miss P. Miller

#### Chief Executive's Department

Clerical Assistant: Miss Z. Curry

## 3.0 GIANT'S CAUSEWAY VISITORS' CENTRE

The Chairman welcomed Mr. Graham Thompson who was in attendance to update members on developments with the Causeway visitors' centre.

Mr. Thompson outlined the history of this issue and confirmed the current position of the National Trust, viz:

- (i) World Heritage Site status should be protected on the basis stated in the UNESCO Report of 2003.

- (ii) The site should, if possible, remain in public ownership.
- (iii) In line with UNESCO recommendations, no inappropriate greenbelt development should take place.

Mr. Thompson stressed that the National Trust was not opposed to working with the private sector and was willing to consider proposals.

An extensive period of discussion ensued, during which Mr. Thompson answered members' various questions.

A number of members expressed concerns about increases in the cost estimate (£21 million) for the Moyle Council/ National Trust/ DETI joint proposal, suggesting that a more modest version would be appropriate to the site.

It was then proposed by Councillor Dallat, seconded by Councillor McPherson and, following further discussion, recommended unanimously:

That Coleraine Borough Council support the principle endorsed by the National Trust and Moyle District Council, that any visitor centre put in place at the Giant's Causeway World Heritage Site should remain in public ownership.

#### **4.0 DEVELOPMENT SERVICES REPORT**

The Report of the Head of Development Services was considered (previously supplied).

Matters arising:

##### **4.1 Coleraine Town Partnership**

The Chairman welcomed Mr. Ian Donaghey, Ms. Sharon Scott and Ms. Julianne Elliot, who were in attendance to present a report on activities and operational plans and to make a request for funding from Council.

During a period of discussion, the representatives answered members' questions.

It was then proposed by Alderman McClure, seconded by Councillor Fitzpatrick and recommended:

That Council continue the current level of funding at £75,000 per annum to Coleraine Town Partnership for the period from 1<sup>st</sup> October, 2007 to 31<sup>st</sup> March, 2009, subject to the representatives liaising with Council officers on private sector funding of the Town Partnership.

##### **4.2 Portrush Regeneration Strategy – Next Steps**

Members received the report on Portrush Regeneration Strategy presented by the Head of Development Services and noted the implementation activities which were underway.

Further reports would be presented to Committee at appropriate stages.

- 4.3 Entrepreneurship Clinics in the Borough of Coleraine Members noted information on this issue, as contained in the report.
- One tender had been received from Causeway Enterprise Agency and it was recommended:
- That Council approve the tender from the Causeway Enterprise Agency in the sum of £10,000.
- 4.4 Sperrins AONB Consideration was given to the changes to the Sperrins AONB boundary proposed by the Environment & Heritage Service (maps previously supplied).
- Recommended:
- That Council approve the proposed changes.
- 4.5 European Funding Update Members noted that an update on this issue would be brought to Council when available.
- 4.6 Council Desk Diary Members noted that the order for the 2008 diary had been placed and that a change could be considered for 2009. A sample A5 diary would be made available in the Members' Room.

## **5.0 LAND AND PROPERTY**

Consideration was given to the Report of the Head of Administrative Services on Land and Property (previously supplied).

- 5.1 Repairs to the Mayoral Chain Council is recommended to approve a budget of up to £1,200 to repair the Mayoral chain and that the chain be mounted on a collarette to lessen the effects of future wear.
- 5.2 Repairs to Windows at Cloonavin Members noted that repairs to windows in the Council Chamber and the Reception area would be carried out on Monday 24<sup>th</sup>/Tuesday 25<sup>th</sup> September, 2007.

## **6.0 THE NORTHERN IRELAND (ST. ANDREW'S AGREEMENT) 2006**

Read letter from the Northern Ireland Policing Board (previously supplied) advising that, Coleraine District Policing Partnership currently meets the political condition, within the precise definition of d'Hondt, as required by the Provisions of Paragraph (4) of Schedule 8 to the above legislation.

Noted.

## **7.0 WITHDRAWAL OF CUSTOMER PAYMENT FACILITIES AT LOCAL WATER SERVICE OFFICES**

Read letter from NIPSA (previously supplied) advising of Northern Ireland Water's (NIW) intention to withdraw customer payment facilities at local offices.

Recommended:

That Council write to NIW opposing the withdrawal of local payment facilities.

## **8.0 MINERAL DEVELOPMENT ACT (NORTHERN IRELAND) 1969**

Four letters had been received from DETI regarding applications for mineral prospecting rights under section 11 of the above Act in the Coleraine Borough. It had been requested that the maps, showing the areas over which the applications had been made, be displayed at the Council offices and that anyone seeking further information should be referred to the Department.

Council's comments on the applications had also been invited by DETI and it was recommended:

That Council write to the Department drawing attention to:

- (i) the generality of the application and the potential for many areas of specific concern to be affected by the outcomes.
- (ii) the overlap of the application onto an area of 'Constraint in Mineral Development' defined by the Draft Northern Area Plan.
- (iii) the need to manage the potential implications of such proposals given the public reaction to mineral development proposals in the neighbouring Borough.

## **9.0 DRAFT PPS 14 AND DRAFT AREA PLANS**

Read letter dated 14<sup>th</sup> September, 2007 from the Chief Executive of the Planning Service (circulated via email) advising the Planning Service's current position on these two issues.

Noted.

## **10.0 WESTERN HEALTH AND SOCIAL SERVICES BOARD - MULTI AGENCY PLANNING FOR CHILDREN AND YOUNG PEOPLE: NORTHERN IRELAND CHILDREN'S SERVICES PLAN 2008-2012**

Members noted that a Workshop on this topic would be held in the Leighinmohr House Hotel, Ballymena on 26<sup>th</sup> September, 2007.

Any members interested in attending were asked to contact the Administrative Officer.

## **11.0 ASSOCIATION OF NIELB - ANNUAL CONFERENCE - 11<sup>th</sup>/12<sup>th</sup> OCTOBER, 2007**

Members noted that this Conference would take place in the Slieve Donard

Hotel, Newcastle.

Any members wishing to attend were asked to contact the Administrative Officer.

**12.0 DOCUMENT TABLED**

- (I) DSD report - 'Vital and Viable - A Good Practice Guide to Breathing Life into Cities and Towns'.

**13.0 DEPUTY MAYOR'S CHAIN**

Council is recommended to also have the Deputy Mayor's chain mounted on a collarette, to reduce the effects of future wear.

**14.0 CORRESPONDENCE FROM  
GOVERNMENT DEPARTMENTS**

In response to a member's comments on correspondence to Council continuing to be addressed to Mr. Moore, the Head of Administrative Services agreed to notify Government Departments that Mr. Wreath was now Acting Chief Executive of Council.