

LIMAVADY BOROUGH COUNCIL
COMHAIRLE BHUIRG LÉIM AN MHADAIDH

PLANNING AND DEVELOPMENT SERVICES COMMITTEE

2 DECEMBER 2004

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7 pm on the above date.

PRESENT:

Aldermen M Carten (in the chair) and J Dolan. Councillors A Brolly, B Chivers, L Cubitt, B Douglas, D Lowry, M McGuigan, G Mullan, E Stevenson and J Rankin.

IN ATTENDANCE:

Personal Assistant and the Chief Technical Services Officer, Mr A Brown and Mr J Duffy, Planning Service.

APOLOGIES:

Alderman G Robinson, Councillors B Brown, M Donaghy and the Town Clerk.

MINUTES:

Minutes of meetings dated 4 and 22 November 2004 were approved and signed on the proposal of Councillor Cubitt, seconded by Alderman Dolan.

WATER SERVICE:

The Chairman welcomed Mr J Miller and Mr P Devlin to the meeting. Mr Devlin presented the Water Service Capital Works Programme and enlarged thereon. He and Mr Miller answered questions put to them by members and the replies were noted as follows:

Category 1 - Projects completed, under construction or programmed to commence during year 1 January 2004 and 31 December 2004:

Loughermore Distribution Improvements: Members welcomed the commencement of this scheme, which was expected to be completed in early 2005.

Faughanvale Sewerage Scheme: Mr Devlin referred to the fact that Water Service would no longer empty septic tanks for householders where a public sewer was available and requested that members encourage residents of the Faughanvale area to connect to this public sewer.

Category 2 – Projects scheduled to start in the next two years (1 January 2005 – 31 December 2006):

Limavady Wastewater Treatment Works: Members expressed their ongoing concern at the inadequacy of the Limavady Wastewater Treatment Works and were advised by Mr Devlin that relocation of the works to Aghanloo had not proved viable but that Water Service would provide a substantial upgrade on the existing site, which would include odour control, screening and health and safety works.

Benone Area Sewerage: Mr Devlin advised members that Water Service had been unable to resolve land acquisition problems at the original site but confirmed that this scheme would be progressed on a site provided by the Ministry of Defence and would service Magilligan prison and army camp.

The chair thanked Mr Miller and Mr Devlin for attending and they then left the meeting.

MATTERS ARISING:

Planning Service Workload Pressures: The Chief Technical Services Officer submitted a letter dated 29 November 2003 from the Town Clerk & Chief Executive of Coleraine Borough Council confirming that the Minister Angela Smith had agreed to meet the Mayors and Chief Executives of Coleraine, Moyle, Ballymoney and Limavady Councils to discuss delay in the publication of the Northern Area Plan on 27 January 2005 at 10.30 am. Noted.

Water Ponding at Shore Road, Limavady & Spar Shop, Ballykelly: The Chief Technical Services Officer referred to letter dated 26 November 2004 from Roads Service which advised that the outlet channels on Shore Road were being cleared and that a concrete channel had been set into the footpath at the Spar shop to drain the water away from this area. Noted.

B/2003/0774/0 - extension to existing terrace of dwellings to form new dwelling adjoining 7 Crawford Square, Limavady (Mrs S Armstrong): Members welcomed the change of opinion to a recommended approval of this application.

B/2004/0063/0 – site for dwelling and garage to rear of 205 Seacoast Road, Ballyhenry East, Limavady (Mr E Conn): Members noted that this application had been withdrawn.

Planning Appeal - B/2004/0162/F – erection of 14 semi-detached dwellings with roadway for private streets determination, lands off Dunlade Road, Killywool, Greysteel (Tullyverry Developments Ltd): The Chief Technical Services Officer submitted letter dated 15 November 2004 from the Planning Service which outlined the reasons why it was of the view that planning permission should be refused.

Planning Application B/2004/0064/O: Mr Brown referred to discussions at the previous meeting regarding a request for planning approval in respect of the above application at 93 Bolea Road to be withheld in light of the fact that the applicant acted in contravention of planning approval B/1997/0008 (91 Bolea Road) in the removal of mature trees on this site and advised that it appeared that a tree surgeon report had not been requested prior to the removal of the trees and that a further site inspection would be carried out by Planning Service staff.

PLANNING APPLICATIONS:

Mr Duffy reported that the following applications were still under consideration by the Planning Service:

B/2001/0401/O – proposed site for 4 dwellings adjacent to 5 Priory Lane, Dungiven (Mr M Coyle);

B/2003/0076/F – erection of shooting range consisting of 9 lane 125 m indoor pistol range, 8 lane 25 m outdoor pistol range, 15 lane 200 m outdoor range and clay pigeon trap with associated landscaping and carparking, lands to rear of 17 Corrick Road, Dungiven (Northern Ireland Target Sports Association);

B/2003/0698/F - site for replacement traditional one and half storey dwelling with detached garage/store at 77 Bolea Road, Mullane, Limavady (Mr J Caskie);

B/2004/0091/0 - site for one and half storey dwelling and garage adjacent 128 Carrowclare Road, Myroe, Limavady (Mr & Mrs G Miller);

B/2004/0092/0 - site for one and half storey dwelling and garage adjacent 128 Carrowclare Road, Myroe, Limavady (Mr & Mrs G Miller);

B/2004/0093/0 - site for one and half storey dwelling and garage adjacent 128 Carrowclare Road, Myroe, Limavady (Mr & Mrs G Miller);

B/2004/0140/F - erection of 3 storey building to provide 6 two bedroom flats at 83 Catherine Street, Limavady (Mr S Mullan);

B/2004/0252/0 - site for traditional rural dwelling with detached garage/store 50 metres east of 138 Carrowclare Road, Carrowclare, Limavady (Mrs M Colgan);

B/2004/0313/0 – site for 3 dwellings adjacent to 75 Lomond Road, Limavady (Mr D O’Neill);

B/2004/0320/F – erection of dwelling and garage on lands adjacent to 7 Corrick Road, Cashel, Dungiven (Mr H O’Kane);

B/2004/0332/F – erection of two storey dwelling with detached garage/store adjacent to 75 Baranailt Road, Drumacarney, Ballykelly, Limavady (Mr & Mrs J Craig);

B/2004/0366/0 – site for dwelling 110 metres south east of 22 Gortnacross Road, Derryork, Dungiven (Mr A McFarlane);

B/2003/0723/0 – site for traditional rural dwelling with detached garage/store 190 metres south east of 47 Newline Road, Moyse, Limavady (Mr W Riley);

B/2004/0344/0 – site for traditional two storey farmhouse with detached garage/store 120 metres north of 116 Highlands Road, Clagan, Limavady (Mr & Mrs Alcorn);

B/2003/0766/O – site for traditional rural dwelling with detached garage/store, north of 57 Magheramore Road, Magheramore, Dungiven (Miss N O’Kane);

B/2004/0394/O – site for two storey dwelling adjacent to 128 Terrydoo Road, Lislane, Limavady (Mr S Oliver);

B/2003/0277/F – change of use of land to greyhound farm exercise facilities opposite 14 Farlow Road, Farlow, Limavady (Mineola Kennels);

B/2003/0697/O – site for traditional rural dwelling with detached garage/store, 200 m north east of 394 Drumrane Road, Dungiven (Mr J Orr);

B/2004/0442/F – erection of apartment block with 12 two bedroom apartments and associated car parking, Connell Street, Limavady (opposite St Patrick’s Hall) (Mr & Mrs P Murphy);

B/2004/0447/O – site for dwelling, Carse Road, Limavady (Mrs D Peoples).

SCHEDULE OF PLANNING APPLICATIONS: (deferred applications – see appendix)

B/1999/0412/O – site for holiday chalets, touring caravans and associated recreational and leisure uses, Dogleap Road, Ballymore, Deer Park & Largy, Limavady (Mr J Nutt): It was unanimously agreed on the proposal of Councillor Cubitt, seconded by Councillor Lowry that this application be referred to the Management Board of the Department for review.

B/2003/0714/O – site for traditional cottage style rural dwelling with detached garage/store adjoining 48 Gortnagross Road, Gortgarn, Dungiven (Mr R Carmichael): Mr Brown reported that the Planning Service’s opinion to refuse this application remained unchanged. Accordingly, it was agreed on the proposal of Councillor Douglas, seconded by Alderman Dolan not to accept the recommended refusal of this application.

Members welcomed the change of opinion to a recommended approval in respect of the following applications:

B/2004/0168/F - erection of two storey dwelling and domestic garage adjacent to the rear of 66 Killylane Road, Cregan Upper, Greysteel (Mr & Mrs K Bryson);

B/2004/0363/0 – site for single storey dwelling approximately 180 metres north west of 19 Boviell Road, Boviell, Dungiven (Ms M McNicholl);

The recommended refusal of the following applications was noted:

B/2004/0142/0 – site for retirement farm dwelling between 136 and 138 Drumrane Road, Largy, Limavady (Mr & Mrs W J Laughlin);

B/2004/0404/F – erection of 2 detached two storey dwellings and domestic garages, 120 m south west of Tarnakilly Road, Limavady (Mr S Gallagher);

B/2004/0493/O – site for traditional cottage style bungalow with detached garage/store, 250 m to south west of 153 Glenhead Road, Magheramore, Limavady (Mr R Cassidy);

B/2004/0495/O – site for dwelling 130 m north east of 253 Seacoast Road, Limavady (Mrs M Hughes);

B/2004/0497/O – site for traditional cottage style bungalow with detached garage/store, 270 m south west of 153 Glenhead Road, Ballydarrog, Limavady (Mr R Cassidy);

B/2004/0505/O – site for traditional rural dwelling with detached garage/store, 75 m south of 56 Ballydarrog Road, Ballydarrog, Limavady (Mr T Cassidy).

SCHEDULE OF PLANNING APPLICATIONS: (New applications – see appendix)

Mr Brown answered various questions on the applications listed on the schedule and the recommendations were accepted, subject to the following:

B/2004/0709/CD – removal of existing islands and plant beds within parking area of DOE car park and adjoining footpaths and replacement of the same with larger paved islands and semi mature tree planting. Realignment of same parking areas and relocation of same pay and display units, new street lighting, provision of stone walls, piers and mild steel railings to Limavady Borough Council car park and Lidl car park, Connell Street Car Park, Boundary of Lidl Car Park and Boundary of Limavady Borough Council Car Park, Connell Street, Limavady (North West Development Office): At the request of Councillor Lowry, the Chief Technical Services Officer undertook to write to the North West Development Office to ascertain whether or not Lidl had given its consent to the proposed work being carried out to its property, which presumably could delay the scheme if not forthcoming.

B/2004/0498/O – site for dwelling, 100 m west of 319 Seacoast Road, Limavady (Mr C McCracken): Mr Brown advised that this application was not approvable as there had been a previous refusal on this site. Noted.

It was agreed to defer consideration of the following applications until next month:

B/2003/0453/O – site for 2 tourist chalets adjacent to Aghanloo Orange Hall, Windyhill Road, Magheraskeagh, Limavady (Ms M Hasson):

B/2004/0049/O – site for traditional two storey dwelling with detached garage/store, 200 m west of 316 Seacoast Road, Oughtymoyle, Bellarena, Limavady (Mr A McLaughlin);

B/2004/0567/O – site for dwelling adjacent to 39 Ballyavelin Road, Limavady (Mr & Mrs Turpin);

B/2004/0604/O – site for dwelling with detached garage, rear of 105 Aghanloo Road, Limavady (Miss A McConway);

B/2004/0607/O – site for dwelling to the rear of 99a Baranailt Road, Limavady (Mr I Carlin);

B/2004/0612/O – site for dwelling adjacent to 155 Duncrun Road, Bellarena, Limavady (Mr C Kelly).

Mr Brown advised that the following applications had been withdrawn:

B/2004/0618/O – site for dwelling between 17 and 25 Spallen Road, Ballyspallan, Ballykelly (Mr & Mrs Barr);

B/2004/0619/O – site for dwelling between 17 and 25 Spallen Road, Ballyspallan, Ballykelly (Mr & Mrs Forrest).

Site/Office Meetings: Site/office meetings were arranged for Tuesday 16 December 2004 at 10 am for the following applications:

B/2004/0448/O – site for bungalow with detached garage, rear of 25 Scotchtown Road, Bellarena (Mr M McConway) (deferred from last month);

B/2003/0708/O – site for dwelling to the rear of 125 to 129 Seacoast Road, Limavady (Mr & Mrs M O’Kane);

B/2004/0373/O – site for traditional ‘cottage’ style bungalow with detached garage/store, 130 m south west of 48 Dunlade Road, Killywool, Limavady (N O’Hara);

B/2004/0377/F – erection of detached dwelling approximately 50 m east of 36 Corick Road, Benady, Dungiven (Mr & Mrs M Corr);

B/2004/0479/O – site for rural dwelling with detached garage/store, 100 m west of 205 Drumrane Road, Leeke, Limavady (Mr A Smyth);

B/2004/0482/O – site for traditional rural dwelling with detached garage/store, 230 m west of 205 Drumrane Road, Leeke, Limavady (Mr A Smyth);

B/2004/0494/O – site for traditional rural dwelling with detached garage/store, 100 m north of Windyhill Road, Stradreagh, Limavady (Mr K Johnston);

B/2004/0496/O – site for traditional rural dwelling with detached garage/store, 300 m north of 57 Sheskin Road, Greysteel, Limavady (Mr H O’Kane);

B/2004/0501/O – site for replacement chalet style dwelling with detached garage, 284 Ballyquin Road, Mulkeeragh, Limavady (Mr C Fulton);

B/2004/0502/O – site for traditional cottage style bungalow with detached garage/store, 125 m south of 162 Baranailt Road, Glenhead, Limavady (Mr & Mrs Whiteside);

B/2004/0529/O – site for dwelling adjacent to 725 Feeny Road, Dungiven (Mr S Smyth);

B/2004/0533/F – 2 dwellings each with detached garage/store approximately 350 m north west of 171 Glenhead Road, Moys, Limavady (Mr W Deehan);

B/2004/0541/O – site for traditional rural dwelling with detached garage/store, junction of Flanders and Ballygudden Roads, Dungiven (Mr A Faulkner);

B/2004/0557/O – site for traditional rural dwelling with detached garage/store, Dunlade Road (north of the junction with the Monnaboy Road, Dunlade Glebe, Greysteel (Mr P Orr);

B/2004/0558/O – site for traditional rural dwelling with detached garage/store, Bolea Road (265 m north of metal suspension bridge), Limavady (Mr C McClarey);

B/2004/0565/O – site for traditional rural dwelling with detached garage/store, south of Largantea Bridge, Windyhill Road, Largantea, Limavady (Mr D Smyth);

B/2004/0570/O – site for traditional rural dwelling with detached garage/store, 175 m west of 72a Sheskin Road, Gortgare, Greysteel, Limavady (Mr M McKinney);

B/2004/0578/O – site for dwelling, 100 m east of junction of Vale Road/Sheskin Road (300 m north of 58 Sheskin Road), Greysteel (Mr & Mrs Ferguson);

B/2004/0580/O – site for detached dwelling with detached garage, Terrydoo Road, Aughansillagh, Limavady (200 m north west of 102 Terrydoo Road) (Mrs J Loughery);

B/2004/0585/F – erection of 12 apartments in a three storey block with associated parking, 121 Irish Green Street, Limavady (Devarc Ltd);

B/2004/0594/O – site for dwelling, 100 m from 23 Larch Road, Glack, Limavady (Mr L Kelly);

B/2004/0598/O – site for dwelling, Temain Road, Limavady (Mr W Loughrey);

B/2004/0599/O – site for dwelling, Temain Road, Limavady (Mr W Loughrey);

B/2004/0600/O – site for dwelling, Temain Road, Limavady (Miss L Loughery);

B/2004/0602/O – site for dwelling, Temain Road, Limavady (Mrs H Peppard);

B/2004/0668/O – site for dwelling 160 m north east of 44a Gortnarney Road, Limavady (Mr G Smith).

Planning Application B/2004/0566/F – Mr Brown advised that the Department had received an application for planning approval in respect of the Dolphin Bar, Gortnaghey. He added that it was important that this application was processed in a timely manner and advised that the Planning Service had no objections to the approval of this application. Noted.

PLANNING APPEALS:

B/2004/0322/O – site for residential development, landscaped amenity open space, equipped play area and ancillary works, land to the east of Limavady Cemetery, north of Whitehill Park and Lowry Park, south of Meadowvale Parka and Thorndale, west of Mount Eden, Limavady: The Chief Technical Services Officer submitted letter dated 30 November 2004 from the Planning Service which outlined the reasons why it was of the view that planning permission should be refused. Noted.

Details of other Planning Appeals as listed in the Schedule were noted.

ROADS:

Proposed Shared Use Pedestrian/Cycle Path, Clooney Road: The Chief Technical Services Officer submitted letter dated 23 November 2004 from Roads Service which indicated that it proposed to extend the shared use path on the south side of Clooney Road from the 40 mph speed limit to Vale Road by reconstructing the existing hardshoulder. Accordingly, it was agreed that Council would offer no objection to this proposal.

Traffic Calming Measures, Greysteel: The Chief Technical Services Officer submitted letter dated 23 November 2004 from Roads Service which provided details of the above scheme to be implemented in Greysteel. Whilst members agreed to this proposal, it was suggested that the 40 mph speed limit be reduced to 30 mph.

ANY OTHER BUSINESS:

Crumlin Against Asbestos: The Chief Technical Services Officer submitted letter dated 25 November 2004 from the above group regarding planning permission and a license being sought for a temporary asbestos storage facility at Crosshill Quarry in Crumlin and requested that Council forward a letter of objection with regard to this proposal to Minister Angela Smith. It was, however, agreed that the letter be referred to individual political parties to respond.

Acting Town Clerk & Chief Executive Position: It was agreed on the proposal of Councillor Rankin, seconded by Councillor Cubitt that this item be discussed **IN COMMITTEE**.

The Chief Technical Services Officer advised members that the Town Clerk had been on sick leave from 24 November 2004 and was not expected to return before 22 December 2004. He added that there was no policy in place in the eventuality of the Town Clerk and Chief Finance & Administration Officer being absent at the same time and, prior to leaving the room, suggested that Council consider how it wished to deal with this absence and whether or not members wished to proceed with the Change Management Sub Committee meeting scheduled for 17 December 2004.

A number of members expressed the view that, in the interests of fairness, criteria such as years service/experience should be drawn up as opposed to a particular Chief Officer being appointed to the post. Accordingly, it was agreed on the proposal of Councillor Lowry, who highlighted that the post could not be left vacant until such times at this could be progressed, seconded by Councillor Brolly that the Chief Technical Services Officer continue to deputise for the Town Clerk and that the

Human Resources Manager be invited to attend the Environmental Services Committee on 6 December 2004 to advise on the way forward. It was also suggested that advice be sought from the Local Government Staff Commission prior to Monday's meeting. **OUT OF COMMITTEE.**

In light of the above, it was agreed to proceed with the Change Management Sub Committee meeting scheduled for 17 December 2004.

Disciplinary Appeal Hearing: The Chief Technical Services Officer referred to discussions at the Monthly Meeting of Council on 24 November 2004 when it had been agreed that the above appeal hearing would be held on 3 December 2004 and added that the appellant had subsequently requested that this hearing be postponed. Accordingly, it was agreed that this be rescheduled for 20 December 2004 at 11 am.

Social Care in the Community: Councillor Lowry expressed concern at the lack of funding for social care within the community and requested that the Chief Technical Services Officer enquire as to how many residents of the Borough were currently on waiting lists and what steps were being taken to address the lack of carer provision.

COMPLIMENTS OF THE SEASON:

The Chair conveyed his best wishes for Christmas and the New Year to members and officers.

NEXT MEETING:

6 January 2005

THIS CONCLUDED THE BUSINESS

(The meeting ended at 9.30 pm)