

**LIMAVADY BOROUGH COUNCIL**  
**COMHAIRLE BHUIRG LÉIM AN MHADAIDH**

**PLANNING AND DEVELOPMENT SERVICES COMMITTEE**

**7 OCTOBER 2004**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.30 pm on the above date.

**PRESENT:**

Aldermen M Carten (in the chair), J Dolan and G Robinson. Councillors B Brown, L Cubitt, M Coyle, B Douglas, D Lowry, G Mullan, J Rankin and E Stevenson.

**IN ATTENDANCE:**

Personal Assistant, Mr A Brown and Mr J Duffy, Planning Service and the Town Clerk.

**APOLOGIES:**

Councillors A Brolly, M Donaghy, M McGuigan and the Committee Clerk.

**PPS 14 – SUSTAINABLE DEVELOPMENT IN THE COUNTRYSIDE:**

Mrs Angela Morrison, DTZ Piedad presented a suggested response to the above consultation document, based on members' comments at the special Planning & Development Services Committee meeting held on 20 September 2004 and highlighted the salient points therein.

Members were satisfied that the report reflected their views on future development in the countryside and it was adopted on the proposal of Councillor Douglas, seconded by Councillor Rankin for submission to the Department of Regional Development.

**MINUTES:**

Minutes of meetings dated 2 and 20 September 2004 were approved and signed on the proposal of Councillor Cubitt, seconded by Alderman Dolan.

**MATTERS ARISING:**

**Overgrown Hedgerows:** The Town Clerk submitted letter dated 30 September 2004 from Roads Services which indicated that, whilst the hedge at the Drumlief Road/Bolea Road junction and at the Freehall Road/Aghanloo Crossroads was found to need trimming, inspections had shown that the hedge on Drumlief Road/Broad Road junction was not encroaching onto the road or verge. Noted.

**Benone/Magilligan – New Sewerage System:** The Town Clerk submitted letter dated 29 September from Water Service which advised that an alternative site at Point Road had now been identified and that it was hoped that land acquisition for

this would allow a start of construction on site in early Spring 2005, with completion in mid to late 2006.

**Western Health & Social Services Board Out of Hours Services:** The Town Clerk referred to previous discussions regarding the new GMS contract and submitted Press Release issued by the Board which outlined that it intended to keep all of its five centres in Londonderry, Limavady, Strabane, Omagh and Enniskillen open between 6.30 pm and 8 am Monday – Friday and during weekends and public holidays. Members welcomed this decision and the opportunity to discuss the Board's plan in more detail with it at a future consultation meeting.

Members noted that a refusal decision had been issued in respect of the following applications:

**B/2003/0406/O – site for dwelling adjacent to 23 School Road, Greysteel (Mr M Lynch);**

**B/2003/0738/0 - site for dwelling 30 m to north east of 918 Glenshane Road, Carn, Dungiven (Mr S O'Kane).**

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

**B/2004/0035/F - erection of replacement timber structure temporary store at 65 Meadowvale Park, Limavady (Mr & Mrs Smyth);**

**B/2004/0153/F - erection of dwelling Gortgarn Road, Limavady (Mr H Diamond);**

**B/2004/0321/F – erection of replacement dwelling with detached garage/store 186 Glenhead Road, Moyse, Limavady (Mr V Scott).**

Members noted that the following applications which had appeared on last month's schedule for refusal had subsequently been withdrawn:

**B/2004/0225/0 - site for dwelling 250 metres south of junction of Loughermore Road and Tartnakilly Road, Glack, Limavady (Mr F Coyle);**

**B/2004/0231/0 - site for traditional rural dwelling with detached garage/store 70 metres north of the GAA football pitch, Gortnaghey Road, Gortnaghey, Dungiven (Mr & Mrs Reilly).**

#### **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/2004/0168/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/2004/0091/0 - 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/2003/0774/0 - extension to existing terrace of dwellings to form new dwelling adjoining 7 Crawford Square, Limavady (Mrs S Armstrong);**

**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 Baranait Road, Drumacarne, 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/2004/0063/0 – site for dwelling and garage to rear of 205 Seacoast Road, Ballyhenry East, Limavady (Mr E Conn);**

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

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

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

**B/2004/0292/F – erection of one and half storey detached dwelling adjoining 14 Village Oaks, Loughermore Road, Ballykelly, Limavady (Mr G O’Kane):** Members welcomed the change of opinion to a recommended approval in respect of this application.

Members noted the recommended refusal of the following applications:

**B/2004/0146/0 – site for single storey dwelling adjacent to 72 and 72a Sheskin Road, Minegallagher, Limavady (Mr G McKinney);**

**B/2004/0228/0 – site for dwelling Windyhill Road, Dunmore, Limavady, 210 metres west of junction with Altikeeragh Road (Mr M Harkin);**

**B/2004/0244/0 - site for dwelling and garage site opposite 726 Feeny Road, Dungiven (Mrs B Hamill);**

**B/2004/0361/0 – site for replacement dwelling opposite Ballyquin House, Ballyquin Road, Ballyquin, Limavady (Mr K McDonald);**

**B/2004/0379/0 – site for dwelling adjacent to 86 Gortnaghey Road, Gortnaghey, Dungiven (Mr P Moore).**

**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/2004/0436/O – site for bungalow and garage, 100 m north east of 58 Altmover Road, Derrylane, Dungiven (Mr S Colgan):** Mr Brown reported that this application had been recommended for refusal because of a failure to integrate. Noted.

**Site/Office Meetings:** Site/office meetings were arranged for Tuesday 19 October 2004 at 9.30 am for the following applications:

**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):** Mr Brown reported that the Planning Service was of the opinion that Roe Valley Country Park was worthy of protection and that this development would detract from the area. He added that, whilst officers of Council had responded positively to the Environmental Impact Assessment for this

application, there had been 27 objections from members of the public to this application.

A number of members spoke in favour of this development on the basis that it would compliment the facilities already available at the Country Park and would be of economic benefit to the Borough. Accordingly, given the difference of opinion between the Planning Service/objectors and members/officers of Council it was agreed that an office meeting be held to discuss the matter further.

**B/2003/0714/O – site for traditional cottage style rural dwelling with detached garage/store adjoining 48 Gortnagross Road, Gortgarn, Dungiven (Mr R Carmichael);**

**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/2004/0089/F – alteration to existing housing development and approval B/1999/0172 and B/2003/0120/F (change of house types) to provide 40 detached dwellings with garages and associated roadways, Sites 1 – 40, Phase 15 Housing, Crossnadonnell Road, Bovally, Limavady (B Mullan & Sons (Developments) Ltd:** Mr Brown agreed to facilitate an office meeting to explain the background to this application to the objectors in that, whilst the land had previously been zoned for recreational/open space, the initial planning applications had been approved. It was further agreed that the Planning Service could issue an approval decision in respect of the current application for the change of house types without further consultation with Council.

**B/2004/0347/F – site for farmworker’s dwelling and garage adjacent to 48 Dernaflaw Road, Dungiven (Mr K Haslett);**

**B/2004/0368/O – site for traditional rural dwelling with detached garage/store between 27 and 29 Terrydoo Road, Ballyavelin North, Limavady (M B Properties (NI) Ltd);**

**B/2004/0370/O – site for dwelling with detached garage/store west of 133 Ballyavelin Road, Ballyavelin North, Limavady (M B Properties (NI) Ltd);**

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

**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/2004/0484/O – site for traditional rural dwelling with detached garage/store 250 m north of 128 Windyhill Road, Stradreagh, Limavady (Mr I Buchanan);**

**B/2004/0485/O – site for traditional dwelling with detached garage/store 300 m north of 128 Windyhill Road, Stradreagh, Limavady (Mr I Buchanan).**

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

**BUILDING REGULATIONS APPLICATIONS (schedule enclosed):**

The District Chief Building Control Officer's report detailing applications approved, acknowledged and issued between 30 August and 1 October was tabled and noted.

**ROADS:**

**Proposed Abandonment of Pathway between 50 & 51 Bells Hill – Limavady:** The Town Clerk submitted letter dated 8 September 2004 from Roads Service which sought Council's view on the abandonment of the above land. Accordingly, it was agreed to offer no objection to the proposed abandonment.

**WATER & SEWERAGE:**

**Water Service - Annual Consultation:** Alderman Robinson referred to discussions at the previous meeting regarding the annual consultation with Water Service. Accordingly, the Town Clerk undertook to write to Water Service to arrange an early date for the consultation and to raise Council's concerns regarding the inadequacy of Limavady Waste Water Treatment Works.

**ANY OTHER BUSINESS:**

**Disciplinary Hearing – 12 October 2004:** It was agreed that this discussion be held **IN COMMITTEE**.

Councillor Douglas referred to correspondence dated 4 October 2004 from the Economic Development Officer to members and to a letter dated 7 October 2004 from the Town Clerk on the same subject and enquired about the current situation in light of the recent decision of the Fair Employment Tribunal to uphold its decision in relation to number 377/01 FET.

The Town Clerk said that whilst he did not wish to be unhelpful, it would be inappropriate for him to discuss the issue or comment thereon, given his involvement in the various cases against Council.

Councillor Douglas said that he had expressed his concerns from the outset of this matter and stated further that these concerns were now being justified.

Councillor Cubitt proposed that the Disciplinary Hearing be postponed until Council received advice from its solicitor and/or Human Resources Manager.

Councillor Lowry reminded members that staffing issues were confidential and should be discussed at Council's Finance & General Purposes Committee, to which Council's solicitor and/or Human Resources Manager could be requested to attend to provide advice if required.

Alderman Robinson stated that he wished to be absolved from any decision and did not want to be involved in this matter in any way. **OUT OF COMMITTEE.**

**NEXT MEETING:**

4 November 2004

**THIS CONCLUDED THE BUSINESS  
(The meeting ended at 10.20 pm)**