

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

**PLANNING AND SERVICES COMMITTEE**

**7 DECEMBER 2006**

Minutes of meeting held in the Council Offices, 7 Connell Street, Limavady at 7.00 pm on the above date.

**PRESENT:**

Aldermen G Mullan, J Rankin and G Robinson. Councillors A Brolly, P Butcher (chair), M Carten, B Chivers, M Coyle, L Cubitt, M Donaghy, C Ó hOisín, J F McElhinney, A Robinson and E Stevenson.

**IN ATTENDANCE:**

Committee Clerk, Chief Executive, Ms Katrina Hope and Ms Stephanie Cartin, Planning Service.

**APOLOGIES** – Councillor Douglas.

**MINUTES:**

The minutes of meeting dated 2 November 2006 were approved and signed on the proposal of Councillor Cubitt, seconded by Councillor Ó hOisín.

**MATTERS ARISING:**

The Chief Executive updated members on the following matters arising:

- *Removal of Bollards Edenmore Road Pathway* – Members were reminded that Roy Johnston, Section Engineer Roads Service had confirmed at a Special Planning & Services meeting held 5 December 2006 that 4 concrete blocks had been placed on the pathway to prevent vehicular access but the ideal long term solution would be to get a Stopping Up Order for permanent bollards.
- *Footpath at Castle Park* – The work to the footpaths at Castle Park was a road opening and reinstatement for a sewer connection and Roads Service have no plans to present for footpath resurfacing in Castle Park.

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

**D1/Approval: B/2004/0687/F – erection of petrol/service station with shop unit Broad Road, Fruithill, (Linley Properties Ltd)** Members noted that there were a number of objections to this application.

**D2/ Deferral: B/2005/0529/F – demolition of retail unit and replacing same with two –storey retail unit with retention of fuel filling station and provision of on-site parking facility (revised location of building, 39 Station Road, Dungiven (Mr F McNicholl)** Members noted that whilst this application was listed on the schedule as a recommended approval, Planning Service had received additional

information and recommended that decision be deferred until all difficulties had been resolved.

**D3/Approval: B/2005/0877/F – erection of one and half story split dwelling and garage (change of house type from previously approved) at Legavallon Road, Gortnagross, Limavady (Mr P O’Hagan) Welcomed.**

**D4/Refusal: B/2006/0052/O – site for dwelling adjacent to 180 Legavallon Road, Dungiven (Mr E McCloskey) At members request, Planning Officers agreed to hold this application for 7 days so that the application would be withdrawn.**

**D5/Approval: B/2006/0133/O – site for dwelling 180 metres north of 37 Ballyleagry Road, Ballyleagry, Limavady (Mr S J Oliver) Welcomed.**

**D6/Refusal: B/2006/0177/O – erection of replacement dwelling with detached garage/store, 14 Nessagh Road, Baranailt, Limavady (Mr & Mrs J Moore) It was agreed on the proposal of Councillor McElhinney, seconded by Councillor Carten not to accept the refusal decision.**

**D7/Approval: B2006/0185/F – change of house type from detached bungalow to two semi-detached one and a half storey chalet style bungalows with integrated garages (Windyhill Developments) Welcomed.**

**D8/Refusal: B2006/0187/O – site for dwelling 176 metres northwest of 41 Glendra Road, Feeny (Mr J O’Kane) Noted.**

**D9/Refusal: B2006/0227/O – site for chalet type bungalow with detached garage to rear garden of 12 Dukes Lane, Ballykelly (Mrs N O’Connor) Noted**

**D10/Refusal: B2006/0233/F – erection of replacement two storey dwelling and double garage 500 metres south west of 99 Coolagh Road, Killywool, Greysteel (Mr R McWilliams) At members request, Planning Officers agreed to hold this application for 10 days.**

**D11/Refusal: B2006/0253/O – site for replacement dwelling and garage on site opposite 1 – 4 Ashview Court (previously Old Dromore School), Highlands Road, Limavady (T Hamilton) Noted.**

**D12/Approval: B2006/0287/O – site for two storey dwelling to rear of 12 and 14 Brookfield Park, off Pollysbreia Road, Limavady (Mr G Wilson) Welcomed.**

**D13/Refusal: B2006/0297/O – site for replacement dwelling and domestic garage 80 metres south of 123 Gelvin Road, Dungiven (Mr P McNicholl) Noted.**

**D14/Refusal: B2006/0361/O – site for traditional rural dwelling with detached garage/store for retiring immediately north of 16 Gortgarn Road, Gortgarn, Limavady (Mr Fallows) It was agreed on the proposal of Councillor Cubitt, seconded by Councillor Stevenson, not to accept the refusal decision.**

**D15/Refusal: B2006/0366/O – site for dwelling to replace existing redundant mushroom growing plant, on lands to the rear of 10 Lime Road, Greysteel (Mr & Mrs O’Connor) Noted.**

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

Planning Officers answered questions on the applications listed on the schedule and the recommendations were accepted, subject to the following:

**B/2006/0153/O – site for dwelling on lands adjacent to 20 Beech Road, Dungiven (Mrs A Bryne)** Planning Officers agreed to defer issuing decision on the above application for 1 month. It was agreed that if issues relating to visibility splays were resolved that approval would be issued without having to be brought back to Council.

**Site/Office Meetings:** Site/office meetings were arranged for January 2007 commencing at 9.30 am for the following applications:

**B/2005/0886/F – change of use from a two storey former flax mill/agricultural store to 2 self-catering holiday units and a 2 storey extension to same (3 units in total) (to facilitate tourists, fishing, birdwatching, cycling, etc) located at ‘The Carrick Mills’, Ballyquin road, Terrydremond, Limavady (N & R Hylands);**

**B/2006/0193/O – site for replacement two storey rural dwelling located at 16 Mullaghmesh Road, Upper Feeny (Mr M Deane);**

**B/2006/0489/F – proposed 3 storey apartment block (25 units) with associated carparking 36 & 38 Irish Green Street, Limavady (St Patricks Hall) (P & A Developments);**

**B/2006/0500/O – erection of retirement bungalow 35m West of 249 Altinure Road, Ballydonegan, Feeny (Rev Collins);**

**B/2006/0502/F – proposed replacement chalet style dwelling & detached garage 180 m north west of 81 Coolagh Road, Greysteel (Mr G O’Hara);**

***Queries outside the Schedule:***

**Repair Scheme:** Alderman Rankin referred to the delay in the repair scheme by the Northern Ireland Housing Executive at Albert Terrace/Linenhall Street and Irish Green Street and suggested that when design issues were resolved by Environment Heritage Service that approval be issued as soon as possible. Agree.

**Planning Permission to Demolish Properties:** In response to members’ queries, the Planning Service explained that it depended on the area that the property was situated if planning permission was needed to demolish houses.

**City of Derry Airport Expansion:** Planning Officers outlined to members that due to the airport expansion, residents of Donnybrewer Road would be given allocated sites in a greenbelt area permitted under Article 31 of the Planning (NI) Order 1991, which enables the Department to deal with major planning applications under special procedures.

**Meeting with Mary MacIntyre:** It was agreed that members would be given details of notes during the office meeting with Mary MacIntyre. Members noted that

Planning Officers had agreed to hold a trial one hour ‘surgery session’ to answer queries relating to planning applications after the office meetings.

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

### **COUNCIL CONSULTATION PROCESS:**

The revised guidance on consulting Councils about planning applications was tabled and members noted the following amendments:

- Councils must provide planning reasons for seeking a deferral on individual applications as this was a necessary safeguard for the procedure in order that Planning Service and Councils could demonstrate, in the event of a challenge, that the request for deferral is soundly based on defensible planning grounds;
- Council must secure a deferral on an individual planning application before writing to Divisional Planning Managers seeking site meeting and
- a written request for site meetings was not an alternative to providing reasons for a deferral.

### **PLANNING APPEALS – KPL CONTRACTS LTD:**

The Chief Executive informed members that the Planning Appeals Commission were seeking representation from Council to appeal against enforcement notice issued to KPL Contracts Ltd. Councillor Coyle expressed support for the appeal and pointed out that KPL Contracts based in Dungiven, was one of Northern Ireland's leading utility providers, with a local, national international customer base, therefore an industrial base in the vicinity was paramount to the continued success of the company. He proposed that the Planning Appeals Commission take note that the company provided employment opportunities in the Borough, aided economic development and Councillor Ó hOisín suggested that any objection to the site being used for industrial use was irrelevant as it had been used previously for car and oil sales.

A number of members expressed concern that the company had not adhered to planning regulations and pointed out that Council needed to be consistent in how it dealt with similar appeals.

Councillor Brolly proposed and Councillor Coyle seconded that in the interests of economic development that Council support the application. The proposal was put to the meeting and declared carried, with 9 voting for, 2 against and 3 abstentions.

The Chief Executive agreed to forward members comments by the agreed deadline.

### **TRANSPORT ASSESSMENT – GUIDELINES FOR DEVELOPMENT PROPOSALS IN NORTHERN IRELAND:**

The guidelines for developing transport assessment proposals in Northern Ireland were tabled and noted.

**ROADS:** - None

**WATER & SEWERAGE:**

Councillor Cubitt expressed disappointment that a resident of the Borough had contacted a Councillor from outside the area to resolve a water and sewerage problem. Councillor Ó hOisín said this was not a snub to local members but that the resident was a personal friend of the Councillor. Noted.

**HOUSING:** - None

**ANY OTHER BUSINESS:**

**Seagate Closure at Christmas:** Members voiced concern that Seagate were reducing staffing levels over the Christmas and New Year period. It was agreed that the Development Manager would investigate if this was a forerunner to the factory closing.

**Sound System – Roe Valley Leisure Centre:** It was agreed on the proposal of Councillor McElhinney, seconded by Alderman Rankin that Council would investigate purchasing new sound system for Roe Valley Leisure Centre.

**Newspaper – Publication of Confidential Report:** Members discussed the publication by a local newspaper of a confidential report which had been discussed at the Support Services meeting in committee. Comments noted.

**NEXT MEETING** - Thursday 4 January 2007

**THIS CONCLUDED THE BUSINESS**  
**(The meeting ended at 8.40 pm)**

**Signed:** \_\_\_\_\_  
**Chair of Meeting**