

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

PLANNING & SERVICES COMMITTEE

15 NOVEMBER 2011

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

PRESENT:

Aldermen M Coyle, G Robinson and J Rankin. Councillors O Beattie, A Brolly, B Chivers, B Douglas, T McCaul, J McCorkell, S McGlinchey, C McLaughlin, G Mullan, D Nicholl (Chair), A Robinson and E Stevenson.

IN ATTENDANCE:

Committee Clerk, Head of Finance, Chief Executive, Ms Sharon Mulhern and Mr Kenny Donaghey, Planning Service.

APOLOGIES: - None.

MINUTES:

The minutes of meeting dated 18 October 2011 were approved and signed on the proposal of Alderman Coyle, seconded by Councillor Chivers.

MATTERS ARISING: - None.

ACCOUNTS AUTHORISED FOR ISSUE:

The Head of Finance explained that, in accordance with International Accounting Standard (IAS 10), the Statement of Accounts for the year ended 31 March 2011, which was authorised for issue on 25 October 2011, contained a number of material amendments from the Accounts approved on 21 June 2011 at the Planning and Services Committee. He said that any material amendments must be explained and reported to the same Committee in accordance with Regulation 12 of the Local Government (Accounts and Audit) Regulations (NI) 2006.

The Head of Finance outlined that the material adjustments were:

1. The past service gain on pensions - £2,176,000 had been reclassified as Other Service income.
2. Landfill Site Costs – There were transfers from the District Fund to the Capital Fund of £61,605 and to the Renewal and Repairs Fund of £35,272 in respect of the new accounting treatment of closure and aftercare costs for the landfill site.

Furthermore, the adjusted balances on the Capital Fund of £2,820,312, and the Renewal and Repairs Fund of £511,225 were transferred to the Capital Adjustment Account.

The material adjustments within the accounts were approved on the proposal of Alderman Coyle, seconded by Councillor Douglas.

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

The Chair welcomed Ms Sharon Mulhern and Mr Kenny Donaghey, Planning Service to the meeting.

From the outset Alderman Coyle proposed, seconded by Councillor Mullan that Council **do not accept** the refusal recommendations on applications for wind turbines set out in the planning schedule.

The following points were made by members:

- Applicants had spent a considerable amount of money to submit the applications and many had been given a guarantee on funding.
- Planning Policy relating to wind farms was confusing.
- The culture of the farming community was changing and current guidelines were not fitting for the times people were living in.

The Chair confirmed that Planning Service had agreed to provide training to elected members on Planning Policy and on the planning decision making process as a whole.

Members requested that Planning Service explain why 9 applications on the planning schedule had been refused for wind turbines. In response Ms Mulhern said that Planning Service had not envisaged the high volume of applications received for individual wind turbines and that the decisions had been withheld until all the applications would be dealt with in a consistent manner She said that Planning Service based their decision on analysis from the NIEA and that wind farms alone would meet the 40% target set for renewable energy.

Ms Mulhern answered queries on the applications listed on the deferred applications schedule and the decisions were accepted subject to the following:

D2 – B/2008/0235/F: proposed housing development consisting of 34 two storey dwellings at Church Lane, Drumrane Road, Burnfoot (Mr A Miller) It was agreed that decision on this application would be held for 10 days to re-consult with Roads Service on information submitted. Following this, decision would be issued without bringing a recommendation back to Council.

D4 – B/2009/0431/F: erection of 10 two storey semi-detached dwellings – amendment to previous approval on sites 19-25 for 7 dwellings (Mr Peter McCullagh) Members welcomed that this application had now been approved.

D6 – B/2010/0283/F: proposed A27/22kw wind turbine with 30 meter hub 155 metres north west of 145 Polly's Brae Road, Dungiven (Mr Malcolm Maxwell) Council refused to accept the refusal decision.

D7 – B.2010/0336/F: erection of 1 250k wind turbine with a hub height of 40 metres 250 metres north west of 16 Magheramore Road, Dungiven (Mr William Canning) Council refused to accept the refusal decision.

D8 – B/2010/0374/F: erection of 1 250k wind turbine with a hub height of 40 metres at 350m east of 56 Altagarran Road (Mr Liam Brolly) Council refused to accept the refusal decision.

D10 - B/2010/0388/F: proposed wind turbine 50kw generator, hub height 37m on site 240m north west of 89 Teeavan Road, Dungiven (Solo Renewables (NI) Ltd) Council refused to accept the refusal decision.

D11 – B/2010/0458/F: 250kw wind turbine on 30 metre tower 475m north west of 149 Pollys Brea Road, Dungiven (Nigel Quigley) Council refused to accept the refusal decision.

D12 – B/2010/0461/F: 250kw wind turbine on 30 metre tower 90 metres north east of Glenshane Road, Dungiven (Daniel O’Kane) Council refused to accept the refusal decision.

D13 – B/2011/0015/F: erection of one and half storey farm dwelling and detached single garage on lands 280m south east of 184 Drumsurn Road (Mr John Loughery) It was noted that this application had now been withdrawn.

D14 – B/2011/0049/F: 2storey dwelling, detached garage and associated landscaping on farm at 4 Larch Road, Ballyhargan (Mr Kieran Farren) *Alderman Coyle declared an interest and took no part in the discussion.* Ms Mulhern advised that this application was now removed from the schedule. She said that further information had been submitted and that DARD would be re-consulted.

D15 – B/2011/0053/F: 250kw wind turbine at 32m hub height for new poultry house and grid 900m nnw of 145 Polly’s Brae Road, Dungiven (Malcolm Maxwell) Council refused to accept the refusal decision.

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

Ms Mulhern answered queries on applications listed on the new applications schedule and outlined the nature of objections. The recommendations were accepted subject to the following:

B/2011/0043/F – proposed dwelling and garage on a farm adjacent to 240 Foreglen Road, Munreery, Claudy (Shane and Leanne McLaughlin) It was agreed that decision on this application would be held for 10 days to consider information recently submitted and if acceptable, an approval would be issued.

Office Meetings were agreed for the following applications:

B/2011/0373/F – Desmond & Sean Quigley
 B/2011/0121/O – Mr P Murphy
 B/2011/0169/F – Dominic O’Kane
 B/2011/0204/F – John Farrell
 B/2011/0228/F – Mr Mark McCloskey
 B/2011/0235/RM – Mr Joe McElhinney

Appeal dates and decisions were noted by members.

Queries outside the Schedule:

A member asked for an update at the next Planning & Services meeting on an application relating to the graveyard at St Patricks Church Dungiven.

ROADS SERVICE AUTUMN CONSULTATION:

The Chair welcomed Mr Malcolm Glover, Network Maintenance Manager and Mr Austin Montgomery, Section Engineer Roads Service to the meeting.

Mr Glover stated that the main purpose of the report was to give an update on progress & delivery of work programmes and to consult Council about scheme priorities for 2012/13. He said that funding for improvement schemes remained similar to last year but a lack of funding for major schemes had allowed the Division to take a number of schemes in the preparation pool through statutory processes which would leave them in a good position to proceed when funding was confirmed.

Mr Glover presented the Northern Division Interim Road Service Report which detailed work completed in 2011, progress on schemes planned for 2011/12, including resurfacing of roads and pathways, surface dressing, drainage, major utility works, winter gritting service, minor work schemes, traffic schemes, traffic management, maintenance of structures, street lighting and major work schemes.

The following points were made during the presentation:

- Ballykelly by-pass was not likely to commence before 2017/18.
- Reduction in funding meant the A6 dual carriageway would not commence before 2014/15 at the earliest.
- Roads Service were progressing with the development of an Environmental Statement for the Gortcorbies climbing lane scheme and would continue to prepare detailed designs in anticipation of availability of finances to get the scheme completed as soon as possible.
- The drainage system to take away surface water along the Edenmore Road to the top of Ballyavelin Road was blocked and needed to be cleared.
- Drainage would be carried out in the Glens Estate when the flagstones were being lifted.
- It was highlighted that the recent flooding in the Burnfoot had been caused by high levels of water on private lands. Roads Service were looking to alter the kerbs to see if this alleviated the problem.
- Roads Service agreed to contact Council when tenders for clearing of snow were being advertised.
- Warning sign was needed on Ballyavelin Road to advise drivers to slow down.
- Roads Service agreed to look at drainage to take storm water away on the Foreglen loop road.
- Water had washed away chippings on Tartnakelly Road and left the road in a dangerous condition due to several ponds of water.
- There was no advantage to having Roads Service mini stations on higher mountainous areas during the winter months.
- The PSNI should be contacted regarding cars parking on turning points as this caused an obstruction.
- Passing bays were needed on Boveva Road.

- Members welcomed provision of a pelican crossing on Irish Green Street and footpath between Ballarena Station and Ballarena School.
- It was acknowledged that there were a few minor defects on the footway in Main Street, Limavady.
- The upgrade of lighting at Bell's Hill was welcomed. It was suggested that a similar scheme be carried at Roe View Park and Alexander Road.
- It was suggested that members contact the Roads Service Engineer dealing with street lighting on requests for lighting which did not meet the standard criteria. A copy of the criteria would be forwarded to members.
- Street lights should be turned off an hour earlier to conserve energy.
- Members were advised that the site identified for a park & ride in Dungiven had been objected too.
- Secondary salting was carried out on icy roads on request and grit piles were placed on roads not on the gritting route.
- Comments regarding provision of a disabled parking bay at Roe Valley Arts & Cultural Centre would be forwarded to Roads Service Traffic Section.
- Roads Service was requested to replace the 'Welcome to Limavady Borough Council' sign on the A2 Clooney Road.

The Chair thanked the deputation from Roads Service for attending the meeting.

ROADS: - None.

WATER & SEWERAGE: - None.

HOUSING: - None.

ANY OTHER BUSINESS:

Ministerial Visit: The Chief Executive reminded members that Minister Danny Kennedy would meet with elected members at Roe Valley Arts & Cultural Centre - Ionad Ealaíon agus Cultúir Ghleann na Ró to discuss Dungiven by-pass and the Magilligan to Greencastle ferry service on Wednesday 16 November 2012.

Roe Valley Bereaved by Suicide Support Group – Memory Tree of Lights Event: The Chief Executive reminded members that it had been agreed that Roe Valley Arts & Cultural Centre – Ionad Ealaíon agus Cultúir Ghleann na Ró would be opened on 18 December 2011 to service the Roe Valley Bereaved by Suicide Support Group's 'Memory Tree of Lights' event. He said that the cost to open the centre would be in the region of £200. In response to a member, he agreed to discuss with the Centre Manager if the Memory Tree would be placed inside the centre rather than in Drumceatt Square.

DATE OF NEXT MEETING: - 20 December 2011.

THE BUSINESS CONCLUDED AT 8.50 PM.

Chair: _____