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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Consultation Committee Meeting No 23, held in the Council Chamber, Riada House, Ballymoney on Monday 21<sup>st</sup> January at 2.00 pm.

**IN THE CHAIR**

**Councillor**  
R Wilson

**PRESENT**

**Aldermen**  
F Campbell  
H Connolly, Deputy Mayor  
C Cousley  
J Simpson

**Councillors**  
A Cavlan  
J Finlay, Mayor  
M McCamphill  
T McKeown  
A Patterson  
E Robinson  
I Stevenson

**APOLOGIES**

**Councillors**  
B Kennedy  
P McGuigan  
D McKay, MLA  
M Storey, MLA

**IN ATTENDANCE**

Chief Executive  
Committee Clerk

**Animal Welfare Federation NI (Item 1)**  
Ms J Dykes

**DoE (Item 5)**  
Mr G Walker, Planning Officer

**Press**

### 23.1 PRESENTATION - ANIMAL WELFARE FEDERATION NORTHERN IRELAND

The Chair welcomed delegates from the Animal Welfare Federation Northern Ireland to the meeting to give a presentation to members on its objective to urge Council to adopt a policy of banning circuses with wild animals from performing anywhere on Council owned property. Currently, Councils have powers to regulate circuses. Whilst urging Council to consider the adoption of a policy to ban circuses, the Federation also intends to widen its remit to incorporate private landowners and ultimately lobby Assembly to reconsider its policy.

The Chief Executive was able to confirm that Council owned property has not been used to host circuses, a statement welcomed by members.

- \* **Alderman Campbell, Alderman Simpson and Councillor Stevenson joined the meeting at 2.05, 2.06 and 2.07 pm respectively.**

Following the presentation, attached as Appendix 1, members were invited to put forward questions, which included issues such as training for veterinarians working with wild animals, safety aspects in the transportation of wild animals and representation of the Federation in overseas countries, particularly China. Use of Safari Parks were discussed with Ms Dykes advising that the Federation supports this aspect of containment providing the Park meets the criteria laid down by the appropriate governing bodies.

- \* **Councillor McKeown joined the meeting at 2.24 pm.**

The Chairman thanked Ms Dykes for her presentation, which concluded at 2.25 pm.

Discussion continued and it was proposed by Councillor Stevenson, seconded by Councillor Wilson and **AGREED:**

***that the matter be tabled for discussion at a future meeting of Health & Environmental Services Committee.***

### 23.2 PRESENTATION REQUESTS

Requests have been received as follows:

1. Alzheimer's Society (Causeway Branch)
2. K Caswell (Housing/Leisure Facility)
3. NILGA re draft Framework of Engagement

It was proposed by Councillor Finlay, seconded by Councillor Robinson and **AGREED:**

***that Council extend an invitation to Alzheimer's Society (Causeway Branch)***

***and NILGA to give presentations at Council's Consultative Committee on dates to be agreed and that the presentation by K Caswell (Housing/Leisure Facility) take place at a future meeting of Development Committee.***

### **23.3 BIN STORAGE PROVISION IN DEVELOPMENTS**

Following Council's representations on this matter, Planning Service have, in general terms, assured Council that they do give due consideration to responses received from statutory consultees and are mindful of the need for adequate provision of bin storage areas. It is not their normal practice to place conditions on planning approvals relating to waste bin storage areas. During the processing of any application, consideration is given to the provision of a bin storage area and other amenity space or service areas. In cases where it is felt that the developer has provided insufficient space, amended drawings are requested. Only when the drawings are considered is permission granted. The drawings are then conditioned as part of the planning approval and any subsequent development must be in accordance with them. If Council in any instance feel that certain developments have not been built in accordance with approved drawings these should be brought to the attention of the enforcement team who will investigate.

At the request of Alderman Simpson, the Chief Executive clarified issues of ambiguity in Planning Service's processing of applications relating to acceptable amendments to enable applicants to comply with Planning Service conditions for bin storage areas.

### **23.4 CONSULTATION – ANTRIM COAST AND GLENS AREA OF OUTSTANDING NATURAL BEAUTY (AONB)**

Antrim Coast & Glens have invited comment by 4<sup>th</sup> February on its draft **Management Plan** for the **Antrim Coast and Glens Area of Outstanding Natural Beauty**. The Plan is in two parts - the Strategy, which provides background information, the visions and objectives, and the Action Plan which provides a programme of actions to achieve the 100 or so objectives (activities). Many of the proposals focus on the restoration, maintenance and preservation of the natural and built heritage, however the documents also strongly promote the greater appreciation, access and utilization of all of the attributes of the AONB.

Although a member of CC&GHT, only a very small part of Ballymoney Borough is actually located within the ANOB. As such, a large proportion of the proposals contained in the document, particularly relating to marine and coastal areas are not relevant to Ballymoney. However with such a valuable asset as the AONB in terms of its environmental, cultural and historical capital and its tourism and economic potential, the development of a strategy and action plan for the effective management of the AONB is to be welcomed.

Whilst no comments are offered, the Chief Executive recommended Council welcomes

the strategy and action plan, which was the subject of a recent meeting by the Board when various representations and amendments were made.

- \* **Councillor Robinson arrived at 2.35 pm**
- \* **The Planning Officer joined the meeting at 2.35 pm.**

### 23.5 APPLICATIONS FOR PLANNING PERMISSION

Planning Applications 1-49 and 1 (deferred) were considered and the opinion of the Planning Service accepted except where stated otherwise.

Applications pertaining to PPS14 remain in abeyance pending the outcome of the judicial review with the following options applicable.

1. Written request may be submitted by the applicant for the application to be brought forward for refusal.
2. Further information may be supplied to enable Planning Service to reconsider for approval.
3. Application may sit until finalisation of review (approximately six months).

### APPLICATIONS DEFERRED FROM PREVIOUS MEETING

#### ITEM NO D 1

APPLIC NO	D/2006/0353/F	Full	Date Valid	24/07/2006
APPLICANT	Prentice Estates			
APPLIC ADDRESS	20 Armagh Road, Portadown, BT62 3DP			
LOCATION	Infill site adjacent to Lidl, Meeting House Street, Ballymoney			
PROPOSAL	Proposed new 2 storey infill retail unit			
REPRESENTATIONS	0	Objections 0	Support 0	Petition of Objection 0
OPINION	<b>APPROVAL</b>			

**Please see item 10 in schedule of applications for further information.**

#### ITEM NO 2

APPLIC NO	D/2006/0326/O	Outline	Date Valid	29/06/2006
APPLICANT	Pollock Developments Ltd			
APPLIC ADDRESS	C/o 20/20 Architects Ltd, Dargan Business Park, 37 Dargan Road, Belfast, BT3 9JU			
LOCATION	No. 12 Bendooragh Road, Ballymoney and adjacent land			
PROPOSAL	Site for proposed housing development consisting of 25 units			
REPRESENTATION	0	Objections 0	Support 0	Petition of Objection 0
OPINION	<b>REFUSAL</b>			

- 1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advice Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment.
- 2 The proposed development is contrary to Policy QD 1 of 'Planning Policy Statement 7- Quality Residential Environments' in that it has not been demonstrated that the proposal would represent a quality and sustainable residential environment. The proposed development fails to meet the requirements of QD 1 in that it has not been shown that the design and layout will not create conflict with adjacent land uses.
- 3 The proposed development would, if permitted, prejudice the safety and convenience of road users since visibility from the proposed access cannot be provided to an adequate standard.

It was **AGREED:** **that an Office Meeting be held under Criterion No 5 (Councillor Finlay)**

**ITEM NO**                    **3**

APPLIC NO                    D/2006/0368/O      Outline                    Date Valid      31/07/2006

APPLICANT                    Mr J Calderwood

APPLIC ADDRESS            5 Beckett Avenue, Ballymoney, BT53 6TX

LOCATION                      61 Glenstall Road, Ballymoney

PROPOSAL                    Site for replacement dwelling

REPRESENTATION      0      Objections 0      Support      0      Petition of Objection      0      Support Petitions

OPINION                      **REFUSAL**

- 1 The proposal is contrary to Policies CTY 1 and CTY 5 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement and does not merit being considered as an exceptional case as the dwelling which it is proposed to replace is an important element in the landscape and is capable of being made structurally sound and improved.

**Planning Service will write to the applicant advising of the options available relating to refusals under PPS14. Councillor Finlay recorded his request that the applicant be granted an office meeting.**

**ITEM NO**                    **6**

APPLIC NO                    D/2007/0082/F      Full                    Date Valid      21/02/2007

APPLICANT                    Elim Pentecostal Church

APPLIC ADDRESS Knock Road, Ballymoney  
 LOCATION Elim Pentecostal Church, Knock Road, Ballymoney  
 PROPOSAL Extension to church to provide a new front foyer and new sunday school and youth facilities to the rear  
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION **APPROVAL**

**Councillor Stevenson thanked the Planning Service for their decision in approving this application.**

**ITEM NO 7**  
 APPLIC NO D/2007/0095/F Full Date Valid 28/02/2007  
 APPLICANT Mr M Patrick  
 APPLIC ADDRESS C/O Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY  
 LOCATION 55 Eastermeade Gardens, Ballymoney.  
 PROPOSAL Proposed block 4 no. apartments with associated car parking and amenity space.  
 REPRESENTATION **1 Objections** 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION **APPROVAL**

**Objections Related to: Overlooking and potential overshadowing.**

**Amendments to the layout and window specification have been put forward which enable Planning Service to approve the application.**

**Alderman Campbell and Councillor Finlay recorded their view that the development is out of character in the area.**

**ITEM NO 8**  
 APPLIC NO D/2007/0189/F Full Date Valid 17/04/2007  
 APPLICANT Patton Homes  
 APPLIC ADDRESS C/o Studiorogers, The Egg Store, 1 Mountsandel Road, Coleraine, BT52 1JB  
 LOCATION 6 Main Street, Stranocum  
 PROPOSAL Demolition of existing detached dwelling to provide 6 no. terraced dwellings, associated car parking and landscaping.  
 REPRESENTATION **2 Objections** 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION **APPROVAL**

**Objections related to: Overlooking and potential overshadowing.**

**The Planning Officer advised that amended plans have been received showing a reduction in height and provision of vegetation to further reduce the issues of objection. These amendments enable Planning Service to approve the application.**

**At the request of Councillor Robinson, the Planning Officer confirmed that provision is for two-storey dwellings. He confirmed to Alderman Simpson that 18 neighbourhood notifications had been issued and that two individual objections had been received.**

<b>ITEM NO</b>	<b>9</b>				
APPLIC NO	D/2007/0270/F	Full	Date Valid	29/05/2007	
APPLICANT	Mr Mc Gothigan				
APPLIC ADDRESS	27 Hill Street, Ballymena				
LOCATION	47 Drones Road, Armoy				
PROPOSAL	Replacement dwelling and garage.				
REPRESENTATION	0	Objections	0	Support	0
OPINION	<b>REFUSAL</b>				

- 1 The proposal is contrary to Policies CTY 1 and CTY 5 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement and does not merit being considered as an exceptional case in that the proposed replacement dwelling would have a visual impact significantly greater than the existing dwelling.
- 2 The proposal is contrary to Policy CTY 10 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed dwelling is a prominent feature in the landscape and the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape

**Planning Service will write to the applicant advising of the options available relating to refusals under PPS14. Councillor Wilson recorded his request that the applicant be granted an office meeting.**

<b>ITEM NO</b>	<b>10</b>				
APPLIC NO	D/2007/0282/F	Full	Date Valid	06/06/2007	
APPLICANT	Prentice Estates				

APPLIC ADDRESS 20 Armagh Road, Portadown, BT62 3DP  
 LOCATION Infill site adjacent to Lidl, Meetinghouse Street, Ballymoney  
 PROPOSAL Means of access for HGV turning - widening of access via replacing kerbs and providing guarded walkway to existing unit.  
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION **APPROVAL**

**This previously deferred application (see Deferred Items above) has now been approved. The Planning Officer provided members with a map outlining the location of the development.**

**ITEM NO 11**  
 APPLIC NO D/2007/0294/O Outline Date Valid 13/06/2007  
 APPLICANT Livery Hill Developments  
 APPLIC ADDRESS C/o R. Robinson & SOs, Albany Villas, 59 High Street, Ballymoney  
 LOCATION Site to rear of 17 Eastermeade Gardens, Ballymoney  
 PROPOSAL Demolish existing building and erection of 2 no. semi-detached dwellings with  
 1 no. first floor apartment and 2 no. ground floor units.  
 REPRESENTATION **15 Objections** 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advice Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment.

**Objections related to: Increase in density, overshadowing, increase in traffic and parking, impact on character and on residential amenity.**

**At the request of Councillor Robinson, the Planning Officer clarified the issue relating to approval of application number D/2007/0095/F (item 7) in the same location, advising that the decision of Planning Service to approve item 7 was based on provision of existing car parking facilities. Councillor Robinson accepted the clarification of the Planning Officer relating to parking and referred to the general increase in volume of traffic in the area.**

It was proposed by Councillor Stevenson, seconded by Alderman Simpson that:

***Council accept the decision of the Planning Service to refuse this application.***

A vote was taken with six members voting in favour of the motion and none voting against.

The Chair declared the motion carried.

**Councillor Finlay asked for it to be noted that he would have requested an Office Meeting under Criterion No 5 in respect of this application.**

<b>ITEM NO</b>	<b>12</b>				
APPLIC NO	D/2007/0305/F	Full	Date Valid	19/06/2007	
APPLICANT	Mr E O' Connor				
APPLIC ADDRESS	6 Kingscourt, Templepatrick				
LOCATION	15 Glenbuck Road, Dunloy				
PROPOSAL	Replacement of one & a half storey dwelling (existing dwelling converted to domestic garage)				
REPRESENTATION	0	Objections	0	Support	0
OPINION	<b>REFUSAL</b>				
			0	Petition of Objection	0
					0 Support Petitions

- 1 The proposal is contrary to Policies CTY 1 and CTY 5 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement and does not merit being considered as an exceptional case as the dwelling which it is proposed to replace is an important element in the landscape and has not been appropriately incorporated into the new development scheme.
- 2 The proposal is contrary to Policy BH15 of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage in that the development scheme includes a conversion of the existing dwelling which would adversely affect the appearance and character of the building.
- 3 The proposed development would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide adequate sight lines where the proposed access joins Glenbuck Road.

**Planning Service will write to the applicant advising of the options available relating to refusals under PPS14. Councillor McCamphill recorded his request that the applicant be granted an office meeting.**

**At the request of Councillor McCamphill, the Planning Officer advised that consultation has taken place with the Environment and Heritage Service who advise that the existing dwelling cannot be converted to garage facilities.**

**ITEM NO** 13  
**APPLIC NO** D/2007/0317/RM Reserved Date Valid 25/06/2007  
**APPLICANT** Mr A Shields  
**APPLIC ADDRESS** C/o Montgomery Irwin Architects, Rathgael Chambers, 10 The Diamond, Coleraine, BT52 1DE  
**LOCATION** 140/142 Kilraughts Road Ballymoney  
**PROPOSAL** Proposed brown field development to provide 31 residential units with associated access roads and car parking  
**REPRESENTATION** 2 **Objections**0 Support 1 Petition of Objection 0 Support Petitions  
**OPINION** **REFUSAL**

1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advice Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment.

**At the request of Councillor Stevenson, the Planning Officer advised that nine petitions of objection had been received.**

**Objections related to: Impact on residential amenity and character.**

It was proposed by Councillor Finlay, seconded by Alderman Campbell that:

***an office meeting be held under Criterion No 5.***

A vote was taken with six members voting in favour and four members voting against an office meeting.

**The chair declared the motion carried.**

**ITEM NO** 15  
**APPLIC NO** D/2007/0371/F Full Date Valid 30/07/2007  
**APPLICANT** R & T Porter  
**APPLIC ADDRESS** 19A Crawfordstown Road, Portglenone, BT44 8EN  
**LOCATION** Lands 360m S.W. of 5 Slievenaghy Road Ballymoney  
**PROPOSAL** Variation of condition 03 of current outline planning permission to increase ridge height from 7 metres to 7.9 metres above finished floor level.  
**REPRESENTATION** 0 Objections0 Support 0 Petition of Objection 0 Support Petitions  
**OPINION** **REFUSAL**

- 1 The proposal is contrary to Policy CTY10 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed dwelling is a prominent feature in the landscape and therefore would not integrate into this area of the countryside.

**Planning Service will write to the applicant advising of the options available relating to refusals under PPS14. Councillor McCamphill recorded his request that the applicant be granted an office meeting.**

**The Planning Officer advised that a ridge height of 7.9 is excessive and that if the applicant is able to reduce this, there could be scope for approval. Councillor Finlay and Councillor Wilson recorded their view that this option should be made available to the applicant without the need for prolonging the process in initially bringing the application forward for refusal.**

<b>ITEM NO</b>	<b>19</b>				
APPLIC NO	D/2007/0405/F	Full	Date Valid	10/08/2007	
APPLICANT	Mr E Mc Bride				
APPLIC ADDRESS	15 Altnahinch Road, Armoy, Ballymoney, BT53 8YJ				
LOCATION	15 Altnahinch Road, Armoy, Ballymoney				
PROPOSAL	Proposed off site replacement dwelling				
REPRESENTATION	0	Objections	0	Support	0
OPINION	<b>REFUSAL</b>				
		Petition of Objection	0	Support Petitions	0

- 1 The proposal is contrary to Policies CTY1 and CTY5 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement and does not merit being considered as an exceptional case in that the proposed replacement dwelling would have a visual impact significantly greater than the existing dwelling and the proposed replacement dwelling is not sited within the established curtilage of the existing dwelling and it has not been demonstrated that the alternative position nearby would result in clear landscape, heritage, access or amenity benefits
- 2 The proposal is contrary to Policy CTY10 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not integrate into this area of the countryside.

- 3 The proposal is contrary to Policy CTY12 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the development would, if permitted, result in the extension of ribbon development along Altnahinch Road and would therefore adversely affect the visual amenity and character of the countryside.

**Planning Service will write to the applicant advising of the options available relating to refusals under PPS14. Councillor Cavlan recorded her request that the applicant be granted an office meeting under Criterion No 5.**

<b>ITEM NO</b>	<b>21</b>				
APPLIC NO	D/2007/0428/O	Outline	Date Valid	22/08/2007	
APPLICANT	Mr R Lyons				
APPLIC ADDRESS	C/o 21 Ballynaloob Road, Dunloy				
LOCATION	Adjacent to 43 Finvoy Road, Ballymoney				
PROPOSAL	Site of dwelling and garage				
REPRESENTATION	0	Objections	0	Support	0
OPINION	<b>REFUSAL</b>				
			0	Petition of Objection	0
					0 Support Petitions

- 1 The proposed development would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide adequate sight lines where the proposed access joins Finvoy Road.

It was **AGREED:** **That an office meeting be held under Criterion No 5 (Councillor Finlay)**

**At the request of Councillor Finlay, the Planning Officer advised that this outline application is not subject to PPS14 based on its location.**

<b>ITEM NO</b>	<b>22</b>				
APPLIC NO	D/2007/0429/F	Full	Date Valid	22/08/2007	
APPLICANT	Hobb Green Residential Home				
APPLIC ADDRESS	C/o MI Architects, Rathgael Chambers, 10 The Diamond, Coleraine, BT52 1DE				
LOCATION	Hobb Green Residential Home, 41 Kirk Road, Ballymoney				
PROPOSAL	Single storey extension to provide 10 additional bedrooms and new dining room				

REPRESENTATION 0      Objections 0      Support      0      Petition of Objection      0      Support Petitions  
 OPINION                      APPROVAL

**Councillor Stevenson thanked the Planning Service for their decision to approve this application.**

**ITEM NO                      24**  
 APPLIC NO                      D/2007/0446/F      Full                      Date Valid      03/09/2007  
 APPLICANT                      Pollock Developments Ltd  
 APPLIC ADDRESS              C/o 2020 Chartered Architects, 9a Linenhall Street, Ballymoney, BT53  
     6DP  
 LOCATION                      10 & 12 Bendooragh Road and adjacent land to rear Bendooragh  
 PROPOSAL                      Proposed development of lands to include 4 detached dwellings 26  
     semi-detached dwellings 22 townhouses and 24 apartments (76 total).  
 REPRESENTATION 0      Objections 0      Support      0      Petition of Objection      0      Support Petitions  
 OPINION                      **REFUSAL**

- 1      The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advise Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment.
- 2      The proposed development is contrary to Policy QD 1 of 'Planning Policy Statement 7- Quality Residential Environments' in that it has not been demonstrated that the proposal would represent a quality and sustainable residential environment. The proposed development fails to meet the requirements of QD 1 in that it has not been shown that the design and layout will not create conflict with adjacent land uses.
- 3      The proposed development would, if permitted, prejudice the safety and convenience of road users since visibility from the proposed access cannot be provided to an adequate standard.

It was **AGREED:**                      **That an office meeting be held under Criterion No 5  
 (Councillor Finlay)**

**ITEM NO                      26**  
 APPLIC NO                      D/2007/0463/F      Full                      Date Valid      13/09/2007  
 APPLICANT                      Mr & Mrs Spratt  
 APPLIC ADDRESS              C/o Bell Architects Ltd, 65-67 Main Street, Ballymoney, BT53 6AN  
 LOCATION                      Site 190m west of 89 Garryduff Road, Ballymoney

PROPOSAL Proposed change of access to PAC approval Ref: 2006/A0692  
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION APPROVAL

**Councillor Stevenson thanked the Planning Service for their decision to approve this application.**

**ITEM NO 32**  
 APPLIC NO D/2007/0519/F Full Date Valid 08/10/2007  
 APPLICANT Bloomfield Property Development Ltd  
 APPLIC ADDRESS 288 Glenelly Road, Gortin  
 LOCATION 31 & 33 Margaret Avenue Ballymoney  
 PROPOSAL Proposed removal of 2no 2 storey dwellings and replacement with 10no 2.5 storey bedroom apartments  
 REPRESENTATION **42 Objections** 0 Support 0 Petition of Objection 0 Support Petitions  
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advice Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment and fails to provide adequate provision for refuse storage.
- 2 Unsatisfactory access/parking arrangements

**Objections related to: Increased traffic, parking, lack of open space, impact on character and scale and design.**

It was proposed by Councillor Cavlan, seconded by Councillor McCamphill that:

***an office meeting be held under Criterion No 5***

A vote was taken with five members voting in favour and five members voting against.

The Chairman used his casting vote in favour of an office meeting being granted.

**The motion was declared carried.**

Alderman Simpson recorded his disappointment at the decision.

It was proposed by Councillor Stevenson, seconded by Councillor Finlay and **AGREED:**

***that a separate meeting be held to allow objectors to elaborate on their views.***

<b>ITEM NO</b>	<b>37</b>				
APPLIC NO	D/2007/0545/F	Full	Date Valid	19/10/2007	
APPLICANT	Mr A Gamble				
APPLIC ADDRESS	24 Drumlee Road, Ballymoney				
LOCATION	24 Drumlee Road Ballymoney				
PROPOSAL	Dry Goods Store				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	<b>REFUSAL</b>				

- 1 The proposal is contrary to Paragraph 48 of the Department's Planning Policy Statement 4, Industrial Development and Policy IDB 10 of the Department's Draft Planning Policy Statement 4 Policy in that the development would, if permitted, have an adverse impact on the environment by virtue of the increase in the site area of the enterprise the significant additional building works and in that the site lies outside the development limits of any town or settlement and no exceptional circumstances have been demonstrated to justify relaxation of the planning controls exercised in this countryside location.

It was **AGREED:** **That an office meeting be held under Criterion No 5 (Councillor Finlay).**

<b>ITEM NO</b>	<b>41</b>				
APPLIC NO	D/2007/0574/F	Full	Date Valid	01/11/2007	
APPLICANT	Drumreagh Presbyterian Church				
APPLIC ADDRESS	104 Bann Road, Ballymoney, BT53 7NA				
LOCATION	Land located between No' s 99 and 105 Bann Road Ballymoney				
PROPOSAL	Proposed extension to existing car park				
REPRESENTATION	1	<b>Objections</b> 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	<b>APPROVAL</b>				

**Objection related to:** **Location**

**At the request of Alderman Simpson, the Planning Officer advised that he was not aware of any applications submitted for development at the site of the recently demolished Church Hall at the junction of Union Street/Queen Street. He agreed to look into this and advise whether any such applications have been received.**

**ITEM NO** 45  
**APPLIC NO** D/2007/0599/F Full Date Valid 14/11/2007  
**APPLICANT** N. E. E. L. B.

**APPLIC ADDRESS** 52 - 56 Ballymoney Street, Ballymena  
**LOCATION** Ballymoney Model Primary School North Road Ballymoney  
**PROPOSAL** Refurbishment of existing W.C. facilities  
**REPRESENTATION** 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions  
**OPINION** APPROVAL

**Councillor Stevenson welcomed the decision of the Planning Service to approve this application.**

At Councillor Finlay's request, the Planning Officer advised that current waiting times for appeals can be up to two years.

Alderman Campbell referred to the regulation pertaining to Northern Ireland Electricity Board to submit applications for the erection of telegraph poles whilst BT, now a Public Limited Company and no longer operating under the jurisdiction of the Crown, are not governed by the same regulations requiring submission of applications. The Planning Officer agreed to ascertain further information and report back to Alderman Campbell.

**APPEAL DATES NOTIFIED**

**ITEM NO** 1  
**APPLIC NO** D/2005/0636/O **PAC NO** 2006/A1808  
**DATE OF HEARING** **LOCATION**  
**DATE OF SITE VISIT**  
**APPLICANT** Mr Mc Mullan  
**LOCATION** Site adjacent to No. 1 Lisheegan Road, Ballymoney  
**PROPOSAL** Proposed builders yard  
**Written Representations**

**ITEM NO** 2  
**APPLIC NO** D/2006/0159/O **PAC NO** 2006/A1739  
**DATE OF HEARING** **LOCATION**  
**DATE OF SITE VISIT**  
**APPLICANT** Mr S Gowland & Miss J Moore  
**LOCATION** 130 South East of junction of Station Road and Frosses Road,  
**PROPOSAL** Site for dwelling and garage  
**Written Representations**

**ITEM NO** 3  
**APPLIC NO** D/2005/0830/O **PAC NO** 2006/A1749  
**JPD/JMc**

DATE OF HEARING  
DATE OF SITE VISIT

LOCATION

APPLICANT  
LOCATION  
PROPOSAL

Mr Neill  
Rear Of 31 Clontyfinnan Road, Drumdallagh, Ballymoney  
Proposed site for Dwelling & Garage

**Written Representations**

**ITEM NO**           **4**

APPLIC NO  
DATE OF HEARING  
DATE OF SITE VISIT

**D/2006/0190/O**

PAC NO           **2006/A1870**

LOCATION

APPLICANT  
LOCATION  
PROPOSAL

Mr W Stewart  
170m North East of 77 Bregagh Road, Armoy  
Site for two storey dwelling and garage

**Written Representations**

**ITEM NO**           **5**

APPLIC NO  
DATE OF HEARING  
DATE OF SITE VISIT

**D/2005/0592/O**

PAC NO           **2006/A1767**

LOCATION

APPLICANT  
LOCATION  
PROPOSAL

Mrs C McDonnell  
Adjacent to 36 Ballyweaney Road, Ballymena  
Site for dwelling house and detached garage

**Written Representations**

**ITEM NO**           **6**

APPLIC NO  
DATE OF HEARING  
DATE OF SITE VISIT

**D/2005/0511/O**

PAC NO           **2006/A1693**

LOCATION

APPLICANT  
LOCATION  
PROPOSAL

Mr B Mc Ferran  
Site between 154 and 156 Garryduff Road, Dunloy  
Site for dwelling and garage

**Written Representations**

**ITEM NO**           **7**

APPLIC NO  
DATE OF HEARING  
DATE OF SITE VISIT

**D/2006/0018/F**

PAC NO           **2006/A1700**

LOCATION

APPLICANT  
LOCATION  
PROPOSAL

Mr W Fenton  
Adjacent to 60 Bregagh Road, Armoy  
Infill site for dwelling and garage

**Written Representations**

**Date and time of Office Meetings:                    Tuesday, 5<sup>th</sup> February from 2.00 pm  
(McArthur Room, Town Hall)**

**The Planning Officer left the meeting at 3.25 pm.**

**23.6    DRAFT BUDGET, PROGRAMME FOR GOVERNMENT AND INVESTMENT STRATEGY – HEALTH & SOCIAL SERVICES COMMENTS**

The Chief Executive advised, for members' information, that the Northern Health and Social Services Board have forwarded a copy of their response to the draft budget, copy of which was circulated. Their response highlights the impact of the documents on the health and well-being of residents in the Ballymoney area. The comments made in relation to the Draft Investment Strategy may be of particular interest as they focus on Council's disappointment and frustration that no capital funding has been secured to modernise facilities within the area for this period. The issues raised in Council's comments on the Programme for Government also highlight that, while there is much contained in the document which is laudable and reasonable, the impact on specific areas (including learning disability/mental health, stroke, renal and children) is significant.

Council has already considered the draft budget etc and has adopted NILGA's response.

**23.7    CONSULTATION – ENVIRONMENTAL IMPACT ASSESSMENT OF RESERVED MATTERS APPLICATIONS**

The Department of Environment has published a consultation document on the above subject, on which comments are invited by **11 February 2008**.

The purpose of this consultation is to obtain views on the Department's proposals for amending the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999 to take account of recent judgments of the European Court of Justice ("ECJ").

The ECJ ruled that the United Kingdom has failed to correctly transpose Directive 85/337/EEC ("the EIA Directive") which requires an assessment of the effects of certain public and private projects on the environment before development consent is granted, as its implementing legislation allows for EIA only before the grant of outline planning permission, and not at the later Reserved Matters stage of the planning process. This consultation sets out the Department's proposals to amend planning legislation in Northern Ireland to take account of this ruling.

Copies of the consultation document may be downloaded from the Department's website at [www.planningni.gov.uk](http://www.planningni.gov.uk).

### **23.8 CONSULTATION - PLANNING POLICY STATEMENT NO. 18 – RENEWABLE ENERGY**

A draft Planning Policy Statement, No. 18, on Renewable Energy has been published for consultation. Comments are invited by 21<sup>st</sup> March. NILGA are working with their Planning Group to develop a draft response to PPS18. This will be tabled at the committee's March meeting for consideration.

### **23.9 CONSULTATION – RATING POLICY : LONE PENSIONER ALLOWANCE**

The Department of Finance & Personnel have advised that shortly after the restoration of devolution, the DFP Minister, Peter Robinson MP MLA on 15 May 2007, announced to the Assembly that he would undertake a review of the domestic rating system. The aims of this review were two-fold: to identify changes that could be made to improve the system in the short term and to examine options for alternatives or supplements to the system.

On the 27 November 2007, the Minister then presented the results of this review. Among the comprehensive package of measures he proposed was one to introduce, from April 2008, a 20% allowance for pensioners aged 70 or over who live alone. This relief will be known as the Lone Pensioner Allowance.

This proposal was arrived at in light of the evidence which showed the relative poverty of single pensioners compared to pensioner couples, particularly those in higher age groups. It also reflected the very poor levels of take up of existing reliefs among pensioner households in general, especially those in the owner occupied sector. The Minister was also responding to the strong support for such a measure, which was expressed through the consultation which was carried out as part of this review.

A discount such as this has not been previously available within the domestic rating system. Therefore, there are a number of issues which will have to be finalised before the scheme can be implemented and it is these which form the basis of this consultation.

They focus on two main areas:

- The process for administering the new Allowance; and
- The need for any disregards.

The detail around these issues is set out within the consultation paper, along with a number of specific questions which the Department is seeking views on. The deadline for comments is 25<sup>th</sup> January 2008. In order for to meet the aim of having the Allowance in place for April 2008, it is important that these matters are resolved quickly so that the necessary legislative, operational and administrative issues can be taken forward.

A copy of the consultation paper is available on the rating review website at

<http://www.ratingreviewni.gov.uk/index/consultation-2007/lone-pensioners-report.htm>

In its latest response to the Assembly on rating reform (August 2007) NILGA noted its support for a single pensioner discount.

### **23.10 CONSULTATION – CONTROL OF DEVELOPMENT IN AIRPORT PUBLIC SAFETY ZONES**

The Department of the Environment has published the final version of the Policy Document 'Control of Development in Airport Public Safety Zones'. This follows consultation on the draft document published in October 2006.

In tandem with this publication, Public Safety Zones have been revised for George Best Belfast City Airport and Belfast International Airport by the Department for Transport. These are in the format of maps relating to each airport and for ease of reference these have been appended to the policy document.

The policy document sets out the Department's revised policy for the control of development in Public Safety Zones (PSZs) – areas of land at the ends of the runways within which development is restricted in order to control the number of people on the ground at risk of death or injury in the event of an aircraft accident on take-off or landing.

Hard copies of the document will shortly be available. A Summary of Consultation Responses on the draft document has also been produced.

Both documents can currently be accessed on the Planning Service Website at [www.planningni.gov.uk](http://www.planningni.gov.uk).

### **23.11 NORTHERN IRELAND FIRE AND RESCUE SERVICE – DRAFT ROAD SAFETY STRATEGY**

The Draft Road Safety Strategy has been published for consultation. Comments are invited by 24<sup>th</sup> March.

A copy of the draft strategy is available to view and download on [www.nifrs.org](http://www.nifrs.org) (click on consultation).

The Chief Executive gave details on further correspondence received from NIFRS, a copy of which will be made available to members on request.

**This being all the business, the meeting closed at 3.25 pm.**

Appendices attached:

Appendix 1 Presentation by Animal Welfare Federation

**APPENDIX 1**



Circus Presentation -  
Final.ppt