

BALLYMONEY BOROUGH COUNCIL

Consultation Committee Meeting No 05 – 16th October 2006

Table of Contents

- 05.1** Presentation by Riada Estates
- 05.2** Planning Applications
- 05.3** New Planning Legislation

BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 05, held in the Council Chamber, Riada House, Ballymoney on Monday 16th October 2006 at 7.30pm

IN THE CHAIR: Councillor Storey, MLA (Vice Chair)

PRESENT: **Aldermen**
F Campbell
C Cousley (Deputy Mayor)
J Simpson

Councillors
A Cavlan
B Kennedy
D McKay
A Patterson
R Wilson
J Finlay
M McCamphill
T McKeown
E Robinson

APOLOGIES: **Alderman**
H Connolly
Councillors
P McGuigan, MLA
I Stevenson

IN ATTENDANCE: Chief Executive
Head of Corporate & Development Services (Item1)
Committee Clerk

Riada Estates (Item 1)
Mr A Moore
Mr B O'Neill
Mr S O'Neill
Mr J Donnelly (Highes Michael)
Mr D Carrol (Planning Consultant)

DoE Planning Department
P McGrogan (Item 2)

Press

05.1 PRESENTATION BY RIADA ESTATES

The Mayor welcomed representatives from Riada Estates and their agents to the meeting to present details of proposals for redevelopment of Linenhall Street. Mr Moore advised that, having taken advice from urban design specialists, a proposal for the re-development of this long-standing area of dereliction in the town centre had been developed and submitted for planning permission. He outlined the key benefits of the project, which represented a £10M investment providing 25 full time equivalent jobs, 50 construction jobs over a 2-3 year period, 7 retail units, 71 apartments and 9 townhouses. The town would also benefit from a significant increase in the number of rateable properties, and the scheme would address urban dereliction and strengthen the retail offering and housing provision in the town. Council's support for the scheme was being sought.

Mr Carrol, referring to the major development opportunity presented by this central location, said that a unique design response was required. By reference to plans exhibited, he explained the design concept and various elements of the proposed scheme.

The project team then responded to questions by members and were thanked for the Mayor for their presentation.

05.2 PLANNING APPLICATIONS

Planning Application No's 1-33 and 1-21 (deferred) were considered and the opinion of the Planning Services accepted, except where stated otherwise.

ITEM NO	5				
APPLIC NO	D/2006/0119/O	Outline	Date Valid	27/02/2006	
APPLICANT	Mr E Bustard				
APPLIC ADDRESS	C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY				
LOCATION	Greengage Lane, Rear of 45 & 47 Newal Road, Ballymoney				
PROPOSAL	Site for 4 No. apartments				
REPRESENTATION	4 Objections	0 Support	0 Petition of Objection	0 Support Petitions	
OPINION	APPROVAL				

Objections related to: **Expressions of concern regarding parking, maneuvering of vehicles and implications for amenity. Roads Service accepted that the car parking and manoeuvrability issues of vehicles have now been resolved, enabling the application to be approved.**

The Planning Officer clarified, at Alderman Simpson's request, the criteria established by the Planning Service relating to the ratio of car parking spaces to housing developments in both urban and town centre developments.

* **Councillor Kennedy retired from the meeting, the time being 7.35 pm.**

ITEM NO 6
 APPLIC NO D/2006/0134/F Full Date Valid 08/03/2006
 APPLICANT Mr Smith
 APPLIC ADDRESS C/O Gary Gaston, 133 Finvoy Road, Ballymoney, BT53 7JL
 LOCATION 320m North East of 15 Altnahinch Road, Armoy
 PROPOSAL New dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

1 The application is not in compliance with the conditions of the outline

It was **AGREED:** *that an office meeting be held (Alderman Campbell).*

ITEM NO 9
 APPLIC NO D/2006/0190/O Outline Date Valid 27/03/2006
 APPLICANT Mr W Stewart
 APPLIC ADDRESS C/O SW Atkinson, 18 Milltown Road, Ballymoney, BT53 6LF
 LOCATION 170m North East of 77 Bregagh Road, Armoy
 PROPOSAL Site for two-storey dwelling and garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

1 The proposal is contrary to Policy CTY1 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that there is a presumption against development throughout the countryside and it does not merit being considered an exception to the policy nor are there any overriding reasons why this development is essential and could not be located within a settlement.

2 The proposal is contrary to Policy CTY11 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the impact of ancillary works would damage rural character and would therefore result in a detrimental change to the rural character of the countryside.

It was **AGREED:** *that an office meeting be held (Councillor Finlay).*

ITEM NO 12

APPLIC NO D/2006/0210/F Full Date Valid 13/05/2006
 APPLICANT Mr & Mrs J Sayers
 APPLIC ADDRESS Market Studio, 14 Market Road, Ballymena, BT43 6EL
 LOCATION Adj. to 220 Frosses Road, Cloughmills
 PROPOSAL Proposed farm retirement dwelling (on site of previous replacement retirement approval D/2002/0312)
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 The application is contrary to CTY1 and CTY3 of PPS14 - no case of need
- 2 The application is contrary to CTY5 - no dwelling on site to be replaced

It was **AGREED:** *that an office meeting be held (Councillor Finlay).*

ITEM NO 21

APPLIC NO D/2006/0328/RM Reserved Date Valid 29/06/2006
 APPLICANT Mr & Mrs Stewart
 APPLIC ADDRESS 34 Boyland Road, Ballymoney, BT53 7HF
 LOCATION Pinehill Road (160m South East of junction with Lisboy Road) Ballymoney, BT53 8NU
 PROPOSAL Dwelling and garage
 REPRESENTATION 1 **Objection** 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

The Planning Officer advised that this is a reserved matters application (dwelling already approved).

Objection related to: the view that there should not be a dwelling on this site.

ITEM NO 24

APPLIC NO D/2006/0340/F Full Date Valid 14/07/2006
 APPLICANT Mr R Bingham
 APPLIC ADDRESS Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION Site approx 300m west of no. 5 Slievenaghy Road, Ballymoney
 PROPOSAL New dwelling & garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 The application is contrary to CTY1 of PPS14 - no case of need
- 2 The application is contrary to CTY11 - Erosion of rural character

It was **AGREED:** *that an office meeting be held (Councillor Finlay).*

The Planning Officer reminded members that if only one reason for refusal applies (case of need), then this must be proved by the applicant in order for the application to be processed. Where more than one reason for refusal applies, an Office Meeting will automatically be granted to provide an opportunity for the Planning Service to explain the reasons in further detail.

ITEM NO 26

APPLIC NO D/2006/0348/O Outline Date Valid 20/07/2006
 APPLICANT Mr C Gillen
 APPLIC ADDRESS C/O Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION 21 Magheraboy Road, Rasharkin
 PROPOSAL Site for replacement dwelling-dwelling to be replaced off site to 60m NorthEast
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 Contrary to CTY5 of PPS14 - unacceptable off-site replacement

It was **AGREED:** *that an office meeting be held (Councillor Wilson).*

ITEM NO 27

APPLIC NO D/2006/0351/O Outline Date Valid 24/07/2006
 APPLICANT Mr Williamson
 APPLIC ADDRESS C/O GM Design Associates, 22 Lodge Road, Coleraine
 LOCATION Land at No 60 Benvarden Road, Ballymoney
 PROPOSAL Site for off-site replacement dwelling
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 Contrary to CTY5 of PPS14 - unacceptable off-site replacement

It was **AGREED:** *that an office meeting be held (Alderman Campbell).*

site to provide adequate sight lines where the proposed access joins Castlecatt Road

The Planning Officer advised that Roads Service had undertaken a traffic survey but remained of the opinion that the issue of sight lines remained.

Councillor Robinson expressed disappointment at this decision. Councillor Finlay concurred with Councillor Robinson's comments stating that he believed that Roads Service issues could have been overcome. The Planning Officer read out to members, Roads Service report on this issue.

* **Councillor McKeown joined the meeting, the time being 7.55 pm.**

ITEM NO D 4

APPLIC NO D/2005/0352/F Full Date Valid 01/05/2005
 APPLICANT Ms O' Connell
 APPLIC ADDRESS 226 Kilraughts Road, Ballymoney
 LOCATION Approx. 170m east of No. 226 Kilraughts Road, Ballymoney
 PROPOSAL Site for a two storey house
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

ITEM NO D 5

APPLIC NO D/2005/0549/O Outline Date Valid 10/05/2005
 APPLICANT Mr H Etherson
 APPLIC ADDRESS C/O. Diamond & Hughes Architects, 77 Main Street, Maghera, Co. Londonderry, BT46 5AB
 LOCATION 50m South of 1 Rosnashane Lane, Kilrea
 PROPOSAL Site of dwelling and garage
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

ITEM NO D 6

APPLIC NO D/2005/0583/O Outline Date Valid 17/05/2005
 APPLICANT Ms Mc Mullan
 APPLIC ADDRESS 208 Corkey Road, Ballymena, Co. Antrim, BT44 9JB
 LOCATION 180m North of 12 Carnamenagh Road
 PROPOSAL Site of dwelling (preferably 2 storey)
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

ITEM NO D 7

APPLIC NO D/2005/0684/F Full Date Valid 11/07/2005
 APPLICANT Mr T Burke
 APPLIC ADDRESS 28 Dullaghy Road, Kilrea, BT51 5XZ
 LOCATION Adjacent to 156 Bann Road, Rasharkin
 PROPOSAL Proposed dwelling and garage.
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

ITEM NO D 8

APPLIC NO D/2005/0691/F Full Date Valid 13/09/2005
 APPLICANT Ms Mckay
 APPLIC ADDRESS 321 Moyarget Road, Mosside, Ballymoney, BT53 8DL
 LOCATION 321 Moyarget Road, Mosside, Ballymoney, Co. Antrim
 PROPOSAL Farm diversification (outside catering)
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Councillor Robinson thanked the Planning Department for their decision in this matter.

ITEM NO D 9

APPLIC NO D/2005/0761/O Outline Date Valid 07/11/2005
 APPLICANT Mr Herron
 APPLIC ADDRESS C/o JWA Design, 1 Bramble Grove, Old Carrick Road, Newtownabbey,
 BT37
 0GE
 LOCATION Site adjacent to 92 Bravallen Road, Ballymoney
 PROPOSAL Site for dwelling and garage
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build-up
- 2 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 Bravallen Road

Councillor Finlay recorded his disappointment at the decision of the Planning Department to refuse this application.

ITEM NO D 10

APPLIC NO D/2005/0774/F Full Date Valid 31/08/2005
 APPLICANT Armoy Homes
 APPLIC ADDRESS 79 Ballykenver Road, Armoy, Ballymoney, BT53 8RP
 LOCATION Adjacent to Gracehill Golf Club, 143 Ballinlea Road, Stranocum
 PROPOSAL Proposed new access to development as per planning application D/2003/0260/F
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

ITEM NO D 11

APPLIC NO D/2005/0934/F Full Date Valid 07/12/2005
 APPLICANT Mr Jamieson
 APPLIC ADDRESS 37 Gracehill Road, Armoy
 LOCATION 180m NE of 77A Breggh Road, Armoy
 PROPOSAL Erection of dwelling and garage
 REPRESENTATIONS 1 **Objection** 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 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 Bregagh Road.
- 2 The proposed development would, if permitted, prejudice the safety and convenience of road users since adequate forward sight distance is not available on the public road at the proposed access.

Councillor Finlay advised the Planning Officer that the applicant's architect would be submitting amended drawings showing revised sight lines and requested the advice of the Planning Officer in this matter. The Planning Officer confirmed that if the change in sight lines can be accommodated within Mr Jamieson's own land, the application could be taken forward with Roads Service. If the change to the sight lines is across 3rd party land, the Planning Department would require re-submission of the application.

ITEM NO D 12

APPLIC NO D/2005/0980/RM Full Date Valid 15/12/2005
 APPLICANT Mr & Mrs Faulkner
 APPLIC ADDRESS C/O Agent, Bell Architects, 76 Main Street, Ballymoney
 LOCATION Site approx 125m North of 109 Finvoy Road, Ballymoney
 PROPOSAL Site for Dwelling

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

Councillor Patterson thanked the Planning Department for their decision in this matter.

ITEM NO D 13

APPLIC NO D/2005/0996/O Outline Date Valid 12/06/2006

APPLICANT Mr C E Brolly

APPLIC ADDRESS 2 Ballywillin Crescent, Portrush, BT56 8GJ

LOCATION 136 Gracehill Road, Stranocum, Co. Antrim

PROPOSAL Sites for two houses

REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policies CTY1 of Draft PPS 14, Sustainable Development in the Countryside and the accompanying Ministerial Statement and does not merit being considered as exceptional cases as the stated needs do not justify a relaxation of the strict planning controls in the countryside.
- 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 dwellings would be a prominent feature in the landscape and therefore not integrate into this area of the countryside.

ITEM NO D 14

APPLIC NO D/2006/0003/O Outline Date Valid 21/02/2006

APPLICANT Isobel & Denise MCGarry

APPLIC ADDRESS 108 Drones Road,, Armoy

LOCATION 108 Drones Road, Armoy

PROPOSAL Retirement Single Storey Dwelling

REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 Contrary to protected routes policy, no case of need
- 2 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 Drones Road
- 3 The proposal is contrary to Planning Policy Statement 3, Development Control: Roads Considerations in that it would, if permitted, result in the (creation of a new vehicular access/intensification of use of an existing access) onto a Main Traffic Route (Protected Route), thereby prejudicing the free flow of traffic and conditions of general safety.

Representations were received by the Planning Department from Councillor Cavlan and Councillor McCamphill.

ITEM NO D 15

APPLIC NO D/2006/0136/O Outline Date Valid 08/03/2006
 APPLICANT Mr Lyons
 APPLIC ADDRESS C/O 21 Ballynaloob Road, Dunloy, Ballymane
 LOCATION Adjacent to 43 Finvoy Road, Ballymoney
 PROPOSAL Site of dwelling and garage
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 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.

The Planning Officer advised that this is matter for Roads Service and that there are no planning issues.

ITEM NO D 16

APPLIC NO D/2006/0146/F Full Date Valid 10/03/2006
 APPLICANT Mrs Mt Mc Aleese
 APPLIC ADDRESS 40 Drumskea Road, Ballymoney
 LOCATION 40 Drumskea Road, Ballymoney
 PROPOSAL Rear extension for granny flat
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **APPROVAL**

Councillor Finlay welcomed this decision.

ITEM NO D 17

APPLIC NO D/2006/0147/O Outline Date Valid 13/03/2006
 APPLICANT Mr O'Kane
 APPLIC ADDRESS 45 Bellaghy Road, Dunloy
 LOCATION Adjacent to 49 Bellaghy Road, Dunloy
 PROPOSAL Proposed 2 No. cottages
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of its undue prominence
- 2 The proposal is contrary to Policy DES7 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, adversely affect the visual amenity and character of the countryside by the creation of ribbon development along Bellaghy Road
- 3 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build up
- 4 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 Bellaghy Road
- 5 Inadequate curtilage space for parking
- 6 The proposed development would, if permitted, prejudice the safety and convenience of road users since provision cannot be made clear of the highway for the parking, turning, loading and unloading of vehicles which would be attracted to the site

At the request of Councillor McCamphill, the Planning Officer advised that the Agent had not contacted the Planning Service following an office meeting and, should the applicant wish to withdraw this application, this should be done as a matter of urgency.

ITEM NO D 18

APPLIC NO	D/2006/0181/O	Outline	Date Valid	16/03/2006
APPLICANT	Mr Boyland			
APPLIC ADDRESS	C/O Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY			
LOCATION	68m East of 170 Feigh Road, Stranocum			
PROPOSAL	Agricultural building to be demolished to provide site for 2 No. dwellings and domestic garages			
REPRESENTATIONS	1 Objection	0 Support	0 Petition of Objection	0 Support Petitions
OPINION	REFUSAL			

- 1 The proposal is contrary to Policy DES5 of the Department's 'A Planning Strategy for Rural Northern Ireland' in that a building on this site would not integrate into the countryside, as the site is unable to provide a suitable degree of enclosure due to the lack of sufficient boundaries or any other means of achieving satisfactory integration, and as a consequence would, if permitted, have an adverse impact on the landscape by reason of unsatisfactory form of roadside development.

- 2 The proposal is contrary to Policy DES6 of the Department's Planning Strategy for Rural Northern Ireland in that the development when considered in the context of existing development, would, if permitted, result in a detrimental change to the rural character of this area of countryside by reason of build up of development along this stretch of Ballykenver Road.
- 3 The proposal is contrary to Policy DES7 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, adversely affect the visual amenity and character of the countryside by the creation of ribbon development along Ballykenver Road.

ITEM NO D 19

APPLIC NO D/2006/0213/O Outline Date Valid 19/05/2006
 APPLICANT Mr N Ritchie
 APPLIC ADDRESS 346a Craigs Road, Rasharkin
 LOCATION Land between 344a & 346 Craigs Road, Rasharkin
 PROPOSAL Proposed infill site for dwelling
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 The application is contrary to CTY12 in that the site does not meet infill criteria
- 2 The application is contrary to CTY10 of PPS14 in that the site fails to integrate

Councillor Wilson advised the Planning Officer that an office meeting had not taken place as arranged, due to the applicant's agreed absence relating to bereavement. The Planning Officer confirmed that the application would be listed as an incorrect entry and an office meeting would take place.

ITEM NO D 20

APPLIC NO D/2006/0217/O Outline Date Valid 19/05/2006
 APPLICANT Mr J Hunter
 APPLIC ADDRESS 42 Drumahiskey Road, Ballymoney, BT53 7LR
 LOCATION 15m NW of 42 Drumahiskey Road, Ballymoney
 PROPOSAL Site of dwelling and garage
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Councillor Finlay thanked the Planning Department for this decision.

- 2) The Planning (Development Plans) (Amendment) Regulations (Northern Ireland) 2006 S.R 382), made on 18th September 2006, to come into operation on 17th October 2006.

The amendments are required following substitution of Article 7 of, and amendment to Article 8 of the Planning (Northern Ireland) Order 2006 to provide for independent examination of development plans.

The Chief Executive advised that these documents can be made available to members on request.

This being all the business, the meeting closed at 8.35 pm.