

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 17, held in the Council Chamber, Riada House, Ballymoney on Monday 16th July 2007 at 12.00 noon.

IN THE CHAIR R Wilson

PRESENT

Aldermen
F Campbell
H Connolly
J Simpson

Councillors
A Cavlan
M McCamphill
P McGuigan
E Robinson
I Stevenson
M Storey, MLA

APOLOGIES

C Cousley
J Finlay
B Kennedy
D McKay, MLA
T McKeown
A Patterson

IN ATTENDANCE

Director of Central & Leisure Services
Committee Clerk

BearingPoint (Items 1 - 3)
Rosalind Henry (Senior Consultant, Public Services)

DoE Planning Department (Item 3)
Mr G McClelland

17.1 CONSULTATION ON REVIEW OF REVISED COUNCIL CONSULTATION PROCEDURES ON PLANNING APPLICATIONS

Councillor Wilson welcomed Rosalind Henry from BearingPoint to the meeting. BearingPoint, an independent consultancy, has been appointed by the Planning Service to conduct a full review of revised consultation procedures with Councils. This review will take account of the purpose of statutory consultation with District Councils and consider the revised procedures for Council consultations on planning applications, introduced from October 2005.

Ms Henry outlined to members, the purpose of meeting with Ballymoney Council and all other Councils, to ascertain views on the impact of revised procedures. BearingPoint will then report to the Planning Service by the middle of August.

Ms Henry advised that there were a number of broad areas on which she would like members' comments.

A discussion ensued wherein members advised that the schedule is usually received two weeks prior to the Consultation meeting and is also issued on the Planning Service website. Office meetings are arranged in conjunction with Planning Service, Council provides the venue for the meetings and members contact interested parties.

Members highlighted difficulties currently experienced as follows:

- Site meetings not permitted (only office meetings)
- Difficulty in contacting Planning officers
- Minimal information available from Planning Service
- Slow response time to decisions (some decisions taking over 6 months)

Suggestions for enhancing the service included:

- Reinstatement of site meetings
- More information to be made available from other Consultees/Agencies
- Retrospective applications should be identified on schedule
- Planning Service 'Clinic' to be held to provide opportunity for applicants to obtain relevant information prior to submission of applications.
- Senior Planning officers to be involved in meeting with Agents/Architects prior to submission of applications not likely to meet criteria for approval.
- Council involvement earlier in the process

Other issues discussed included:

- Legal position of Council as consultees
- The role of Council in the consultation process vis-à-vis the Planning Service
- More consultation relating to impact on Council arising from approvals
- 3rd party objections

- Planning Service and Council's role in providing applicants with best results and value for money.
- Consistency of policies applied throughout all Council areas.
- Fees

It was proposed by Alderman Campbell, seconded by Alderman Connolly and **AGREED:**

that BearingPoint prepare a draft report incorporating the issues discussed and return to Council by 31st July 2007 for endorsement at Council's August Meeting, to enable BearingPoint to submit their response to Planning Service by mid August.

Councillor Wilson thanked Ms Henry for her attendance at the meeting.

The meeting adjourned at 1.30 pm and resumed at 2.00 pm.

- * **Planning Officer arrived at 2.00 pm.**
- * **Councillor Stevenson arrived at 2.00 pm**

17.2 CONSULTATION COMMITTEE NO 15 – 18TH JUNE 2007

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

that the minutes of Meeting No 15 – 18TH June 2007, as circulated, be adopted.

17.3 PLANNING APPLICATIONS

Planning Applications 1-52 and 1-5 (deferred) were considered and the opinion of the Planning Service accepted, except where stated otherwise.

ITEM NO 2

APPLIC NO	D/2005/0936/F	Full	Date Valid	03/01/2006
APPLICANT	Mr Dunlop			
APPLIC ADDRESS	44 The Brambles, Magherafelt, BT45 5RZ			
LOCATION	Land 50m NW of 300 Gortgole Road, Rasharkin			
PROPOSAL	Joinery Shop (retrospective application).			
REPRESENTATION	0	Objections 0	Support 0	Petition of Objection 0
OPINION	REFUSAL			
			0	Support Petitions

- 1 Not constructed as original approval
- 2 Insufficient information to determine application

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

ITEM NO 9

APPLIC NO D/2006/0575/F Full Date Valid 23/11/2006

APPLICANT Murton Developments Ltd

APPLIC ADDRESS C/o MKA Planning

LOCATION 'Balnamore House', 45 Balnamore Road, Balnamore, Ballymoney.

PROPOSAL Conversion of existing Balnamore House into 5 No. Apartments, conversion of existing rear outbuildings into 4 No. Apartments, demolition of other outbuildings and erection of 5 No. townhouses and 2 No. Apartments in a courtyard setting at 'Balnamore House', Balnamore, Ballymoney.

REPRESENTATION 1 Objections 0 Support 0 Petition of Objection 0 Support Petitions

OPINION REFUSAL

- 1 Contrary to Policies BH7 and BH8 of the Departments Planning Policy Statement 6: Archaeology and the Built Heritage, in that the building is listed under Article 42 of the Planning (NI) Order 1991 and the change of use and associated works would, if permitted detract from its appearance, character and setting and result in a loss of its architectural and historic integrity.

Objection Related to: **Detrimental impact on setting, substantial new building element not justified, impact on landscape**

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

ITEM NO 10

APPLIC NO D/2006/0577/LB Listed Building Date Valid 23/11/2006

APPLICANT Murton Developments Ltd

APPLIC ADDRESS C/o MKA Planning, 15 Harpers Quay, Spencer Road, Derry, BT47 6AE

LOCATION 'Balnamore House', 45 Balnamore Road, Balnamore, Ballymoney

PROPOSAL Conversion of existing 'Balnamore House' into 5 No. Apartments, conversion of existing rear outbuildings into 4 No. Apartments, demolition of other outbuildings and erection of 5 No. townhouses and 2 No. Apartments in a courtyard setting at 'Balnamore House', 45 Balnamore Road, Ballymoney

REPRESENTATION 1 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION REFUSAL

- 1 Contrary to Policies BH7 and BH8 of the Departments Planning Policy Statement 6: Archaeology and the Built Heritage, in that the building is listed under Article 42 of the Planning (NI) Order 1991 and the change of use and associated works would, if permitted detract from its appearance, character and setting and result in a loss of its architectural and historic integrity.

Objection Related to: **Detrimental impact on setting, substantial new building element not justified, impact on landscape**

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

ITEM NO 13

APPLIC NO D/2007/0032/O Outline Date Valid 19/01/2007

APPLICANT Mr B Hughes

APPLIC ADDRESS 86 Finvoy Road, Ballymoney

LOCATION Lands adjacent and north of 86 Finvoy Road, Ballymoney

PROPOSAL Proposed one and a half storey infill dwelling

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

OPINION REFUSAL

- 1 Contrary to CTY1 - No case of need
2 Contrary to CTY12 - Not an infill opportunity
3 Contrary to CTY11 - Erosion of Rural Character

It was **AGREED:** That an Office Meeting be held under Criterion No 5 (Alderman Campbell)

ITEM NO 14

APPLIC NO D/2007/0039/O Outline Date Valid 23/01/2007
 APPLICANT Mr H Mc Alister
 APPLIC ADDRESS C/o R. Robinson & Son's, Albany Villas, 59 High Street, Ballymoney,
 BT53 6BG

LOCATION 7 Vow Road, Ballymoney
 PROPOSAL Erection of replacement dwelling with new garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

1 Contrary to CTY1 & CTY5 - Residential use abandoned

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

ITEM NO 15

APPLIC NO D/2007/0046/F Full Date Valid 30/01/2007
 APPLICANT Bloomfield Property Development Ltd
 APPLIC ADDRESS C/O James Hughes, 10b Fallylea Road, Maghera
 LOCATION 31 & 33 Margaret Avenue, Ballymoney.
 PROPOSAL Removal of 2 No. existing dwellings and replacement with 13 No.
 apartments. (12 No. 2 bed, 1 No. 1 bed).
 REPRESENTATION 32 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 Contrary to PPS7 - Fails to provide a quality residential environment
- 2 Unsatisfactory access/parking arrangements
- 3 Inadequate provision for refuse storage

Objections Related to: **Impact on character, unacceptable layout, scale and massing, unacceptable private amenity space, car parking provision, loss of privacy and noise, inadequate concept statement.**

It was proposed by Alderman Simpson, seconded by Councillor Stevenson, that the decision of the Planning Service be accepted.

It was proposed by Councillor McCamphill, seconded by Alderman Connolly that an Office Meeting be held under Criterion No 5.

A vote was taken with 6 members voting in favour of accepting the decision of the Planning Service to refuse the application and 4 members voting in favour of an Office Meeting.

The chair declared the first motion carried.

At the request of Councillor McCamphill, the Planning Officer advised that the applicant could appeal against the current refusal or submit a revised application to address the issues of concern.

ITEM NO	20				
APPLIC NO	D/2007/0083/F	Full	Date Valid	21/02/2007	
APPLICANT	Trustees Of Lavin L.O.L Hall				
APPLIC ADDRESS	193 Drones Road, Dunloy, Ballymoney				
LOCATION	193 Drones Road, Ballymoney.				
PROPOSAL	New hall to replace fire damaged hall.				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	AGREE				

The Planning Officer advised that the opinion stated above (**AGREE**) is a typographical error and should read **APPROVED**.

Councillor Wilson declared an interest in Item 29 (Application D/2007/0210/F)

ITEM NO	29				
APPLIC NO	D/2007/0210/F	Full	Date Valid	25/04/2007	
APPLICANT	Mr Wilson				
APPLIC ADDRESS	289 Finvoy Road, Rasharkin				
LOCATION	130m & 140m south of 289 Finvoy Road, Rasharkin				
PROPOSAL	New access to serve 2 no. previously approved sites.				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	APPROVAL				

Councillor Wilson thanked the Planning Service for their decision in this matter.

ITEM NO 37
APPLIC NO D/2007/0232/O Outline Date Valid 04/05/2007
APPLICANT Pollock Developments
APPLIC ADDRESS C/o 2020 Chartered Architects, 9a Linenhall Street, Ballymoney, BT53 6DP
LOCATION Land at rear of 10 Vow Road, Ballymoney.
PROPOSAL Proposed off site replacement dwelling (45 metres south west of Vow Road, Ballymoney)
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 under Criterion No 5 (Councillor Storey)

ITEM NO 40
APPLIC NO D/2007/0243/F Full Date Valid 11/05/2007
APPLICANT Mr Gilmore
APPLIC ADDRESS 246 Vow Road, Rasharkin
LOCATION 400m N.W. of 25 Gortahar Road, Rasharkin
PROPOSAL New dwelling & garage (change of house type)
REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION APPROVAL

ITEM NO 41
APPLIC NO D/2007/0244/F Full Date Valid 11/05/2007
APPLICANT Armoy Homes Ltd.
APPLIC ADDRESS C/o Moore Design, 63 New Row, Coleraine, BT52 1EJ
LOCATION 7 Linenhall Street, Ballymoney
PROPOSAL Change of use from retail sales shop to estate agent's office, new shop front and internal alterations.
REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION APPROVAL

At the request of Alderman Simpson, the Planning Officer confirmed that this application is not retrospective, the case officer having visited the site before commencement of the work.

A discussion ensued relating to retrospective applications, Alderman Simpson stating

that this information should be supplied on the schedule for members' information.

ITEM NO	49				
APPLIC NO	D/2007/0257/F	Full	Date Valid	18/05/2007	
APPLICANT	Mr Gilchrist				
APPLIC ADDRESS	C/o J.E. McKernan & Son, 25 Market Road, Ballymena, BT43 6EL				
LOCATION	Adjacent to 78 Lisboy Road, Dunloy				
PROPOSAL	Repositioning of access and laneway as approved under D2006/0400/RM				
REPRESENTATION	0	Objections 0	Support 0	Petition of Objection 0	Support Petitions 0
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 access relies primarily on the use of new landscaping for integration and does not follow the natural assets of the site and therefore would not integrate into this area of the countryside.

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

APPLICATIONS DEFERRED FROM PREVIOUS MEETING

ITEM NO	D 1				
APPLIC NO	D/2006/0022/F	Full	Date Valid	17/01/2006	
APPLICANT	Coleraine Developments Ltd.				
APPLIC ADDRESS	C/o Moore Design, New Row, Coleraine				
LOCATION	13 & 15 Kilraughts Road, Ballymoney				
PROPOSAL	Housing development and roadway for private streets determination				
REPRESENTATIONS	2	Objections 0	Support 0	Petition of Objection 0	Support Petitions 0
OPINION	APPROVAL				

Councillor Stevenson requested clarification as to why this application was originally deemed unacceptable but has now been approved. The Planning Officer advised that the issues of access have been addressed with Roads Service and the application is now acceptable with no change in character to the area.

Councillor Stevenson stated his belief that there will be a change in character and

recorded that he remains strongly opposed to this development, believing that the Planning Service have made the wrong decision in this instance due to the number of objections put forward.

Alderman Simpson requested clarification on the number of houses within the development plan, stating that the information provided is inadequate. The Planning Officer was able to confirm that the proposal involves four detached and two semi-detached dwellings.

Councillor Stevenson requested a meeting be held in order to discuss the change of opinion. The Planning Officer stated that the application could be deferred for a two-week period to enable Council to arrange a meeting with the Divisional Manager of Planning Service to discuss the matter further.

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

that the application be deferred for two weeks to enable Council to arrange a meeting with the Divisional Manager of Planning Service.

ITEM NO D 2

APPLIC NO	D/2006/0274/O	Outline	Date Valid	26/05/2006
APPLICANT	Mr R Irwin			
APPLIC ADDRESS	Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL			
LOCATION	Site 160m North East of 255 Moycraig Road, Dervock			
PROPOSAL	Site for replacement cottage			
REPRESENTATIONS	0	Objections 0	Support 0	Petition of Objection 0
OPINION	REFUSAL			

1 Contrary to CTY1 and CTY5 of PPS14 - residential use abandoned.

The Planning Officer advised that this application has been withdrawn.

ITEM NO D 3

APPLIC NO	D/2006/0275/O	Outline	Date Valid	26/05/2006
APPLICANT	Mr R Irwin			
APPLIC ADDRESS	Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL			
LOCATION	Site at Urbal Road, 145m North East of 255 Moycraig Road, Dervock.			
PROPOSAL	Site for replacement cottage.			

17.4. PROPOSED WAITING RESTRICTIONS AT JOHN STREET AND RECTORY AVENUE. BALLYMONEY

Correspondence from Roads Service was circulated to members highlighting their intention to review present parking arrangements in John Street and Rectory Avenue in Ballymoney.

Roads Service are proposing to provide a short section of loading bay and introduce 1 hour in 2 limited parking in John Street to provide a better turnover of parking spaces. It is also proposed to provide a disabled parking bay adjacent to the Spar supermarket.

In respect of Rectory Avenue, it is proposed that double yellow lines (no waiting at any time) to both sides of the street will be introduced.

At the request of Alderman Campbell, the Director of Central & Leisure Services agreed to clarify this issue with Roads Service if local businesses were consulted about the revised parking arrangements.

17.5 PROPOSED ABANDONMENT OF BANN ROAD, BALLYMONEY

The Department of Regional Development have advised of their intention to abandon an area of road measuring 200 sq metres at No 28 Bann Road, Ballymoney at its junction with Bannview Park and Laneway.

A discussed ensued relating to who would be responsible for the future maintenance of the area abandoned. The Director of Central & Leisure Services will clarify this issue with Roads Service.

This being all the business, the meeting closed at 2.50 pm.