

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

26.1	Streamlined Consultation Process	<i>Presentation - Planning Service. Defer decision to Council Meeting 6th May 2008</i>
26.2	Minutes – Meeting No 25 – 19 th March 2008	<i>Adopted</i>
26.3	Planning Applications 1-54 & 1-2 (deferred)	<i>Accept the decision of Planning Service except where stated otherwise</i>
26.4	Planning Applications D/2001/0596/F, D/2006/0450/F & D/2006/0350/F	<i>Correspondence noted</i>
26.5	Housing Executive Community Safety Strategy	<i>Noted</i>
26.6	Development Control Advice Note (DCAN 14): Siting & Design of Radio Telecommunications Equipment	<i>Noted</i>
26.7	Cross Party Inquiry into Childhood Leukaemia & Power Lines	<i>Noted</i>
26.8	NILGA Consultation on Planning Reform	<i>No comments offered</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 26, held in the Council Chamber, Riada House, Ballymoney on Monday 21st April 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
P McGuigan
D McKay, MLA
M Storey, MLA

IN ATTENDANCE

Chief Executive
Committee Clerk

DoE (Items 1-3)
Mrs M McIntyre Divisional Planning Manager
Mr G Walker, Planning Officer

Press

Public

26.1 PRESENTATION – STREAMLINED PLANNING APPLICATIONS

The Chairman welcomed the Divisional Planning Manager Mrs McIntyre and Planning Officer Mr Walker to the meeting to brief Council on a pilot scheme for streamlined planning applications, which has been in operation in Derry City Council area since December 2007 (details of the scheme are attached as Appendix 1).

The Scheme aims to revise the process to allow for the determination of generally minor straightforward planning applications, which will be dealt with by the Planning Service in the Divisional office, under the authority of the Divisional Planning Manager and mirrors the system, which operates efficiently during the summer recess, in many councils whereby non-contentious planning applications are issued without formal Council consultation through the Planning Committee in the normal manner. Council are asked to consider the opportunity to pilot such a scheme in the rural district of Ballymoney.

* **Councillor Patterson arrived at 2.05 pm, Councillor Kennedy, Councillor Stevenson and Alderman Simpson arrived at 2.10 pm and Councillor McKeown arrived at 2.14 pm.**

Mrs McIntyre explained that the central aim of the scheme is to facilitate Council in its consideration of key planning applications and to accelerate the processing of all planning applications by allowing minor applications, by agreement, under the scheme to reach a decision and issue quickly.

In providing an overview of the proposed streamlined arrangements, Mrs McIntyre advised that applications for minor development would be dealt with in a different way to the non-delegated major complex applications that represent high levels of investment, employment, social or environmental benefits, which require democratic input through substantive Council consideration. She explained that the method of consulting Council on the relevant categories of applications will involve circulation of a weekly list of such applications received and that these applications can be determined without the need to formally place them on the monthly planning application schedule and bring them before a meeting of the Planning Committee, provided that:

- the application is to be approved;
- no objections have been received from third parties;
- there has been no formal request from a councillor for an application to be discussed at the monthly Planning Committee meeting;
- the proposal is judged to be acceptable when it is assessed in terms of the development plan, other relevant policies and material planning considerations;
- The Divisional Planning Manager reserves the right to decide that an application should be presented to the Planning Committee. In such cases, the reason for bringing the application to the Committee will be explained; usually that the scale or impact of the proposal is locally significant or has an impact on a wider area.

The presentation concluded at 2.22 pm.

Following the presentation, Mrs McIntyre responded to a number of questions from members relating to:

- Average processing times of applications dealt with under the pilot scheme.
- Timescales involved in Council's response within 21 working days from issue of the list, should there be a requirement to bring an application to Council.
- Review of scheme following a six-month trial period.
- Incentive for agents and applicants to supply correct information with the application.
- Benefits of the scheme in fast tracking applications for those with disabilities.
- Feedback relating to pilot scheme currently in operation.

Alderman Campbell, Alderman Connolly, Councillor Finlay and Councillor Stevenson endorsed the pilot scheme. Alderman Simpson urged caution due to a possible increase in the submission of retrospective applications.

- * **The Divisional Planning Manager and the Planning Officer left the meeting at 2.55 pm**

Discussion continued on the merits of the trial and it was **AGREED:**

that the matter be deferred to the meeting of Council on 6th May 2008.

At the request of Alderman Simpson and Alderman Campbell, the Chief Executive will circulate a copy of the presentation to members to assist further in deliberation of the proposed trial.

- * **The Divisional Planning Manager and the Planning Officer returned to the meeting at 2.58 pm when the Chief Executive advised them of Council's decision to defer the matter.**

26.2 MINUTES OF MEETING NO 25 – 19TH MARCH 2008

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

that the minutes of Meeting No 25 – 19th March 2008, as circulated, be confirmed as a correct record.

26.3 APPLICATIONS FOR PLANNING PERMISSION

Planning Applications 1-54 and 1-2 (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).

ITEM NO	1				
APPLIC NO	D/2005/0950/O	Outline	Date Valid	12/12/2005	
APPLICANT	Mr C Bradley				
APPLIC ADDRESS	17 Culbane Lane, Garvagh				
LOCATION	33a (Elliot's Service Station) Bridge Road, Dunloy				
PROPOSAL	Site for housing development				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	REFUSAL				

- 1 Insufficient information provided for the Department to fully determine application.

Councillor Cavlan requested that an office meeting be held. At the suggestion of the Planning Officer, Councillor Cavlan agreed that the application be held for a period of one week to enable the submission of further information.

Alderman Simpson recorded his view that Council should accept the decision of Planning Service to refuse the application.

ITEM NO	2				
APPLIC NO	D/2006/0377/F	Full	Date Valid	08/08/2006	
APPLICANT	Sunrise Contracts Ltd				
APPLIC ADDRESS	C/O Vision Design, 5b Rainey Street, Magherafelt, BT45 5DA				

LOCATION 49 Knock Road, Ballymoney
 PROPOSAL Proposed residential development consisting of 4 no. semi-detached dwellings and a two and a half storey apartment block containing 5 no. apartments.
 REPRESENTATION 0 Objections 1 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

The Planning Officer advised that one letter of support had been received and the Department is now able to issue an approval. The Planning Officer advised that all representations are taken into consideration.

ITEM NO 3
 APPLIC NO D/2007/0005/F Full Date Valid 28/12/2006
 APPLICANT Jg Bradley Ltd
 APPLIC ADDRESS C/O Bell Architects Ltd, 76 Main Street, Ballymoney, BT53 6AL
 LOCATION Lands at 37 & 39 Carncullagh Road, Dervock.
 PROPOSAL Proposed housing development to include 8 No. townhouses and 14 no. apartments.
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy QD 1 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.

It was AGREED: that an Office Meeting be held (Councillor Kennedy)

Clarification was provided to Alderman Campbell relating to a previously approved application on the site.

ITEM NO 5
 APPLIC NO D/2007/0397/F Full Date Valid 08/08/2007
 APPLICANT Wallace
 APPLIC ADDRESS C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
 LOCATION 300 Finvoy Road, Rasharkin

PROPOSAL Demolition of existing garage and 2 dwellings and redevelopment of associated lands with 14 semi-detached dwellings, 13 townhouses and 40 apartments with associated roads and landscaping

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

OPINION **REFUSAL**

- 1 The proposal is contrary to Policy QD 1 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 proposal is contrary to Policies SP 18 and DES 2 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, be detrimental to the character of the surrounding area by reason of its scale, design and relationship to adjoining buildings which are out of character of the area.

It was AGREED: **that an Office Meeting be held (proposed by Alderman Campbell, seconded by Councillor Kennedy)**

ITEM NO 13

APPLIC NO D/2007/0638/F Full Date Valid 29/11/2007

APPLICANT Mr L Mc Kee

APPLIC ADDRESS C/o Bell Architects Ltd, 65 - 67 Main Street, Ballymoney, BT53 6AN

LOCATION Site adjacent to 3 Moorfields Ballybogey

PROPOSAL Proposed 4 apartments with associated parking facilities

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

OPINION **REFUSAL**

- 1 The proposal is contrary to Policy QD 1 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 proposal is contrary to Policies SP 18 and DES 2 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, be detrimental to the character of the surrounding area by reason of its scale, design and relationship to adjoining buildings which are out of character of the area.
- 3 The proposed development is contrary to Policy PCP 1 of Planning Policy Statement 12 : Housing in Settlements, as the scheme fails to take account of

local character, environmental quality and amenity, as the form, scale and mass of the proposed development does not respect that of adjacent housing, and will result in unacceptable town cramming.

- 4 The proposed development would, if permitted prejudice the safety and convenience of roads users since provision is not being made clear of the public road for parking of vehicles in compliance with the design guide, 'Creating Places'.

Councillor Kennedy advised that the architect has submitted further information to Planning Service and that their response is awaited.

It was AGREED: that an Office Meeting be held (Councillor Kennedy)

ITEM NO	18				
APPLIC NO	D/2007/0669/O	Outline	Date Valid	18/12/2007	
APPLICANT	Mr F Connolly				
APPLIC ADDRESS	C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY				
LOCATION	Lands at rear of 40 Coolkeeran Road Armoy				
PROPOSAL	Proposed new dwelling to replace temporary dwelling				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0
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 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 as; the structure which it is proposed to be replace is not a permanent structure a therefore cannot be considered a dwelling.
- 3 The proposal is contrary to Policy CTY7 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 existing temporary residential accommodation does not justify the development of a new permanent dwelling.

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

- 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 PCP 1 of Planning Policy Statement 12 : Housing in Settlements, as the scheme fails to take account of local character, environmental quality and amenity, as the form, scale and mass of the proposed development does not respect that of adjacent housing, and will result in unacceptable town cramming.

It was AGREED:

that an Office Meeting be held (Councillor Wilson)

ITEM NO 21
 APPLIC NO D/2007/0680/F Full Date Valid 20/12/2007
 APPLICANT Mr R Mark
 APPLIC ADDRESS 219 Vow Road, Ballymoney, BT44 8TB
 LOCATION 219 Vow Road Ballymoney
 PROPOSAL Replacement dwelling with family care accommodation and domestic garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Councillor Wilson thanked the Department for their decision to approve this application.

ITEM NO 25
 APPLIC NO D/2008/0015/F Full Date Valid 09/01/2008
 APPLICANT Croftmore Developments Ltd
 APPLIC ADDRESS C/o Brendan Mc Mullan, 93 Iniscarn Road, Desertmartin, BT45 5NJ
 LOCATION 11 - 17 Milltown Avenue Ballymoney
 PROPOSAL Proposed residential development to create 26 apartment units
 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.

It was AGREED: that an Office Meeting be held (Councillor Wilson)

Alderman Simpson recorded his view that Council should accept the decision of Planning Service to refuse the application. At the request of Councillor Stevenson, the Planning Officer advised the exact location of this new application.

ITEM NO 37
 APPLIC NO D/2008/0051/F Full Date Valid 30/01/2008
 APPLICANT Mr N Hanna
 APPLIC ADDRESS 255 Kilraughts Road, Armoy, Ballymoney
 LOCATION 255 Kilraughts Road, Armoy, Ballymoney.
 PROPOSAL Alterations and additions to side and rear of two storey dwelling.
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Councillor Patterson thanked the Department for its decision to approve this application.

ITEM NO 39
 APPLIC NO D/2008/0063/F Full Date Valid 04/02/2008
 APPLICANT Mr I Patrick
 APPLIC ADDRESS 186 Castlecat Road, Derrykeighan, Dervock, BT53 8AT
 LOCATION Derrykeighan Orange Hall, 167 Castlecat Road, Derrykeighan, Dervock
 PROPOSAL Proposed extensions to existing hall - replace existing flat roof annex to provide new kitchen - toilets - boiler room
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Councillor Robinson thanked the Department for its decision to approve this application.

APPLICATIONS DEFERRED FROM PREVIOUS MEETING

ITEM NO D 1

APPLIC NO D/2007/0259/O Outline Date Valid 21/05/2007
 APPLICANT Mr R Millar
 APPLIC ADDRESS C/o R Robinson & Sons, Albany Villas, 59 High Street, Ballymoney, BT53 6BG
 LOCATION Land at 15 Ballycormick Park, Ballymoney
 PROPOSAL Demolition of existing building, and construction of 4 no. dwellings.
 REPRESENTATIONS 43 **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.

The Planning officer advised that the Department, having considered the reduced scheme, remain of the opinion to refuse the application.

Alderman Simpson and Councillor Stevenson thanked Planning Service for its decision.

ITEM NO D 2

APPLIC NO D/2007/0515/F Full Date Valid 04/10/2007
 APPLICANT Mr S Carson
 APPLIC ADDRESS C/o Bell Architects Ltd, 65-67 Main Street, Ballymoney, BT53 6AN
 LOCATION 70metres south-east of No 8 Burnquarter Lane Ballymoney
 PROPOSAL Replacement dwelling & double garage, (non compliance with condition No 4 of outline approval D/2005/0417/O).
 REPRESENTATIONS 0 **Objections** 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **APPROVAL**

The Planning Officer advised that the application was refused originally on the basis of design. Following further inspection of the site, the Department is now able to approve the application.

Councillor Patterson and Councillor Wilson thanked Planning Service for its decision.

APPEAL DECISIONS NOTIFIED**ITEM NO 1**

APPLIC NO **D/2005/0167/O** PAC NO **2006/A1086**

RESULT OF APPEAL **Upheld**

APPLICANT Duple Holdings Limited
 LOCATION 180 metres East of No.21 Lisconnan Road, Dervock
 PROPOSAL Site for dwelling

ITEM NO 2

APPLIC NO **D/2005/0168/O** PAC NO **2006/A1084**

RESULT OF APPEAL **Upheld**

APPLICANT Duple Holdings Limited
 LOCATION 220 metres East of No.21 Lisconnan Road, Dervock.
 PROPOSAL Site for dwelling

ITEM NO 3

APPLIC NO **D/2005/0169/O** PAC NO **2006/A1082**

RESULT OF APPEAL **Upheld**

APPLICANT Duple Holdings Limited
 LOCATION 300 metres North East of No. 23 Lisconnan Road, Dervock
 PROPOSAL Site for dwelling

ITEM NO 4

APPLIC NO **D/2005/0170/O** PAC NO **2006/A1081**

RESULT OF APPEAL **Upheld**

APPLICANT Duple Holdings Limited
 LOCATION 280 metres South East of No.23 Lisconnan Road, Dervock
 PROPOSAL Site for dwelling

ITEM NO 5

APPLIC NO **D/2005/0171/O** PAC NO **2006/A1079**

RESULT OF APPEAL **Dismissed**

APPLICANT Duple Holdings Limited
 LOCATION 170 metres North East of No.23 Lisconnan Road, Dervock
 PROPOSAL Site for dwelling

ITEM NO 6

APPLIC NO **D/2005/0172/O** PAC NO **2006/A1078**

RESULT OF APPEAL **Dismissed**

APPLICANT Duple Holdings Limited
 LOCATION 210 metres North East of No.23 Lisconnan Road, Dervock
 PROPOSAL Site for dwelling

ITEM NO	7		
APPLIC NO	D/2005/0531/O	PAC NO	2006/A1334
RESULT OF APPEAL	Upheld		
APPLICANT	Mr Williamson		
LOCATION	98 Gracehill Road, Stranocum		
PROPOSAL	One and half storey house and garage		

Following finalisation of the planning schedule, the Divisional Planning Manager responded to a number of questions from members including:

- The Department's intention to re-visit those applications held pending the outcome of PPS14 and those which may have been disadvantaged on its initial introduction.
- Planning permission relating to wind generators – PPS18 refers.
- Planning Service powers of enforcement.

Date of Office Meetings: **2nd May – 10.00 am, Lanyon Room, Riada House.**

* **The Divisional Planning Manager and the Planning Officer left the meeting at 3.30 pm.**

26.4 PLANNING APPLICATION NUMBERS D/2001/0596, D/2006/0450/F & D/2006/0350/F

Members noted correspondence received relating to these applications.

26.5 HOUSING EXECUTIVE COMMUNITY SAFETY STRATEGY

The Chief Executive advised that on Wednesday 27th February 2008, the Board of the Housing Executive approved the draft report "Building Safer Communities: Housing Executive Community Safety Strategy 2008 - 2011" (copy circulated). The Housing Executive will now undertake an 8-week external consultation exercise to seek feedback on the strategic direction the organisation has set out in the document.

The consultation process will be managed in an efficient manner to ensure that responses are focused on those matters, which have not been subject to previous consultation (Housing Executive ASB Policy and Procedures and the application of legal powers were subject to external consultation in 2006/2007). It is therefore requested that responses relate in particular to the strategic themes, priorities and objectives set out in the strategy and how these issues will be delivered through our proposed three year action plan.

If Council wish to discuss any of the strategy issues raised in the document they can meet with a member of the Community Safety Team. The closing date for submissions is Friday 25th April 2008.

**26.6 DEVELOPMENT CONTROL ADVICE NOTE (DCAN 14):
SITING AND DESIGN OF RADIO TELECOMMUNICATIONS EQUIPMENT**

The Department of the Environment, following public consultation, has published Development Control Advice Note (DCAN 14) 'Siting and Design of Radio Telecommunications Equipment'

DCAN 14 provides supplementary guidance to complement Planning Policy Statement 10 'Telecommunications'. The document includes advice on the process of site selection and illustrates how radio telecommunications equipment can be sensitively installed. Its contents will be material to decisions on individual planning applications and appeals.

Hard copies of the document will shortly be available together with a Summary of Consultation Responses on the draft document.

Both documents can currently be accessed on the Planning Service Website at www.planningni.gov.uk. Any member who wishes to receive a hard copy please contact the Office of the Chief Executive

26.7 CROSS PARTY INQUIRY INTO CHILDHOOD LEUKAEMIA AND POWER LINES

A report is available from the Office of the Chief Executive.

26.8 NILGA CONSULTATION ON PLANNING REFORM

The Chief Executive tabled NILGA's response for comment. No comments were offered.

This being all the business, the meeting concluded at 3.40 pm.

APPENDIX 1



Streamlined
Consultation present: