

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 43, held in the Council Chamber, Riada House, Ballymoney on Monday 19th October 2009 at 2.00 pm.

IN THE CHAIR Alderman H Connolly

PRESENT

Aldermen

F Campbell, Mayor
C Cousley, MBE, Deputy Mayor
J Simpson

Councillors

A Cavlan
R Halliday
B Kennedy
M McCamphill
T McKeown
A Patterson
E Robinson
I Stevenson

APOLOGIES:

J Finlay
P McGuigan
D McKay

IN ATTENDANCE

Chief Executive
Committee Clerk

Victim Support NI (Item 1)

Hazel Derby
Janet Lynn

DoE Planning Service (Item 3)

G McClelland

Press

43.1 VICTIM SUPPORT NI PRESENTATION

The Chair welcomed representatives from Victim Support NI to address Council on the vision of this voluntary organisation to support and assist victims of crime and to enable and signpost access to appropriate and relevant services. The presentation is attached as Appendix 1.

A discussion ensued following the presentation and representatives responded to members' questions relating to:

- Measures taken to protect identities for those victims who meet PSNI's criteria.
- Description of referrals
- Nature of referrals
- Methods of representation

Members agreed that the presentation had been informative and interesting. The Chair thanked the representatives for their presentation which concluded at 2.30 pm. The representatives left the meeting at this time.

- * **Councillor Kennedy, Councillor McKeown and Councillor McCamphill joined the meeting during the presentation at 2.10, 2.11 and 2.20 pm respectively.**

43.2 MINUTES – MEETINGS NO 42 – 21ST SEPTEMBER 2009

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

that the minutes of Meeting No 42 – 21st September 2009 be confirmed as a correct record.

42.3 PLANNING APPLICATIONS

Planning Applications 1-20 and 1-8 (deferred) were considered and the opinion of the Planning Service accepted except where stated otherwise.

ITEM NO	1				
APPLIC NO	D/2006/0066/F	Full	Date Valid	27/02/2006	
APPLICANT	J.G. Bradley Ltd				
APPLIC ADDRESS	C/o Bell Architects, 76 Main Street, Ballymoney, BT53 6AL				
LOCATION	Former Tesco Site, Meetinghouse Street, Ballymoney				
PROPOSAL	Redevelopment of former Tesco site to provide residential development consisting of domestic dwellings & apartments & all associated roads, landscaping & amenity.				
REPRESENTATION	1	Objections	0 Support	0 Petition of Objection	0 Support Petitions
OPINION	REFUSAL				
1	Insufficient information to determine the application.				

The Planning Officer advised that the objection had been listed in error. He advised, at the request of Councillor Kennedy, that a revised proposal had been submitted by the Agent excluding apartments.

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

that the application be deferred for one month to enable consideration of the new proposal.

ITEM NO	3				
APPLIC NO	D/2008/0288/F	Full	Date Valid	11/06/2008	
APPLICANT	Mr N Doherty				
APPLIC ADDRESS	C/o Kevin Cartin Architect, Unit 5 Belmont Office Park, 232 - 240 Belmont Road, Belfast, BT4 2AW				
LOCATION	Layde View House, 50 Raceview Drive, Ballymoney				
PROPOSAL	Demolition of existing buildings and erection of 2 storey nursing home with associated car parking and landscaping [Amended Plans]				
REPRESENTATION	15	Objections	0 Support	0 Petition of Objection	0 Support Petitions
OPINION	APPROVAL				

Objections Related to:

Increase in traffic, concerns about pedestrian link, impact on views, privacy, property values, daylight, security, noise pollution, over-

development, inadequate parking and bin collection.

Alderman Simpson requested advice on Planning Service's consideration of the high number of objections. The Planning Officer advised that Roads Service have cleared the proposal and windows have been relocated to address privacy issues. As the proposal is located in an urban setting, some impact on views will occur. He further advised that the proposed link into Donaghbrook Drive is not vehicular or for commercial use and gates are shown between the development and the estate. The proposal is therefore acceptable within the context of the site.

ITEM NO	4				
APPLIC NO	D/2008/0300/F	Full	Date Valid	20/06/2008	
APPLICANT	Triangle Housing Association Ltd				
APPLIC ADDRESS	C/o Hunter Associates, 8 Charlotte Street, Ballymoney				
LOCATION	60 Eastermeade Gardens, Ballymoney				
PROPOSAL	Proposed demolition of existing office block to provide new office accommodation constructed to meet today's efficient standards with a low carbon footprint				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0
OPINION	REFUSAL				
1	The proposal is contrary to Policy BH11 of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage in that the development would, if permitted, adversely affect the setting of a group of buildings listed under Article 42 of the Planning (NI) Order 1991 (33 and 35 Charlotte St) by reason of: its detailed design which is out of keeping with the listed buildings in terms of scale, form, massing, proportions, height and alignment. the use of unsympathetic building materials/techniques which are out of keeping with those found on the listed buildings.				
2	The proposed development would, if permitted, harm the living conditions of neighbouring residents in Eastermeade Gardens by reason of overlooking and overshadowing.				

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

ITEM NO	5				
APPLIC NO	D/2009/0018/F	Full	Date Valid	21/01/2009	
APPLICANT	Mr K Doherty				
APPLIC ADDRESS	183 Garryduff Road, Dunloy, Ballymena, BT44 9DD				
LOCATION	Rear of 67 Galdanagh Road, Dunloy				
PROPOSAL	Retention of agricultural store adjoining existing cattle shed and provision of new shed including underground tank adjoining separate existing cattle shed.				

REPRESENTATION 1 **Objections**0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Objection related to: Odour, noise, vermin, impact on property values.

The Planning Officer advised that consultation has taken place with Environmental Health and conditions have been attached to enable the proposal to be approved.

ITEM NO 8
 APPLIC NO D/2009/0227/F Full Date Valid 09/07/2009
 APPLICANT Mr N Mc Collum
 APPLIC ADDRESS C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
 LOCATION 90 Corkey Road, Loughguile
 PROPOSAL Proposed replacement dwelling and garage
 REPRESENTATION 0 **Objections**0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policies CTY1 and CTY3 of Draft Planning Policy Statement 21: Sustainable Development in the Countryside, in that the existing dwelling is vernacular and has not been retained and appropriately incorporated into the new development scheme, the proposed replacement dwelling would have a visual impact significantly greater than the existing dwelling, the overall size of the new dwelling does not allow it to integrate into the surrounding landscape and its design is inappropriate to its rural setting and has no regard to local distinctiveness and vernacular styles.
- 2 The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21: Sustainable Development in the Countryside, in that the design of the proposed building is inappropriate for the site and its locality.

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

ITEM NO 9
 APPLIC NO D/2009/0238/F Full Date Valid 20/07/2009
 APPLICANT Mr M Patrick
 APPLIC ADDRESS C/O Hunter Assoc
 LOCATION Approx 350m NE of 157 Ballinlea Road, Stranocum
 PROPOSAL Relocation of existing access approved under planning
 Ref:D/2008/0456/RM
 REPRESENTATION 0 **Objections**0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy DES10 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, would result in unacceptable tree loss within the rural area.

- 2 The proposal is contrary to Policy CTY13 of Draft Planning Policy Statement 21: Sustainable Development in the Countryside, in that the ancillary works do not integrate with their surroundings.
- 3 The proposal is contrary to Policy CTY14 of Draft Planning Policy Statement 21: Sustainable Development in the Countryside in that the impact of ancillary works would damage rural character.

The Planning Officer advised that this application has been removed from the streamlined process due to the Department's recommendation to refuse.

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

ITEM NO	11			
APPLIC NO	D/2009/0246/O	Outline	Date Valid	27/07/2009
APPLICANT	Ms M Munnis			
APPLIC ADDRESS	2 Tudoroaks, Market Street, Ballymoney, BT53 6RH			
LOCATION	Site adjacent to 72 Ballyportery Road, Dunloy			
PROPOSAL	Proposed site for dwelling for person of retiring age			
REPRESENTATION	1	Objections	0 Support	0 Petition of Objection
OPINION	REFUSAL			

- 1 The proposal is contrary to Policy CTY1 of Draft Planning Policy Statement 21: Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
- 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 Ballyportery Road.

Objection related to: **Impact on views, wildlife, flooding and access arrangements.**

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

ITEM NO	15			
APPLIC NO	D/2009/0256/F	Full	Date Valid	30/07/2009
APPLICANT	Mr P O' Kane			
APPLIC ADDRESS	2 Knockbracken Park, Coleraine, BT52 1WP			
LOCATION	73 Balnamore Road, Balnamore.			
PROPOSAL	Proposed construction of 6 No. dwellings (detached and semi-detached)			

with associated car parking and landscaping including 2 domestic garages

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 Advice 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 SP18/DES2 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 for the area.

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

ITEM NO **17**
APPLIC NO D/2009/0262/F Full Date Valid 31/07/2009
APPLICANT Mr M Wilmot
APPLIC ADDRESS 13 Millrace Terrace, Clintyfinnan, Armoy, BT53 8TL
LOCATION 13 Millrace Terrace, Clintyfinnan, Armoy
PROPOSAL 1½ storey extension to side of dwelling
REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
OPINION **REFUSAL**

- 1 The proposal is contrary to Policy EXT 1 of the Department's addendum to Planning Policy Statement 7: Residential Extensions and Alterations in that the extension would, if permitted, adversely affect the amenities of the area and neighbours by reason of its unsympathetic scale and form, its impact on the character and appearance of the surrounding area.
- 2 The proposed development would, if permitted, prejudice the safety and convenience of road users since existing incurtilage parking is being removed and not being replaced to Departmental standards.

The Planning Officer advised that this application has been removed from the Streamlined process.

It was **AGREED:** **that an office meeting be held (proposed by Councillor Robinson, seconded by Councillor Kennedy)**

Alderman Simpson stated his intention to write to Planning Service to clarify the criteria for agreeing to office meetings.

ITEM NO D 2

APPLIC NO	D/2007/0460/O	Outline	Date Valid	10/09/2007
APPLICANT	Mr B Harkness			
APPLIC ADDRESS	C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY			
LOCATION	134 Newbridge Road, Ballymoney.			
PROPOSAL	Demolition of existing dwelling house to facilitate new housing development (3 No. dwellings) (revised proposal).			
REPRESENTATIONS	15	Objections 0	Support 0	Petition of Objection 0
OPINION	APPROVAL			

The Planning Officer advised that the proposal has been reduced from 4 to 3 units and that access arrangement had been addressed. Revisions had been notified to neighbours and new objections have been received. New objections relate to removal of existing house, impact on character and density. Removal of trees, wildlife, overlooking, devaluation and impact on traffic.

Councillor Patterson expressed disappointment at the Department's decision to approve this application due to the number of objections received. She stated that properties will be devalued by the development and that 2 storey dwellings would overlook existing properties. Councillor Halliday concurred with Councillor Patterson. The Planning Officer advised that the Agent has submitted site plans to enable separation distance to be assessed and a landscape scheme will also be requested. Councillor Kennedy welcomed the proposal.

ITEM NO D 3

APPLIC NO	D/2008/0348/O	Outline	Date Valid	18/07/2008
APPLICANT	Livery Hill Developments			
APPLIC ADDRESS	C/o Robinson & Sons			
LOCATION	17 Eastermeade Gardens, Ballymoney			
PROPOSAL	Demolish existing building and replace with 1 No. detached and 2 No. semi- detached dwellings (revised proposal).			
REPRESENTATIONS	98	Objections 0	Support 0	Petition of Objection 0
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 Eastermeade Gardens.

Although the proposal has been reduced from 4 to 3 units, the Department's decision is to refuse the application because of unacceptable access arrangements. Alderman Simpson and Councillors Patterson and Stevenson welcomed the decision of the Department to refuse the application. Councillor Robinson's concerns related to the road safety of children.

APPEAL DATES NOTIFIED**ITEM NO 1**

APPLIC NO	D/2006/0499/O	PAC NO	2008/A0169
DATE OF HEARING		LOCATION	
DATE OF SITE VISIT			
APPLICANT	Messrs Harkness, O'Kane & Barkley		
LOCATION	Lands at Nos. 25-35 Ballymena Road, Ballymoney		
PROPOSAL	Site for housing development (to replace existing industrial units & associated outbuildings)		
	Written Representations		

ITEM NO 2

APPLIC NO	D/2007/0341/F	PAC NO	2008/A0200
DATE OF HEARING		LOCATION	
DATE OF SITE VISIT			
APPLICANT	Mr C Henderson		
LOCATION	Spar Shop, 4 Milltown Road, Ballymoney		
PROPOSAL	Retention of hard standing for car wash and associated store		
	Written Representations		

ITEM NO 3

APPLIC NO	D/2006/0176/O	PAC NO	2008/A0321
DATE OF HEARING		LOCATION	
DATE OF SITE VISIT			
APPLICANT	Mr Rainey		
LOCATION	320m West of 10 Slievenaghy Road, Finvoy, Ballymoney		
PROPOSAL	Site for dwelling (re-advertisement - amended proposal).		
	Written Representations		

ITEM NO 4

APPLIC NO		PAC NO	2009/E039
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43.4 PLANNING SERVICE SITE FOR REDEVELOPMENT (RE-ADVERTISEMENT – AMENDED PROPOSAL). 320M WEST OF 10 SLIEVENAGHY ROAD, FINVOY, BALLYMONEY

If considered under PPS 21 the application would have been refused. If the Commission feels it is appropriate to provide the appellant with opportunity to re-address their case, the Department would have no objection.

43.5 PLANNING APPEALS COMMISSION

5.1 The Planning (Northern Ireland) Order 1991 Enforcement Appeal:

Mr Roy Camac: Alleged unauthorized use of the land for a moto cross circuit making a material change of use of the said lands. Land at 180m SW of 62 Kirk Road, Ballymoney

The above appeal is to be dealt with by Written Representation on 17th November 2009.

5.2 The Planning (Northern Ireland) Order 1991 Appeal:

Mr Kevin McMullan: Alleged unauthorized use of the land as a builders yard/storage area making a material change in use of said lands. Lands adjacent to No 1 Lisheegan Lane, Ballymoney.

The appellant in the above appeal has been granted a postponement. The hearing will be held on 15th January 2010 at 10.30am in Ballymoney Town Hall. The hearing arranged for 17th December will not take place. Date for statements is still 16th November 2009.

43.6 ELECTORAL OFFICE

A request has been received from the Area Electoral Officer to deliver a short talk to Council on the benefits of registration and the identity card at the Committee's meeting on 16th November 2009.

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

That Council extend an invitation to the Area Electoral Officer to deliver a short talk to Council on the benefits of registration and the identity card at the Committee's meeting on 16th November 2009.

The meeting closed at 3.20 pm.

Appendices attached:

Appendix 1 Northern Ireland Victim Support Presentation

APPENDIX 1



Victim Support NI
presentation