

You are hereby requested to attend a Meeting of Coleraine Borough Council to be held in the Council Chamber, Cloonavin on **TUESDAY the 25<sup>th</sup> day of August, 2009** following the Planning Committee Meeting.

ROGER WILSON

Town Clerk and Chief Executive.

Cloonavin,  
66 Portstewart Road,  
COLERAINE.

A G E N D A

1. Minutes (enclosed):
  - 1.1 Council Meeting – 28<sup>th</sup> July, 2009
2. Committee Report (enclosed)
  - 2.1 Planning Committee – 28<sup>th</sup> July, 2009
3. Development Services Report (enclosed)  
**(Item no 3.0)** Coleraine Town Partnership\*  
**(Item no 4.0)** North West 200\*  
**(Item no 5.0)** Kelvin Project\*
4. Technical Services Report (enclosed)
5. Leisure Services Report (enclosed)
6. Correspondence including inter alia:
  - i) Letter dated 5<sup>th</sup> August, 2009 seeking support for Ards Borough Council's resolution on the PSNI Full Time Reserve.
  - ii) Letter dated 7<sup>th</sup> August, 2009 from NILGA requesting the nomination of two members to attend the NILGA / DSDNI Volunteering Strategy consultation event on Thursday 3<sup>rd</sup> September, 2009 in Corr's Corner Hotel, Newtownabbey.

7. Documents for Sealing
8. Any other business

Enclosed for Information:

Council Information Bulletin - August 2009

**\* Recommended for consideration "In Committee".**

To: Each Member of Council.

21<sup>st</sup> August, 2009

## **COLERAINE BOROUGH COUNCIL**

Minutes of proceedings of Coleraine Borough Council held in the Council Chamber, Cloonavin, on Tuesday, 28<sup>th</sup> July, 2009 at 5.00 p.m.

**Convened:** As per notice attached

**Present:** The Mayor, Councillor S. Gilkinson, in the Chair

The Deputy Mayor, Councillor W. A. King

### **Aldermen**

E. T. Black (Mrs.)                      D. McClarty  
M. T. Hickey (Mrs.)                      (Items 1.0 – 11.0)

### **Councillors**

C. S. Alexander (Ms.)                      T. J. Deans  
(Items 1.0 – 16.0)                              E. P. Fielding (Mrs.)  
D. D. Barbour                                      B. Fitzpatrick  
(Items 1.0 – 15.1)                                N. F. Hillis  
O. M. Church (Mrs.)                              B. Leonard  
A. S. Cole    R. A. McPherson  
J. J. Dallat

**Officers in Attendance:** Town Clerk and Chief Executive, Director of Technical Services, Director of Environmental Health, Director of Corporate Services (Items 4.1 - 15.2.6), Acting Director of Leisure Services, Head of Development Services, Head of Performance, Policy and Governance, Tourism Manager (Items 4.1 – 15.2.6), Administrative Officer and Administrative Assistant.

**Apologies:** Alderman McClure and Councillor McLaughlin

### **1.0 WELCOME**

The Mayor welcomed everyone to the meeting. He advised members that Councillor McLaughlin was recovering well from his recent operation.

### **2.0 MINUTES**

The Minutes of the Special Meeting of 16<sup>th</sup> June, 2009, Council Meeting of 23<sup>rd</sup> June, 2009 and Special Meeting of 23<sup>rd</sup> June, 2009 were confirmed and signed.

### **3.0 ENVIRONMENTAL HEALTH REPORT**

Consideration was given to the Report of the Director of Environmental Health (previously supplied).

### **3.1 Legal Proceedings**

It was agreed that this item be held 'In Committee' at the end of the meeting.

### **3.2 Approval of Products of Animal Origin Establishments under EC Regulation 853/2004**

An application for the change of ownership and business name had been received from the following premises, previously trading as McAtamney's Cuisine:

Mac's Cuisine, Units 10 and 11 Kilrea Enterprise Centre, Kilrea BT51 5QU  
operated by Mr. R. McMullan.

#### **Agreed:**

That the application be granted full approval.

### **4.0 TECHNICAL SERVICES REPORT**

Consideration was given to the Report of the Director of Technical Services (previously supplied).

#### **4.1 North West Waste Management / Letterloan Site**

Consideration was given to information on this issue, as contained in the report, and to letter dated 18<sup>th</sup> July, 2009 from North West Region Waste Management Group (NWRWVG) (previously supplied).

The Director of Technical Services advised members that any decision made at this stage would be legally binding.

It was proposed by Councillor McPherson and seconded by Councillor Hillis:

That Council agree to sell Letterloan site to NWRWVG, if necessary.

It was proposed, as an amendment, by Councillor Leonard and seconded by Councillor Ms. Alexander:

That the Letterloan Road site be removed from the list of available sites.

During a period of discussion, the Director of Technical Services answered members' questions and clarified various issues.

On a request for a recorded vote, members voted on the amendment thus.

**For:** Aldermen Mrs. Hickey and McClarty, Councillors Ms. Alexander, Cole, Dallat, Fitzpatrick and Leonard (7)

**Against:** The Mayor  
Alderman Mrs. Black, Councillors Barbour, Mrs. Church  
Mrs. Fielding, Hillis and McPherson (7)

**Abstention:** Councillor Deans

As the vote was tied, the Mayor used his casting vote and the amendment was lost with seven votes for and eight votes against.

On a request for a recorded vote, the substantive proposal was then voted on thus:

**For:** The Mayor  
Alderman Mrs. Black, Councillors Barbour, Mrs. Church

Mrs. Fielding, Hillis and McPherson (7)

**Against:** Aldermen Mrs. Hickey and McClarty, Councillors Ms. Alexander, Cole, Dallat, Fitzpatrick and Leonard (7)

**Abstention:** Councillor Deans

**Agreed:**

With eight votes in favour, including a casting vote by the Mayor, and seven votes against, that Council agree to sell Letterloan site to NWRWMG, if necessary.

A proposal made by Councillor Fitzpatrick and seconded by Councillor Leonard in relation to a report on the benefits which would accrue from the running of a Mechanical Biological Treatment plant, was withdrawn after information was provided by the Director of Technical Services.

**4.2 Proposed Storage Facility at Causeway Street, Portrush**

Twenty two tenders had been received for provision of this facility, viz:

	<b>Name of Tenderer</b>		<b>Amount £</b>
1.	Kevin Donnelly Construction	Omagh	163,085.00
2.	McLaughlin & Harvey	Newtownabbey	190,865.61
3.	Kennedy Contractors	Coleraine	193,412.00
4.	S P Harkness	Coagh	193,850.00
5.	Harte & Eakin	Coleraine	194,613.00
6.	Jameson Group	Portadown	195,591.00
7.	Higgins Construction	Garvagh	197,975.00
8.	KBC Construction	Ballymoney	199,404.00
9.	PRH Construction	Portglenone	199,667.36
10.	O'Hanolin & Farrell Const. Ltd	Newry	199,863.80
11.	J & R Contracts	Ballymena	202,371.11
12.	Peter McErlean Ltd	Toome	202,750.00
13.	J F Construction	Eglinton	203,310.92
14.	McGuigan Construction Ltd	Donaghmore	206,125.00
15.	NICOR Construction	Strabane	208,981.00
16.	Dixons Contractors	Ballymena	217,291.02
17.	MSM Contracts	Portadown	223,322.29
18.	Caston Ltd	Gortin	227,754.45
19.	Drumdollagh Construction	Armoy	229,500.00
20.	Engineering Services	Stewartstown	248,896.03
21.	Red Sky Group	Belfast	308,653.27
22.	Alex Morton Contracts	Dromore	311,607.17

On being evaluated and checked by the quantity surveyor, the tender from Kevin Donnelly Construction was found to have an arithmetical error. The correct total, on adjustment, was £163,236.20.

Concern was expressed in relation to the dimensions of the proposed storage facility, however, a proposal tabled by Councillor Ms. Alexander to review the siting of the facility, failed to find a seconder.

**Agreed:**

That Council accept the lowest tender from Kevin Donnelly Construction for the sum of £163,236.20.

**4.3 Tender for Heavy Duty Suction RoadswEEPing Vehicle**

Seven tenders had been received for provision of this vehicle, viz:

<b>Name and Address</b>	<b>Amount</b>
McCreath Taylor (NI) Ltd (Option D) 5 Flush Park Lisburn Co Antrim	£90,984
NI Trucks 3 Mallusk Road Newtownabbey Co Antrim	£91,995
McCreath Taylor (NI) Ltd (Option A) 5 Flush Park Lisburn Co Antrim	£92,495
McCreath Taylor (NI) Ltd (Option C) 5 Flush Park Lisburn Co Antrim	£93,490
McCreath Taylor (NI) Ltd (Option B) 5 Flush Park Lisburn Co Antrim	£97,934
SP Plant (Option 1) 30 Comber Road Newtownards Co Down	£103,904
SP Plant (Option 2) 30 Comber Road Newtownards Co Down	£106,569

**Agreed:**

That Council accept the lowest tender from McCreath Taylor for the sum of £90,984.00.

**4.4 Tender for Telescopic / Loading Shovel**

Five quotations had been received for provision of this equipment, viz:

Name and Address	Amount
BC Plant Ltd Old Coach Road Hillsborough Co Down	£47,000
D.A. Forgie 16 Seacoast Road Limavady Co Londonderry	£47,950
Saville Machinery 67 Moira Road Hillsborough Co Down	£50,950
Northern Lift Trucks (NI) Ltd (Option 1) 1 Flush Park Knockmore Road Lisburn Co Antrim	£51,979
Northern Lift Trucks (NI) Ltd (Option 2) 1 Flush Park Knockmore Road Lisburn Co Antrim	£57,300

On evaluation, it was found that the lowest tender from BC Plant did not meet the required specification.

**Agreed:**

That the telescopic / loading shovel be purchased from D A. Forgie for the sum of £47,950.00.

**4.5 Entertainment Licence**

**4.5.1 Marquee x 2 at Glasgort Road, Aghadowey, Coleraine**

An application for the grant of an Occasional Entertainment Licence had been received from Mr. David McGuckian on behalf of Chopper Club Ireland.

Days and times on which it is intended to provide entertainment:

Saturday/Sunday (29<sup>th</sup>/30<sup>th</sup> August, 2009) 6.00 p.m. – 1.00 a.m.  
Sunday (30<sup>th</sup> August, 2009) 6.00 p.m. – midnight

**Agreed:**

That the Occasional Entertainment Licence be granted subject to no PSNI objections and compliance with any recommendations made by Council's Licensing Department.

All door supervisors employed to be licensed with a scheme recognised by

**5.0 DEVELOPMENT SERVICES REPORT**

It was agreed to discuss this report 'In Committee' at the end of the meeting.

**6.0 LAND AND PROPERTY REPORT**

**6.1 1 Strandmore, Portrush**

A request had been received from the owner of this cottage for access across the Arcadia site for delivery vehicles and construction traffic, to facilitate the demolition of the existing dwelling and construction of a replacement dwelling.

**Agreed:**

On the proposal of Councillor Ms. Alexander and seconded by Alderman McClarty, that Council grant access rights subject to conditions.

**7.0 LETTER RECEIVED ON 7<sup>TH</sup> JULY, 2009 FROM MAJOR GENERAL A G DENARO, QUEEN'S ROYAL IRISH HUSSARS**

Read letter (previously supplied) requesting Council to hold a 'return home' event in Coleraine for The Regiment returning from their third operational tour in Iraq and to host a reception for same.

It was proposed by Councillor Deans and seconded by Councillor Fitzpatrick:

That Council agree to both requests.

Discussion ensued following which the proposal was put to the Meeting.

**Agreed:**

With ten votes in favour and one vote against, that Council agree to both requests.

**8.0 EMAIL DATED 25<sup>TH</sup> JUNE, 2009 FROM NORTHERN IRELAND HUMAN RIGHTS COMMISSION (NIHRC)**

Read email from Charlene Craig, Information and Publications Worker (previously supplied) requesting Council to host a board meeting and civic reception for NIHRC on 21<sup>st</sup> September, 2009.

**Agreed:**

That Council agree to both requests.

**9.0 LETTER DATED 9<sup>TH</sup> JULY, 2009 FROM BANBRIDGE DISTRICT COUNCIL**

Read letter (previously supplied) seeking a letter of support from each of the 26 Councils, for an application to be made through Peace III Measure 2.2 in relation to funding for the Community Planning Programme.

**Agreed:**

That Council provide a letter of support, as requested.

## **10.0 LETTER FROM THE CHAIRMAN OF AGE CONCERN COLERAINE**

Read letter from Elizabeth Lee (previously supplied) thanking Council for the opportunity to speak at a previous meeting and requesting the nomination of two representatives to the Age Concern Committee.

### **Agreed:**

On the proposal of Councillor Dallat and seconded by Councillor Deans, that Alderman Mrs. Hickey be nominated.

On the proposal of Alderman McClarty and seconded by Councillor McPherson, that Alderman Mrs. Black be nominated.

## **11.0 DOCUMENTS FOR SEALING**

Resolved:

That the following documents be sealed:

1. Car Loan Agreements (2) One IT Assistant and one Building Control Officer
2. Cemetery Titles  
Deeds Register Nos. 3535 - 3550 (inclusive):

Agherton	1
Ballywillan	4
Coleraine	6
Kilrea	-
Portstewart	5

  
Advanced Deeds Register - Nos. 0237 – 0238 (inclusive)

Agherton	-
Ballywillan	-
Coleraine	-
Kilrea	-
Portstewart	2

## **12.0 GARDEN / WALL OF REMEMBRANCE**

Requests had been received by several members in relation to provision of a garden or wall of remembrance for those who chose to be cremated.

The Acting Director of Leisure Services advised that this issue had already received preliminary consideration and that he would bring a report to a future meeting.

Mr. Carmichael also agreed to provide a report on the cemetery provision for Portrush to a future meeting

## **13.0 SIGNAGE FOR LOCAL PLACES OF INTEREST**

In response to members' requests, the Acting Director of Leisure Services would look at provision of tourist signage for the homesteads of J. P. Getty and Sam English.

#### **14.0 PRESENTATION TO LONDON LIVERY COMPANIES**

Council had previously given approval for the Town Clerk and Chief Executive, the Head of Development Services and the Museums Officer, to make a presentation to the London Livery Companies. That meeting had not taken place and the invitation had now been reissued, for 7<sup>th</sup> September, 2009 in London, to all members of the Irish Society Advisory Committee.

**Agreed:**

That Council approve the inclusion of Councillors Mrs. Church and Deans in the presentation to the Livery Companies in London.



2.2 Application No. 2  
C/2008/0946/O  
Proposed 21 bed boutique hotel  
with associated facilities, car  
parking and landscape amenity  
on lands appurtenant to  
Sweeney's Wine Bar, Bayhead  
Road, Portballintrae for  
Mr. S. Sweeney

The opinion of the Planning Service was to approve.

Copy letter dated 19<sup>th</sup> June, 2009 from Joyce Rankin, Vice Chairman, Portballintrae Residents' Association had been previously circulated to each member.

The Administrative Officer reminded members that the land to which this application related was the subject of a covenant restricting its use to car parking. Members were advised that the covenant might be the subject of legal proceedings in the future.

Following discussion it was proposed by Councillor Ms. Alexander and seconded by Alderman Mrs. Black:

That Council refuse this application.

On a request for a recorded vote members voted thus:

**For:** The Mayor  
Aldermen Mrs. Black, Mrs. Hickey and McClarty  
Councillors Ms. Alexander, Mrs. Church, Dallat, Mrs. Fielding, Hillis, King, Leonard and McPherson (12)

**Abstentions:** Councillors Barbour, Cole, Deans and Fitzpatrick (4)

The proposal was subsequently carried.

2.3 Application No. 3  
C/2009/0101/F  
Erection of free-standing trailer  
shelter in front garden of 6 Fort  
Crescent, Coleraine for  
Mr. Switzer

The opinion of the Planning Service was to approve.

It was agreed that the application be approved.

### **New Applications**

2.4 Application No. 3  
C/2007/0842/F  
Redevelopment of site to include  
6 no. apartments with associated  
parking at 5 Causeway View,  
Portrush for Cloghorr Investments

The opinion of the Planning Service was to refuse.

It was noted that amended plans had been submitted and that the application would be removed from the schedule for

- further consideration by the Planning Service.
- 2.5 Application No. 5  
C/2008/0032/F  
Development to provide 2 no. replacement shop units and 3 no. apartments at 2 Causeway Street, Portrush for Mr. L. Halliday
- The opinion of the Planning Service was to refuse.
- It was proposed by Alderman McClarty, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.6 Application No. 11  
C/2008/0690/F  
To demolish existing 2 no. semi-detached dwellings and replace with 2 no. new semi-detached dwellings at 15 and 17 Prospect Road, Portstewart for Mr. G. Kee
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander, seconded by Councillor Fitzpatrick and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.7 Application No. 13  
C/2008/0756/A  
Back illuminated sign fixed to building as per drawing at 55 Glenmanus Road, Portrush for Lidl Northern Ireland Gmbh
- The opinion of the Planning Service was to approve both applications.
- Following discussion it was proposed by Councillor Hillis, seconded by Councillor Ms. Alexander and agreed:
- Application No. 14  
C/2008/0757/F  
Local foodstore with allocated car parking at 55 Glenmanus Road, Portrush for Lidl Northern Ireland Gmbh
- That the applications be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.8 Application No. 15  
C/2008/0764/F  
Regularisation to include additional gable window to townhouse, adjustment of window configuration on apartment block 1, additional unit created in apartment block 1, private roof terrace to apartment block 77 and
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Ms. Alexander, seconded by Alderman Mrs. Hickey and agreed:
- That the application be deferred for one month

- additional parking to basement at O'Neill's Caravan Park, Burnside Road, Portstewart for Mr. B. O'Neill
- to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.9 Application No. 20  
C/2009/0004/F  
Proposed new dwelling and garage between 60 and 62 Millbank Avenue, Portstewart for Kimham Ltd.
- The opinion of the Planning Service was to approve.
- It was proposed by Alderman Mrs. Hickey, seconded by Councillor Ms. Alexander and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.10 Application No. 21  
C/2009/0014/F  
Agricultural storage shed for storing farm machinery, hay and temporary animal shelter 70m north east of No. 121 Agivey Road, Kilrea for Mr. M. McCormack
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.11 Application No. 23  
C/2009/0033/F  
Retention of agricultural access and laneway to prevent large agricultural vehicles parking, turning on the narrow public road 240m east of 3 Boveedy Road, Kilrea for Mr. and Mrs. R. McKinney
- The opinion of the Planning Service was to refuse.
- It was proposed by Councillor Mrs. Church, seconded by Councillor Dallat and agreed:
- That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.
- 2.12 Application No. 24  
C/2009/0051/O  
Replacement of existing building with site for traditional rural dwelling under Policy CTY 3 of Draft PPS 21 opposite No. 81
- The opinion of the Planning Service was to approve.
- It was proposed by Councillor Cole, seconded by Councillor Deans and agreed:

Moneycarrie Road, Aghadowey  
for Mr. R. Martin

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.13 Application No. 27  
C/2009/0136/F  
Proposed builders' storage shed  
and extension of existing  
approved yard and new access  
lane to Churchtown Road 200m  
south west of St. Patrick's  
Primary School, Churchtown  
Road, Garvagh for Heaney  
Development

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.14 Application No. 31  
C/2009/0214/O  
Site for dwelling house 50m south  
west of 26 Drumeil Road,  
Aghadowey for Mr. B. McAfee

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.15 Application No. 33  
C/2009/0249/O  
Construction of dwelling and  
detached garage 20m south of  
178 Agivey Road, Aghadowey,  
Coleraine for Mr. B. Dempsey

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Leonard, seconded by Councillor Hillis and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.16 Application No. 38  
C/2009/0291/F  
Replacement of existing garage  
for dwelling adjacent to 11

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Mrs.

Drumcroone Road, Garvagh for  
Mr. E. Holmes

Church, seconded by Alderman Mrs. Hickey and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.17 Application No. 44  
C/2009/0321/F  
Proposed new equestrian centre  
under PPS 8 open space, sport  
and outdoor recreation 400m  
north west of 40 Ballyrogan Road,  
Ringsend, Coleraine for  
Mr. M. O'Kane

The opinion of the Planning Service was to refuse.

It was proposed by Councillor Dallat, seconded by Alderman Mrs. Hickey and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

2.18 Application No. 52  
C/2009/0358/F  
Replacement dwelling and  
garage in lieu of previously  
approved renovation  
C/2008/0884/F at 9 Burnside  
Road, Portstewart for  
Mr. and Mrs. Jackson

The opinion of the Planning Service was to approve.

It was proposed by Alderman Mrs. Hickey, seconded by Councillor Ms. Alexander and agreed:

That the application be deferred for one month to facilitate an office meeting on the grounds that all material planning considerations had not been assessed.

### **3.0 OFFICE MEETINGS**

It was noted that the office meetings would be held on Friday, 14<sup>th</sup> August, 2009.

### **4.0 CONSULTATION PROCESS**

Consideration was given to the Administrative Officer's Report on the Consultation Process (previously supplied).

#### **4.1 Streamlined Consultation**

Following the introduction of the Planning Service's Streamlined Consultation process on 1<sup>st</sup> January, 2009 an update had now been provided on the scheme.

Feedback from applicants and agents had been very positive and, based on the success of the scheme in the pilot Council Districts, the streamlined process had

now been extended to all 26 Councils in Northern Ireland.

The process had operated very efficiently and, based on the fact that only two applications were requested to be removed from the streamlined list, the range and type of applications proposed for streamlining would appear to be appropriate.

It was agreed:

That Council continue participating in the streamlined scheme.

#### 4.2 Office Meetings

Under the Department's Deferral Procedure Guidance Council could request Planning Service to defer consideration of individual applications where Council, as a corporate body, disagreed with the preliminary opinion.

Members noted the practical problems associated with accommodating large deputations at office meetings both in terms of office accommodation and the management of discussions on contentious applications.

It was generally agreed, however, that office meetings provided the only real opportunity for applicants and objectors to influence planning decisions.

Accordingly it was proposed by Councillor Ms. Alexander and seconded by Councillor Fitzpatrick:

That Council agree to no restrictions on the attendance at office meetings.

On being put to the Meeting the proposal was carried, fourteen members voting in favour and no one voting against.

### 5.0 **PLANNING APPEALS INFORMATION**

The Administrative Officer's Report on Planning Appeals had been previously circulated to each member for information detailing the following:

- Proposed single garage (retrospective), Ballygellagh Village, Portstewart for MAM Developments Ltd.;
- Single dwelling and garage adjacent to No. 194 Gelvin Road, Garvagh;
- Enforcement Appeals:
  - Land to the rear of 162 Coleraine Road, Portstewart;
  - Land opposite 34 Sconce Road, Articlave, Coleraine.

### 6.0 **REFORM OF THE PLANNING SYSTEM IN NORTHERN IRELAND**

Consideration was given to the Administrative Officer's Report on the Reform of the Planning System in Northern Ireland (previously supplied).

It was agreed:

That Council's Planning Consultants, Fleming Mounstephen Planning, be appointed to prepare a draft/final response as follows:

Planning Committee  
25<sup>th</sup> August, 2009

Attendance by Mr. Peter Fleming to present draft response. Members' views gathered and incorporated into draft response as appropriate.

Planning Committee  
8<sup>th</sup> September, 2009

Final response presented for consideration.

**7.0 PLANNING APPLICATION C/2009/0246/F**  
**38 COLERAINE ROAD, PORTSTEWART**

Consideration was given to copy letter dated 25<sup>th</sup> June, 2009 from the Divisional Planning Manager in response to Council's request for a withdrawal of the refusal decision issued following the June Meeting (previously supplied).

It was noted that it was not possible to withdraw a valid decision once it has been issued.

**8.0 PLANNING APPLICATION C/2009/0432/MDA**  
**APPLICATION TO DISCHARGE PLANNING**  
**AGREEMENT ON LANDS TO THE SOUTH**  
**AND EAST OF GLENKEEN HOLLOWES AND**  
**GLENKEEN MEADOWS, GLENKEEN**

Consideration was given to copy letter dated 9<sup>th</sup> July, 2009 from the Divisional Planning Manager advising Council that an application had been received to discharge the existing agreement under Article 40A of the Planning (Northern Ireland) Order 1991. The existing legal agreement related to the laying out, construction, landscaping and maintenance of a woodland area on lands at Glenkeen, Aghadowey.

Following discussion it was proposed by Councillor Deans and seconded by Councillor Cole:

That the existing legal agreement be retained.

On being put to the Meeting the proposal was lost, five members voting in favour and nine members voting against.

Accordingly it was agreed to offer no objection to the discharge of the Article 40A agreement.

**9.0 PLANNING APPLICATION C/2009/0437/F**  
**RECONSTRUCTION OF HYDROELECTRIC SYSTEM**  
**PRODUCING ELECTRICITY FOR SUPPLY TO THE**  
**ADJACENT FARM AND THE GRID. CONSISTING OF**  
**WATER INTAKE STRUCTURE, RE-ESTABLISHED**  
**LEAT TURBINE HOUSE AND WATER RETURN**  
**CHANNEL AT WOODBANK HOUSE, 24 METTICAN**  
**ROAD, GARVAGH FOR MR. K. CLYDE**  
**GARVAGH**

Consideration was given to copy letter dated 8<sup>th</sup> July, 2009 from the Divisional Planning Officer inviting Council's comments on the above application (previously supplied).

Reported that there were no noise problems and the Director of Environmental Health would be responding to the consultation.

## **10.0 PLANNING ISSUES RAISED BY MEMBERS**

- 10.1      28 Prospect Road, Portstewart and Craigvara Cottage, Portrush      Councillor Ms. Alexander referred to enforcement issues relating to these properties.
- Mr. Duffy would contact Councillor Ms. Alexander with an update and would report to Council at the September Meeting.
- 10.2      Derelict Properties      Reference was made to planning approvals for derelict properties which had now been affected by developers going into liquidation.
- Councillor Dallat asked if there was an opportunity to change or amend plans for properties which should have been protected.
- Mr. Duffy advised that an approval had a time limit of five years. If development had not commenced the approval expired and the applicant had to re-apply. If the site was sold the Planning Service would respond when the planning application was received.
- 10.3      Derelict Sites - Maintenance      Councillor Cole referred to sites, where following development, the remaining ground was neglected and not maintained.
- Mr. Duffy advised that Planning Service required a percentage of open space to be provided within new housing developments and that normally a management agreement would be drawn up to ensure the surplus ground was landscaped and maintained.
- Councillor Cole would write to Mr. Duffy detailing the problem sites.
- 10.4      Major Sites      Reference was made to the possibility of meeting with developers who were currently involved in developing major sites, eg. the former hospital site in Coleraine and the former Strand Hotel site in Portstewart.
- It was noted that Planning Service had the powers to withdraw planning approval

if sites were not developed or completed within the specified time.

Following discussion it was agreed:

That a meeting of the Planning Working Group be arranged whereby members could put forward problem sites.

10.5 Gareth's Chip Shop, Coleraine Road, Portstewart

Reference was made to Gareth's Chip Shop operating on Coleraine Road, Portstewart.

Mr. Duffy confirmed that this was the subject of enforcement action.