

Raymond Wilson

From: Aileen McGarry
Sent: 26 January 2021 14:18
To: Raymond Wilson
Subject: FW: To Action: LA01/2018/1106/F - Unit 17 and adjoining land Riverside Regional Centre, Castleroe Road, Coleraine
Attachments: attachments.zip; Appendix 8.pdf; CCGC 26.1.2021- RE WORKS.PDF
Importance: High

From: Zip Attachments
Sent: 26 January 2021 13:08

denise.dickson@planning.gov.uk>; Denise Dickson
shane.mathers@planning.gov.uk>; Shane Mathers
david.j.hunter@planning.gov.uk>; David J. Hunter
raymond.wilson@planning.gov.uk>
adjoining land Riverside Regional Centre, Castleroe Road, Coleraine

From: Maria O'Loan <maria@stephenblackproperty.com>
Sent: 26 January 2021 11:57

Denise Dickson
Mathers
J. Hunter

raymond Lough

Subject: LA01/2018/1106/F - Unit 17 and adjoining land Riverside Regional Centre, Castleroe Road, Coleraine

Dear Denise

Please find attached a letter and attachments in respect of the above matter which is due to be heard by the Planning Committee tomorrow.

Please ensure that this letter and the attachments to it are circulated to members ahead of the planning meeting in accordance with the resolution of the planning committee on 25 November 2020:

"That Planning Committee amend paragraph 2.1 of the Protocol for The Operation of the Planning Committee with immediate effect; that Planning Committee information received after the agenda issues is circulated to Planning Committee for consideration in advance of its meetings"

Kind regards

Maria O'Loan

MARIA OLOAN

Consultant

ins.com

ctoria Street, Belfast BT1 3GG

... families and our clients, our staff are
now working remotely.

We are all still available by telephone and email and will ensure that
you will continue to receive a prompt response.
A complete list of contacts is available on our [website](#).

Thank you in anticipation of your understanding and cooperation.

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Causeway Coast and Glens Council
Cloonavin,
66 Portstewart Road,
Coleraine,
BT52 1EY,
Northern Ireland

Our Ref: MOL/10704.1

Date: 26 January 2021

Dear Sir

UNIT 17 & ADJOINING LAND RIVERSIDE RETAIL CENTRE REFERENCE: LA01/2018/1106/F

We refer to the above planning application to be considered by the Planning Committee on Wednesday 27 January 2021.

Further to the 4th Addendum issued by the planning officer, we shall address the on-going errors in his document at the hearing. We note the contents of paragraph 1.6 and the acceptance that the fallback is material "if it were established that that the developer could lawfully erect the three additional retail units referred to in conditions 3 and 4 of planning permission C/2007/0587/F without any further planning consent"

Paragraph 1.7 suggests "some uncertainty as to whether there is still such a fallback position" and then poses the question whether the "proposed element commenced lawfully within the timeframe"; the "proposed element" being the three units permitted by the permission.

The officer then suggests that the relevant five year period expired on 14 February 2013, and concludes that paragraph 1.8 that:

There is insufficient evidence at this time to state definitively that the Council would not be barred from undertaking enforcement action in the event that the developer proceeded to erect the three additional units referred to in planning permission Ref: C/2007/0587/F without further planning consent.

Whilst the officer's assertions are and remain wrong in law, the evidence of works on-going before February 2013 have plainly not been investigated by the case officer. A simple search of Google Earth for the site shows the attached images of works on-going in:

- 1) July 2009;
- 2) August 2010;
- 3) May 2011;
- 4) August 2011;
- 5) October 2011;
- 6) The manholes for current Unit 17 and future Unit 18; and
- 7) The pipe locating the sewerage connection for Unit 20.

In addition we attach:

- 8) a building drawing 'Proposed Drainage Layout' that shows the location of manholes for foul sewerage. This drawing is dated 27 May 2007, before permission C/2007/0587/F was issued in February 2008. Note the legend advises that for Units 18-20 the blue and orange lines indicate the proposed storm and foul drains to serve future units.

These show:

- (i) the construction of the service road around Unit 17 and the location of Units 18, 19 and 20;
- (ii) the installation of drainage, and in particular the installation of drainage manholes to service foul sewers to service Units 18, 19 and 20;
- (iii) the location of the manholes for the sewerage consistent with the plan; and
- (iv) the building works specifically avoiding the areas of Units 18, 19 and 20.

These are works carried out that would be necessary for the erection of the Units 18, 19 and 20.

A site visit or a brief review of publicly available information confirms that works to implement planning permission reference C/2007/0587/F, in so far as it pertains to Units 18, 19 and 20, had in fact commenced within the relevant period. It is thoroughly unsatisfactory for the officer to make assertions of fact without any effort to investigate the same.

Please ensure that this letter and appendices is circulated to members in advance of the planning committee meeting.

Yours faithfully

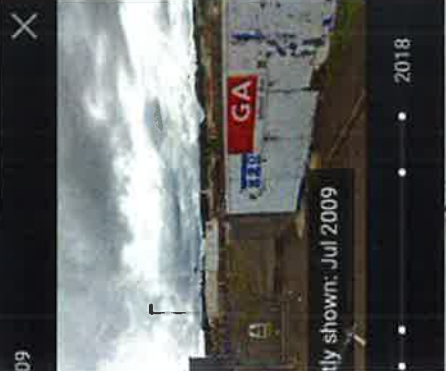
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and

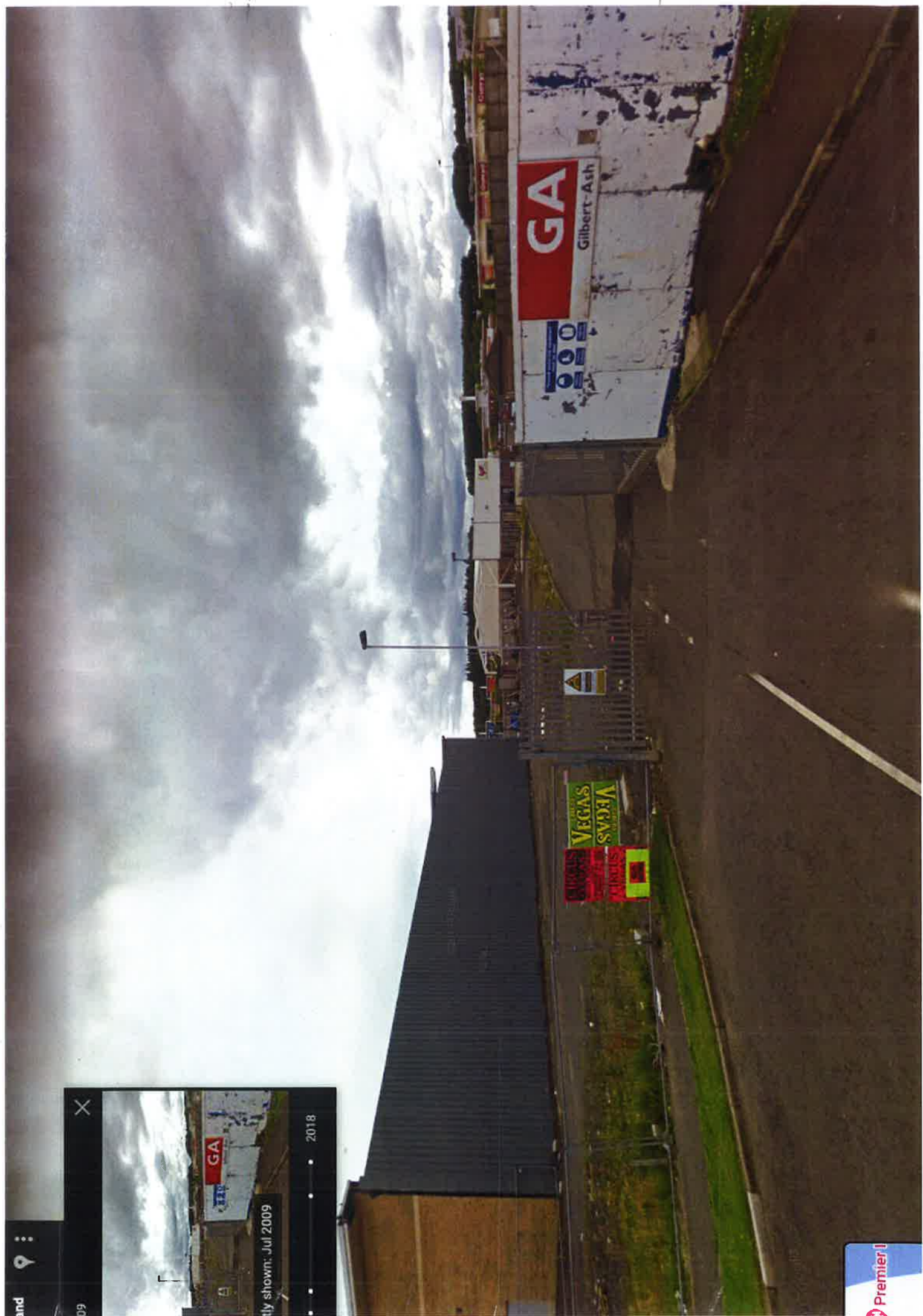


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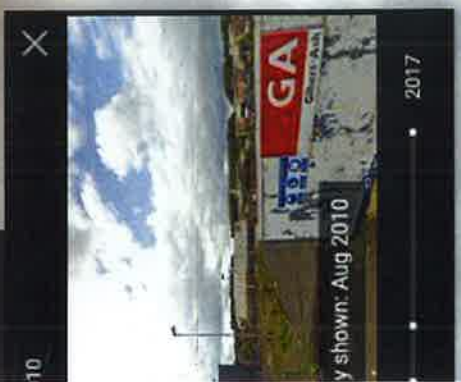
July 2009

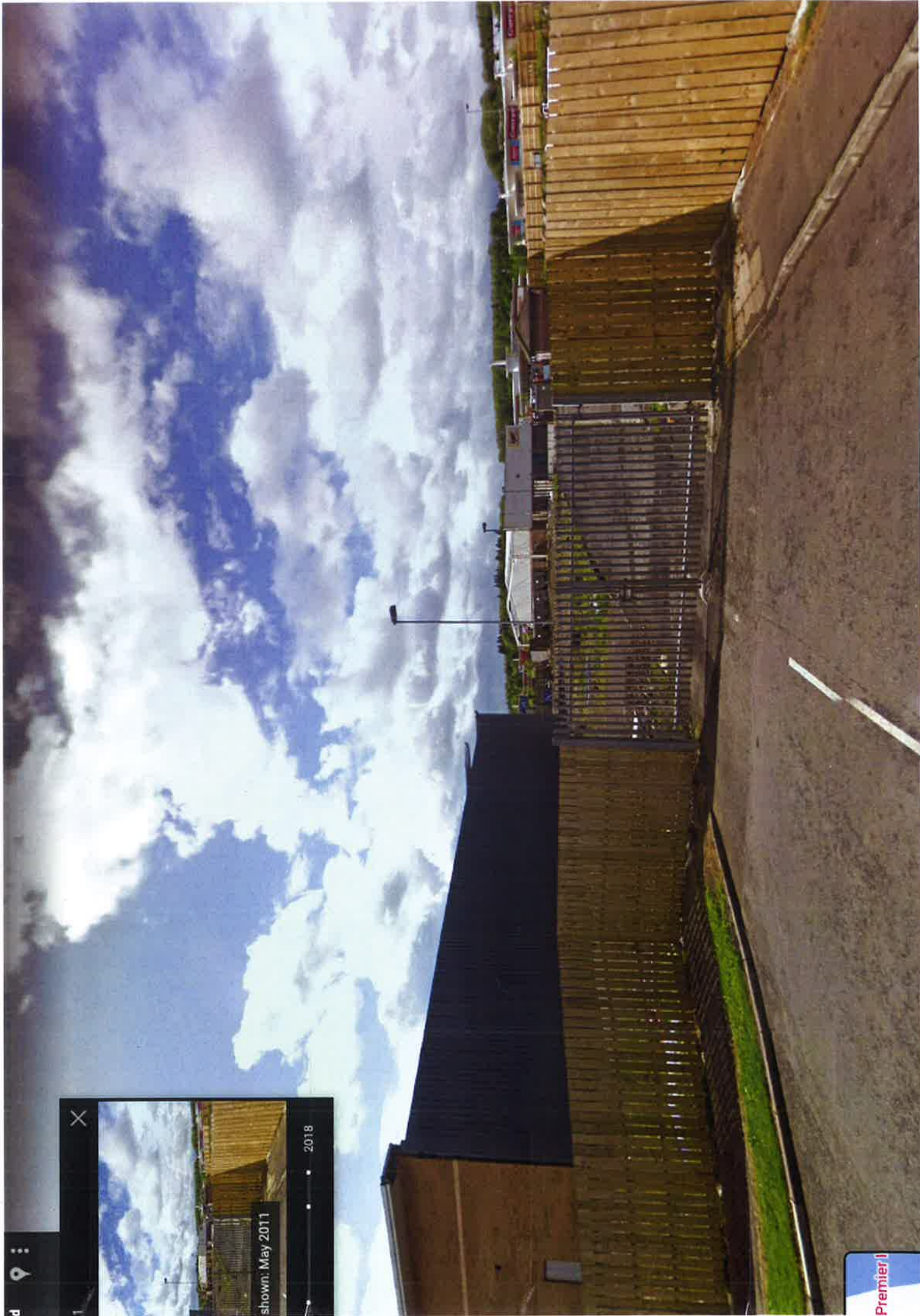
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