

Implementation Date: 01 September 2023

Template for Requesting Speaking Rights at the Planning Committee

The Protocol for the Operation of the Planning Committee provides for interested person(s) to register to speak on a planning application that is scheduled to be determined at the next meeting of the Planning Committee. This request must be received by the Planning Department no later than 10am on the Monday before the Planning Committee meeting via email account planning@causewaycoastandglens.gov.uk.

Planning Reference	LA01/2020/0559/F
Name	Michael Worthington Pragma Planning & Development Consultants Limited
Contact Details	Tel: [REDACTED] Email: [REDACTED]
Support or Objection – please tick relevant box	Support <input type="checkbox"/> Objection <input checked="" type="checkbox"/>

Written representation summarising key points to be addressed and supplementary information in support of your case (minimum font size 10 and maximum length two sides of A4 page).

This application was lodged in April 2020, nearly 4 years ago as a reaction to and mechanism of halting enforcement action against work which had already commenced without the benefit of planning permission.

The time period for immunity from enforcement is 5 years and is fast approaching and will possibly come up before the end of this year, depending on when work actually commenced. Once that date (5 years from when the breach occurred) is reached no enforcement action can be taken and the development that is unlawfully built contrary to planning policy and that has been recommended for refusal on several occasions by the planning case officer will remain and there will be nothing that can be done.

The residents of Berne Road who have had their living conditions severely prejudiced by this café will be left to deal with the issues in perpetuity.

This application was last presented to the planning committee in August 2023, since then it appears that nothing has been done to address the very serious issue of road safety.

The applicant appears to be suggesting that the site was always a café, this is incorrect, until around 2015 it was a public toilet.

The main issue with the café is the same as it has always been, traffic, movement and parking. This type of use draws customers from a wide area and those customers generally travel by car and create significant issues in terms of car parking demand which the café cannot provide for as it does not own any land other than the premises nor can it provide incurtilage car parking. It relies instead on the public car park adjacent and on street parking on Berne Road.

The café is also required to be serviced by a range of vehicles including 'transit' type vans and rigid lorries which because of the restrictions of Berne Road (set out below) cannot turn around and are forced to reverse into or out of Berne Road and along the entire length of the public section.

As referenced above Berne Road is narrow, steeply sloping and curved along most of its length and has only a single footpath along the northern/eastern side and a grass verge on the opposite side. There is only limited car parking and no means of turning a large vehicle. This means that it is difficult to navigate and means that cars can only park along one side. This in turn means that there is conflict created between vehicles parking on the footpath and pedestrians trying to access the café/coastal path at this point. In many occasions at peak times pedestrians are forced off the footpath and onto the road creating conflict between pedestrians, sometimes including small children and children in prams/strollers, and vehicles on Berne Road. Bear in mind that the site is accessed by large service vehicles that have to reverse due to the restrictions of Berne Road.

Road Service has been consistent in its objection to this proposal citing road safety as an issue, yet despite this the applicant has not addressed the issue despite this information being sought on numerous occasions by the Department for Infrastructure via the planning authority. The applicant has had nearly four years to deal with this issue but has not. The application cannot be allowed to be deferred again as it was last August as time for enforcement is running out and the applicant has had ample time to provide the information required but has not done so.