

THE PLANNING AND BUILDING COMMITTEE

Minutes

These minutes are draft until confirmed by Chairman

Thursday 4th March 2010

8.30am in the Liberation Room, Secretariat

Distribution List:-

**Hon Mrs S Halford, MLA
Hon Mrs J Cheek, MLA
Mr G France
Mr R French
Miss A King
Miss H Norman
Mr B Summers**

**Environmental Planning Officer
Building Adviser
Director of Public Services
Senior Crown Counsel
Chief Fire Officer
Chief Medical Officer
Historic Buildings Committee**

THE PLANNING AND BUILDING COMMITTEE
Thursday 4th March 2010
8.30am
Liberation Room, Secretariat

Minutes

Present:	The Hon S Halford MLA The Hon J Cheek MLA	Chair
	Miss A King Mr G France Miss H Norman Mr B Summers	AK GF HN BS
In Attendance:	Mr A Payne Mr N Stephens Mr M Keenleyside Mr G Fiddes	EPO BA DPS CFO
	The Hon E Edwards MLA Mrs G Steen	EE (HBC Chair) GS (HBC Rep)
Secretary:	Mrs F Wallace-Nannig	Sec
Public & Press: 2		

PART I

Members were advised that the Committee was augmented by two representatives of the Historic Buildings Committee as required by the Planning Ordinance when an application relating to a Listed Building is to be discussed (item 5.1).

1 Apologies for absence

Members noted that apologies for absence had been received from Miss Alison Inglis (SCC) and Mr Robert French.

2 Declarations of interest

Councillor Cheek declared an interest in item 5.6.

3 Confirmation of the minutes of the meeting held on 4 February 2010

The open minutes of the meeting held on 4 February 2010 were confirmed with no amendments.

4 Matters arising from the minutes of the meeting held on 4 February 2010

There were no matters arising.

5 Planning applications Decisions

Item	Ref	Site	Proposal	Key Policies
5.1	12/10	20 Drury Street, Stanley	Change of roofline on rear lean-to extension to Miss J Brock	D2, H8 & E1

Planning Permission is **granted** subject to the standard condition and the following:

1. Option A design shall be implemented.
2. The colour and materials used on the new roof shall match those of the existing lean-to.

Reason for Condition

1. To ensure that the development does not adversely affect the character of the building, which has been listed for its special architectural or historic interest.
2. In the interests of visual amenity.

EPO advised Members that the extension had been approved previously but that, during construction, the applicant had discovered that the proposed design meant that the south end of the lean-to was too low for an adult to stand up in. Three options had been proposed by the Committee to correct this issue. Members (and the representative members of HBC) discussed each option and were in agreement that options B and C (and the amended option C as proposed by the EPO) would have a significant impact on the integrity of the building.

Chair argued that the lean-to was an add-on to the original building and thus, the integrity had already been compromised. GS stated that, though she could not recall the original application being brought to HBC for consultation and comment, she envisaged that the HBC would have approved the original design on the basis that it did not interrupt the roofline of the original lean-to and thus would not have a significant impact. The fact that the applicant had not taken into account the lack of height was not something that the HBC would consider sufficient justification for interrupting the roofline.

Members resolved to grant permission for Option A after voting 4 for and 4 against, with the Chair having the casting vote.

Item	Ref	Site	Proposal	Key Policies
5.2	03/10	Sapper Hill, Stanley	Siting of 20' container for storage of digital transmission equipment for FIG.	D2

Planning Permission is **granted** subject to the standard condition and the following:

1. The container shall be restrained in a satisfactory manner to prevent undue movement from wind pressure.

Reason for Condition

1. In the interests of health and safety and to prevent possible damage to adjacent equipment and installations.

Members noted the letter of objection received from KTV Ltd. EPO appraised the Committee of the situation in regard to possible interference problems. Members were in agreement that such matters were regulatory in nature and should be dealt with in a forum of affected parties, and not discussed in this Committee. It was agreed that permission be given to the siting of the container

5.3	05/10	3 Ross Road West, Stanley	Change of use of Portakabin from storage to accommodation for Mrs J Jaffray	D2, H4 & H7
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Planning Permission is **granted** subject to the standard condition and the following:

1. The permission hereby approved is only valid until 31 March 2012.
2. A hardstanding for the two parking spaces shown on the approved plans shall be formed prior to the occupation of the dwelling hereby approved.

Reason for Condition

1. The unit is not suitable for permanent occupation by virtue of its design.
2. In the interests of highway and pedestrian safety.

Deliberations concentrated on the provision of parking and whether it was necessary to provide parking for the original dwelling as well. EPO argued that the double garage to the rear of the property acted as the two parking spaces for the original dwelling and two additional parking spaces were shown for the

Item	Ref	Site	Proposal	Key Policies
			<i>new dwelling. AK and Chair supported this whilst DPS refuted that the double garage could not be considered as parking space as people were less likely to park in it as opposed to an open parking area. Ultimately, Committee agreed that there would be no requirement for the provision of (additional) parking for the original dwelling but that the parking for the new dwelling should be provided prior to occupation.</i>	

5.4	06/10	3 Moody Street, Stanley	Extensions to dwelling for Mr & Mrs J Thomas	D2 & H8
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Planning Permission is **granted** subject to the standard condition.

GF commented that it would be easier to see the proposed works on the elevation plans if they were highlighted in colour. Permission was granted with no further comment.

5.5	07/10	64 Davis Street, Stanley	Erection of conservatory for Mr M McKay & Ms M East	D2 7 H8
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Planning Permission is **granted** subject to the standard condition.

Members welcomed this development and resolved to grant permission. It was confirmed that the colour of the conservatory would be white.

5.6	08/10	Moody Brook FIDC Aquaculture Site, Stanley	Siting of polytunnels, header tank and sump tank for Falkland Fish Farming Ltd.	D2 & Structure Plan ALW7
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Planning Permission is **granted** subject to the standard condition and the following:

1. This is a temporary consent which expires on 31 March 2013.
2. The polytunnel, tanks and concrete block supports, together with all piping shall be removed, and the site restored to its condition prior to development on or before the expiry date of this permission, unless an application to extend the consent has been granted.

Reasons for Conditions

1. The polytunnel is a temporary structure and because the condition reflects the time period requested by the applicant.

Item	Ref	Site	Proposal	Key Policies
			2. In the interests of visual amenity.	
			<i>Permission was granted with no further comment.</i>	
5.7	09/10	45 Ross Road East, Stanley	Retrospective application for erection of fence over 1m on roadside boundary for Mr C Dockrill	D2

Planning Permission is **granted** subject to the standard condition and the following:

1. This is a temporary consent which expires on 31 August 2011, after which time the additional fencing material shall be removed and the fence revert to its original height.
2. The additional fence posts shall be of equal height and all posts and rails shall be painted or stained in a colour matching that of the original fence.

Reasons for Conditions

1. In the interests of visual amenity and because the condition reflects the time period requested by the applicant.
2. In the interests of visual amenity.

Committee noted the letter of objection received. Members were in agreement that the additional fence was unsatisfactory but also agreed that by virtue of its temporary nature it would be disproportionate to require the applicant to remove it and erect a more permanent style fence. It was agreed that staining or painting the posts so that they matched the original fence, and cutting the additional posts to a uniform height would make the fence more visually acceptable.

5.8	10/10	Land rear of 33A Davis Street, Stanley	Erection of two-storey dwelling for Mr & Mrs M Bloomfield	D2 & H4
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Planning Permission is **granted** subject to the standard condition and the following:

1. A hardstanding for the two parking spaces shown on the approved plans shall be formed prior to the commencement of works on the site and the parking area completed prior to the occupation of the dwelling hereby approved.

Item	Ref	Site	Proposal	Key Policies
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Reasons for Condition

1. In the interests of highway and pedestrian safety.

Members noted the letter of objection received. DPS noted that the distance between the proposed parking area and the south wall of the house was very small and queried whether there was enough room for maintenance access. Members reviewed the plans and agreed that the space was too small and suggested that the applicant be advised to move the house further north so as to increase this distance.

5.9	11/10	Land rear of 1 Goss Road, Stanley	Erection of bungalow for Mr & Mrs R Bryson	D2 & H4
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Planning Permission is **granted** subject to the standard condition and the following:

1. A hardstanding for two off-street parking spaces shall be provided on site prior to the commencement of works. The design of the spaces must enable vehicles to enter and leave in a forward direction.

Reason for Condition

1. In the interests of highway and pedestrian safety.

Councillor Cheek commented that works had already started on site and EPO confirmed that works had started prematurely. He explained that the Committee did have powers to take enforcement action if a development was considered to be in breach of Planning regulations, and that a Stop Notice could also be issued to prevent further works taking place. The builder is aware that by commencing works prematurely he runs the risk of having to restore the site to its original condition if planning permission is refused and that this would be at his own cost. EPO added that the action of starting work prematurely is not condoned by the EPD and could be seen to be making a mockery of the entire planning process. He also stated that the fact that work has started should not colour the Committee's judgement when considering the application before them. Members noted that 3 letters of objection had been received.

Chair queried why it was a requirement that the parking spaces must be arranged so as to permit a vehicle to enter and leave in a forward direction. DPW advised that this was because it was originally intended that access onto H Jones Road from the adjacent properties would not be permitted. However, in the Stanley Town Plan Amendment there is an area of land to the west of this property which has been re-designated as suitable for residential purposes and those residences will also require access from H Jones Road. In order to avoid traffic problems and dangers caused by people reversing onto H Jones Road or

Item	Ref	Site	Proposal	Key Policies
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stopping on H Jones Road and reversing into their parking spaces, it was agreed that this stipulation would be included in the planning permission condition.

*In regard to this particular application, EPO highlighted the fact that the parking proposed did not meet this requirement. The Committee resolved to grant permission with the condition that the parking provided met the criteria of the planning condition. It was also agreed that a letter be written to the applicant and builder expressing the Committee's displeasure at seeing works commencing on site prior to the approval of planning permission and building permit. **EPO***

5.10	13/10	6 Goss Road, Stanley	Erection of 1.83m fence on roadside boundary for Mr & Mrs K Ormond	D2
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Planning Permission is **granted** subject to the standard condition.

Permission was granted with no further comment.

5.11	14/10	Sea Cadets HQ, Airport Road, Stanley	Siting of sailing craft for use as planter with 2m ² sign for Stanley Sea Cadets	D2
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Planning Permission is **granted** subject to the standard condition.

Permission was granted with no further comment.

6 Building Permit Applications Reviewed by the Building Adviser

Item	Ref	Site	Proposal	Status
6.1	129/09	1 Felton Court, Stanley	Erection of garage for Mr V Stychoy	Approved Conditionally
6.2	127/09	Land east part of garden at 1 Fieldhouse Close, Stanley	Erection of dwelling for Mr J East	Awaiting information
6.3	136/09	1a to 3b Hansen Hill, Stanley	Erection of 2 x pair of semi-detached dwellings for FIG	Awaiting information
6.4	02/10	19 Brandon Road, Stanley	Detailed plans for erection of dwelling for Mr & Mrs K	Awaiting information

Item	Ref	Site	Proposal	Status
			Grimmer.	
6.5	05/10	3 Ross Road West, Stanley	Change of use of Portakabin from storage to accommodation for family member for Mrs J Jaffray	
6.6	06/10	3 Moody Street, Stanley	Extensions to dwelling for Mr & Mrs J Thomas	
6.7	08/10	Moody Brook FIDC Aquaculture Site, Stanley	Siting of polytunnel, header tank and sump tank for Falkland Fish Farming Ltd	
6.8	10/10	Land rear of 33A Davis Street, Stanley	Erection of two-storey dwelling from Mr & Mrs M Bloomfield	
6.9	11/10	Land rear of 1 Goss Road, Stanley	Erection of bungalow for Mr & Mrs R Bryson	
6.10	12/10	20 Drury Street, Stanley	Change of roofline on rear lean-to extension for Miss J Brock	
6.11	17/10	Old Telephone Exchange, Ross Road, Stanley	Change of use from drop-in centre to studio/gallery for Mrs J Halliday	
6.12	18/10	88 Davis Street, Stanley	Removal of existing garage and erection of 16' Nissen Hut for Mr & Mrs D Thorsen	
6.12	19/10	Malvina House Hotel, Ross Road, Stanley	Extension to rear to include new kitchen and ancillary facilities, meeting room and improved toilet facilities for Stanley Services Ltd	
6.13	20/10	Land rear 10 Barrack Street, Stanley	Erection of dwelling for Mr G Bound.	

7 Date of next meeting

The next meeting was confirmed as Thursday **1st April 2010** at 8.30am in the Liberation Room, Secretariat.

As this meeting was the last at which Anna King would be

Item	Ref	Site	Proposal	Status
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present, having served her 3 year term as lay member, the Chair expressed the Committee's gratitude for her involvement and wished her well for the future. Jackie Cotter will be replacing Anna and will attend her first meeting next month.

8 Exclusion of Press and Public

The Chairman moved that the press and public be excluded on the grounds that the next items to be considered were exempt within the terms of Part 1 of Schedule 2 of the Committees (Access to Information) Ordinance 2000.

PART II

9 Confirmation of the Exempt Minutes of the meeting held on 4 February 2010

The exempt minutes of the meeting held on 4 February 2010 were confirmed with no amendments.

10 Matters arising from the Exempt Minutes of the meeting held on 4 February 2010

10.1 21 Fitzroy Road – Demolition of chimney (Item 10 refers) – EPO advised that he had nothing further to report. He is still waiting to interview a person (EPO cannot force a person to attend).

Not for publication by virtue of Paragraph 13 of Part 1 of Schedule 2 of the Committees (Access to Information) Ordinance 2000 for reason that enforcement action might be taken