

# **THE PLANNING AND BUILDING COMMITTEE**

## **Minutes**

**These minutes are draft until confirmed by Chairman**

**Thursday 4<sup>th</sup> June 2009**

**8.30am in the Liberation Room, Secretariat**

Distribution List:-

**Hon J Birmingham  
Hon R Stevens  
Hon M Rendell  
Hon R Cockwell  
Mr G France  
Mr R French  
Miss A King  
Miss H Norman**

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

**THE PLANNING AND BUILDING COMMITTEE**  
**Thursday 4<sup>th</sup> June 2009**  
**8.30am**  
**Liberation Room, Secretariat**

**Minutes**

<b>Present:</b>	The Honourable J Birmingham	Chair
	The Honourable R Stevens	
	Miss A King	AK
	Mr G France	GF
	Miss H Norman	HN
	Mr G Cheek	GC (HBC Rep)
	Miss J Cameron	JC (HBC Rep)
<b>In Attendance:</b>	Mr A Payne	EPO
	Mr N Stephens	BA
	Mr M Keenleyside	DPW
	Ms A Inglis	SCC
	Mr G Fiddes	CFO
<b>Secretary:</b>	Mrs F Wallace-Nannig	Sec

**Public & Press: 2**

**PART I**

**1 Apologies for absence**

There were no apologies for absence.

**2 Declarations of interest**

Chair declared an interest in item 5.2 and AK declared an interest in item 5.12

**3 Confirmation of the minutes of the meeting held on 7 May 2009**

The open minutes of the meeting held on 7 May 2009 were confirmed with one amendment from GF. In the opening of the meeting it is stated that HN would serve a term of 2 years as lay member. This should read 3 years.

**4 Matters arising from the minutes of the meeting held on 7 May 2009**

- 4.1 Lay Member** – (Page 1, Item 4.1) – Sec advised that there had been no applicants for the vacant lay member position. It will be re-advertised this month. AK suggested approaching previous applicants in order to ascertain whether any of those would be interested. Sec to action this.

**Sec**

## 5 Planning applications Decisions

As the first two applications under discussion were in relation to Listed Buildings, two members of the Historic Buildings Committee (HBC) were in attendance in order to augment the Committee as required by the Planning Ordinance 1991.

Item	Ref	Site	Proposal	Key Policies
5.1	29/09	BAS Office, Marmont Row, Ross Road, Stanley	Change of use from offices to residential for FIC Ltd	D2, H6 & E1

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

1. Notwithstanding the information shown on the plans hereby approved details of the parking area and materials to be used shall be submitted to and agreed by the Environmental Planning Officer prior to commencement of development on the site and shall be implemented in accordance with the approved details prior to the occupation of the first of the dwellings hereby approved.

### **Reason for Condition**

1. In the interests of visual amenity and traffic safety.

*EPO advised that the developer did not intend to start this project immediately. He added that this particular part of the building had been under many uses and as such none of the original internal layout remained.*

*The application has been considered by HBC and EPO reported that that Committee was happy with the proposal although there had been some concern about plans to retain the flat roof porch. Ultimately, it was decided that this added to the character of the building and retention was acceptable. Another concern was expressed regarding the proposed use of brick paving in the driveway. HBC members felt that this was not appropriate in this area and P&BC members agreed. It was considered that a more commonly used finish such as tarmac or concrete would be preferred.*

*(Chair then left the meeting as he had an interest in the following item and Hon R Stevens took the Chair ).*

- 5.2 33/09 4 Drury Street, Stanley Erection of garden room E1 & D2  
for Mr J Birmingham

Planning Permission is **granted** subject to the standard condition.

*Members were happy with this application but JC added that HBC members were concerned that this application might start a flood of similar applications in the same area being submitted but on balance considered this unlikely.*

- 5.3 32/09 11 Hansen Hill, Stanley Erection of garage for Mr D2  
N Clifton

Planning Permission is **granted** subject to the standard condition.

*Permission was granted with no further comment.*

- 5.4 34/09 Part of garden at 9 Snake Outline application for H12 & H6  
Hill and land to rear, erection of dwelling for Mr  
Stanley G Clement

Planning Permission is **refused** for the following reason:

#### **Reason for refusal**

The southern part of the application site is the subject of a comprehensive development plan being prepared by PWD, which also embraces further land to the south. This application is premature and represents a piecemeal development that could prejudice the proper planning of this wider area.

*Members noted that one representation had been received. EPO advised that the 1<sup>st</sup> Alteration to the Stanley Town Plan would be going to ExCo this month for approval. Within this document it is recommended that the land to the rear of 9 Snake Hill would have its designation changed from Green Space to Residential. Further work would then be required to plan out and approve the layout of roads and services. This application was considered to be premature until the changes for the wider area had been approved. EPO added that he reluctantly recommended refusal on this basis.*

- 5.5 36/09 8 Villiers Street, Stanley Replacement of existing D2 & D7  
Portakabins with  
permanent store/shed for  
Mr D Eynon

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

1. The Portakabins shown as 1 and 2 on the approved plans must be

removed from the site prior to commencement of construction of the shed/store hereby approved.

2. The Portakabin shown as 3 and the container shown as B on the approved plans must be removed from the site within 6 months of the completion of the shed/store hereby approved.

### Reasons for Conditions

1. In the interests of visual amenity.
2. In the interests of visual amenity.

*Permission was granted without further comment.*

**5.6** 37/09 The Boat House, Ross Boathouse extension for D2 & B1  
Road, Stanley SAMS Ltd

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

1. Occupancy of the bedsit hereby approved shall be limited to visiting mariners and employees/contractors engaged by SAMS staying no longer than 3 months in any 12 month period.

### Reason for Condition

1. The bedsit is not suitable for permanent residential occupation by virtue of its design and location.

*EPO explained that this application had been produced in response to Members comments about a previous application for a bedsit/store on the adjacent jetty. This application incorporated the bedsit element into the existing Boat House by means of a modest extension. This would allow the proposed store to be considerably smaller and less visually intrusive. Permission was granted with no further comment.*

**5.7** 75/08 The Boat House, Ross Amendment to approved D2 & B10  
Road, Stanley plans (erection of small  
store with wash facility  
and bedsit) for SAMS Ltd

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

1. The Portakabin and container presently on site shall be removed within

18 months of the commencement of works.

2. The ridge line of the approved store shall be no more than 3.9 metres in height.
3. The colour of the cladding and roof shall match the existing boathouse building.

### **Reasons for Conditions**

1. The Portakabin and container are ageing temporary structures that should be removed as soon as possible. The period for removal is considered adequate for the new store to be built, thereby making the two structures redundant.
2. To reduce the visual impact of the store when viewed from the Cathedral.
3. To visually integrate the store with the main building on the site.

*SCC queried whether, with this application being approved, it meant that the applicant could choose to do either this development or the original one. EPO advised that this was not the case as this was an amendment to the original application thus the permission would now only apply to this latest application. Had a new application been submitted it would have been necessary to revoke the earlier consent to ensure that only the smaller store (the subject of the current application) could be built.*

<b>5.8</b>	38/09	Land east of Kent Road, Stanley	Outline application for erection of dwelling for Mr A White & Miss J Jennings	D2 & H12
------------	-------	------------------------------------	--	----------

Planning Permission is **refused** for the following reason:

### **Reason for Refusal**

The application site lies within a larger area that is the subject of a comprehensive development plan being prepared by PWD. This application is premature and represents a piecemeal development that could prejudice the proper planning of this wider area.

*In view of the discussion for application 34/09 above, Members agreed that the same applied in this instance*

5.9 39/09 51 Callaghan Road, Stanley Siting of Portakabin for storage for Mrs E Ferguson D2

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

1. The Portakabin shall be painted green with a dual pitch roof constructed and corrugated tin sides added within six months of being placed on site.

#### **Reason for Condition**

1. In the interests of the overall appearance of the development.

*There was considerable discussion about whether a mono or dual pitch roof was appropriate in this location. Various examples of where the Committee has requested a dual pitch roof were cited and it was ultimately agreed that this should be the requirement in this location. This would complement the design and orientation of the existing buildings in the vicinity which were also aligned on a north-south axis with dual pitched roofs.*

5.10 40/09 4 Capricorn Road, Stanley Erection of garage for Mr & Mrs A Fowler D2

Planning Permission is **granted** subject to the standard condition.

*EPO advised that HV cable ran East-West across the site, meaning that the garage would be about 2m from it but that Power & Electrical Section was content with this. DPW added that whilst he would have preferred 3m he was willing to permit it on the basis that there was little that could be done to move the site of the garage to improve the situation.*

5.11 41/09 1 Hebe Street, Stanley Change of use of Wyseplan from store to residential for Mr A Reid & Mrs C Stewart-Reid D2 & H7

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

1. The permission hereby approved is only valid until 30 June 2011.
2. Occupancy of the unit hereby approved shall be limited to family and friends of the owners of the main dwelling unit, each staying no longer than 3 months in any 12 month period.

#### **Reasons for Conditions**

1. The unit is not suitable for permanent occupation by virtue of its design and location.
2. The unit hereby approved is intended to provide occasional overspill accommodation ancillary to the main dwelling unit. Its location in the garden of the main dwelling unit and the limited amount of additional parking proposed make it unsuitable for permanent occupancy.

*Members noted that a representation had been received. EPO added that he had also had conversations with other parties who expressed concern over the provision of parking, services and the proposed use. Members were advised that the applicants intended to use the unit to house visiting family and friends and that the unit was not suitable for long term occupancy. DPW queried how it would be possible to police the second condition. EPO advised that he was sure that if the unit was being used on a permanent basis this would be soon reported and would become the subject of an investigation.*

<b>5.12</b>	42/09	Felton Stream Cottage, Moody Brook Road, Stanley	Extension to cottage and erection of 3 flats to west for Mr & Mrs D Harris`	D2 & H6
-------------	-------	--	---	---------

Planning Permission is **refused** for the following reason:

#### **Reasons for refusal**

1. The number of new dwellings proposed relative to the size of individual plots represents over-development of this site.
2. There are too many accesses proposed onto a section of road with two bends and a 40 mph speed, giving rise to highway safety issues.
3. The design of the individual accesses to the new flats will require drivers to undertaking reversing manoeuvres to enter or leave the site on a section of road with two bends and a 40 mph speed limit, giving rise to highway safety issues.

*Members noted that PWD intended to undertake improvements to Moody Brook Road which would remove the current impediment to new housing along this road. Committee agreed to the recommendation for refusal based on the issues above but added that a more modest scheme could be considered favourable. The applicant is to be advised of this.*

<b>5.13</b>	43/09	Land east of 6 Barrack Street, Stanley	Outline application for erection of single storey dwelling for Mr R Evans	D2 & H6
-------------	-------	---	---	---------

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

following conditions:

1. Two off-street parking spaces shall be provided on site prior to the occupation of the dwelling hereby approved.
2. The Portakabin on site shall be removed prior to the commencement of construction of the dwelling hereby approved.

### **Reasons for Conditions**

1. In the interests of highway and pedestrian safety.
2. The amenity of occupiers of the Portakabin will be adversely affected by the new dwelling and associated parking. Further more, there is insufficient off-street parking proposed to serve both the Portakabin and occupiers of the approved dwelling.

*Members decided that it should be a condition of approval that the existing Portakabin on site be removed prior to the construction of the dwelling rather than its occupation.*

## **6 Building Permit Applications Reviewed by the Building Adviser**

<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Status</b>
<b>6.1</b>	120/07	Mullet Creek Farm, East Falkland	Erection of single-storey dwelling for Mr & Mrs C Ross	Awaiting information
<b>6.2</b>	22/08	4 Fitzroy Road East, Stanley	Erection of two-storey extension for Dr & Mrs R Davies	Awaiting information
<b>6.3</b>	39/08	80 Davis Street, Stanley	Erection of sun-room for Mr J Lazo	Awaiting information
<b>6.4</b>	53/08	41 Fitzroy Road, Stanley	Extension to dwelling and re-roofing existing for Mr & Mrs J A Reid	Awaiting information
<b>6.5</b>	64/08	Malvina House Hotel, Stanley	Erection of two-storey extension for Stanley Services Ltd	Awaiting information
<b>6.6</b>	79/08	1 Biggs Road, Stanley	Erection of conservatory and associated decking for Mr R Morrison & Ms S	Awaiting information

<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Status</b>
			Owen	
<b>6.7</b>	81/08	3 Davis Street West, Stanley	Repositioning of porch, replacement of window with patio doors, creation of parking area and erection of decking for Mr C Knipe	Approved
<b>6.8</b>	88/08	20 Drury Street, Stanley	Removal of chimney and extend lean-to for Ms J Brock	Awaiting information
<b>6.9</b>	94/08	Mullet Creek Farm, East Falkland	Erection of dwelling for Mr & Mrs M Barlow	Awaiting information
<b>6.10</b>	97/08	34 Eliza Crescent, Stanley	Extension to garage for Mr G Peck	Awaiting information
<b>6.11</b>	02/09	11 Jersey Road, Stanley	Extension to dwelling for Mr & Mrs R May	Awaiting information
<b>6.12</b>	10/09	1-3 Lellman Way, Stanley	Erection of dwellings for Mr M K Summers	Awaiting information
<b>6.13</b>	13/09	1 Moody Street, Stanley	Erection of dwelling for Mr T Morris	Awaiting information
<b>6.14</b>	15/09	Land north of 17 Davis Street, Stanley	Detailed plans for erection of dwelling for Mr W Clasen & Miss D May	Awaiting information
<b>6.15</b>	20/09	The West Store, Ross Road, Stanley	Extension to store for FIC Ltd	Awaiting information
<b>6.16</b>	21/09	52 Davis Street, Stanley	Erection of front porch/conservatory for Mr N McKay	Awaiting information
<b>6.17</b>	22/09	10 Haskard Rise, Stanley	Detailed plans for erection of dwelling for Mr K Harris	Awaiting information
<b>6.18</b>	24/09	22 Eliza Crescent, Stanley	Erection of dwelling for Mrs L Whitney	Awaiting information
<b>6.19</b>	25/09	10 Snake Hill, Stanley	Single-storey extension and internal alterations for Mr W Clement	Awaiting information

<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Status</b>
<b>6.20</b>	26/09	Old Balloon Site, Bypass Road, Stanley	Erection of 4 semi-detached dwellings for Ian Stewart Construction Ltd	Awaiting information
<b>6.21</b>	27/09	Plot 11, Lookout Industrial Estate, Stanley	Erection of 3 retail units for Ian Stewart Construction Ltd	Awaiting information
<b>6.22</b>	29/09	BAS Offices, Marmont Row, Stanley	Change of use from offices to residential for FIC Ltd	Awaiting information
<b>6.23</b>	31/09	12 Snake Hill, Stanley	Detailed plans for erection of dwelling for Mr K Ross	Awaiting information
<b>6.24</b>	32/09	11 Hansen Hill, Stanley	Erection of garage for Mr N Clifton	Approved
<b>6.25</b>	36/09	8 Villiers Street, Stanley	Replace existing Portakabins with permanent shed/store for Mr D Eynon	Conditional approval
<b>6.26</b>	40/09	4 Capricorn Road, Stanley	Erection of garage for Mr & Mrs A Fowler	Approved
<b>6.27</b>	41/09	1 Hebe Street, Stanley	Change of use of Wyseplan from store to residential for Mr A Reid & Mrs C Stewart-Reid	Awaiting information
<b>6.28</b>	42/09	Felton Cottage, Felton Stream, Stanley	Extension of existing cottage and erection of 3 flats to west for Mr & Mrs D Harris	Awaiting information
<b>6.29</b>	45/09	112A Davis Street, Stanley	Creation of living area in roof space for Mr R Howells	Awaiting information
<b>6.30</b>	46/09	3 Mink Park, Moody Brook Road, Stanley	Erection of garden room with internal barbecue area for Mr & Mrs M Olmedo	Awaiting information
<b>6.31</b>	48/09	Malvina House Hotel, Ross Road, Stanley	Erection of single-storey kitchen extension for	Awaiting information

Item	Ref	Site	Proposal	Status
			Stanley Services Ltd	
6.32	55/09	Plumbers workshop, Reservoir Road, Stanley	Internal alterations for Training Centre	Awaiting vetting

**7 Date of next meeting**

The next meeting was confirmed as Thursday 2<sup>nd</sup> July 2009 at 8.30am in the Liberation Room, Secretariat. SCC and HN passed on their apologies for this meeting and, in the case of HN, for August as well.

**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 7 May 2009**

There were no exempt minutes to confirm.

**10 Matters arising from the Exempt Minutes of the meeting held on 7 May 2009**

There were no matters arising.

---

*The meeting closed at 10.00*

*Confirmed this*

*day of*

*2008*

---

*Chairperson*