

THE PLANNING AND BUILDING COMMITTEE

Minutes

These minutes are draft until confirmed by Chairman

Thursday 5 August 2010

8.30am in the Liberation Room, Secretariat

Distribution List:-

Hon Mrs S Halford

Hon Mrs J Cheek

Mr G France

Mr R French

Miss H Norman

Mr B Summers

Miss J Cotter

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 1st July 2010
8.30am
Liberation Room, Secretariat

Minutes

Present:	The Hon S Halford , MLA The Hon G Short, MLA	Chair For Hon J Cheek
	Miss J Cotter Miss H Norman Mr B Summers	JC HN BS
In Attendance:	Mr N Stephens Mr C McLean Ms A Inglis Mrs F Wallace-Nannig	BA For DPW SCC PATA
	The Hon E Edwards Mr G Cheek	EE (for HBC) GC (for HBC)
Secretary:	Mr N Stephens	For Sec

Public & Press: 6

PART I

Chair advised that this Committee would be augmented by two members of Historic Buildings Committee to discuss item 5.8, which would be brought forward to the start of the meeting for discussion. BA requested that an additional item be added to the Exempt part of the agenda to discuss an unauthorised construction. Members agreed.

1 Apologies for absence

Members noted that apologies had been received from Hon J Cheek MLA, Mr A Payne (EPO), Mr G France, Mr M Keenleyside (DPS) and Mr Robert French.

2 Declarations of interest

JC declared an interest in item 5.7 and PATA declared an interest in item 5.2. GS declared an interest in item 5.3.

3 Confirmation of the minutes of the meeting held on 1 July 2010

The open minutes of the meeting held on 1 July 2010 were confirmed with no amendments.

4 Matters arising from the minutes of the meeting held on 1 July 2010

There were no matters arising.

5 **Planning applications**
Decisions

Item	Ref	Site	Proposal	Key Policies
5.8	60/10	Tabernacle, Street, Stanley	Barrack Board over doors on north and south side of porch for Tabernacle Trustees	E1

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

1. The proposal is contrary to Policy E1 in that it will result in the loss of an original feature, namely the porch doors in the north and south elevations.

EE and GC joined the committee for this discussion.

PATA provided a brief background to the works at the Tabernacle and advised that these had not required planning permission because they had not affected the external appearance of the building. However, the covering over of these doors was judged to have such an effect and as such planning permission is required. She added that the HBC had considered this application and had resolved not to support it.

There was considerable debate about the use of the doors with EE stating that it is thought that they have some historical significance. Members argued that as they were not in use, they did not have a purpose. JC queried whether the other works had been carried out well and whether the Trustees had encountered further problems during the project. PATA advised that the other refurbishment works were satisfactory and that there had been additional expenditure encountered as works had progressed.

The Committee took some time to deliberate but ultimately decided to refuse the application, acknowledging that the applicants can appeal against this decision.

GC & EE left the meeting at 0900.

5.1	53/10	Snake Hill, Stanley	Provision of 7 fully serviced housing plots for FIC	H4 & D2
-----	-------	---------------------	---	---------

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

1. Two off-street parking spaces shall be formed within each plot prior to the commencement of building works on that plot.
2. Not more than 25% of the area of each plot is to be occupied by a dwelling.
3. The drive (shown as a metalled drive on the plans hereby approved) shall be widened to 5m and surfaced with tarmac to the satisfaction of the Director of Public Works.
4. The maximum height of the dwellings hereby approved shall be 5.1 metres as measured from the base of the superstructure to the top of the highest ridge.

Reasons for Conditions

1. In the interests of highway and pedestrian safety.
2. To prevent overdevelopment of the site.
3. In the interests of pedestrian and highway safety.
4. In the interests of residential and visual amenity.

PATA referred members to the report attached to the agenda and members noted the letter of objection received. BS commented that he would like to have the landscaping of the green area to the east of the application site addressed. He added that he thought the provision of a metalled drive was not appropriate and that the drive should be properly finished. Members were in agreement. They also agreed that a height restriction be placed so as to ensure that only bungalows were built on the plots.

JC was opposed to the proposal on the basis that the area (Kent Road) is already highly congested and this proposal would only exacerbate the situation. However, members noted that the Roads Engineer had advised that he could not foresee any problems in terms of access or parking.

5.2 54/10 Rear of 10 Barrack Erection of dwelling for H6 & D2
Street, Stanley Mr G Bound

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

1. The proposal would result in overdevelopment of the area and access.
2. Parking arrangements were unsatisfactory and could give rise to highway and pedestrian safety issues.

Members noted the report of the EPO/PATA and noted the letters of objection received.

There was considerable debate on this application with members agreeing that the site would be too congested if this proposal was approved. PATA advised that outline planning permission had been approved in May 2007 for the principal of residential development at this site but it had since lapsed. However, it was the EPO's opinion that the granting of the outline permission should be a material consideration when determining this application. It was noted that an application for full planning permission had been received earlier this year before the outline planning permission lapsed. That application had been rejected, but the reasons for refusal had been addressed in the current application. It was also the SCC's opinion that this was a material consideration when determining this application.

Members were resolute that as the outline permission had expired it no longer applied and as such, determined to refuse this application on the grounds that the proposal would result in overdevelopment of the area and access and parking arrangements were unsatisfactory.

- 5.3 55/10 Cable & Wireless Create link corridor Structure Plan
Technical Operation between workshop TS14 & TS18
Centre, Ross Road, facilities for Cable &
Stanley Wireless

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

1. Works are to be implemented and carried out to the satisfaction of the Chief Medical Officer.

Reason for Condition

1. In the interests of public health and safety.

Members approved the application with CFO making one comment that there was asbestos present in the north wall of the office complex and so care had to be taken to ensure it was removed safely. It was agreed to add the condition that the works be carried out to the satisfaction of the CMO.

- 5.4 56/10 Vacant land on northeast Development container B5
corner of Airport Road park, bund and erection
and FIPASS Road, of 2.4m fence for FIG
Stanley

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

1. Details of the road access to the site shall be agreed with the Roads Engineer and implemented as agreed.
2. Details of boundary treatments, fencing and any external lighting must be agreed with the Environmental Planning Officer prior to the commencement of works, and implemented as agreed

Reasons for Conditions

1. In the interests of highway amenity.
2. In the interests of visual amenity and public safety.

Members referred to the report attached to the agenda and PATA explained that the principle planning concern was that of visual impact. Members were advised that the containers stacked 2 high in the transit storage yard would only be slightly visible (1m) above the bund from the west and 2-3m would be visible from the south. Those empty containers stored 3 high would be considerably more visible because of the lay of the land.

It was agreed that this was not an issue as the area is designated for industrial use and it would be one of the tidier areas within Gordon Lines.

- 5.5 57/10 76 & 78 Davis Street, Full planning permission H4
Stanley for demolition of
dwellings and
outbuildings and outline
planning permission for
erection of two dwellings
for Stanley Services Ltd

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

1. No more than 25% of the area of the total application site is to be occupied by dwellings.
2. No more than 25% of the area of each dwelling plot is to be occupied by

a dwelling.

3. Two off-street parking spaces shall be provided on site within the curtilage of, and prior to the occupation of, each dwelling.

Reasons for Conditions

1. To prevent overdevelopment of the site and in the interests of residential amenity.
2. To ensure that each plot is not overdeveloped.
3. In the interests of highway and pedestrian safety.

BS commented that the applicant had not provided any details about the proposed dwellings. PATA reminded the Committee that a previous application had come before the Committee in June for a similar development and that it had not provided any details of the proposed dwellings.

It was agreed that approval be given for the demolition and approval be given for the principle of using the land for residential use.

5.6 58/10 27, 29, 31, 33 Hansen Construct new H1, H2 & H3
Hill, 53 & 55 Ross Road government housing for
East and 12, 14, 16, 18, FIG
20 & 22 Sullivan Street,
Stanley

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

1. The parking spaces shown on the approved plans shall be formed prior to the occupation of each of the dwellings hereby approved.

Reason for Condition

1. In the interests of highway and pedestrian safety.

Permission was granted with no further comment.

- 5.7 59/10 Vacant land on north side of Anderson Drive, East Stanley Installation of foul and surface water lines to service 5 proposed housing plots for FIG H4 & H5

Planning Permission is **deferred** pending further public consultation using an accurate description of the proposal.

PATA explained that her principle concern was that the public consultation had not been carried out satisfactorily by virtue of the wording of the description being misleading. She advised that neighbours who had been notified of the development were under the impression that this was an application solely for the water lines and that a further application would be submitted for the plots. This application was, in fact, for both.

PATA recommended deferral so that a further round of public consultation could occur using a more accurate description. Members agreed.

6 Building Permit Applications Reviewed by the Building Adviser

Item	Ref	Site	Proposal	Status
6.1	39/10	12 Endurance Avenue, Stanley	Single storey rear extension	Awaiting information
6.2	40/10	5 Brandon Road, Stanley	Porch extension	BP Issued
6.3	50/10	Rightlines, MPC	Alterations to retail complex	BP Issued
6.4	52/10	Bleaker Island Settlement	Erection single-storey bungalow	Awaiting information
6.5	54/10	Rear of 10 Barrack Street, Stanley	Erection of dwelling	Awaiting information
6.6	55/10	Cable & Wireless Technical Operations Centre, Ross Road, Stanley	Creation connecting corridor between workshops	Awaiting information

7 Off-street Parking Grants

Members considered the following application

Mr A White & Ms J Jennings 5 Davis Street, Stanley - £750

PATA explained this application was within the core area but was an anomaly as the applicants did have off-street parking. However they had tied this parking area to the 'garage to

dwelling' conversion that they proposed on their property. Effectively, they lost their parking to this new dwelling and were now applying for a grant to help meet the cost of the provision of the new parking area (required by the planning permission for the conversion previously mentioned).

Members acknowledged that this would set a precedent and resolved not to approve it. JC suggested that it be made clear in the policy governing the grants that when a person elects to lose their existing parking through development, they are not eligible for parking grants despite living within the core area. Members agreed.

8 Date of next meeting

The next meeting was confirmed as Thursday **2nd September 2010** at 8.30am in the Liberation Room, Secretariat.

9 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

10 Confirmation of the Exempt Minutes of the meeting held on 1st July 2010

The exempt minutes of the meeting held on 1st July 2010 were confirmed with no amendments.

11 Matters arising from the Exempt Minutes of the meeting held on 1st July 2010

There were no matters arising.

Extra Item Regularisation of unauthorised extension

BA reminded members that some time ago, he had sought their agreement on the definition of a "conservatory". A definition had been agreed and applied to a specific case where the builder was stating that he was building a conservatory but, according to the definition, the structure was actually an extension.

BA advised that the builder in question had continued to build the structure without the appropriate inspections and had advised the BA (upon his return from leave) that it was built above and beyond the normal specifications in terms of

amount of insulation. BA informed the Committee that he needed to see evidence of this to be sure that the structure was compliant and as such will ask the builder to expose some of the build so that the BA can verify the statements made by the builder. Committee were in agreement that this was an acceptable request.

If the BA finds that the structure is not compliant he advised that the next course of action is enforcement action. Members were in agreement that this was appropriate.

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

The meeting closed at 0945 hrs

Confirmed this

day of

2010

Chairperson