

# **THE PLANNING AND BUILDING COMMITTEE**

## **Minutes**

***These Minutes are draft until confirmed by Chairman***  
**Liberation Room Meeting Room**

**Wednesday 2<sup>nd</sup> July 2014**

**8.30 am**

Distribution List:-

**Hon Mr M Poole, MLA**  
**Hon Mrs J Cheek, MLA**  
**Mr G France**  
**Mr B Summers**  
**Mr G Clement**  
**Miss J Cotter**  
**Mr J Lewis**  
**Ms R Cheek**

**Head of Environmental Planning**  
**Building Adviser**

**Director of Public Works**  
**Chief Fire Officer**  
**Chief Medical Officer**  
**Attorney General**

## THE PLANNING AND BUILDING COMMITTEE

Liberation Room Meeting Room  
Wednesday 2nd July 2014  
8.30 am

### Open Minutes

<b>Present:</b>	Hon M Poole, MLA	Chair
	Hon J Cheek, MLA	MLAC
	Ms J Cotter	JC
	Mr J Lewis	JL
	Mr G France	GF
	Mr B Summers	BS
<b>In Attendance:</b>	Mr S Butler (Head of Environmental Planning)	HEP
	Ms. F Wallace-Nannig (Planning Officer)	PO
	Mr C Summers (Deputy Director Of Public Works)	DDPW
	Mr G Fiddes (Chief Fire Officer)	CFO
<b>Secretary:</b>	Serena Sinclair	
<b>Public &amp; Press:</b>	1	

### PART I

#### 1. Apologies for absence

Mr Gary Clement

Ms Ros Cheek

#### 2. Declarations of interest

Item 6.3,6.7, 6.8,6.10,6.11,6.13,6.15 – Jackie Cotter

Items 6.1 and Item 6.6 – Chief Fire Officer

Items 6.4 and 6.13 – Chair

Noted in the agenda Serena Sinclair' application as secretary to the Committee

### **3 Confirmation of the minutes of the meeting held on 11<sup>th</sup> June 2014**

The minutes of the meeting held on the 11<sup>th</sup> June 2014 were confirmed.

### **4. Matters arising from the minutes of the meeting held on 11<sup>th</sup> June 2014**

**DDPW** informed the Committee that in relation to a single application being proposed for the Murray Heights South this was more difficult than first thought and his preferred option would be to continue with the system that was already in place. Committee were happy to continue along these lines.

**BS** stated that application 052.14 recommended conditions should read 3 years and not 1 year.

**HEP** told the Committee that the Environmental Planning Department were going to be attending Farmer's week this year and making a small presentation to the farming community on planning issues. **HEP** also said that the next workshop scheduled for the 9<sup>th</sup> July for the Committee in relation to all planning issues was to recap from the previous training day and then to look at Development Plan issues.

### **5. Conservation Area Appraisal – Proposed Methodology**

PO updated the committee with a verbal report on the attached document in relation to Conservation Area Appraisal. PO asked if the Committee were happy to endorse the report. PO also hoped to have this report completed by the end of September.

<b>6.</b>	<b><u>Planning Application Decisions</u></b>			
<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>
<b>6.1</b>	<b>073.14</b>	<b>South of existing building at Police Station, Pencil Lane, Stanley</b>	<b>Outline application for erection of temporary modular prison block extension</b>	<b>FIG</b>
	A lengthy discussion was held where the Planning Officer informed the Committee that 3 previous applications had been received. Both applications for extensions to the existing building were refused and the application for the sight to the rear of the agricultural department was approved.			

	<p>The Committee were in agreement that it would be better to be able to see the design of the proposed building and that a timescale for a more permanent solution would be helpful. However, it was noted that it was an outline application and as such further information would be required at the reserved matters stage.</p> <p>Conditions 1 and 2 in the recommendations were to be rearranged with condition 3 and 4 first then 1 and 2 to follow.</p> <p>A vote was held with the majority agreeing that this application be recommended to Executive Council for approval as a departure to the town plan (JL objected and JC wished to defer for more information,).</p>			
	<p><b>Committee resolved to recommend to Executive Council for approval as a departure to the Town Plan, having regard to the urgent need for additional prison capacity.</b></p>			
Item	Ref	Site	Proposal	Applicant
6.2	174.13	R/O 5 Villiers Street	Build a 2 storey 3 bedroom house with integral garage(outline application)	Mr. McCormick and Ms. Baker
<p><b>This application has now been withdrawn.</b></p>				
Item	Ref	Site	Proposal	Applicant
6.3	054.14	15 Mink Park	Erection of dwelling. Integral garage/workshop to be used for gun repair business	Mr N Middleton
	<p><b>Committee resolved to grant application with recommended conditions.</b></p>			
Item	Ref	Site	Proposal	Applicant
6.4	061.14	8 Sullivan Street, Stanley	Convert existing garage into 1 bedroom and 1 dayroom	Mr R Edwards
	<p><b>Chair</b> left the table as had declared an interest. <b>MLAC</b> chaired this application.</p> <p><b>Committee resolved to grant with recommended conditions</b></p>			

Item	Ref	Site	Proposal	Applicant
6.5	062.14	18 Kent Road, Stanley	Construction of one storey dwelling	Mr S Cockwell and Miss A Luxton
<p>There was a discussion about the presence of a power-line and the need to maintain a 3m separation distance.</p> <p><b>Committee resolved to grant with additional condition to be added requiring the dwelling to be sited at least 3 metres from the Western boundary of the site.</b></p> <p><b>Post Meeting Note:</b> The precise wording of the condition which has been attached is: The dwelling and garage shall be sited at least 3 metres from the Western boundary of the site.</p> <p><b>Reason</b> In interests of amenity, safety and access to public infrastructure.</p> <p>There was a discussion about the height of foundations. Committee agreed to continue with the current approach, but to review as part of ongoing Development Plan Work and also to ask PO to send reminders to those with permissions on the requirements in terms of conditions limiting height of foundations.</p>				
Item	Ref	Site	Proposal	Applicant
6.6	063.14	South of Lookout Rocks, Stanley	Develop area for new fire station and HQ with associated storage and training facilities	FIG - CFO
<p><b>MLAC</b> asked if the application was premature due to their being no budget allocated to this. The applicant (<b>CFO</b>) clarified that in seeking approval for the budget, he had been asked to first obtain outline planning permission. IT was clarified that the granting of planning permission did not constitute any commitment or requirement for it to be implemented.</p> <p><b>PO</b> pointed out to the Committee that at this moment the application was for outline only. More detailed plans would follow when full planning permission was sort.</p>				
<b>Committee resolved to grant with recommended conditions.</b>				
Item	Ref	Site	Proposal	Applicant
6.7	064.14	11 Rex Hunt Road, Stanley	Construction of one storey dwelling, erection of 2m boundary fence and erection	Miss S Sinclair

			of 21' x 60' polytunnel	
	<b>Committee resolved to grant with additional condition and recommended conditions.</b>  <b>Post Meeting Note:</b> The precise wording of the condition which has been attached is: Sight splays measuring 5m x 1.5m must be maintained in accordance with PGN2: Car parking on either side of the vehicular access into the property. <b>Reason</b> In the interests of pedestrian and highway safety.			
<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>
6.8	065.14	25 Rex Hunt Road, Stanley	Erection of 1.5 storey dwelling	Miss S Ross
	<b>Committee resolved to grant with recommended conditions.</b>			
<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>
6.9	067.14	5 Mountain Berry Road, Stanley	Siting of mobile home	Miss C Butler
	<b>Committee resolved to grant with recommended conditions.</b>			
<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>
6.10	068.14	12 Rex Hunt Road, Stanley	Erection of 1.5 storey dwelling and garage	Mr R Evans and Ms A Berntsen
	<b>Committee resolved to grant with recommended conditions.</b>			
<b>Item</b>	<b>Ref</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>
6.11	069.14	79 Rex Hunt Road, Stanley	Erection of one storey dwelling	Mr M Gilson-Clarke
	<b>Committee resolved to grant with recommended conditions.</b>			

Item	Ref	Site	Proposal	Applicant
6.12	070.14	19 Biggs Road, Stanley	Erection of porch	Mr W McCormick and Ms A Baker
	<b>Committee resolved to grant with recommended conditions.</b>			
Item	Ref	Site	Proposal	Applicant
6.13	072.14	20 Davis Street, Stanley	Erection of one storey dwelling	Miss T Clifton
	<p><b>Chair</b> left the table as had declared an interest. <b>MLAC</b> chaired this application. <b>PO</b> informed the Committee that this application was a replacement dwelling on this plot of land so did not require the standard two parking spaces to be provided. <b>Committee resolved to grant with recommended conditions.</b></p>			
Item	Ref	Site	Proposal	Applicant
6.14	074.14	6B Gleadell Close	Retrospective application for erection of fence over 1m high on roadside boundary.	Mr C Hawksworth
	<p>There was some discussion about whether the application would set a precedent. It was clarified that irrespective of this, if this permission is granted it would be unreasonable to refuse permission for similar proposals unless there was something materially different. Discussion was also held in relation to the colour. It was noted that Committee had supported 64/14 including a fence and without stating the colour, therefore it would be inconsistent to apply such a condition here. <b>GF</b> asked whether visibility splays would be maintained.</p> <p><b>Committee resolved to grant with additional condition and recommended conditions and an additional condition in relation to visibility splays.</b></p> <p><b>Post Meeting Note:</b> The precise wording of the condition which has been attached is: Sight splays measuring 5m x 1.5m must be maintained in accordance with PGN2: Car parking on either side of the vehicular access into the property.</p> <p><b>Reason</b> In the interests of pedestrian and highway safety.</p>			

Item	Ref	Site	Proposal	Applicant
6.15	075.14	The Harbour View Gift Shop, Ross Road, Stanley	Extend porch to West	The Gift Shop Ltd
Committee resolved to grant with recommended conditions.				
7.	Date of next meeting			
	<p>It was noted that the date of the next meeting would need to be moved due to the recess.</p> <p>Post Meeting Note: The next meeting will be held on Friday 1<sup>st</sup> August 2014 at 8.30 am in the Liberation Room, Secretariat</p>			
8.	<p><b><u>Exclusion of the Press and Public</u></b></p> <p><u>The Chairman to move as follows:</u></p> <p>“I move that the press and public be now excluded on the ground that the next items of business to be considered are likely to disclose exempt information under paragraph 7 and the headings of Schedule 3 of the Committees(Public Access) Ordinance 2012</p>			
	<p>Minutes confirmed this                      day of                      2014 at</p> <p>_____</p> <p>Chairperson    Secretary</p>			