



Falkland Islands Government Planning and Building Services

PLANNING AND BUILDING COMMITTEE

OPEN AGENDA

Friday 5 April 2024

08:30

Liberation Room, Secretariat

Distribution List

Hon M. Pollard
Hon J. Ford
Hon R Spink
Mr B. Brunton-Goss
Ms A. Crowie
Mr C. Locke

Director of Development & Commercial Services
Deputy-Director of Development & Commercial Services
Director of Public Works
Head of Planning & Building Services
Building Advisor
Planning Officer
Planning Technical Assistant
Chief Fire Officer
Roxanne Crowie (Casework Manager)
Zeynab Patel (Crown Counsel – Land & Contracts)
Cherie Clifford (Clerk of the Legislative Assembly & Committees Coordinator)
Claire Law (Deputy Clerk and PA to members of the Legislative Assembly & Clerk



Falkland Islands Government Planning & Building Services

Planning and Building Committee

Friday 5 April March 2024
08:30
Liberation Room, Secretariat

AGENDA

PART I (Open)

- 1. Apologies for absence**
- 2. Declarations of interest**
- 3. Confirmation of the Minutes of the meetings held on 6 March 2024**
- 4. Actions arising from the Minutes of the previous meeting**
- 5. Determination of Planning Application**

5.1 Planning Application Ref No. 25.03.P

Operational Development for the disposal of waste materials from construction sites with associated works to include construction of new access road, fencing and landscaping.

5.2 Planning Application Ref No. 27.24.P

Replacement door

- 6. Date of next meeting Wednesday 1 May 2024 - at 08:30am – Liberation Room, Secretariat.**

Note: There were no exempt matters at the last PBC and there are no new exempt matters for this meeting therefore a closed session is not required.



Falkland Islands Government Planning and Building Services

Minutes

Planning and Building Committee

6 March 2024

8.30am

The Liberation Room, Secretariat

These Minutes are draft until confirmed by resolution at the next meeting of this Committee.

Falkland Islands Government Planning and Building Services

Planning and Building Committee

06 March 2024

8.30am

The Liberation Room, Secretariat

These Minutes are draft until confirmed by resolution at the next meeting of this Committee.

Present:

Hon Mark Pollard MLA	Chair
Hon Roger Spink MLA	RJ
Mr Baron Bruton-Goss (Lay Member)	BBG
Ms Ana Crowie (Lay Member)	AC

In Attendance:

Becky Clark (Director of DCS)	DDCS
Roxanne Crowie (Senior Legal Officer)	SLO
Alan Dawson (Building Control Advisor)	BA
Steve Dent (Deputy Director of DCS)	DDDCS
Gardner Fiddes (Chief Fire Officer)	CFO
Batsirai Mavatu (Planning Technical Assistant)	PATA
Sarah Witherley (Head of Planning & Building Services)	HBPS

Press & Public in attendance: 3 Press, 1 public

	<p>CFO asked a question about a planning condition to secure the decommissioning of the proposal. HPBS noted that this would be secured via a condition attached to the proposed reserved matters application, should it be agreed to support that application.</p> <p>HPBS offered to take members out on a familiarisation site visit. It was considered that this might be useful at the reserved matters stage.</p> <p>The Chair stated that the representation from FIMCO should be forwarded to PWD so that they could work together in the future.</p> <p>The Committee unanimously agreed to support the proposal.</p> <p>The outline application with all matters reserved was approved.</p>
<p>5.2 11.24.P</p>	<p>Proposal: Demolition of Old Filtration Plant, Moody Brook</p> <p>Officers recommendation was to support the application.</p> <p>HPBS introduced the item as a full planning application for the demolition of the Old Filtration Plant.</p> <p>HPBS stated the application was before the Committee as the building has asbestos-containing materials and this is a novel issue.</p> <p>In addition, HPBS confirmed that three representations were received. Two representatives were in support of the proposal and one of these also raised concerns with the safe removal of the asbestos-containing materials. They considered there was a public health and safety issue. An objection was also raised with regard to the conditions attached to the FIG tender process for the purchase of the Old Filtration Plant.</p> <p>HPBS explained that whilst the land issue was a civil matter, the SLO was present to answer any queries regarding this. However, it was noted that this matter could not be given consideration by the planning authority.</p> <p>HPBS noted that the demolition would be carried out per the UK HSE guidance to ensure the demolition and disposal process is carried out safely in the interest of public health</p>

and safety.

BBG pointed out that it came to his attention that crested caracaras were nesting in the tower. The applicant confirmed that a survey had been completed by SAERI and no evidence of nesting birds in the building had been found.

BBG noted concerns regarding the proposed development and the changes to the previous planning permission which the Committee granted approval for. He noted the main reasons for considering the previous application in a favourable manner was that the development sought permission for a mixed-use development including a public space to be located within the filtration building along with surrounding housing development. Part of which was located in a flood area.

The Chair informed the Committee that he understood why the previous application to renovate the Old Filtration Plant had not gone ahead. This was due to the state of the building and the presence of asbestos-containing materials. For reasons of viability and financial implications inherent with the renovations the previously approved development could not be carried out.

HPBS noted that the applicant could not, therefore, proceed with the previous approved planning permission because the subsequent proposal departed too significantly from the previous permission. Therefore, it would be physically impossible to build out the development in the way that would be consistent with the previously approved development. She noted the way forward with the reserved matters application was to engage with the applicant early on and work together on a master plan for the whole of the site.

SLO suggested that the members should focus on the demolition of the Old Filtration Plant at this stage and future discussions on the new scheme would be discussed on its own merits as the applications are lodged.

SLO gave reference to the representation made regarding the land tender process and confirmed that there was a separate Exco paper which reassessed the conditions on the tender process and this was approved.

Members were advised that the proposed demolition would

	<p>accord with the development plan objectives and the Committee members were recommended to support the proposal.</p> <p>The Committee unanimously agreed to the recommendation for approval.</p> <p>The application was approved with planning conditions.</p>
6	<p>Date of next meeting:</p> <p>05 April 2024, Liberation Room, The Secretariat</p>

Meeting ended 08:50

Falkland Islands Government Planning and Building Services

AGENDA

Planning and Building Committee 5 April 2024

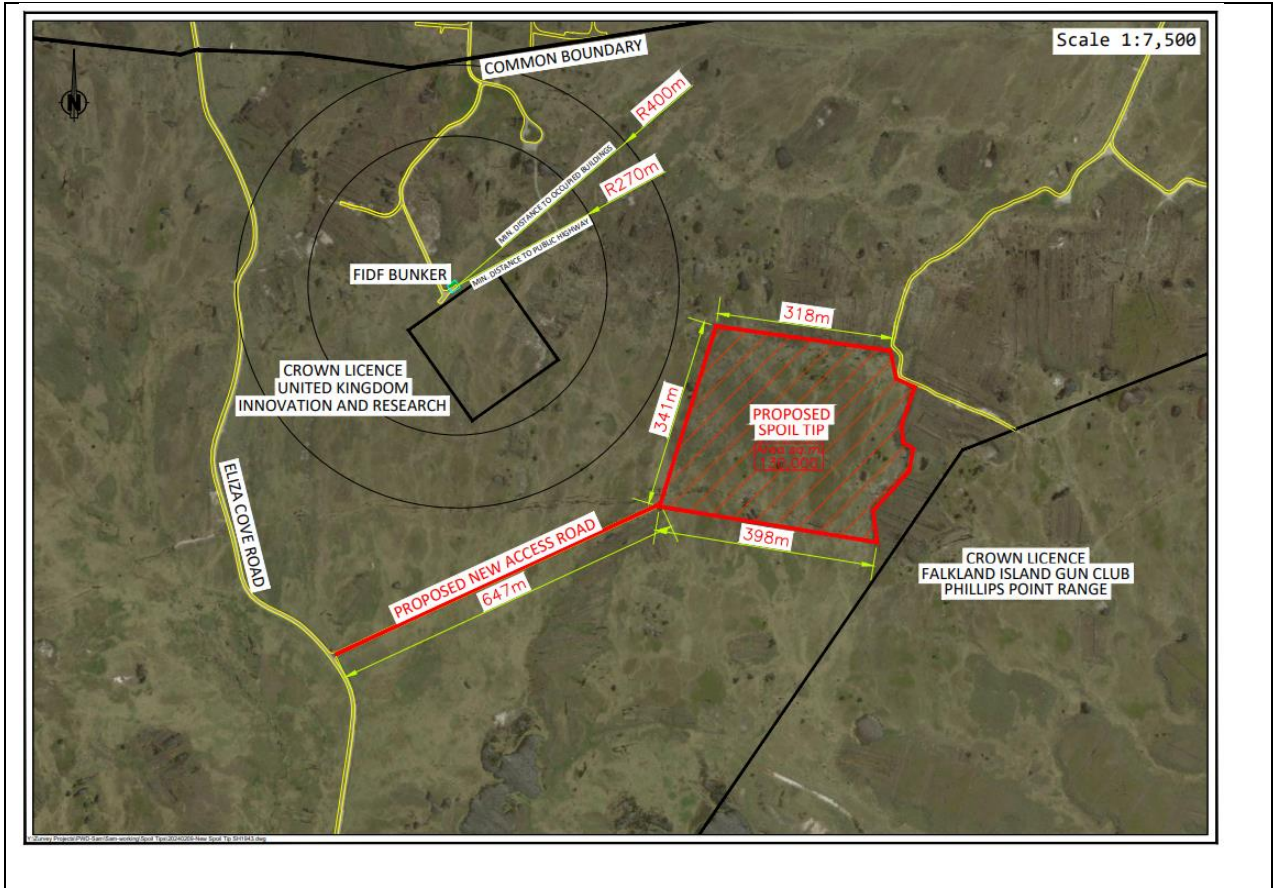
AGENDA ITEM 5.1

Falkland Islands Government

Planning and Building Committee

5 April 2024

Planning Application Reference Number:	25/24/P		
Proposal:	Operational Development for the disposal of waste materials from construction sites with associated works to include construction of new access road, fencing and landscaping.		
Site Address:	Stanley Common, Falkland Islands Gun Club West		
Applicant:	Falkland Island Government – Public Works Department		
Agent:			
Valid Date:	28 February 2024	Expiry Date:	28 April 2024



1. Introduction

1.1 The application is brought before Planning & Building Committee as the Chair of the Committee called it in.

2. Procedural Note

2.1 The proposal is described in the application form as “Change of land use from Stanley Common land to the construction of a new spoil tip, with associated works to include construction of new access road, fencing and systematic landscaping division”.

2.2 The proposal involves landfilling/land raising which is an engineering operation, therefore the Change of Use is implicit in the operational development.

3. Site History

Planning Application History: None known or relevant to the development site as proposed.

Planning Enforcement History: None known or relevant to the development site as proposed.

4. Consultee Responses

Department of Public Works:	Applicant
Chief Fire Officer:	No issues
Environment Department	<p>2021 Pre-application comments:</p> <p>This area largely comprises whitegrass flats. There are extensive manmade eroded banks and some depressions/pools from historic peat cutting in this area. The site is screened to the east by the remaining peat banks roughly 3 metres in height.</p> <p>Bird Survey Birds seen: Long-tailed Meadow Lark 1 pair (possibly breeding) Falklands Pipit 2 individuals Turkey Vulture 1 Comments: Few calls of long-tailed meadow larks heard. Generally very few birds seen or heard.</p> <p>Plant Survey – October 2021 Habitats: Acid grassland largely comprising whitegrass Dwarf shrub heath, largely comprising Diddledee, Christmas bush and small fern Fern beds comprising Tall fern Wet modified bog, largely comprising <i>Astelia pumila</i> and occasional <i>Gaimardia australis</i> Eutrophic standing water comprising very small acidic ponds Eroding peat banks and bare ground and artificial rock exposures comprising eroded clay patches from previous peat cutting and development</p> <p>Protected Plants: None seen. Generally poor ground – unlikely to support any protected or rare species. Species of interest Fachine – 7 small low-lying fachine bushes found in one localised area.</p> <p>Pros and Cons of Site Pros: • Very low biodiversity present.</p>

• The site is a former peat cutting area with degraded and unnatural ground. Placing a spoil site here will help cover the degraded partially eroded peat bank slopes. • The site is a long way inland and will not visually impact any popular amenity or scenic areas. • The site is screened well to the east by the existing peat bank – and will blend into the landscape over time if ground heights are continued. • The area is close to an existing access track, the old peat cutting track known as Keil Canal Road. • The area is centrally located in the Common, so will give efficient hauling time from all development sites in and around Stanley. • The site could be expanded or added to in future, with large areas of open flat ground available to the west and south. Cons: • The site is not near any existing manmade landscapes – so would be more visible as a result. • The development would cover a partially natural-looking area. • This site is further from development areas than most of the other options.

2024 Conclusion from Head of Environment screening comments “ *The area of the Common on which the development is proposed is an area that has a typical landscape, plants and birdlife found across the Falklands. The area is used by residents for recreational activities and will result in a loss of publicly accessible Common land. We would prefer if this development, and other potential spoil dumps, do not occur on the Stanley Common because it removes that area from community use. We are concerned about the loss of public available Stanley Common land.*

It is a protected National Nature Reserve. A major concern is invasive plant species. Currently the area is predominantly native vegetation and this will be covered (destroyed) by spoil. Spoil dumps in other locations (e.g. Yorke Bay) have resulted in outbreaks of gorse, thistle, and dock. These invasive species need to be controlled by spraying herbicide at an appropriate time every year. We expect to see a plan about how invasive species will be controlled and we expect that the applicant will commit to carrying out (or contracting out) and paying for the spraying to happen.

The development will also have a visual impact to the area.

Remediation works after the lifespan of the spoil dump should be considered. Will the site be left as it or will there be attempts to revegetate with native plants typical to the area? Remediation efforts could help to reduce the visual impact, reduce the erosion and dust, and reduce the chances of invasive species taking over”. Mike Jervois, Head of Environment

5. Neighbour notification

Number of Neighbours Notified:	1
Number of Objections:	0
Number of Support:	
Number of General Comments:	

6. Summary of Neighbour Responses

No comments received.

7. Publicity

Date of advert in Penguin News	1 March 2024
Date Notice Placed on Secretariat Notice Board	

8. Planning Policy

Falkland Islands Structure Plan

SP1: Supporting Development
SP2: Distribution of Development
SP4 Sustainable Development Principles
SP5 Historic and Natural Environment
SP7: On shore Minerals and Landfill

Local Plan: Stanley Town Plan

TP1: Development Zones
TP10: Open Space
TP11: Transport Infrastructure and Management
TP12: General Amenity

9. Material Considerations

Falkland Islands Island Plan 2022 - 2026
Stanley Common Ordinance

10. Assessment

- 10.1 The proposal seeks full planning permission for an area of Stanley Common land to be used as a spoil tip. The spoil would arise from construction activities from sites occurring throughout the City of Stanley. The spoil would be taken from the construction sites, via heavy goods vehicles (HGVs), and disposed of safely and in a controlled manner at the proposed site. Other works associated with the proposal include the construction of a new access road, fencing and landscaping.
- 10.2 The applicant has provided a statement of works setting out how the deposition of material would be undertaken, the type and likely amounts of waste to be deposited, the route taken to the site and proposed reclamation measures.
- 10.3 Existing spoil disposal sites located in areas of Cape Pembroke and south of Megabid are nearing capacity and/or are being retained for spoil generated from potential oil developments.

Need Case

- 10.4 The need case submitted by the applicant has shown that as a result of the expanding industrial and housing developments in Stanley, there has been a significant increase of excavated spoil, for example, soil, peat, clay, rock and vegetation. Consequently, this material needs to be stored in a controlled environment and in a manner that seeks to reduce its impact on local amenity and the wider environment.
- 10.5 The applicant commissioned a land viability assessment (LVA) of potential sites that would be able to accommodate the projected quantities of spoil. This was underpinned by an Independently commissioned Environmental Study.
- 10.6 Five sites were initially considered, all of which, in the first instance were identified as sites that formed land not currently utilised for any other purpose, and deemed less sensitive (degraded peat banks and white grass flats, Category B Common Land).
- 10.7 The findings concluded that the site named 'Gun Club West' was the preferred site. This was due to the minimal effects the proposal would have on the landscape and visual impacts, traffic impacts, protected species and habitats, and that the proposed site would have the capacity for immediate start with minimal pre-commencement works being required.
- 10.8 The proposed site is situated some distance from any key sensitive receptors, for example local residents, schools, and hospitals. It would be located centrally to the majority of future housing/industrial developments that are likely to occur in and around Stanley. The proposed location would, therefore, enable the efficient hauling of spoil material to a more central location. Thus, reducing traffic movements to other areas outside of Stanley, thereby reducing noise, dust and disturbance from vehicular movement.
- 10.9 In addition, the proximity of the proposed site to Eliza Cove Tip (ECT) would ensure progressive reclamation work can commence once the ECT is decommissioned. This area is already an established route for heavy good vehicles thereby making the future management and control of both sites much easier to be HGVs managed and maintained.
- 10.10 The applicant has noted that the proposed site would allow for a phased closure of the existing spoil tip sites, namely the Cape Pembroke and Mary Hill Quarry sites. This would reduce the cumulative effects of multiple environmental impacts from those existing sites. Within the Falkland Island Development Plan, it is recognised that the existing spoil tips are a finite resource and, therefore, alternative sites may be required.
- 10.11 The proposed area would be used for spoil tipping until it reaches capacity and the area returned to Common land. Following an approved reclamation scheme the public would be given open access to the area once again. The proposal would not, therefore, result in the permanent net loss of land within the Commons boundary as recommended by Policy TP1 of the Stanley Town Plan (STP). This Policy sets out to protect Stanley Common, Zone 9 of the Stanley development Zone, but recognises that land may be needed from the Common for the provision of *other infrastructure* projects. Accordingly, and for the reasons set out above, this form of temporary development at this location would be considered to accord with the

aims of this Policy.

10.12 Policy SP7: On-shore Minerals and Landfill (D) sets out the need for the applicant to explain why the additional waste capacity is required and provide evidence that the site material is likely to be fit for purpose. In this regard the applicant has provided a planning statement setting out the need for the development and the nature of the spoil material and has set out that the spoil waste would be brought in from Stanley based construction sites.

10.13 Having regard to the details submitted and the reasoning presented elsewhere in this report, it is considered that the explanation is justified and, on this point, the proposal meets with the aims of Policy SP7 (D) (1). Policy SP7 (D) (3) also sets out that proposals which would enable the phased closure and reclamation of existing landfill sites at Mary Hill Quarry and Eliza Cove would normally be supported.

10.14 Policy SP7 (D)(3) also requires details of the after care and reclamation proposals for the site. As such, a condition that addresses the reclamation and aftercare of the site would be considered necessary and reasonable to ensure this section of the policy requirement is met.

10.15 Having regard to the above, it is considered that the proposal, would in principle, comply with the aims of Policies SP1, SP2 (D), SP4, SP5 (D) (2,) SP7 (D) (1) (3) E (1)(2)(3) of the Structure Plan (2015 -2030) (SP). These policies in combination seek to ensure developments contribute positively to the economic, social and environmental fabric of the islands.

Environment

10.16 Policy SP5: Historic and Natural Environment (D1) seeks to protect the natural environment by ensuring proposals do not have any significant adverse impacts upon species protected by law including their habitat, and to ensure they do not adversely affect the integrity of a designated nature conservation site.

10.17 Following the submission of the application, a screening opinion was carried out by the Planning Authority (PA). This assessment was carried out having regard to representations made by the Governments Environment Department (ED).

10.18 The determination of whether the proposal was considered to be formal EIA development was based upon the characteristics of the proposed development, location and potential impacts; including those, but not limited to the following: Biodiversity, landscape, dust, air quality, noise and vibration, economic, and social factors. The screening determined that whilst the proposal would have a minor impact as a result of the proposed track, loss of public access and loss of habitat, it would not result in a significant environmental effect, therefore was not considered to be formal EIA development.

Biodiversity

10.19 The area is characterised by eroding peat banks and bare ground and artificial rock exposures along with eroded clay patches from previous peat cutting and development. There is evidence of acid grassland comprising whitegrass Dwarf shrub heath, Diddledee, Christmas bush and small fern beds comprising Tall fern. There is evidence of wet modified bog, largely comprising *Astelia pumila* and

occasional *Gaimardia australis* Eutrophic, also standing water comprising very small acidic ponds.

10.20 The ED noted that *No protected plant species recorded previously at site. (Although native dog orchids have been recorded). Protected wild birds have been recorded, and they rely on the native vegetation as habitat. Up to 13 hectares of bird habitat will be covered by spoil.*

10.21 The bird and plant surveys undertaken identified the biodiversity in the area as being very low and included the comments '*generally very few birds seen or heard*', '*generally poor ground – unlikely to support any protected or rare species*' and '*former peat cutting area with degraded and unnatural ground – placing a spoil site here will help cover the degraded partially eroded peat bank slopes.*

10.22 The applicant has put forward details, that if approved, works would likely commence in the months of April to August. This would allow any birds time to move off the site for breeding.

20.23 Given the above assessment, and having considered the quality of this part of the Common, along with the proposed schedule of works, along with the expected levels of disturbance to the biodiversity on this part of Stanley Common, the proposal would not cause significant effects (that could lead to adverse effects on ecological receptors).

20.24 The ED recommended a condition which would address their concerns regarding the potential for the proposed development to cause the spread of invasive species. It is therefore considered reasonable and appropriate for a condition to be attached which seeks to manage this concern.

Landscape and Visual impact

10.25 As part of the proposal, plant and machinery, as well as the physical mound of earth, would be visible from a number of view points taken from across Stanley. It would also be visible from the coastline.

10.26 Despite the earthworks being visible from a distance from these viewpoints, the proposed works would not visually impact any protected or scenic views. The proposal would be screened to the east by the remaining peat banks of which are approximately 3 metres in height. The overall effect of the development to the site's existing landscape features is assessed as minor and negligible during the operational phase, becoming neutral following the final restoration.

10.27 The development would result in increased HGV movements along Eliza Cover tip road and along the proposed new track and these additional HGVs movements are considered to have a minor landscape and visual impact during operational use.

10.28 The proposed restoration and aftercare details of the site is to be agreed by way of condition. This would secure details with the aim of reflecting the character of the surrounding area and to enable public access thereafter. It would not, therefore, adversely impact on the character and distinctiveness of the landscape character of the area.

10.29 Any likely effect would be of minor to negligible significance, therefore, an assessment of the capacity of the landscape to accommodate the proposal is not

required. The proposal is considered to accord with Policies SP4 which seeks to protect the general amenity of the surrounding area, Policy SP5 (D) which seeks to protect the natural environment, Policy TP10 of the Stanley Town Plan (STP) which sets out principles to protect the provision of the protection of open spaces and further compliance with Policy SP2 (D) of the SP.

Noise

10.30 Given the proposals location, and relationship to and separation distances from key sensitive receptors, it is considered unlikely that the proposed operations would give rise to a potential adverse impact due to noise and vibration.

Access

10.31 Access falls into two categories, public access to Open Space and vehicle access as part of the operational phase.

Public amenity including access to Open Space

10.32 The area is open Common Land and as such, members of the public currently have unrestricted access to the area for their own enjoyment. Activities on the Common include; horse riding, dog walking, hiking, tea berry picking, off road activities, peat cutting and many others.

10.33 Whilst the proposal would see an area of approximately 13 hectares of Common land restricted and used for the other operational purposes, there would remain other recreational areas for members of the public to continue to enjoy those aforementioned activities. These areas include, but are not limited to; Gypsy Cove, Surf Bay, and the surrounding and adjacent Common lands.

10.34 Policy TP10: Open Spaces, of the STP, recognises that Common Land, may, in strategically important cases, such as the one being proposed, be required for purposes outside of its intended use. However, for proposals to be considered favourably under this Policy they must not result in a net loss of common land either in terms of quality and quantity. As discussed earlier, the proposal would result in the temporary operational use of Common Land, as such, it would not be permanently removed. On this point, the proposal is considered to accord with the aims set out in Policy TP10 of the STP. Nevertheless, the Policy is also clear that the quality of the land is also a consideration, therefore, for proposal is to be assessed against Policy SP2 (D) of the SP.

10.35 Policy SP2: Distribution of Development (D) sets out for proposals that result in the loss of quality open space would only be supported in special circumstances, however, no explanation is provided in regards to what may constitute special circumstances. Nevertheless, the underlying text to this Policy suggests that for *Other industrial Developments*, and refers to landfill, proposals would need to be assessed against Policy SP7. As noted earlier and elsewhere in this report, assessment against Policy SP7 requires development proposals for landfill to justify the proposed capacity, that the site material is fit for purpose, and that proposals which would enable the phased closure and reclamation of the landfill sites at Mary Hill Quarry and Eliza Cover would normally be supported. Given the reasoning set out earlier in this report, the proposal is considered to accord with the requirements of these aforementioned policies and the overall aims as set out in Policy SP7.

Vehicle access as part of the operational phase of the proposal

10.36 The proposed access track would be taken from the existing road that leads up to Eliza Cove Refuse site. Branching off from this established road ensures spoil taken from locations from around the city centre will not have far to travel.

10.37 The proposed access road would then follow an established off-road track which was used to access the peat banks, known as Keil Canal Road. Accessing this existing track would further minimise industrial noise, dust and disturbance, as well as maximising the efficient use of resources needed in support of this development.

10.38 Given the factors contained in the applicants planning statement, the justification for the need for the development, the proposed location and proposed use, it is considered, on matters of access, the proposal complies with the aims of policy SP4, SP5 and SP7 of the SP, Policy TP11 (B) and the wider policy aims that set out the broad approach for ensuring sustainable development and protecting the natural environment.

Maintenance and Reclamation

10.39 The maintenance of spoil tips as an operational activity are managed by the DWP. It is considered that regular maintenance of the spoil tip would be required to ensure weed control measures were routinely carried out. It was proposed by the ED that two conditions be attached, one of which would ensure a weed maintenance programme and the other a reclamation scheme.

10.40 It is considered reasonable and necessary to attach conditions that seek the regular maintenance of the site and also for the full restoration of the site at the end of its life. Any restoration scheme should be in keeping with the character and setting of the local area and should contribute to the delivery of local objectives for habitats, biodiversity and landscape, where appropriate. The conditions would therefore seek the entire site to be restored to common land following the completion of construction waste tipping to the approved levels in accordance with the approved plans.

10.41 It is therefore recommended that planning conditions are attached to any approved application to ensure the agreed mitigation measures and restoration of the site are appropriately landscaped and managed in accordance with Policies SP4, SP5, SP7 and TP 12, which seek to protect the general amenity, including the visual amenity of the residents of the City of Stanley and their natural environment.

Other Matters

10.42 A screening opinion was carried out by the Planning Authority with formal representations received from the Government's Environment Department. It was considered that the proposal, whilst having a minor environmental impact, as a result of the loss of public access to recreational ground and the impact of the proposed track, would not result in a significant environmental effect, therefore the proposal was not considered to be EIA development.

10.43 The Proposed Scheme is sited on Common Land under the Commons Ordinance which would require a separate Common Land Consent application to be submitted to the Executive Committee.

Summary

- 10.44 Given the levels of development happening on the islands there is a need to dispose of construction arisings somewhere, and consequently this is considered the least environmentally sensitive location, subject to appropriate safeguards, for which can be achieved through conditions.
- 10.45 For the reasons as set out above, the proposal accords with all relevant aforementioned planning policies and would not result in a significant environmental effect.

11. Conclusion

The proposed development site is located in an area of Category B, Stanley Common Land. It has been demonstrated by the applicant that there is an overriding need for the development which would ensure future construction projects in Stanley can progress with the spoil from these projects being disposed of in a safe and controlled manner.

The proposal complies with the aforementioned Development Plan Policies. Therefore, given the need for the development, the minimal environmental effects that would arise as a result the proposal, it is considered acceptable, subject to the attached conditions.

12. Recommendation

Members are requested to support and approve the application, subject to the following conditions:

Condition 1	The development, hereby permitted, shall begin before the expiration of five years from the date of this permission.
Reason	To comply with Section 49 of the Planning Ordinance 1991.
Condition 2	The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings and planning statement, namely; <ul style="list-style-type: none">• Location Block Plan (including proposed Access Road and Fencing Line)• Site Plan Scale 1:7.500• Planning Statement
Reason	For the avoidance of doubt and to ensure the proposal is carried out as approved.
Condition 3	Prior to the commencement of development, details of the fencing shall be submitted to and approved in writing by the Planning Authority. The required details shall include the fence design, height, materials and location. Development shall be carried out in accordance with the approved details and retained thereafter.
Reason	In the interest of public amenity and to comply with Policy TP10 of the STP.

Condition 3	Following cessation of the proposed development site or following six months on inactivity on the site, details of the final restoration scheme and after care scheme shall be submitted to and approved in writing by the Planning Authority. The development is to be carried out in accordance with the approved details and shall be retained in that manner thereafter.
Reason	In the interest of public and visual amenity and to comply with Policy TP12
Condition 4	Prior to the commencement of the development, a detailed Operational and Maintenance Scheme shall be submitted to and approved in writing by the Planning Authority. The required details shall include: <ul style="list-style-type: none"> • the operational hours, • site security measures, • weed maintenance and control measures, • dust suppression measures, • ground water run off protection measures. The development is to be carried out in accordance with the approved details and shall be retained in that manner thereafter.
Reasons	In the interest of natural environment management and to comply with Policy SP5.
Condition 5	A survey shall be undertaken every 12 months from the date of this permission indicating the levels of the tip and the areas restored to restoration levels, unless no operations have been undertaken on the site since the last survey. A copy of the survey shall be submitted to the Planning Authority within 28 days of the survey being undertaken.
Reason	To provide adequate information to the Planning Authority that the development and progressive restoration is being undertaken in accordance with the approved plans.
Condition 6	The only materials that shall be imported into the site for disposal and reconstruction of the tip shall be those from construction sites. No waste materials of any other kind shall be imported into the site for its disposal.
Reason	To prevent development on a scale and type not considered in the proposal and for the protection of the environment.
Condition 7	The only access point to be utilised for entering and leaving the site shall be the existing access point from the Eliza Cove tip road as shown on the submitted plan. On no account shall any other route or access be utilised for the site.
Reason	In the interest of highway safety and amenity.

Background Papers:

AGENDA ITEM 5.2

Falkland Islands Government Planning and Building Committee 5 March 2024

Planning Application Reference Number:	27.24.P		
Proposal:	Replacement door		
Site Address:	41 Ross Road "Jubilee Villas"		
Applicant:	Falklands Conservation		
Agent:	n/a		
Valid Date:	05 March 2024	Expiry Date:	04 May 2024



Introduction

- 1.1 The proposal seeks full planning permission for a replacement front door at 41 Ross Road. The property sits to the north east of the Stanley Conservation Area. It is a Designated building of significant architectural/historic interest.
- 1.2 It is before the P & B committee for determination as it falls out with the scheme of delegation. Advice has been sought from the Historic Buildings Committee.

Main Issues

The main issues are whether the proposal would preserve the special interests of the designated building and whether it would preserve or enhance the character or appearance of the Stanley Conservation Area (SCA).

Description of the site and proposal

- 2.1 The application site is an end of terrace property located at the east end of Ross Road. The terrace row, known as The 'Jubilee Villas' was built circa 1887 to commemorate Queen Victoria's Golden Jubilee.
- 2.2 The "Villas" are typical examples of British terraced townhouses of that era, making them a precious heritage asset to the Falklands. The character of the terrace is defined by its brick construction, striking metal roofs, uniformed front facades and set back position from Ross Road. To the front of the property are distinctive long front gardens which provide pedestrian access direct from Ross Road.
- 2.3 The property occupies a visually prominent position at the end of Ross Road where it overlooks the harbour and jetty to the north, north east. To the east are a mix of commercial units, storage sheds and parking spaces. The significance of the building, in so far as it is relevant to this application, is derived from its brick façade, the relatively simple, classical and symmetrical building design which is illustrative of buildings of this period.
- 2.4 The property sits at the north eastern boundary of the SCA, with its significance, in so far as it relates to this application, deriving from the prominent buildings that are set back from Ross Road. This part of Ross Road overlooks Victory Green, a significant greenspace, with the harbour beyond. Properties along this stretch of Ross Road are typically large and whilst styles vary, there appears consistency in the use of materials. These factors contribute positively to the character and appearance of this part of the SCA and the SCA as a whole.
- 2.5 The proposal seeks to replace the existing PVC door with a door of similar design and material.

3. Site History

Planning Application History:	No relevant planning history
Planning Enforcement History:	n/a

4. Consultee Responses

Department of Public Works:	n/a
Chief Fire Officer:	No issues
Building Control Officer:	n/a
Historic Buildings Committee (via Email)	Supportive of the development as the impact on the listed building is negligible.

5. Neighbour notification

Number of Neighbours Notified:	7
Number of Objections:	0
Number of Support:	0
Number of General Comments:	0

6. Summary of Responses

None received.

7. Publicity

Date of advert in Penguin News	08/03/2024
Date Notice Placed on Secretariat Notice Board	08/03/2024
Date of Site Notice was displayed	n/a

8. Planning Policy

Falkland Islands Structure Plan

Policy SP4: Sustainable Development Principle

Policy SP5: Historic and Natural Environment

Local Plan: Stanley Town Plan

Policy TP9: Stanley's Heritage

9. Material Considerations

Stanley Town Conservation Area Character Appraisal

10. Appraisal

- 10.1 The existing PVC front door on No. 41 is broken and the proposal would see this replaced with one of a similar style and material.
- 10.2 The proposed development is unlikely to cause any further harm to the special character and appearance of this designated building or the neighbouring designated buildings than the existing situation.
- 10.3 The proposal would therefore have a neutral effect on the character and appearance of application site, the surrounding designated properties and the SCA, as it relates to this appeal site, and the SCA taken as a whole.

Accordingly, the proposal would not harm the character and appearance of the application site and would have a neutral effect on the SCA, thus preserving the

10.4 character and appearance of the SCA.

10.5 The proposal thereby accords with Policies SP4, and SP5 of the Structure Plan 2015-2030, and Policy TP9 of the Town Plan 2015-2030 which seek, amongst other things, development of a Designated building and those that are located within a Conservation Area to preserve those elements which contribute to their special character or appearance.

11. Conclusion

The proposed development is modest in scale and would not harm the character and appearance of the appeal building and would have a neutral effect on the SCA, thus preserving the character and appearance of the CA.

12. Recommendation

That this application be **GRANTED** planning permission for the following reasons:

The proposal is considered to accord with the following policies contained within the Falkland Islands Development Plan 2015:

The proposal thereby accords with Policies SP4, and SP5 of the Structure Plan 2015-2030, and Policy TP9 of the Town Plan 2015-2030 which seek, amongst other things, development of a Designated building and those that are located within a Conservation Area to preserve those elements which contribute to their special character or appearance

And subject to the following conditions

Condition 1 The development, hereby permitted, shall begin before the expiration of five years from the date of this permission.

Reason To comply with Section 49 of the Planning Ordinance 1991.

Condition 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans;

Drawing 05/03/2024
Photo 1

Reason For the avoidance of doubt and to ensure the proposed development is carried out as approved.

Background Papers:

Designation Order February 2015