

OPEN AGENDA

Copy No:

No: 08/2022

Memorandum for Governor in Council

Open/Closed Session: Open Session

Subject: DEVELOPMENT APPLICATION 2022/28:

Extension to Merrimens Fun Park (Formation of Pedestrian Ring Road, Boot Camp, Market, Catering and Fun Park Games Stalls and Extension to Go-Kart Track, Decking and Fence line

Presented by: Minister for Environment, Natural Resources and Planning Portfolio

Decision Sought:

Governor in Council is asked to consider and advise whether Full Development Permission should be granted, with Conditions, as recommended for the Proposed Development of an Extension to Merrimens Fun Park (Formation of Pedestrian Ring Road, Boot Camp, Market, Catering and Fun Park Games Stalls and Extension to Go-Kart Track, Decking and Fence line).

Reason for Referral

The Development Application is being referred to Governor-in-Council in accordance with Section 23(2)(b)(i) of the above Land Planning and Development Control Ordinance 2013 as the grant of development permission must be considered as a departure from the Land Development Control Plan Green Heartland Zone policy. The proposed development is within Green Heartland policy area which only allows tourism related development within established forested areas in the form of eco-lodges that will, as an element of the development proposal, remain forested sufficient to conceal the development from any viewpoint within the Diana's Peak National Park or any view towards the National Park from a public road or public place. The proposal does not consist of any buildings in the form of eco-lodges and therefore conflicts with the policy.

Comments of Land Development Control Authority

At the 1st June 2022 meeting of the Land Development Control Authority (the Authority) considered the development application seeking FULL Development Permission. The report to the Authority is included as an Annex to this Report.

The Authority agreed with the Officers recommendation to grant permission, which recognised the conflict with the Green Heartland Policy, but considered there are other material considerations which support the proposal in this case, including:

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- There is an extant application on the site which has already been partly implemented;
- The design and appearance of the buildings are coherent with the existing development, and consist of temporary structures that could easily be removed;
- The minimal visual and environmental impact of the proposal where no part of the development will be seen from Diana's Peak National Park or a Public Road/Place;
- The proposal will encourage and support tourism and economic growth in line with wider SHG objectives.

The Authority's recommendation to Governor in Council is that the application should therefore be granted development permission, subject to the conditions in the Planning Officer's Report.

Comments of Minister for ENRP

It is recommended that a new condition is added requiring a Parking Scheme to be submitted and approved in writing by the Chief Planning Officer, and condition 12 in the Planning Officer's Report is amended to include the following (**Bold**) text:

The access road to the new development from the existing roadway (**near Model Cottage**) to be appropriately formed (in accordance with the Island's Roads Policy) and surfaced sufficient for use by normal passenger cars and emergency vehicles (subject to ANRD agreement).

Reason: to ensure that the development has adequate access in accordance with LDCP RT1

17 November 2022