

OPEN SESSION

No: 01/2023

GOVERNOR IN COUNCIL MEETING

Open/Closed Session: Open Session

Subject: DEVELOPMENT APPLICATION 2022/83:

Proposed Balcony and Verandah at the Yacht Club, The Wharf, Jamestown.

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 a Proposed Balcony and Verandah at the Yacht Club, The Wharf, Jamestown.

Reason for Referral

The Development Application is being referred to Governor in Council in accordance with the Direction issued under section 23(1) of the Land Development Control Ordinance 2013 which requires all applications within fifty metres of the sea to be referred to Governor in Council (unless specific exclusions apply).

Comments of Land Development Control Authority

At the 19th December 2022 meeting of the Land Development Control Authority (the Authority), considered the Officer Report on the development application seeking FULL Development Permission. The report to the Authority is included as Annex A to this Report and sets out the relevant factors in relation to this application.

The Authority agreed with the Officers recommendation to grant permission for the proposal which is considered to comply with the relevant policies in the Land Development Control Plan 2013, including Built Heritage, Intermediate Zone and Tourism policies.

However the Authority raised concerns about the potential impact on pedestrian through access along Wharf, as the verandah would extend out over the pedestrian area almost to the vehicular carriageway. Although the development itself would not restrict pedestrian access as it is a raised platform, tables and chairs etc. at ground level underneath the verandah may affect pedestrian access for those walking to/from

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the end of the Wharf. The Authority therefore requested a condition be added to mitigate this potential impact, safeguarding pedestrian access.

Taking this into account, The Authority recommends Governor in Council grant development permission subject to conditions in the Planning Officer report (Annex A) and the addition of the following condition:

- **Pedestrian through access** underneath the verandah must be maintained at all times. The access must run in a straight line North-South, be unobstructed, and a minimum of 1.2 metres wide.

Reason: to ensure safe vehicular access in accordance with LDGP Policy IZ1(g) and safe pedestrian access including for wheelchair users.

CLS

Minister, Environmental, Natural Resources & Planning

6 February 2023