



## Falkland Islands Government

### Planning Permission Subject to Conditions

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**Falkland Islands Government  
FAO Robert Miller  
Argos House  
Stanley**

Dear Sirs

**Reference:** 85.22.P  
**Description:** Variation of the conditions of planning permission 04.22.P (removal of FIPASS and construction of new port with associated development) due to changes to the proposed method of disposal of FIPASS from dismantling on land to scuttling at sea (the scuttling to be subject of a separate planning application).

**Address:** Land to the east of Stanley at and adjacent to FIPASS together with land further to the east and to the south and land to the south of Airport Road for the construction phase, Stanley

The Executive Council at its meeting on 24 January 2023 **granted planning permission** in accordance with the details set out in the above application. The development was found to be in accordance with the Policies and Proposals of the Falkland Islands Development Plan 2015, and there are no other material considerations with sufficient weight to justify a refusal of the application. In accordance with Section 40 of the Planning Ordinance 1991, **PLANNING PERMISSION has been GRANTED subject to the following conditions:**

**Condition 1: Start Within Five Years**

The development must begin within five years, starting from the date of this permission.

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

**Condition 2: Approved Plans**

The development shall be carried out in accordance with the details shown on the approved drawings dated stamped on 24 August 2022 (unless otherwise stated) and in accordance with the methodology detailed in the accompanying Environmental Impact Statement:

- PB7829-RHD-ZZ-ZZ-DR-Z-5009 Location Plan Rev P11
- PB7829-RHD-ZZ-ZZ-DR-Z-5010 Site Block Plan Rev P10
- PB7829-RHD-MA-BA-DR-ME-0034 Dismantlement Strategy Drawing Rev P06
- PB7829-RHD-MA-BA-DR-ME-0033 Staging and Phasing Drawing Rev P06
- PB7829-RHD-CE-LS-DR-D-5050 Access Road General Arrangement

Sheet 1 Of 3 Rev C02

- PB7829-RHD-CE-LS-DR-D-5051 A4-C03 Access Road General Arrangement Sheet 2 Of 3 Rev C03
- PB7829-RHD-CE-LS-DR-D-5052 A4-C02 Access Road General Arrangement Sheet 3 Of 3 rev C02
- PB7829-RHD-ZZ-ZZ-DR-Z-5011 Temporary Works Coordination Plan rev P10
- PB7829-RHD-ZZ-ZZ-DR-Z-5012 Land Ownership Boundaries rev P12
- PB7829-RHD-ZZ-ZZ-DR-Z-5016 Overall Layout Drawing for Planning Presentation Showing Car Parking Areas Rev P04
- BAS2051-RHD-ZZ-ZZ-FN-YE-5032 Non-Technical Summary of the Environmental Impact Assessment undertaken for scuttling of FIPASS (Final) Rev P04
- Environmental Impact Statement for scuttling of FIPASS (Final) Rev P05
- Environmental Impact Statement – Non-Technical Summary Rev P04

Reason: To avoid doubt and to ensure the proposed development is carried out as approved.

### **Condition 3: Construction Works - Hours of Work**

Prior to the start of the development hereby approved details of a protocol to be followed (including measures to ensure that disturbance to local residents is minimised and of communications with them) for any construction activities which would take place outside the hours of 7am – 7pm Monday to Saturday shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. Working outside of these core hours shall be for exceptional periods only, such as causeway construction and backfilling. The protocol shall be implemented as approved until the approved development is completed.

Reason: In order to mitigate the impact of the construction period on amenity and with regard to Policies SP4 and TP12 of the Falkland Islands Development Plan 2015.

### **Condition 4: Construction Works – Construction Environmental Management Plan**

Prior to the start of the development hereby approved a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The CEMP shall include intended processes, controls, scope and where relevant, assurance measures proposed to address the following matters for the duration of the construction period (including, but not necessarily exclusively, the mitigation measures outlined in the Environmental Impact Statement as page referenced):

- a) disposal of foul water (EIS page 26);
- b) biosecurity good practice (EIS page 45);
- c) how invasive species will be dealt with including when dismantling and removing the existing FIPASS structure (EIS page 47);
- d) prevention of disturbance to breeding birds (EIS page 202);
- e) the finding of any rare plants on the site (including the carrying out of a further plant survey (preferably in spring) of the temporary construction sites before their use commences (EIS page 202);
- f) prevention measures for noise including proposed monitoring (EIS page 237);
- g) details for the provision of an acoustic barrier between the dismantling area and the Lighthouse Seafarers Mission;
- h) emissions and dust (EIS pages 247-253);
- i) odour control processes and minimisation intent (including for the surficial silt removal process);
- j) spill avoidance control procedures including bunding of fuel tanks and measures to deal with any incidents should they occur for construction activities only (EIS pages 21, 332 & 334);

- k) details of testing regime, surveys completed and controls proposed for any liquids to be discharged into the harbour including FIPASS ballast water (EIS page 332);
- l) details of testing regime, surveys completed and controls proposed and remediation measures of any other possibly hazardous waste (including materials from the geotubes);
- m) details of existing testing regime, surveys completed and controls proposed to avoid contamination to Stanley Growers irrigation pond (EIS page 333) from construction activities;
- n) potential contamination from the decommissioning of existing fuel lines and associated infrastructure (EIS page 334);
- o) statement of intent for minimising greenhouse gas emissions and monitoring processes proposed to record adherence (EIS page 364);
- p) external lighting for the construction activities and temporary construction site areas, such lighting to be removed before completion of the overall project;
- q) a schedule for the proposed timing of the removal of all wastes (including the dismantled FIPASS material, the sludge taken from FIPASS and the geotube contents) from the construction site areas to their intended final disposal sites; and
- r) measures to ensure that vessels follow the 'Cetacean code of conduct for the Falkland Islands'.

All operations and work during the construction period shall be undertaken in accordance with the approved CEMP.

Reason: In order to ensure that potential adverse impacts are suitably mitigated and with regard to Policies SP4, SP5, SP8 and TP12 of the Falkland Islands Development Plan 2015.

#### **Condition 5: Construction Works – Construction Traffic Management Plan**

Prior to the start of the development hereby approved a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The CTMP shall include measures to address the following (including, but not necessarily exclusively, the mitigation measures outlined in the Environmental Impact Statement as page referenced):

- a) the strategy for minimisation of traffic movements (EIS page 252 & 364); and
- b) the management of HGV traffic (EIS page 280).

All operations and work during the construction period shall be undertaken in accordance with the approved CTMP.

Reason: To ensure that potential adverse impacts are appropriately mitigated and with regard to Policies SP3, SP4, TP11 and TP12 of the Falkland Islands Development Plan 2015.

#### **Condition 6: Construction Works – Construction Health and Safety Plan**

Prior to the start of the development hereby approved a Construction Health and Safety Plan (CHSP) shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The CHSP shall include measures to address the following (including, but not necessarily exclusively, the mitigation measures outlined in the Environmental Impact Statement as page referenced):

- a) management of the potential impact of the proposed works to human health including from the dismantling of FIPASS (EIS pages 329-331);
- b) details of how materials which are of risk to human health will be managed and disposed of (including asbestos) (including EIS page 330-331); and
- c) a method statement of how any unexpected risks to health which may be encountered are to be dealt with (including unexploded ordinance).

All operations and work during the construction period shall be undertaken in accordance with the approved CHSP.

Reason: In order to ensure that potential adverse impacts are appropriately mitigated and with regard to Policies SP4 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 7: Construction Works – Marine Mammal Observation Plan**

Notwithstanding the submitted details (including Appendix 7 of the Environmental Impact Statement):

- a) an updated version of the marine mammals observation plan addressing soft start process comments made during planning application;
- b) the marine mammal observation protocol within the MMO plan including mitigation for adverse effects shall be produced (including 'soft-start' processes for piling); and
- c) evidence of consultation with Falklands Conservation on the production of a) and b);

shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government prior to the start of any part of the development hereby approved which would be in the harbour/water. The approved protocol shall be implemented in accordance with the approved details during the construction phase of the development hereby approved.

Reason: In order to limit the impact of the development on marine mammals and with regard to Policy SP5 of the Falkland Islands Development Plan 2015.

**Condition 8: Construction Works and Operational Period – Quay Building A Design**

Notwithstanding the submitted details shown on the plans hereby approved, prior to the start of the development hereby approved the developed design and appearance (including elevations, sections and details of external materials and colour) for proposed building A on the west side of the quay shall be submitted in greater detail and approved in writing by Planning and Building Services, Falkland Islands Government. The development shall be implemented in accordance with the details approved pursuant to this condition.

Reason: The submitted detailing is not developed sufficiently for this prominent position and as intent within SP4 for a 'port of entry' to Stanley and with regard to massing intent and form in Policies SP4 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 9: Construction Works and Operational Period – Fencing**

Notwithstanding the details shown on the plans hereby approved, prior to the start of the development hereby approved details of fencing across the site (permanent and temporary areas) including:

- a) position;
- b) height;
- c) appearance; and
- d) date for removal if temporary;

shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The fencing shall be provided in accordance with the details approved pursuant to this condition including its removal by the date specified for any temporary installations.

Reason: As this information has not all been provided, in the interests of visual amenity and with regard to Policies SP4 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 10: Construction Works and Operational Period – Fuel Supply/Hazardous Substances**

Prior to the installation of any fuel supply or the storage of any hazardous materials to/on the port hereby approved details of:

- a) fuel provision (pipelines, etc, including construction methods) and storage facilities;
- b) hazardous materials transportation and storage;
- c) emergency strategies and intent for dealing with any leakages, spills and fire risks; and
- d) statement of intent for safe systems of works once operational to protect the supply route (such as excavation works);

shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The works and procedures thereafter shall be in accordance with these approved details (unless any alternatives are subsequently agreed in writing by Planning and Building Services, Falkland Islands Government).

Reason: In the interests of pollution prevention and with regard to Policy SP4, SP5 and SP8 of the Falkland Islands Development Plan 2015.

**Condition 11: Construction Works and Operational Period – Drainage**

Prior to the commencement of each of the following drainage works details of:

- a) the drainage of the access road (including to prevent untreated run-off into Stanley Growers irrigation pond);
- b) surface water drainage on the causeway and quay (to prevent untreated discharge into the harbour);
- c) a strategy for foul water treatment plants for the buildings, with full details to be submitted and approved thereafter (prior to first use of the buildings);
- d) a strategy for backflow prevention measures (to prevent contamination of the local supply and consumable water) with full details to be submitted and approved thereafter (prior to first use of the port); and
- e) a strategy for an Operation Environment Management Plan detailing measures to ensure that the approved details remain functional and of emergency procedures to deal with any malfunctions with full details to be submitted and approved thereafter (prior to first use of the port);

shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The works and procedures thereafter shall in in accordance with the approved details.

Reason: In the interests of pollution prevention and with regard to Policies SP4, SP5 and SP8 of the Falkland Islands Development Plan 2015.

**Condition 12: Construction Works and Operational Period – Impact on Stanley Growers**

Prior to the start of the development hereby approved a rolling decant plan verifying how the loss of polytunnels and cultivated land within the Stanley Growers leasehold caused by the development will be minimised shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government.

The plan should show:

- a) no overall loss of viable polytunnel growing space in the long term;
- b) how the loss of viable external growing areas in the long term has been minimised or alternatively the enhancement of existing areas of the holding;
- c) the provision of appropriate shelter for any altered siting of the affected polytunnels and growing areas; and
- d) timescales for the implementation of decant and provision of the alternative facilities shown on the plan.

The rolling decant plan shall be implemented in accordance with the approved details and timetable.

Reason: In order to mitigate the impact of the development on this local facility which produces fresh fruit and vegetables to the Falkland Islands and with regard to Policies SP2, SP4, SP5, TP10 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 13: Provision of Construction Phase Area 1 Temporary Accommodation Block**

Unless an alternative has first been agreed in writing by Planning and Building Services, Falkland Islands Government the temporary workers accommodation in Area 1 shall be provided in accordance with the approved plans (including the parking areas together with a fixed stands for a minimum of 6 bikes) before the start of the port construction hereby approved. The accommodation shall only be occupied by construction workers for the port development.

Reason: In order to help minimise the impact of the construction period on the limited accommodation within Stanley and to clarify what has been approved, with regard to Policy TP8 of the Falkland Islands Development Plan 2015.

**Condition 14: Provision of Construction Phase Area 1 Temporary Accommodation Block – Access to Airport Road**

The Area 1 temporary workers accommodation shall not be occupied until the proposed access route to Airport Road has been constructed in accordance with planning permission 100.21.P (phased construction of roads and general infrastructure for extension of the existing industrial site to the south and east of the FIDF complex, Airport Road Southern Industrial Estate, Stanley), including the hard surfacing with concrete/asphalt of the 20m long section of the access road closest to and joined up to the access point to Airport Road. This access route shall be retained, available for use, at all times that the accommodation block is in use.

Reason: In the interests of highway safety and amenity and with regard to Policy TP11 of the Falkland Islands Development Plan 2015.

**Condition 15: Post-Construction Works - Construction Phase Area 1 Temporary Accommodation Block Removal**

The Area 1 temporary workers accommodation including the recreation block hereby permitted shall be removed from the site on or before 31 December 2025 unless an alternative date has first been approved in writing by Planning and Building Services, Falkland Islands Government.

Reason: The temporary accommodation which is temporary in style and appearance has only permitted in this form and in this location, which is zoned for light industry, in order to provide temporary workers accommodation for this major construction project and with regard to Policies TP4 and TP8 of the Falkland Islands Development Plan 2015.

**Condition 16: Provision of Construction Phase Areas 2, 4 and 5 Batching Plant, Container Storage and Pre-Cast Fabrication Areas – Access to Airport Road**

Prior to the first use of construction phase areas 2, 4 and 5 (batching plant, container storage and pre-cast fabrication areas) the 20m long section of the access road closest to and joined to Airport Road shall be hard surfaced with concrete/asphalt and it shall be retained, available for use, at all times that these areas are in use.

Reason: In the interests of highway safety and amenity and with regard to Policy TP11 of the Falkland Islands Development Plan 2015.

**Condition 17: Post-Construction Works - Construction Phase Areas 2, 4 and 5 Batching Plant, Container Storage and Pre-Cast Fabrication Areas Removal**

The plant, machinery, containers and associated structures including external lighting shall be removed from construction phase areas 2, 4 and 5 (batching plant, container storage and pre-cast fabrication areas) on or before 31 December 2025 unless an alternative date has first been approved in writing by Planning and Building Services, Falkland Islands Government.

Reason: To ensure the future availability of the site for employment use in accordance with Policy TP4, in the interests of amenity and to ensure sufficient parking for alternative permanent uses with regard to Policies SP4, TP11 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 18: Construction Works – Construction Phase Area 8 Office and Plant Workshop**

Prior to the construction of any buildings in this area details of their external appearance shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The buildings shall be constructed in accordance with the approved details and the on-site parking provision shown on the approved plan shall be provided and kept available for use at all times that the site is in use.

Reason: As elevational details of the buildings have not been provided and to ensure that adequate parking is provided on the site with regard to Policies SP4 and TP11 of the Falkland Islands Development Plan 2015.

**Condition 19: Construction Works – Construction Phase Area 9 Silt Management Area**

Prior to the start of the development/use of the silt management area (Area 9) hereby approved full details of:

- a) the methods to ensure that no contaminated material (including liquids) soak into the ground or are discharged to the harbour;
- b) the laying and subsequent removal of the connecting pipes including to ensure that suitable access to the TDF is maintained; and
- c) on-site parking for workers;

shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The measures and details shall be fully implemented in accordance with the approved details (including any removal of pipes once not required) and the parking shall be provided at all times that this area is in use in connection with the development hereby approved.

Reason: In the interests of amenity and pollution prevention with regard to Policies SP4, SP5, SP8 and TP11 of the Falkland Islands Development Plan 2015.

**Condition 20: Post-Construction Works – Construction Phase Area 9 Silt Management Area**

Prior to the first use of the port hereby approved or the completion of the silt management activities in Construction Phase Area 9, whichever is the sooner, details of the restoration of this area to public open space including:

- a) the removal of surfacing and fencing;
- b) the re-contouring of the land;
- c) a strategy for contamination assurance testing together with a timetable for the submission and approval of full details of this (these full details to include provision for the implementation of any remediation measures which may be found to be needed) and a date for completion of such works;
- d) the provision of the coastal public footpath; and
- e) new planting

together with a date for completion of these works shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The works shall be implemented as approved.

Reason: To ensure that the area is suitably restored to open space, in the interests of amenity, accessibility and ecology and with regard to Policies SP2, SP4, SP5 TP10, TP11 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 21: Post-Construction Works – Construction Phase Area 10 Temporary Welfare, Stores and Laydown Area**

Prior to the first use of the port hereby approved or the cessation of use of Construction Phase Area 10 in connection with the port construction works, whichever is the sooner, details of the restoration of this area to agricultural/amenity land including:

- a) the removal of surfacing and fencing;
- b) a strategy for contamination assurance testing together with a timetable for the submission and approval of full details of this (these full details to include provision for the implementation of any remediation measures which may be found to be needed) and a date for completion of such works;
- c) the provision of the coastal footpath; and
- d) new planting;

together with a date for completion of these works shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The works shall be implemented as approved.

Reason: To ensure that the area is suitably restored to open space and/or agricultural land, in the interests of amenity, accessibility and ecology and with regard to Policies SP2, SP4, SP5 TP10, TP11 and TP12 of the Falkland Islands Development Plan 2015.

**Condition 22: Construction Works – Slipway and Dismantling Area**

Prior to the start of any development, due to the condition of the barges and other structures, if a slipway and associated dismantling area is required, full details of the slipway and dismantling area with all pollution prevention measures incorporated in the development and use of this area shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The approved measures shall be fully implemented at all times that this area is in use in connection with the development hereby approved.



Reason: In the interests of amenity and pollution prevention with regard to Policies SP4, SP5 and SP8 of the Falkland Islands Development Plan 2015.

### **Condition 23: Operational Period – Slipway and Dismantling Area**

Prior to the first use of the port hereby approved details of the future use of the slipway and associated dismantling area shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. This shall include details of:

- a) the removal of equipment, structures and fencing;
- b) the surfacing and re-instatement of habitat as appropriate;
- c) a strategy for contamination assurance testing together with a timetable for the submission and approval of full details of this (these full details to include provision for the implementation of any remediation measures which may be found to be needed) and a date for completion of such works;
- d) any on-going pollution prevention measures;
- e) the form of the permanent link to the new port road;
- f) the surfacing of the coastal footpath; and
- g) new planting;

together with a timescale for implementation. The approved details shall be implemented in accordance with the approved timetable and maintained as such thereafter.

Reason: As full details of this have not been provided and in the interests of amenity, accessibility and ecology and with regard to Policies SP4, SP5, SP8 and TP12 of the Falkland Islands Development Plan 2015.

**NOTE:** The application of this condition only applies in respect of Condition 22, if it is considered that a slipway and dismantling area is required to dismantle and salvage on shore due to the condition of the barges and structure of FIPASS.

### **Condition 24: Removal of FIPASS**

Prior to the start of the development hereby approved details of the timing of the removal of the existing port facilities at FIPASS including the barges, causeway, gatehouse, dolphins (except the one to be used as a fire pumphouse platform) and redundant services shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the facilities to be replaced are removed in a timely manner, in the interests of amenity and with regard to Policies SP4 and TP12 of the Falkland Islands Development Plan 2015.

### **Condition 25: Coastal Footpath - Signage**

Prior to the start of the development hereby approved details of signage and associated publicity for the public and port users for the coastal footpath, both when diverted and when in its permanent route, shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The details shall be fully implemented as approved.

Reason: In order to ensure that information is clear for pedestrians and cyclists, to promote safe travel routes and with regard to Policies SP4 and TP11 of the Falkland Islands Development Plan 2015.

### **Condition 26: Coastal Footpath – Constant Availability**

The coastal footpath shall be available for use at all times in accordance with the following:

- a) the temporary diversion shall be put in place before any corresponding section of the current route becomes unavailable; and
- b) the permanent route shall be put in place in stages as soon as works allow.

Reason: In order to ensure constant provision of pedestrian and cycle routes and with regard to Policies SP4 and TP11 of the Falkland Islands Development Plan 2015.

### **Condition 27: Post-Construction Works - Biodiversity**

Prior to the first use of the port hereby approved details of measures to contribute to and improve the biodiversity of the site (including native planting, giving details of species, planting numbers/densities, size at time of planting and locations) together with a timescale for implementation shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The approved measures shall be implemented in accordance with the approved timescale and shall be maintained as such thereafter.

Reason: In order to help off-set the impact of the construction works and the permanent reduction in open space and in the interests of amenity and ecology with regard to Policies SP4 and SP5 of the Falkland Islands Development Plan 2015.

### **Condition 28: Operational Period - Sustainability**

Prior to first use of the port hereby approved details of measures to minimise greenhouse gas emissions (including waste minimisation and disposal practices) during the operational phase of the development together with a timetable for implementation shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The approved measures shall be implemented in accordance with the approved timescale and shall be maintained as such thereafter.

Reason: In order the interests of sustainability and with regard to Policy SP4 of the Falkland Islands Development Plan 2015

### **Condition 29: Operational Period – Access and Parking**

Prior to the first use of the port hereby approve the access road and vehicle turning and parking space by the security gatehouse (building D) shall be provided in accordance with the plans hereby approved and they shall be retained as such, available for use, thereafter.

Reason: In order to ensure adequate access, turning and parking is available and with regard to Policies SP4 and TP11 of the Falkland Islands Development Plan 2015.

### **Condition 30: Operational Period – Cycle Parking**

Prior to the first use of the port hereby approved details of covered/sheltered cycle parking together with a timescale for provision shall be submitted to and approved in writing by Planning and Building Services, Falkland Islands Government. The approved facilities shall be provided in accordance with the approved timescale and shall be maintained as such thereafter.

Reason: In order to ensure that suitable cycle parking is provided and with regard to Policy TP11 of the Falkland Islands Development Plan 2015.

### **Condition 31: Operational Period - Lighting**

The external lighting for the permanent development hereby approved shall be in accordance with the submitted details and no additional external lighting shall be provided without the prior written approval of Planning and Building Services, Falkland Islands Government. The lighting on the quay and causeway shall be turned off when these facilities are not in use.

Reason: In the interests of amenity and with regard to Policies SP4, SP5, SP8 and TP12 of the Falkland Islands Development Plan 2015.

### **INFORMATIVE**

1. You are advised that in respect of **Condition 22 (Construction Works – Slipway and Dismantling Area)** should it be necessary to construct a slipway and dismantling area, detailed condition assessment of the barges, pontoons and other structures and its justification should be provided to the Planning and Building Services either with the application for the discharge of this condition or before any construction work begins for the slipway and dismantling area that is the subject of this condition.
2. The Condition for the **planning application reference 04.22.P** that have been **Discharged/Approved** are **hereby also Discharged/Approved** in respect of this planning application and applies to the following condition:

**Condition 4: Construction Works – Construction Environmental Management Plan**

**Condition 5: Construction Works – Construction Traffic Management Plan**

**Condition 6: Construction Works – Construction Health and Safety Plan**

**Condition 7: Construction Works – Marine Mammal Observation Plan**

**Condition 8: Construction Works and Operational Period – Quay Building A Design**

**Condition 19: Construction Works – Construction Phase Area 9 Silt Management Area**

**Condition 24: Removal of FIPASS**

**Condition 25: Coastal Footpath - Signage**

**Condition 26: Coastal Footpath – Constant Availability**

**Condition 30: Operational Period – Cycle Parking**

**This is an important legal document** that may need to be produced, for example, if you decide to sell your property. It should therefore be safely stored.

Most approvals are subject to conditions and these are listed on this planning permission and must be complied with. Non-compliance could result in the Government taking enforcement action. Some conditions may require additional information to be submitted to this department prior to the starting of any works, whilst others are for the life of the development. If you are uncertain about any of

the conditions attached to your permission, please contact Planning and Building Services at the details below.

Signed



Ismail Mohammed  
**Head of Planning and Building Services**

Date: 27/01/2023

Planning and Building Services P.O. Box 611 Stanley Falkland Islands +500 28480 clerk@planning.gov.fk
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## **Appeals to the Governor (in Executive Council)**

### **THESE NOTES DO NOT APPLY IF THE DECISION IS SIGNED BY, OR BY DIRECTION OF, THE GOVERNOR OR IF THE CROWN IS THE APPLICANT**

1. If you are dissatisfied with the decision to refuse permission or to grant it subject to conditions you have a right to appeal to the Governor (in Executive Council).
2. To appeal you must fill in a form which you can obtain from the Clerk of the Legislative Assembly, Gilbert House, Stanley (clerkofassembly@sec.gov.fk). Usually you must return the completed form within 28 days of the date of the decision notice but the Governor can grant you a longer period of time.
3. You should submit your grounds of appeal in writing including your full evidence/case when you return the appeal form to the Clerk of the Legislative Assembly.
4. The Clerk of the Legislative Assembly will then pass your grounds of appeal and full evidence/case to the Planning & Building Service (PBS), giving them 28 days (or such longer period as agreed by the Governor) to comment and prepare the case on behalf of the Planning and Building Committee.
5. At the same time the Clerk of the Legislative Assembly will write to the persons who made representations on the original planning application with the grounds of appeal giving them 28 days, or such longer period as agreed by the Governor, to make comments on the appeal.
6. The PBS's evidence is then passed to you, giving you 28 days or such longer period as agreed by the Governor to make any further comments.
7. At the same time any third-party evidence will be passed to you and to the PBS for comment, giving 28 days or such longer period as agreed by the Governor, to make any comments; and all evidence is submitted to the Planning and Building Committee for its comments, with any comments submitted to the Clerk of Councils within 5 working days of the date of the Committee.
8. The Clerk of Councils then submits the following to Executive Council:
  - The original planning application file including the application form, plans, decision notice, committee report, committee minutes, objection letters, etc;
  - The appellant's grounds for appeal and full evidence/case;
  - The PBS's evidence/case;
  - Any further representations made by those who originally commented on the planning application;
  - Any further comments by the appellant and PBS; and
  - Any additional comments by the Planning and Building Committee.
9. Executive Council then considers the appeal. If you wish to make oral representations to this meeting please refer to the separate public speaking guidance notes.