

LAND PLANNING AND DEVELOPMENT CONTROL AUTHORITY ADDENDUM

MINUTES OF SITE VISIT AND SUBSEQUENT MEETING HELD ON THURSDAY 14TH AUGUST 2014 @ 10.30am at Brewery Yard and Essex House. Agenda Item – 2014/41.

IN ATTENDANCE

Mr Rodney Buckley	Deputy Chairman
Mrs Ethel Yon	Member
Mrs Cathy Hopkins	Member
Mr Paul Hickling	Member
Mr Martin Hannah	Head of Planning and Development Control
Mr Alfred Isaac	Planning Officer
Councillor Brian Isaac	Representing Mrs I Williams
Mr Nicky Lawrence	Secretary

1. Application No. 2014/41

Mrs L Grobler, Jamestown – Proposed demolition of building and construction of Flat and Garages.

On arrival at the site the Head of Planning and Development Control briefed members on the application and gave a tour of the site explaining the planned works and commented further to clarify the relationship between the applicant Lauren Grobler and Mrs Ivy Williams. Mrs L Grobler is named as the applicant but she is in fact acting as the agent for Mrs Williams. This was not made clear on the application form.

Following the site visit attendees returned to Essex House for further discussion in an attempt to reach a decision.

Councillor Isaac declared his interest and stated that he was representing the interests of Ms Ivy Williams who is off island and asked the Authority to please work with Mrs Williams and try and reach a negotiated outcome acceptable to the Authority even if it is not exactly what Mrs Williams wants.

He advised the Authority that if the application was refused an appeal would likely be submitted. Mr Isaac then left the meeting.

The Deputy Chairman made members aware of the process to follow under regulations:-

1. If the application were refused it would be on the grounds of departure from the Built Heritage policies of the Development Plan and the applicant would have to go to the next stage.
2. If the application was approved by the Authority it would have to be referred to Governor-in-Council as a departure from the Planning Policy.

The Head of Planning and Development Control advised that although Mrs Williams appeared to be the beneficiary of any development permission the application for development permission had been submitted by a Mrs Grobler although Mrs Grobler had not made explicit that she was acting in the capacity as a proxy.

Mr Hannah referred to correspondence from Mrs Williams and email from former Head of Planning Mr David Taylor. He explained that there had been some pre application discussion between his predecessor and Mrs Williams but this had not been highlighted properly either by the applicant or Mrs Williams.

Notwithstanding this correspondence background Mr Hannah advised that the planning assessment and recommendation remained the same as he considered the case for demolition and redevelopment lacked adequate justification. The applicant has offered no evidence that the building is structurally unsound or incapable of beneficial use. The building appeared sound enough and is occupied. Although unlisted the building is of traditional design and construction and fell into a Conservation Area, therefore afforded protection from unnecessary demolition.

The Authority went on to discuss and explore possible ways in which to work with the applicant in order to reach a resolution. The Head of Planning stated that the policies of the LDCP militated against approval in this case and that the application should be assessed as it stands.

If the applicant wished the Authority to reconsider matters, submit an alternative proposal, modify designs or strengthen justification in support of demolition then a fresh application should now be submitted. Alternatively the applicant could now appeal the matter.

RESOLUTION: Application refused on the grounds that the application is contrary to the Built Heritage policies of the adopted Development Plan.

The Head of Planning and Development Control will issue a Decision Letter and would be prepared to offer further advice to the applicant should this be necessary.

Some members appeared sympathetic to the idea of a fresh application if an altered design avoiding complete demolition were to be presented or if a stronger supporting case justifying outright demolition could be made but the Authority agreed with the principle that only the application before members could be determined.

There being no further business for discussion, the Chairman thanked all present for their attendance.

Meeting closed at 11.45am.

Minutes confirmed this _____ day of _____ 2014.

Deputy Chairman _____