

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 4
JUNE 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN**

Present	Mr Rodney Buckley	Deputy Chairman
	Mrs Ethel Yon	Member
	Mrs Joan Peters	Member
	Mrs Cathy Hopkins	Member
	Mr Paul Hickling	Member
In Attendance	Mr Trevor Graham	Director, ENRD
	Mr Alfred Isaac	Planning Officer
	Mrs Karen Isaac	Secretary
Apologies Off Island	Mr John Styles	Chairman
	Miss Rosemary Bargo	Member

ACTION

1. ATTENDANCE AND WELCOME

The Deputy Chairman welcomed all present and thanked members for attending and also member, Mr Paul Hickling. In the absence of the substantive Chairman the Deputy Chairman chaired the meeting.

The Director, ENRD was in attendance for items: 3-(4.5), 3-(9), 4-application 2014/29, and items 5, 6, 7 & 8. There was 1 member of the public present for agenda item no. 5 – application no. 2014/25.

2. CONFIRMATION OF MINUTES OF 7 MAY 2014

Minutes of the meeting held on 7 May 2014 were circulated, confirmed and signed prior to this meeting.

3. MATTERS ARISING FROM MINUTES OF 7 MAY 2014.

4.1 Thompson's Wood – Enforcement Appeal, Mr Michael Roberts

To await the arrival of the new Head of Planning & Development Control on 17 June 2014 for serving an Amenity Order.

H P&DC

4.5 Development Plan for Ruperts Valley

The submission of the second draft plan has been delayed until July's meeting. It was agreed that the plan be given priority immediately the new H P&DC is in place. A reply was received from the Airport Director that the precast yard and the area above this were previously identified in the reference designs for the Airport Project as expansion area for

the BFI, should this be needed in the future. The DA reported that they are still looking into whether this is likely to be required. For the time being, the DA suggested that the LDCA did not factor this area into the wider Rupert's Development Plan but kept it set aside for Airport purposes until a decision can be taken on the matter.

The Director further reported that some changes have been made to the initial zoning draft. The area designated for housing has been changed to allow commercial and light industrial activity in order to focus this activity in the port area. The existing housing area up to the Church is designated as housing. In this area is a small amount of space that could be made available for new housing but there are significant safety concerns regarding the suitability of the area for new housing development with regard to high risk installations in the valley. The opportunity for new housing would therefore not be ruled out but restricted. The area adjacent to the new bulk fuel depot will be designated for industrial use.

At the Waterfront the rescue service boathouse is moved from its previous location to the area next to the run so as not to limit the capacity of the container park. Members agreed that this could be considered a minor variation on the outline planning permission already granted and this change could be made with the delegated powers of the Chief Planning Officer. A new draft of the zoning plan will be brought to the next meeting before going out to consultation. It is emphasised that the plan is an outline plan and will need to remain flexible as the needs for Rupert's development become clearer.

Director,
ENRD/H P&DC

4.9. Duplication of Highways Authority and Land Development Control Authority Procedures

The Director, ENRD reported that Highways Authority deals only with road closure and signage issues so there is no real cross-over with LDCA. Other issues are dealt with by ENRC. Within ENRC, they are trying to streamline processes so that decisions are made at the appropriate level which will mean that more decisions are made at an operative level and many issues could be resolved through internal consultation between officers in different sections. Within this process the areas of cross-over between LDCA and ENRC should decrease. It was suggested that the LDCA return to this issue 3 to 4 months to see if further changes need to be made to increase efficiency and customer service.

Secretary

It was noted that the above report does not deal with the crux of the matter which is the cross-over between the existing Roads policy and the existing LDCA policy. The Director together with the Planning Officer to take a closer look at both policies with a view to getting rid of one.

Director,
ENRD/PO

15.4 Landownership

The Deputy Chair reported that land ownership as advised by the PO at the last meeting is confirmed as not a planning consideration by reason (a) leased property sets out the tenant's terms and conditions for occupation and (b) unauthorised occupation of another's property is trespassing and is a matter between the owner and the occupier.

15.5 Fire Station Ladder Hill

The PO reported that he had written to the Director of Police asking for his comments or views that he may wish the Authority to be aware of. A reply received to the effect that for clarity, the permission at Ladder Hill will be redundant once permission has been granted elsewhere for the new Fire Station. In this case, Alarm Forest. Without pre

judging the Alarm Forest decision, the Director of Police would want to retain the Ladder Hill permission if the Alarm Forest planning application is refused which means that they may have fall back on the Ladder Hill permission. If the Alarm Forest application is approved, the Ladder Hill permission can be revoked.

15.6 Chairmanship

The Director, ENRD reported that he had discussed the issue of Chairmanship with the Ag Governor who understands the situation and will brief the Governor on his return to the island in mid June. A decision will be made soon on the way to proceed.

4. **PLANNING OFFICER'S REPORT – DEVELOPMENT APPLICATIONS FOR DETERMINATION**

The following development applications were considered and determined as stated below. Planning Officer to process accordingly.

Application No. 2014/24 – Proposed 2 Bedroom Dwelling – Alexia Lawrence, Sunnyside

Approved as PO's recommendations.

PO

Application No. 2014/25 – Proposed Shop with first floor accommodation – Anthony Essex, Half Tree Hollow

Approved as PO's recommendations. A concern from the Roads Section was the management of rain water but it was noted that no solution was offered from them on how this could be addressed. It was also noted that the Environmental Health was not helpful in their responses. An estimate of the amount of roof rain water to be calculated and Condition no. 1 to reflect this accordingly.

PO

Application No. 2014/26 – Proposed Kitchen/Dining, Bedroom and bathroom extension – Jillian Fowler, Deadwood

Approved as PO's recommendations.

PO

Application No. 2014/27 – Proposed construction of Timber Bridge – Glynis Fowler for SHG

Approved as PO's recommendations subject to Condition No. 1 being amended to reflect that the design of the proposed design of the railings on the proposed bridge to match the design of the existing verandah.

PO

Reason: To maintain the character of the listed building.

Application No. 2014/28 – Proposed 2 Bedroom Dwelling – Megan Sim, New Ground

Approved as PO's recommendations. It was noted that conditions No 8 and 10 is are duplications. In response to a question on who follows up on building conditions, members were informed that the Building Inspector is responsible for checking buildings both during construction and on completion and is aware of the conditions imposed on developments.

PO

Application No. 2014/29 – Proposed Fire Station with ancillary facilities

Members discussed at length the safety aspects of the fire emergency vehicles entering the main road at a road turning; where two school buses load and unload children and the building of the school bus shelter obstructing the view of emergency vehicles with direct oncoming traffic from the Tomb road. Whilst members were content with the proposal to widen the lower side of the Main road on the section in front of the Police Post, members concluded that this would not compensate for the safety aspects of the school children since the entrance to the resident's road and the fire station would remain as is.

Approved as PO's recommendations with the following amendments:-

Condition No.1 to have the words "and fire truck supplies" inserted after the words use of the building and "domestic" before the word premises.

New Condition to be added and numbering re-numbered: The proposed building shall not be brought into use until the existing school bus shelter is re-located.

Reason: To provide for the safety of pedestrians/school children ensuring clear vision and unobstructed access for emergency vehicles entering the highway.

Condition No.4 rain water storage capacity of the building to be assessed and the storage capacity condition to reflect same.

Application to be referred to Governor-in-council recommending that development permission is granted subject to conditions as stated.

PO

5. MINOR VARIATIONS APPROVED BY THE PLANNING OFFICER

The PO reported that he had approved 1 minor variation in respect of application no. 2010/110/HTH - signage at Bistro's. Relocation of signage in conjunction with change of building together with 1 new signage.

6. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED

List of new development applications received at item 5 above. The PO updated members on the request for a scoping opinion received from Access Office.

7. STRATEGIC ISSUES AFFECTING DEVELOPMENT

There was nothing to discuss under strategic issues.

8. ANY OTHER BUSINESS

8.1 The PO reported that a request for the Authority to consider amending the zone boundaries of the development control plan had been received from Crown Estates. This has come about from the proposals to excise certain parts of the national forests which has been deemed to be unproductive, and could be released for residential development.

The land identified is in the Barren Ground area, but is within the Coastal Zone. Because there is no significant difference in the landscape features, the request is to amend the boundary to have this land included in the Intermediate Zone. The Authority was sympathetic to the request but stressed that this must not set a precedent to have other areas removed from zonings and agreed that in this case there is no significant difference in the landscape features. Members agreed that a formal process could be

initiated.

The Deputy Chairman thanked members for their attendance. The meeting closed at 11.55 hrs.

Deputy Chairman

Date

- 9. NEXT MEETING TO BE ON WEDNESDAY 2 JULY 2014, 9.00AM AT AVEC.**