



MINUTES

Of Land Development Control Authority Meeting

Date : Wednesday 1 November 2017
Time : 9am
Venue : The Education Learning Centre, Jamestown

Present	Mrs Ethel Yon	Chairperson
	Mr Paul Hickling	Deputy Chairperson
	Mr Raymond Williams	Member
	Mr Ralph Peters	Member
	Mr Karl Thrower	Member
	Mrs Riana de Wet	Chief Planning Officer (CPO)
	Mr Shane Williams	Trainee Planning Officer (TPO)
	Mrs Karen Isaac	Secretary (S)
	Mrs Janice Young	Temporary Secretary (in Training)
	Apologies	Mr Gavin George

A. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending.

There were six Members of the Public present – the Chief Engineer (SHG), a Representative of Mantis Hotel (Development Director, St Helena Island Mantis Management), three Applicants in respect of Applications that are being presented for determination to the Authority, and another member of the public.

B. Declarations of Interest

The Chairperson declared her interest in Development Applications 2017/92 and 2017/93.

C. Confirmation of Minutes

The 4th of October 2017 LDCA Minutes were circulated, confirmed and signed during the 1st of November 2017 LDCA Meeting.

D. Matters Arising from Minutes

	There were no matters arising.	
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E. Building Control Activities

	LDCA Members were given an Updated List of <u>Building Control Activities</u> for the period <u>1 to 29 October 2017</u> for their information.	CPO / BI
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F. Current Applications Received & Awaiting Determination

	<p>LDCA Members were given a list of Current Development Applications.</p> <p>A total of 37 Applications awaits determination at this time – some of which are still awaiting clarification / information or still within the advertisement period.</p> <p>Members noted that the Handling Reports were very comprehensive and since it is being emailed to them they have longer to consider its content thus the CPO only having to highlight the main points during the LDCA meeting for deliberation.</p> <p>No Applications were withdrawn during this period.</p>	CPO
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G. Applications for Determination

The following Nine (9) Development Applications were determined by the Authority:		
1)	<p>Application 2017/90 – Proposed Upgrade of Road Intersection at Dungeons (widening of Road Reserve) – Roads Section SGH</p> <p>CPO gave a presentation of the proposals and noted that EMD conducted a survey onsite and that no endemics were found on site. No objections were received other than stakeholder comments over existing services and protection thereof and can thus be supported.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to Applicant.</p>	CPO

2)	<p>Application 2017/89 – Proposed Dwellings at New Ground – 1 x 2 Bedroom; 2 x 3 Bedroom – Nigel George</p> <p>The Applicant was in attendance. CPO gave a concise presentation of the proposals. Member was concerned about the communal access and its long-term maintenance to the sites. CPO referred to Condition 10 which requires that the current developer and future land owners will remain collectively responsible for the maintenance of the roadway to appropriate standards. The Authority noted and agreed.</p> <p>The CPO highlighted that the capacity and condition of the Communal Sewage System at Clay Gut was discussed with Crown Estates who ensured that this is a fairly new infrastructure which will be able to cope with the additional dwellings. It was noted that the Septic Tank is maintained by Connect Saint Helena.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to Applicant.</p>	CPO
3)	<p>Application 2017/87 – Proposed 3 Bedroom Dwelling and Garage – Clay Gut – Deon Leo</p> <p>The Applicant was in attendance. The CPO presented the Application and pointed out that this development will be accessed via the existing track below the development (on way to the Communal Septic Tank). Member again voiced that access should be maintained as it need to be accessible also by First Response Vehicles although it was acknowledged that maintenance of public roads should not be a concern of developers and the CPO should bring the matter to the attention of SHG. The Chief Engineer for SHG, who was also present at the meeting, was invited to provide input and assured that SHG are working towards a more joined-up approach in property development and establishing and servicing of residential areas as a whole.</p> <p>Resolution: The Application was considered and approved with Conditions as recommended by the CPO. Correspondence to be sent to Applicant.</p>	CPO
4)	<p>Application 2017/83 – Proposed 2 Bedroom Dwelling – Clinic Drive, Half Tree Hollow – Stacey Phillips</p> <p>The Applicant was in attendance. The CPO presented the application</p>	CPO

	<p>and pointed out that although the neighbour did not object to the Application, she did raise concern over stormwater management due to existing problems experienced from time to time in the roadway towards her house. The CPO pointed out that this is a common problem in Half Tree Hollow since it is a high-density residential area lacking proper storm-water infrastructure. CPO indicated that a condition was included to require a Storm-water Management Plan and ensure that the Applicant remains responsible for dealing effectively with stormwater on site via an attenuation tank into a landscaped area. The Authority agreed that such a condition be inserted.</p> <p>It was noted that the LDCP requires provision of two off-road parking areas and that since the Applicant proposes a garage with an area in front of the garage this requirement is met. A condition requiring Site Verification has however been included to ensure that the development does not encroach onto the public roadway. CPO was requested to confirm the scale as it appears incorrect and if so can proceed with the Approval given.</p> <p>Resolution: The Application was considered and approved with conditions as recommended by the CPO following confirmation of the scale. Correspondence to be sent out to the Applicant.</p>	
5)	<p>Application 2017/86 – Proposed New Signage for the White Horse Tavern, Market Street, James Town – Solomon & Company (St Helena) Plc</p> <p>The CPO presented the Application by means of a PowerPoint Presentation and elaborated on the criteria provided in the Policy for Advertisements. A member of the Authority noted that there was no requirement to have the licensee’s name on the sign outside of the building, but it was required to be inside the building. The Authority otherwise agreed that the Application meet the objectives of the Policy.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to the Applicant.</p>	CPO

6)	<p>Application 2017/91 – Proposed Siting of 20ft Container (Permanently) for storing household items, Nr Princes Lodge, St Paul’s – Anthony J Peters</p> <p>CPO gave outline of the surroundings and areas that may be affected and how this application meets the criteria set in the relevant Policy. There were no objections.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to the Applicant.</p>	CPO
7)	<p>Application 2017/88 – Proposed Demolition of Old Ruin and Construction of a 1 Bedroom Dwelling, Longwood Hangings – Charlotte Williams</p> <p>CPO gave outline of the work proposed and noted that this property can only be accessed via the neighbouring property. Consolidation (combining) of the properties is therefore proposed to allow shared amenities. The Authority agreed.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to the Applicant.</p>	CPO
8)	<p>Application 2017/93 – Proposed 2 Bedroom Dwelling (double storey), Tern Drive, HTH – Dave Yon</p> <p>CPO presented this application and discussed the representation received by the neighbour. The Authority considered the concerns raised, how this can be mitigated and agreed that the Conditions proposed can manage the potential impacts.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to the Applicant.</p>	CPO
9)	<p>Application 2017/92 – Proposed 3 Bedroom Dwelling (Split Level Home), Below High Knoll, Upper Cow Path, HTH – Tessa Yon</p> <p>CPO presented this application and provided background in terms of the history of these eight properties as well as the resolve in regards with the restriction of the contour with the view to protect a pristine natural area below the Fort. The CPO noted that a split-level is</p>	CPO

<p>proposed and that this is advisable due to the steep gradient of the property. It is proposed that site verification be carried out by the Building Inspectors. The Authority agreed.</p> <p>Resolution: The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to the Applicant.</p>	
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H. Approvals by CPO under Delegated Power

<p>1) Application 2017/80:</p> <ul style="list-style-type: none"> – Requested :Full Development Permission – Proposal :Extension of Outbuilding – Location :Burnt Rock, Blue Hill – Applicant :Cheryl Bedwell – Official :R de Wet (CPO) <p>2) Application 2017/82:</p> <ul style="list-style-type: none"> – Requested :Full Development Permission – Proposal :Minor Tree Maintenance – Location :Behind the Post Office, James Town – Applicant :Crown Estates Officer, ENRD – Official :R de Wet (CPO) <p>3) Application 2017/85:</p> <ul style="list-style-type: none"> – Requested :Full Development Application – Proposal :Enclose Patio Area to form a Foyer and add Conservatory – Location :Sapper Way – Applicant :Kelly Leo – Official :R de Wet (CPO) 	
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I. Minor Variations

<p>The following six (6) Development Applications were approved as Minor Variations by the Chief Planning Officer.</p>	
<p>1) Application 2017/25/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation 	

	<ul style="list-style-type: none"> – Proposal : Repositioning the location of the House on site – Location : Guinea Grass – Applicant : Richard Stroud – Official : R de Wet (CPO) – Status : Approved on 3 October 2017 	
2)	<p>Application 2017/54/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : Enclosure of Part of patio to form a Pantry into the Kitchen – Location : Cow Path, Half Tree Hollow – Applicant : Steven Andrews – Official : R de Wet (CPO) – Status : Approved on 3 October 2017 	
3)	<p>Application 2014/13/MV2:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : Change of Swinging Door to Automatic Bi Parting Sliding Door – Location : Greenland’s (Main Entrance), James Town – Applicant : Solomon & Company (St Helena) Plc – Official : R de Wet (CPO) – Status : Approved on 3 October 2017 	
4)	<p>Application 2016/57/MV4:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : Change of Size of Timber Column – Location : Enterprise Business Park, Longwood – Applicant : Enterprise St Helena – Official : R de Wet (CPO) – Status : Approved on 3 October 2017 	
5)	<p>Application 2016/88/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : Additional Minor Tree Works – Location : Castle Gardens, James Town – Applicant : Crown Estates Officer, ENRD – Official : R de Wet (CPO) – Status : Approved on 6 October 2017 	
6)	<p>Application 2013/24/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : Remove east facing with north facing window and windows with door onto Patio – Location : Harlyn, Half Tree Hollow – Applicant : Joan P Flagg – Official : R de Wet (CPO) – Status : Approved on 9 October 2017 	

J. Strategic Planning Matters – Brief Update

The Chief Planning Officer reported briefly on the following strategic Planning Matters:		
1)	Land Development Control Plan (LDCP) Mid Term Review: Nothing to report at this stage.	
2)	Building Regulations Review: Input by Chief Engineers and Building Inspectors still continue (weekly meetings) – well underway.	CPO / BI
3)	Jamestown Conservation Area Management Plan: Draft to be submitted to the Authority following finalisation of an in-house review. Members noted that given the discussions surrounding Mantis lighting (and other aspects such as Streetscape elements), these elements should also form part and be incorporated into the Plan. CPO noted that priority is now given to the Building Regulations but once underway the Jamestown Plan will take priority.	CPO

K. EXCO Referrals Feedback

1)	2017/74 Endemic Nursery: Can be supported in the Green Heartland Zone.	
2)	2013/92 Discharge of Conditions 1, 5 and 8 Rupert's Wharf – CPO updated members on conditions at the Wharf	

L. Any Other Business

1)	<p>LIGHTING AT ST HELENA MANTIS HOTEL</p> <p>The Chief Engineer (SHG) and representative of the Mantis Hotel Group were both in attendance.</p> <p>The CPO explained that concerns have been raised by a few members of public over the lights on the façade of the newly developed Mantis Hotel. She noted that following the concerns raised, she conducted an onsite assessment (at night) and further consulted a number of key stakeholders (including SHNT as well as those involved in Dark Skies on the Island) on this matter. Further to this she consulted the neighbour</p>	CPO
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living adjacent to the Mantis Hotel who might be affected by these lights and established that the neighbour is content with the lights as is.

In her assessment, the CPO noted that there are clearly two opinions over the lights, namely those who find it agreeable and those who find it intrusive and since there are no clear directives within the policies relating to lighting in Jamestown, other than requirements for external lighting to be Dark Skies Compliant views are potentially subjective.

Photos were shown demonstrating the various angles at which the lights could be set and potential impacts on the building and on the streetscape of Lower Jamestown. The CPO highlighted that SHNT who was also consulted and provided insight in terms of heritage aspects and compared this with other areas of Heritage Value such as Bath in the UK. SHNT noted that lights are often used to enhance and showcase features on Buildings of Architectural Value. It was also established that as it stands, the lights are compliant with dark skies objectives.

Mr Pearce, who objected to the lights was present at the meeting and requested to speak. He commented on Condition 5 of the Decision Notice and questioned the purpose of the lights and noted that in his view the development does not comply with the Condition and Policy E8 which was stated as a reason for the condition. He further highlighted that Jamestown should be lit-up as a whole with no focus given to a single building.

The Chief Engineer was invited to comment due to involvement with investigations relating to street-lighting in this area of Jamestown. He stated that there is a need to preserve heritage however against the backdrop of developments be made to be fit for purpose in this day and age and states that the same principles applied when upgrading the Market for example. He noted that lighting need to be adequate to prevent accidents from happening specifically in light of increased tourists / visitors. He also noted that there is internationally increased emphasis on aspects such as safe disabled access resulting in a significant risk to Government and Developments due to liability claims. He elaborated on the challenges faced when considering installation of lighting in this part of Jamestown and that the extra light in this area due to the Mantis development should be seen as a benefit.

The Development Director of Mantis was then requested to provide his

	<p>comments. He noted that he believed that his company has acted responsibly in every aspect of delivering the best possible product in the most sensible manner to this Island Community. He committed to consider the concerns raised and requested permission to investigate and test various alternatives for on-site consideration by the Authority during the latter part of November 2017.</p> <p>Members were asked for their views with the majority agreeing with the current state. One member however highlighted that disabled ramps should rather be lit from above but agreed that a diffuser should do much to resolve the concerns raised.</p> <p>It was noted that Condition 5 requires the prevention of glare or light spillage “outside of the site boundary”. This was discussed and the Authority concluded that this is effectively unachievable as the fence act as boundary line and light will automatically spill over the boundary onto the walkway. The Authority deemed this as “planning gain” rather than being detrimental.</p> <p>Member finally concluded that they are not against the lighting <i>per se</i>, however agreed that the Developer should consider ways to potentially soften the glare by realigning the angle of the lights and incorporation of lighting diffusers and agreed to inspect and consider the various alternatives on site at a later date during mid-November.</p> <p>The Authority further concluded that the CPO draft a modification of the Decision Notice Condition 5 to exclude the reference to the “spillage outside of the site boundary” and Policy E8 as these are unachievable and impractical in this instance.</p>	
2)	Chad’s Shop Advertisements The CPO noted that the various advertisements sited on the external façade of Chad’s Shop situated in Main Street Jamestown are not in compliance with the Planning Policies and has required at various occasions that the landlord take the unauthorised advertisements down and submit a Planning Application to obtain Full Development Permission. As the landlord did not adhere to these appeals, the CPO requested permission from the Authority to serve a Notice to ensure that unauthorised advertisements are taken down. The Authority agreed.	CPO

M. Closed Items

N. Next Meeting

The next LDCA Meeting is scheduled for Wednesday 15 November at 9:00 at the Museum, James Town.	CPO / S
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O. Closing

The Deputy Chairperson thanked Members for their attendance. The meeting closed at 11:50 hrs.	
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Signed by the Chairperson of the Authority, as a true reflection of the Meeting.

Chairperson to the LDCA

Date