



# MINUTES

## Of Land Development Control Authority Meeting

Date : Wednesday 12 July 2017  
Time : 9am  
Venue : The Museum, Jamestown

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<b>Present</b>	Mrs Ethel Yon	Chairperson (CP)
	Mr Paul Hickling	Member
	Mr Raymond Williams	Member
	Mr Ralph Peters	Member
	Mr Karl Thrower	Member
	Mrs Riana de Wet	Chief Planning Officer (CPO)
	Mr Shane Williams	Planning Assistant (PA)
	Mrs Karen Isaac	Secretary (S)
<b>Off Island</b>	Mr Gavin George	Member
<b>Apologies</b>	Mr Karl Thrower	Member

### A. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending.

There was one member of the public present and the applicant in respect of Application 2017/08.

### B. Declarations of Interest

Chairperson, Mrs Ethel Yon made it known that she has an Interest in Application 2017/53 as the proposed development is located adjacent to her properties. Mrs Yon did not object to the Application and Members therefore agreed that she can remain at the table.

### C. Confirmation of Minutes

The 7<sup>th</sup> of June 2017 LDCA Minutes were circulated, confirmed and signed during the 12<sup>h</sup> of July 2017 LDCA Meeting.

## D. Matters Arising from Minutes

<b>1)</b>	<b>Residential Development with poor Road Infrastructure (Woody Ridge - Mr Hansel Phillips)</b>  A site visit took place on Friday, the 23 <sup>rd</sup> of June 2017 and was attended by members of the LDCA, Mr Hansel Phillips the initial developer of the land and some of the land owners. It was noted that the majority of the land owners were off island. This matter was discussed as part of Application 2017/37 – Additional Access Link Road - Patrick Thomas  CPO will continue to follow up.	<b>CPO</b>
<b>2)</b>	<b>Siting and Use of Containers</b>  The Authority indicated previously that the Container Park below Ambledale is not developed in accordance with the Development Permission granted on the 20 <sup>th</sup> of September 2011 (Application 2011/34/) and are poorly managed. The Authority requested the CPO to investigate this matter.  The CPO explained during this LDCA Meeting that she discussed the matter with Cllr Derek Thomas on 16 <sup>th</sup> of June 2017 regarding concerns relating to the development (or lack of envisaged infrastructure) of the HTH Container Park situated below Ambledale Workshop. She reported that Cllr Thomas confirmed that he acted as custodian over this land, on behalf of Government / Users, based on a need that was identified by Government to develop such a Container Park in the vicinity of HTH. At the time Government acknowledged the need to have such a facility due to the number of requests to site containers at private residences in specifically the higher density residential areas of HTH. He explained that the idea was to, through rental income, upgrade and maintain the Container Park and thereby meeting the Conditions of the Development Permission. A separate bank account was set up specifically for this purpose. Unfortunately revenue is too limited to effectively meet these requirements. He has however suggested that once the elections are over, renewed efforts will be made to meet the obligations. External funding could possibly be obtained.  CPO will facilitate/continue to follow up.	<b>CPO</b>

## E. Building Control Activities

<p>LDCA Members were given an Updated List of <u>Building Control Activities</u> for the period <u>1 to 30 June 2017</u> for their information.</p> <p>The CPO noted that there were no major applications being dealt with by Building Control at this stage. Members reiterated that the overview regarding Building Control Activities remain valuable and should continue.</p>	<p><b>CPO / BI</b></p>
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## F. Current Applications Received & Awaiting Determination

<p>LDCA Members were given a list of <u>Current Development Applications</u> awaiting determination. The CPO highlighted that at the time of this LDCA Meeting there were 9 Applications Pending (i.e. waiting on supplementary information from Applicants), 6 New Applications to be determined on this day (the 12<sup>th</sup> of July 2017) and 10 Applications in their advertisement periods and to be determined at a later stage, resulting in <u>25 Applications</u> awaiting Determination.</p> <p>No Application was withdrawn during this period.</p> <p>Members raised concern regarding delays in respect of the Solomon Abattoir Soak-away System (Application 2016/161) as it was uncertain what practices are currently employed in relation to the handling of effluent whilst this Application remains pending.</p> <p>The CPO to consult with the Applicant and provide feedback at the next meeting.</p>	<p><b>CPO</b></p>
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## G. Applications for LDCA Determination

<p>The following Eight (8) Development Applications were considered by the Authority on the <b>12<sup>th</sup> of July 2017</b> following perusal of the Planning Officer's Handling Reports and Recommendations with the following outcomes:</p>		
<p><b>1)</b></p>	<p><b>Application 2017/08 – Block of Flats Containing 4 Dwelling Units – Briars – Michel Martineau</b></p>	<p><b>CPO</b></p>

It was noted that an initial Report was submitted by PO (D Taylor - Report dated 18 April 2017), a second Report prepared by CPO (R de Wet – Report dated 24 March 2017) on request by Authority to clarify certain issues and this third Report prepared by CPO (R de Wet – dated 22 June 2017) following discussions with the Applicant to be considered by the Authority at this meeting.

The CPO presented the Application by means of a Power Point Presentation.

The CPO highlighted that she met with the Applicant and his technical advisor on the 16<sup>th</sup> of June 2017. Discussions revolved around the scale of the building, architectural style within the context of the Briars Residential Area and concerns that this may not meet the objectives of Policies IZ1(a), potential impacts the development may have on the neighbouring property at the rear (although no formal objections were received) as per Policy IZ1(b) and concerns that the proposed tree shield may not effectively mitigate against these impacts.

Since the tree shield was seen as a concern, research was conducted and information obtained from Agriculture and Forestry on specifically Silky Oak Trees, as proposed by the Applicant. The CPO concluded that these trees can potentially provide the necessary tree shield and mitigation as anticipated.

The Applicant who requested to address the Authority prior to the meeting was allowed 3 minutes to make a statement. He presented photo illustrations and presented a rationale for the steel structured building, its architecture and roof profile. In addition he explained that the roof slopes north in order to capture the most sunlight due to the proposal to install solar panels (which was not disclosed as part of the initial submission). He further elaborates on the ideas to shield the building by means of a “creeper frame” to allow cooling and simultaneous blending in with the environment. (This was also not disclosed within the initial Application). More information was provided on the line of Silky Oak Trees and its potential benefits to the development.

One member felt that Bottle Brush Trees are a good alternative. Members highlighted that the existing trees to the South of the boundary and trees and shrubs to the east of the boundary must be

	<p>retained. The applicant to submit a colour scheme and finishing of the building for written approval by the CPO.</p> <p>Members noted that the Applicant did not submit all this information initially, however due to the clarifications, are now content to approve the proposed development. The Conditions recommended by the CPO was read out and agreed.</p> <p><b>Resolution:</b> The Application was Approved with Conditions as Recommended by the CPO. Correspondence to be sent out to Applicant.</p>	
<p>2)</p>	<p><b>Application 2017/37 - Proposed additional access Road – Woody Ridge, Levelwood- simultaneously discussing Woody Ridge Residential Area (2007/04/SH Hansel Phillips)</b></p> <p>The CPO presented the Application by means of a Power Point Presentation. CPO indicated that this proposed application is being discussed simultaneously with the Woody Ridge Residential Area Application 2007/04/SH. A site visit to Woody Ridge was undertaken with the Applicants, the Developer, other Land Owners and members of the Authority. The members felt that the site visit was productive as they had concerns with regards to the existing infrastructure where the Roads Infrastructure has not been developed as laid out in the original approval given to the developer, Mr Hansel Phillips. Of concern also was the fact that records show that additional Land Parcels, has been added to the development over a number of years without having obtained the necessary approvals for variation. It was stressed that the lack of adequate Infrastructure to service the residential area affects the existing land owners/developers and therefore the Authority agreed that no further developments will be permitted until such time the area has been serviced by road and utility infrastructure in accordance with LDCP Policy 1Z1(g). The CPO to correspond with the developer Mr Hansel Phillips, requesting that he prepares and submits, within a period of 3 Months, in consultation with land Owners and Service Providers the following:</p> <ul style="list-style-type: none"> <li>a) New Plot and Street Layout to reflect the actual development on the ground indicating property sites and land ownership;</li> <li>b) To identify Road Infrastructure and areas required for upgrading;</li> <li>c) To identify Utility Infrastructure with alignment and sizes of pipes for Water and Electricity Supply, Sewer Network and Communal</li> </ul>	<p><b>CPO</b></p>

	<p>Soak away.</p> <p>If this deems inadequate, the Developer in consultation with the various property owners and Service Providers, submit proposals towards the upgrading of the infrastructure and also to submit a proposed timer-frame for implementation.</p> <p>In light of the assessment and the conclusion on the Woody Ridge Residential Area, the Authority Refused the development for the proposed additional Access Road in the interest of upgrading the initially approved Road Infrastructure of the Woody Ridge Residential Area for the benefit of the Community as a whole in accordance with and to meet the objectives of Strategy 2.4, Policy SD2 and Policy RT1(b) and (c) as Recommended by the CPO.</p> <p><b>Resolution:</b> Decision Notice to be sent out to Applicant</p>	
<p><b>3)</b></p>	<p><b>Application 2017/53 - Proposed Renovations and Extensions (2 Bedrooms and 1 Bathroom) – Nr the Half Tree Hollow Community Centre - Jolene Corney</b></p> <p>The CPO presented the Application by means of a Power Point Presentation. Members were concerned that this development abuts Parcel HTH0534 and felt that additional space (currently around 0.5 metre or less) between the development and the boundary line should be negotiated as there is a concern that neighbouring amenity may be affected, encroachment may take place and utility services not effectively installed within this narrow space up to the boundary. Members also wondered if the Applicant could consider an alternative design / floor layout altogether.</p> <p>Mrs Ethel Yon (Chairperson to the Authority) indicated before that she has an interest as the neighbour (although did not object to the development). She however remained at the table but did not contribute to the decision to defer. The Application was deferred by Member for further consultation with the Applicant.</p> <p><b>Resolution:</b> Deferred – CPO to consult with the Applicant.</p>	<p><b>CPO</b></p>
<p><b>4)</b></p>	<p><b>Application 2017/54 - Proposed Extension onto Existing main House to create a Flatlet – Cow Path – Steven Andrews</b></p>	<p><b>CPO</b></p>

	<p>The CPO presented the Application by means of a Power Point Presentation. It was noted that this proposal will be developed in close proximity of the boundary – however the neighbour has provided a written consent. The applicant to be made aware that the wall colour of the extension is to match that of the existing house.</p> <p><b>Resolution:</b> The Application was approved with Conditions as Recommended by the CPO. Decision Notice to be sent to applicant.</p>	
5)	<p><b>Application 2017/58 - Proposed Sheep Pound and Enclosed Pen for Grazing – Farm Lodge – Stephen Biggs</b></p> <p>The CPO presented the application by means of a Power Point Presentation. The development aligns with Green Heartland Policies but needed to come to the Authority due to its location within the Green Heartland. Members agreed that both the roof and walls be painted dark slate grey in order to blend in with the environment.</p> <p><b>Resolution:</b> The Application was Approved with Conditions as Recommended by the CPO. Decision Notice to be sent to Applicant.</p>	CPO
6)	<p><b>Application 2017/62 - Proposed Conversion of Dilapidated Building into Guest House – Cartref, Levelwood – Walter Barshai</b></p> <p>The CPO presented the application by means of a Power Point Presentation. This is a two storey, green design on a large portion of land. Members concurred with the recommendation.</p> <p><b>Resolution:</b> The Application was Approved with Conditions as Recommended by the CPO. Decision Notice to be sent to Applicant</p>	CPO
7)	<p><b>Application 2017/63 - Proposed Siting of a 20ft Container (permanently) for storing Household Items – Clay Gutt – Edith Henry</b></p> <p>The application was presented by the CPO by means of a Power Point Presentation. The CPO confirmed that the application is in accordance with the Policy on Siting of Containers, however recommended that the Applicant provide details, for approval, in terms of shielding (either partially or wholly) of the container to minimise visual impacts. The Authority agreed.</p> <p><b>Resolution:</b> The application was Approved with Conditions as Recommended by the CPO – Decision Notice to be sent to Applicant.</p>	CPO

<b>8)</b>	<p><b>Application 2017/51 - Proposed Installation of Solar Panels for five Units with Tanks – Harbour View, Jamestown – Property Division</b></p> <p>This application came before the Authority in June 2017. Although approval was given in principle, it was suggested that an alternative design/solar panel option be investigated. This was carried out and it was confirmed that the initially proposed solar panels &amp; tanks are more feasible at this stage, are proven and effective and impacts can be mitigated in various ways.</p> <p><b>Resolution:</b> The Application was Approved with Conditions as Recommended by the CPO. Decision Notice to be sent to Applicant.</p>	<b>CPO</b>
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## H. Approvals under Delegated Power

<p>The following Development Application were approved under <b>Delegated Powers</b> by the Chief Planning Officer:</p>		
<b>1)</b>	<p><b>Application 2017/52</b> Proposed Basic Minor Tree Maintenance Brick House, Pilling School and Leisure Park, Jamestown Crown Estates Approved by CPO on 12 June 2017 CPO briefly discussed the application and rationale that lead to the decision and Authority confirmed their approval.</p>	

## I. Minor Variations

<p>The following Three (3) Development Applications were approved as Minor Variations by the Chief Planning Officer.</p>		
<b>1)</b>	<p><b>Application 2014/37</b> Proposed Saddle Roof to Hip-Roof Nr Silver Hill, Levelwood – Marion Leo Approved by CPO on 29 June 2017 CPO briefly discussed the application and rationale that lead to the decision and Authority confirmed their approval.</p>	



2)	<p><b>Application 2015/21:</b> Proposal to remove Condition 8 of DN (Insulation Material) Red Hill, St Paul's – Gareth Johnson Approved by CPO on 29 June 2017 CPO briefly discussed the application and rationale that lead to the decision and Authority confirmed their approval.</p>	
3)	<p><b>Application 2016/172</b> Proposed overhang of Front Eave increased from 600mm to 2 mtrs Ladder Hill – Rosemary Bargo Approved by CPO on 29 June 2017 CPO briefly discussed the application and rationale that lead to the decision and Authority confirmed their approval.</p>	

#### J. Strategic Planner Matters - CPO Feedback

The Chief Planning Officer briefed the Authority on the following Strategic Planning Matters:		
1)	<p><b>Land Development Control Plan (LDCP) Mid Term Review:</b>  The CPO had no further update. Meetings are still being held on a weekly basis. CPO will update the Authority as and when necessary.</p>	<b>CPO</b>
2)	<p><b>Jamestown Conservation Area Management Plan:</b>  CPO indicated that this Plan will knit closely with the Historic Environment Record (HER) currently undertaken by David Taylor (acting as Consultant Planner).</p>	<b>CPO</b>
3)	<p><b>Building Regulations Review</b>  As reported last month this review is still in progress and currently conducted by the appointed Planning Consultant (D Taylor) – no further feedback at this stage.</p>	<b>CPO / PO / BI / DBI</b>
4)	<p><b>Bottom Woods CDA:</b>  The CPO is still contributing to this and is progressing. Stakeholders are also involved.</p>	<b>CPO</b>

**K. Any Other Business**

There was nothing to report under AOB.
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**L. Closed Items**

**M. Next Meeting**

The next LDCA Meeting was scheduled for <b>Wednesday 2 August 2017 at 9:00</b> at the Education Learning Centre, Jamestown.	<b>CPO / S</b>
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**N. Closing**

The Chairperson thanked Members for their attendance. The meeting closed at 13:40 hrs.	
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**Signed by the Chairperson to the Authority, as a true reflection of the Meeting.**

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**Chairperson to the LDCA**

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**Date**