



**St Helena
Government**

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 5 June 2019
Time : 9am
Venue : St Helena Community College, Jamestown

Present	Mrs Ethel Yon OBE	Chairperson
	Mr Paul Hickling	Deputy Chairperson
	Mr Paul Scipio	Member
	Mr Ralph Peters	Member
	Mr Raymond Williams	Member
	Mr Karl Thrower	Member
	Mr Gavin George	Member
	Mr David Goodrick	Chief Planning Officer (CPO)
	Mr Shane Williams	Planning Officer (PO)
	Mrs Karen Isaac	Secretary

Apologies

1. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending.

2. Declarations of Interest

There were no declarations of interest to declare.

3. Confirmation of Minutes of 1 May 2019

Members confirmed the Minutes of 1 May 2019 as a true record and were signed by the Deputy Chairperson.

4. Matters Arising from Minutes of 1 May 2019

Application 2019/16 – Proposed Conversion of the Freight Terminal into Marine Offices, Lab and Marine Visitor Centre – The Wharf, Jamestown – Marine Section (EMD)/National Trust (Blue Marine)

Members noted that (a) advice had been sought from the Harbour Master on the ISPS Security Fencing and the CPO had been informed this was not necessary and (b) the concern about the sewerage system was already taken care of in the Crown Estates Maintenance Programme. Ag Director of ENRP would present to Exco.

Application 2018/77 – Outline for Construction of a New Prison and Police Custody Building – Bottom Woods – Prison Project Board

A date would be arranged for this application to be heard by Exco. It was noted that this matter was on the agenda for today's meeting.

Rupert's

The New CPO would be asked to sit on the Rupert's Valley Development Group when he takes up his post in June.

Current Applications

The CPO had commenced the process of writing to those applicants whose applications are awaiting further information. If no reasonable dialogue is commenced to resolve the issues, the applications will be deemed as "refused" in accordance with the Land Development Control Legislation. The Chair thanked the Planning team for taking this forward.

Applications for LDCA determination –

Application 2019/15 – Derek and Bridget Henry

The PO had spoken with the applicant to obtain the necessary agreement in writing from Connect St Helena Ltd.

Application 2019/36 – Colin Henry

The applicant produced a revised site plan to show the drainage route, the embankment and the cut and fill operations. Decision Notice had now been issued.

Strategic Planning Matters –

Building Regulations

The Building Regulations discussed by Exco on 28 May 2019 and were approved subject to clarification on two points, as follows:

- Are Building Control answerable to the LDCA
- Can Building Inspectors relax the regulations

These were to be checked and referred back to EXCO. It was noted that the Regulations were discussed with the AG's Chambers and they are now looking at the Memorandum of Understanding (MOU). No decision has been made.

Rupert's Valley Development Plan

The Project Manager (Rupert's) Airport Directorate wondered if any updates from the Authority could be shared with the Rupert's Valley Working Group. This is to make sure that any time lines etc. can be co-ordinated before they are released in the public domain. The CPO is in the process of preparing documentation in readiness for the arrival of the new CPO this month.

Jamestown Conservation Area Management Plan

On hold. This should continue as an item on the Agenda until finalised.

Land Development Control Plan Review

Currently Riana De Wet is working on the Agricultural Section and awaiting feedback on Telecommunications. She is still awaiting final decision on Tax issue from Finance before commencing further work on this review.

AOB

Mundens

The CPO had spoken to the Property Division on the permission given to David Pryce. David was given permission by Crown Estates. This would now be stopped and a Barrier Restriction across the track implemented to restrict vehicular access.

Head O'Wain Clinic - Stephen McDaniel

A question was asked by a member of the Authority if an application to renovate Head O'Wain ex Clinic had been received from Mr Stephen McDaniel, the answer was "no". It was noted that the property was in a very disgraceful condition but the Planning Section would only respond if a complaint is received.

5. Building Control Activities/Update

LDCA Members were given a list of Building Control Activities for the month of May 2019 for their information.

The CPO spoke of the Building team who are working very closely with the Planning team. Site visits are undertaken but because of the resources on island, it has proven difficult to pigeon hole who does what in respect of checking implementation of planning conditions. The Regulations are going through the process subject to the two bullet points as mentioned above under Strategic Planning Matters.

6. Current Planning Applications

LDCA Members were given a list of Current Development Applications.

There were 23 Applications awaiting determination at the time of preparing the Agenda. Some are awaiting further information whilst others are in the consultation period or being assessed.

7. Applications for LDCA Determination

1)	<p>Application 2018/21 – Proposed Construction of a Three Bedroom Dwelling – Lower Cleughs Plain – Roxanne Yon-Thomas</p> <p>One Representation was received concerning dust and rain water runoff.</p> <p>The Planning Officer presented this application. The site is located at lower Cleughs Plain and falls within the Intermediate Zone with no additional Conservation Area restrictions. It was noted that excavation works had already taken place with an additional terrace measuring four metres high. Members advised that the applicant should produce an engineering solution to reduce the height of the terrace as it was felt that the four metre cut is dangerous and needs addressing. Members also asked who owned the plot before it was sold to the applicant. Mr Mike Durnford, who submitted the representation was allowed to speak where he told the meeting that the retaining wall next to the site had partially collapsed.</p> <p>Resolution: The Authority deferred the application until their concern is sorted and to ascertain who the site belonged to before it was bought by the Applicant.</p>	PO
2)	<p>Application 2019/31 – Proposed Demolition of Existing Dwelling and Construction of a Two Bedroom Dwelling – Plantation Square – Adam and Hazel Savva</p> <p>The Planning Officer presented this application. The site is located at Plantation Square and falls within the Green heartland Zone with no additional Conservation Area restrictions. The Authority wondered whether the roof of the existing dwelling is Asbestos. If so, a condition is to be placed to take account of the safe removal and handling of the Asbestos roofing.</p> <p>Resolution: The application for the demolition of Existing Dwelling and Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO with an additional condition to take account of the</p>	PO

	Asbestos if there is Asbestos roofing on the Existing Dwelling. A Decision Notice should be issued.	
3)	<p>Application 2019/41 – Proposed Change of Design and Material to all Windows – ESH Business Units One and Two – Enterprise St Helena</p> <p>The Planning Officer presented this application. The site is located at the back of Rosie’s Restaurant, Ladder Hill and falls within the Intermediate Zone and Heritage Coast Conservation Area. It was noted that a concern was raised by EMD stating it was thought originally the window design and the overall design of the buildings were intended to match the listed buildings opposite, in line with Built Heritage Policies. The Authority considered that the windows should be painted white to blend in with existing buildings. Condition 4 to be rectified to take account of the colour of the windows.</p> <p>Resolution: The application for the Change of Design and Material to all Windows was approved with conditions as recommended by the PO with the colour of the Windows to be White instead of Brown. A Decision Notice is to be issued.</p>	PO
4)	<p>Application 2019/18 – Proposed Construction of a Two Bedroom Dwelling – Nr High Knoll – Claire George</p> <p>The Chief Planning Officer presented this application. The site is located Nr High Knoll, Red Hill, St Pauls and falls within the Intermediate Zone with no Conservation Area restrictions. It was noted by the Authority that the plot is fairly small and the proposal is fairly compact. The following issues/concerns were raised by the Authority:-</p> <p>Note was taken of the soak-away and the steep embankment.</p> <p>The rooms were considered too small but Building Regulations allows for rooms of 3.2 metres.</p> <p>A suggestion was made that perhaps the roof could be changed and an elevation to 1.5 storey. Another suggestion to change door to the Bathroom. Mention was made that another plot of land is being looked at to be bought, if not already, that is quite close to this proposed application.</p> <p>Members requested that the PO and CPO should refer this application to the new CPO to have a look at and advise members accordingly.</p> <p>Resolution: Application deferred.</p>	PO/CPO
5)	<p>Application 2019/34 – Proposed Construction of a Two Bedroom Dwelling – Nr Princes Lodge - Michael Ellick</p> <p>There were two Representations. The Chief Planning Officer presented this application. The site is located Nr Princes Lodge, St Pauls and falls within the Intermediate Zone with no additional Conservation Area restrictions. It was</p>	

	<p>noted with reference to the objection that effluent will have to go uphill to affect the adjacent properties so there was no issue. It was also noted that there is a massive flat roof/Party Deck and it was wondered whether it could be for future planning. The Authority asked that a condition be placed in that no structure would be allowed to be erected on the Flat Roof/Party Deck without prior approval of the Planning Section, unless it was of a temporary nature such as a Canvas Gazebo.</p> <p>Resolution: The application for construction of a Two Bedroom Dwelling was approved with conditions as recommended by the CPO with an additional Condition to take account of the Flat Roof/Party Deck. A Decision Notice to be issued.</p>	CPO
6)	<p>Application 2019/40 – Proposed Construction of a Two Bedroom Dwelling and Double Garage – Bellstone, Levelwood – Jeromy John Henry</p> <p>The CPO presented this application. The site is located in Bellstone, Levelwood and falls within the Intermediate Zone with no Conservation Area restrictions. The Authority noted the significant cut of seven meters and the enormous fill and saw this plot being unstable for its development. It was stressed that there would be safety issues in respect of this proposal and that there should have been more thought to the engineering side of this proposal.</p> <p>Resolution: The application for Construction of a Two Bedroom Dwelling was refused. A Decision Notice to be issued.</p>	CPO

8. Approvals by CPO under Delegated Powers

The following five Development Applications were dealt with under Delegated Powers by the Chief Planning Officer.

1)	<p>Application 2019/27</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Minor Tree Maintenance to Selected Trees – Location : Castle Gardens, Jamestown – Applicant : ANRD of ENRPD – Official : Shane Williams, PO (Authorised by David Goodrick, CPO) – Status : Approved on 13 May 2019
2)	<p>Application 2019/42</p> <ul style="list-style-type: none"> – Requested : Full Development Permission

	<ul style="list-style-type: none"> – Proposal : Installation of Windows and Door on Existing House – Location : Nr the Guns, Ladder Hill – Applicant : Gilbert Yon – Official : Shane Williams, PO (Authorised by David Goodrick, CPO) – Status : Approved on 23 May 2019
3)	<p>Application 2018/61</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Change of Roof Profile and Installation of Soak-away for Existing Slaughter Facility – Location : Warrens Gut, Levelwood – Applicant : Messrs Cyril and Merrill Legg – Official : David Goodrick, CPO – Status : Approved on 27 May 2019 <p>It was noted that Environmental Health was involved with this application.</p>
4)	<p>Application 2019/37</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Conversion of Shed into a Bedroom, Bathroom and Toilet – Location : New Ground – Applicant : Norman Thomas – Official : Shane William, PO (Authorised by David Goodrick, CPO) – Status : Approved on 29 May 2019
5)	<p>Application 2019/33</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Alterations and Extensions to Existing House to form a Foyer, Garage and Patio – Location : Kunjie Field – Applicant : Anthony Reynolds – Official : Shane Williams, PO (Authorised by David Goodrick, CPO) – Status : Approved on 3 June 2019

9. Minor Variations Approved by CPO

<p>The following nine Development Applications were approved as Minor Variations by the Chief Planning Officer. As normal practise key Stakeholders are approached when and where needed for Minor Variation Evaluation.</p>	
1)	<p>Application 2017/125/MV1</p> <ul style="list-style-type: none"> – Requested : Minor Variation

	<ul style="list-style-type: none"> – Proposal : Change of Roof Profile on Garage – Location : Bottom Woods – Applicant : Bertina Benjamin – Official : David Goodrick, CPO – Status : Approved on 13 May 2019
2)	<p>Application 2019/26/MV1</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To reduce the footprint of the Carport – Location : Willow Lane Cottage, Levelwood – Applicant : Leyon Robert Moyce – Official : David Goodrick, CPO – Status : Approved on 13 May 2019
3)	<p>Application 2018/25/MV1</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To Change from Single Entrance Doorways to Double Doors with Sidelights – Location : The Canister, Jamestown – Applicant : Enterprise St Helena – Official : David Goodrick, CPO – Status : Approved on 13 May 2019 <p>It was stressed by the Authority that this application should have come back to them. It was noted that the doors open out and not in as was approved and the colour of the doors were unsightly. The Authority asked for the CPO to take action under Section 13 of the Land Development Control Ordinance.</p>
4)	<p>Application 2018/03/S MV1</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To add a Conservatory (2.9m x 1.8m) onto the Dining Room – Location : Pounceys, St Paul's – Applicant : Eric Beard – Official : David Goodrick, CPO – Status : Approved on 28 May 2019
5)	<p>Application 2017/79/MV1</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To Change the Verandah from Concrete to Timber Decking – Location : Half Tree Hollow – Applicant : Deborah Peters-Williams – Official : David Goodrick, CPO – Status : Approved on 28 May 2019

6)	Application 2018/60/MV2 <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To excavate New Access and close up Existing – Location : Never Grove, Levelwood – Applicant : Patricia Francis – Official : David Goodrick, CPO – Status : Approved on 28 May 2019
7)	Application 2019/04/MV1 <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To relocate Sheep Shelter a few meters below original site – Location : Guinea Grass – Applicant : Darren Duncan for SHG – Official : David Goodrick, CPO – Status : Approved on 28 May 2019
8)	Application 2019/19/MV1 <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To extend Master Bedroom by 1.8m eastward thus reducing Verandah by 5.215m – Location : Sea View – Applicant : Simon Francis – Official : David Goodrick, CPO – Status : Approved on 28 May 2019
9)	Application 2016/106/MV2 <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To alter Floor Layout and Reposition House – Location : Half Tree Hollow – Applicant : Diana Benjamin and Sean Benjamin – Official : David Goodrick, CPO – Status : Approved on 30 May 2019

10. Prison Project

	For record purposes it is noted that application 2018/77 – New Prison was agreed to go ahead and the Authority reinforced their decision that was made in September 2019.
--	---

11. Strategic Planning Matters

1)	Building Regulations
2)	Rupert's Valley Development Plan

3)	Conservation Area Management Plan On hold. The Chairperson advised that this should continue as an item on the Agenda until finalised.
4)	LDCP Review All four items above were discussed under Matters Arising.

12. Any Other Business

1)	Tribute to CPO David Goodrick The Chairperson paid tribute to CPO David Goodrick who came to the rescue when there was no CPO in post and thanked him very much for the time he worked in the Planning Office. David thanked the Chairperson and Members, the PO and the Secretary for all their support and advice and said it was a real eye opener for him being on the other side of the fence rather than being the developer.
2)	Member Paul Scipio It was noted that Member Paul Scipio will be doing some work for Planning which meant that he will not be able to continue a member of the LDCA. He was thanked for his valuable contribution to meetings of the Authority.

13. Next Meeting

The next meeting of the LDCA is proposed for 3 July 2019.

The Chairperson thanked Members for their attendance. The meeting closed at 13 45 hrs.

Signed by the Chairperson of the Authority, as a true reflection of the Meeting

Chairperson to the LDCA

Date