



**St Helena
Government**

MINUTES

Land Development Control Authority Meeting

Date : Monday, 1 May 2019
Time : 9am
Venue : St Helena Community College, Jamestown

Present	Mrs Ethel Yon	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. The Chairperson apologised to Members for receiving the papers quite late for this meeting but said this was due to illness in the Planning Section. The Chairperson thanked the Planning Officer, Shane Williams for his tremendous work.

2. Declarations of Interest

The Chairperson, Mrs Ethel Yon declared her interest in respect of application 2019/16 as she is the President of the St Helena National Trust. The National Trust is the Applicant for this application.

3. Confirmation of Minutes of 27 March 2019

Members confirmed the Minutes of 27 March 2019 as a true record and were signed by the Chairperson.

4 Confirmation of Minutes of 11 April 2019

Members confirmed the Minutes of 11 April 2019 as a true record and were signed by the Chairperson.

5. Matters Arising from Minutes of 27 March 2019

5.1 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)

A site visit to the Wharf area was carried out on Monday, 8 April 2019 at 11 am. This application was on the agenda for discussion today.

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

This application was dealt with at the LDCA meeting on Thursday, 11 April 2019. It was noted that a date has to be arranged for this application to be heard by Exco.

5.3 Application 2019/23 – Proposed Fun Park comprising Go-Kart Track, Mini Golf Course, Viewing Deck, Picnic Area, Wall Climbing Fence, Kids Soft Play Area and Zip Line – Merrimens Forest, Nr Sapper Way – Craig and Paul Scipio

A site visit to Merrimen's was carried out on Monday, 8 April 2019 at 9 am. This application was dealt with at the LDCA meeting on Thursday, 11 April 2019

5.4 Consultation Feedback arising from Application 2019/13 – Proposed Construction of a Two Bedroom Dwelling – Bellstone, Levelwood – Cedric J Cooper

In considering this application, it was noted that quite a number of Directorates are not responding with regards to the consultation process. The Chairperson informed the meeting that the Chief Secretary is well aware of this situation and would contact the Directorates concerning this.

5.5 Strategic Planning Matters – RVDP

The Project Manager (Rupert's) Airport Directorate asked 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 informed the meeting that he is preparing documentation in readiness for the arrival of the

new CPO in early June, who would take this forward. It was noted that the contract for the new CPO is three years.

5.6 Application 2019/08 – Proposed Demolition of Brickwork Store and Construction of Disability Shower and Toilet (Wet Room), Brick House, Jamestown – Safeguarding Directorate

It was noted that the Decision Notice had now been issued.

5.7 Any Other Business – Rupert’s

It was noted that the CPO does not currently sit on the Rupert’s Valley Development Group. Members asked that this be investigated as to why. The acting CPO responded that this is due to the fact that he sits on the group in his capacity as Chief Engineer. The new substantive post holder will be asked to attend when he takes up his post in June.

6. Matters Arising from Minutes of 11 April 2019.

There were no matters arising from the minutes of 11 April 2019.

7. Building Control Activities

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

8. Current Applications

LDCA Members were given a list of Current Development Applications.

There were 27 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. The Chairperson asked if the outstanding applications for 2018 could be dealt with in the coming weeks and reduced. The CPO indicated that he is now in the process of writing to those Applicants whose applications are awaiting further information. If no reasonable dialogue is commenced to resolve the issues they will be deemed as refused in accordance with the Land Development Control Legislation.

9. Applications for LDCA Determination

1)	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)	
	Mrs Ethel Yon, Chairperson left the table for this item of business. Mr Paul Hickling deputised. This application was deferred from the	

	<p>meeting of 27 March 2019 as members were concerned about some operational issues and agreed for a site visit to be carried out. A site visit was carried out on Monday, 11 April 2019. One member had a concern on the sewerage and asked who is responsible for the maintenance. It was noted that this will be picked up by SHG Property Division. Mr Julian Benjamin, Senior Design Draughtsman in attendance was given the opportunity to speak on the disposal of the chemicals where he highlighted that the Chemicals from the Marine Lab will be caught in their own trap and stored in appropriate containers until it can be removed for proper disposal. It was noted that no chemicals will enter the current sewage system. Mention was also made that the current sewage treatment is by Bio-digester and any chemicals entering the system would destroy the bacteria.</p> <p>It was stressed that there should be mitigation put in place to segregate the Public from Port Operations, this could be done with fencing of the same design as the black Iron Gate to the Customs Building. It was noted that works might have to comply with the International Port Security System, advice to be sought from the Harbour Master. It was noted that it is an internal separation and therefore would be seen as a safety barrier rather than a security issue. Members asked that the issue on the Sewage concern and the fencing be sorted and clarified and dealt with by the CPO under delegated powers. Condition no. 10 of the Decision Notice to be strengthened.</p> <p>Resolution: The application for Conversion of the Freight Terminal into Marine Offices, Lab and Marine Visitor Centre was approved with conditions as recommended by the CPO subject to the CPO confirming responsibility for the maintenance of the sewage system with Crown Estates and if ISPS Security fencing needs to be used for the demarcation fencing. To EXCO for final determination.</p>	<p>CPO</p>
<p>2)</p>	<p>Application 2019/35 – Proposed Siting of Two 20 ft Containers and widening of Footpath to form a Vehicular Access Track – Windy Point, Green Hill, Sandy Bay – Barry Hubbard</p> <p>The Applicant was in attendance. The Planning Officer presented this application and apologised for not having a presentation on screen. This was due to time constraints. The proposal will sit in the Coastal Zone with no Conservation Area restrictions. It was noted that the Containers would be permanently sited. Mention was made of the fact that Containers will not be permitted where they are within 10mtrs of another person's dwelling and also that the walls of the Containers should be cladded. The Applicant who was given the opportunity to</p>	

	<p>speaker said that the Containers are still to be purchased and once sited would not be seen from anywhere. It would be painted and it was suggested and agreed by members that dark slate grey be used. Mr Andrew Pearce at this time started to speak and the Chairperson told him that he did not have permission to speak. However, Mr Pearce went on to say that “as you don’t have anything to show on screen, do you have any drawings”? The plan was shown to Mr Pearce. At this time the Chairperson advised Mr Pearce that these drawings were already in the Planning Office and in the public domain.</p> <p>Resolution: The application for the Proposed Siting of Two 20ft Containers and widening of Footpath to form a Vehicular Access Track was approved with conditions as recommended by the PO. A Decision Notice to be issued.</p>	PO
3)	<p>Application 2019/15 – Proposed Construction of a One Bedroom Dwelling – Clinic Drive, Half Tree Hollow – Derek and Bridget Henry</p> <p>The Chairperson at this time apologised as the Planning Section was not able to prepare a presentation. The Planning Officer presented this application. The proposal will sit in the Intermediate Zone. The email correspondence was noted where a detailed explanation was given by the Planning Officer. One Member highlighted the fact that other development applications were refused because of the sewage problems in Half Tree Hollow and wondered how they could further consider anymore applications coming before them knowing that there are restrictions on sewage connections in the area of Half Tree Hollow. It was noted that a letter was sent to GIC on the concerns raised by the Authority and to date a response it still to be received. It was strongly stressed by the Authority that they should not be at this stage determining any applications where the sewage is an issue. This was causing unnecessary toing and froing and uncertainty for Applicants. It was noted that the Applicant was very upset as he was told both verbally and in writing by Connect St Helena that he could connect into the existing drainage. However, during the planning application consultation process, Connect object and stated that the Applicant could not connect to the existing system. The CPO said that the problem arose with Crown Estates, during the sale of the land, when the issue of connection was agreed with Connect St Helena. Members enquired about the position regarding the sewage in Half Tree Hollow? It was noted that the applicant had said that if approval was to be given he will not start to build until a few years’ time taking into consideration the time frame of five years. The Authority advised that</p>	

	<p>they had made a decision that they would not approve any further developments in the affected areas (Half Tree Hollow and St Paul's) and said it was for SHG to sort out. If there are objections from Connect then applications should not be processed. It was asked why no one is coming forward with alternatives for sewage treatment systems. So far no one has come up with a solution. The LDCA is open to ideas. Because of the issues surrounding the sewage in Half Tree Hollow members could not approve this application at this time but deferred it until the applicant obtained agreement in writing from Connect that he can connect into the system. The Secretary to write to the GIC asking for a substantive response urgently as the public would need to be appraised of the current situation with regard to the sewerage problems in Half Tree Hollow and St Paul's.</p> <p>The Authority asked that Mr Barry Hubbard from Connect St Helena be invited to a LDCA meeting regarding the sewage problems in Half Tree Hollow and St Pauls areas.</p> <p>Resolution: Application deferred until the applicant obtain the necessary agreement in writing from Connect St Helena. The Applicant to be informed accordingly.</p>	<p>Secretary</p> <p>PO</p>
4)	<p>Application 2019/21 – Proposed Construction of a Three Bedroom Dwelling – New Ground – Timothy Francis</p> <p>The Planning Officer presented this application. The proposal will sit in the Intermediate Zone with no additional Conservation Area restrictions. This was seen as a straightforward application.</p> <p>Resolution: The application for proposed Construction of a Three Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to be issued.</p>	PO
5)	<p>Application 2019/32 – Proposed Extensions to Existing House to form a Patio and Bedroom with en-suite – Nr the Rock Club, Ladder Hill – Tanya Benjamin</p> <p>The Planning Officer presented this application. The proposal will sit in the Intermediate Zone with no Conservation Area restrictions. It was noted that this proposal is being connected to the communal system where Connect St Helena did not object. Taking into account the issues regarding the sewage in Half Tree Hollow and the application that the Authority dealt with earlier (2019/15), it was felt that there was inconsistency. However, it was noted that this application is for extensions and not a new build therefore not taking into account any</p>	

	<p>likely number occupancy. It was stressed that one cannot control numbers of people and that the number of occupancies could be the same. Members asked that clarity be requested from Connect as to whether they are only objecting to new builds in Half Tree Hollow or extensions also.</p> <p>Resolution: The application for proposed Extensions to Existing House to form a Patio and Bedroom with en-suite was approved with conditions as recommended by the PO. A Decision Notice to be issued. PO to clarify with Connect as to whether they are objecting to new builds only in Half Tree Hollow or Extensions as well.</p>	PO
6)	<p>Application 2019/36 – Proposed Construction of a Two Bedroom Dwelling – Alarm Forest – Colin Henry</p> <p>The Planning Officer presented this application. The proposal will sit in the Intermediate Zone with no Conservation Area restrictions. It was noted that originally in 2006, development permission was obtained on this same plot for the construction of a Two Bedroom Dwelling. However, due to the fact that no works were completed within the given time, the permission lapsed, hence the reason for this new development application. It was noted that there is still some information that needs to be obtained indicating the new drainage route and the embankment and also amended cut and fill operations. Members agreed for this to be delegated to the CPO subject to acquiring a revised site plan to show the drainage route, the embankment and cut and fill operations. If any problems are encountered the application is to be brought back to the LDCA.</p> <p>Resolution: The application for Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO, subject to the additional information being obtained from the applicant as highlighted above. A Decision Notice then to be issued.</p>	PO

10. Approvals by CPO under Delegated Powers

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

1)	<p>Application 2019/09</p> <p>– Requested : Full Development Permission</p>
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	<ul style="list-style-type: none">– Proposal : Change of Use from Shop to Cafe– Location : The Moon, Napoleon Street, Jamestown– Applicant : Huxtable St Helena Ltd– Official : David Goodrick, CPO– Status : Approved on 8 April 2019
2)	Application 2019/10 <ul style="list-style-type: none">– Requested : Full Development Permission– Proposal : Change of Roof Profile and Extensions to Existing House (Verandah and bathroom)– Location : Longwood Hangings– Applicant : Kayleigh Marie Henry– Official : David Goodrick, CPO– Status : Approved on 8 April 2019
3)	Application 2019/29 <ul style="list-style-type: none">– Requested : Full Development Permission– Proposal : Construction of a Double Garage– Location : Pink Grove, Levelwood– Applicant : Roberta Thomas and Ryan Samuel– Official : David Goodrick, CPO– Status : Approved on 15 April 2019
4)	Application 2019/26 <ul style="list-style-type: none">– Requested : Full Development Permission– Proposal : Construction of Double Carport– Location : Willow Lane Cottage, Levelwood– Applicant : Leyon Robert Moyce– Official : David Goodrick, CPO– Status : Approved on 16 April 2019

11. Minor Variations Approved by CPO

There were no Minor Variations approved by the CPO.

12. Strategic Planning Matters

1)	Building Regulations <p>The CPO told the meeting that the Building Inspectors are working on terminology and definitions following legal input to ensure wording is still as it was intended to be. It was hoped that the information does not get put on the Web in its draft form. It</p>
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	should now be an item for Legislative Council to discuss.
2)	Rupert's Valley Development Plan It was noted that the draft RVDP did not materialise. The CPO told the meeting that he is now in the process of putting documents together for the new CPO to deal with when he arrives in June. The Chairperson commended the CPO for doing a good job and thanked him for this. The RVDP will come before the LDCA in due course.
3)	Conservation Area Management Plan On hold. This should continue as an item on the Agenda until finalised.
4)	LDCA Review It was reported that the issues have been resolved with the Consultant, Riana de Wet. Eight sections of the report have been dealt with.

13. Any Other Business

1)	Mundens Road One Member informed the meeting that Mr David Pryce was given permission by someone in SHG to drive a vehicle on Mundens Road. Taking into consideration the safety concerns the member asked if this could be investigated as to who gave him the permission to do so.	CPO
2)	Consultation Feedback One Member asked if Connect can object to the connection of the sewage system or to the actual application as it was noted that they specifically state that they object to the application. The matter will be taken up with Mr Hubbard.	

14. Next Meeting

The next meeting of the LDCA is proposed for 5 June 2019.

The Chairperson thanked Members for their attendance. The meeting closed at 12.30 hrs.

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

Chairperson to the LDCA

Date