



St Helena  
Government

# MINUTES

## Land Development Control Authority Meeting

Date : Thursday, 8 October 2020  
Time : 10 am  
Venue : The Council Chamber, Castle, Jamestown

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| <b>Present</b> | Mrs Ethel Yon OBE   | Chairperson                  |
|                | Mr Paul Hickling    | Deputy Chair                 |
|                | Mr Raymond Williams | Member                       |
|                | Mr Karl Thrower     | Member                       |
|                | Mr Gavin George     | Member                       |
|                | Mr Ralph Peters     | Member                       |
|                | Mr Ismail Mohammed  | Chief Planning Officer (CPO) |
|                | Mr Shane Williams   | Planning Officer (PO)        |
|                | Mrs Karen Isaac     | Secretary                    |

### Apologies

**Also in Attendance** Ten Members of the public, including applicants/Objectors.

### 1. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending.

### 2. Declarations of Interest

Member, Mr Karl Thrower declared his interest in respect of application 2020/63 as he was involved in the technical services works.

### 3. Confirmation of Minutes of 5 and 24 August 2020

The Minutes of meetings of 5 and 24 August 2020 were confirmed and signed by the Chairperson.

#### **4. Matters Arising from Minutes of 5 and 24 August 2020**

##### **Application 2019/44 – Extensions to Existing House to form a Double Storey – Sea View, Alarm Forest – Brian Paul Fuller**

It was noted that the applicant wished to proceed with the application as it stands. The application would now be prepared for the next LDCA meeting.

##### **Application 2020/05 – Change of Use from Residential Care Home to ten units of one Bedroom Social Housing Flats – Barn View, Longwood – Property Division, St Helena Government**

This application is still with Executive Council. It was noted that the applicant had advised that the application would be withdrawn but no decision has been made.

##### **Application 2020/41 – Proposed Container Handling Facilities incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking – Lower Ruperts Valley – Programme Management Unit (PMU), St Helena Government**

This application was discussed at a special meeting of LDCA on 24 August and reported for the final decision by Executive Council on 25 August 2020. The application was approved on 25 August and a decision notice has been issued.

##### **Application 2020/48 (Retrospective) – Proposed Verandah Extension to Existing House – Brewery Yard, Jamestown – Neil and Deborah Fantom**

This application was approved subject to the applicant submitting revised drawings to take account of the translucent roofing. The CPO advised that the minor amendment sought by the Members were agreed.

#### **Any Other Business**

##### **Signs at the Yacht Club, the Wharf, Jamestown**

The CPO reported that he had sought advice from the AG on the matter of painted signs on the building known as the Yacht Club. The AG advised that this does not constitute development. Members had concerns and advised that it should be reviewed when the LPDCO are reviewed.

#### **5. Building Control Activities/Update**

LDCA Members were given a list of Building Control Activities for the month of August 2020 for their information.

#### **6. Current Planning 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 addressed. The CPO said that since then a further ten development applications have been added to the current list.

## 7. Applications for LDCA Determination

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| <p>1)</p> | <p><b>Application 2020/56 – Proposed Construction of a Wheelchair Accessible Public Walkway – Longwood Avenue - Programme Management Unit, St Helena Government</b></p> <p>The CPO presented this application. The site falls within the Intermediate Zone. The proposal is to create a footpath from the side road leading to Harford School to improve pedestrian and wheel chair user safety. It was noted that the applicant, after submitting the application, undertook a public consultation in the area to which this proposal relates. A number of suggestions were made by the public and the design had been revised to incorporate the community suggestions and a revised plan was submitted. The plan now includes a marked crossing point across Longwood Avenue that would provide a visual alert to drivers and would also encourage speed reduction in the area. The members while supporting the application advised that the applicant should consider installing lighting at the junction of the road. Because this is a Capital Programme Project the application would have to be referred to Governor-in-Council for final determination.</p> <p><b>Resolution:</b> The application for Proposed Construction of a Wheelchair Accessible Public Walkway was supported by the Authority, subject to an advisory to take into account the installation of lighting. To Governor-in-Council for final determination.</p> | <p>CPO</p> |
| <p>2)</p> | <p><b>Application 2020/63 – Proposed Partial Demolition and Erection of Single Storey Building to Provide Improved Facilities to Judicial Buildings – Judicial Building, Grand Parade, Jamestown – Programme Management Unit, St Helena Government</b></p> <p>The CPO presented this application. The site falls within the Intermediate Zone and Jamestown Conservation Area. The Building is listed as Grade 1. The proposal is to partially demolish the two small Single Storey Buildings to the rear and erect a Single Storey Extension to provide Service Rooms and Toilet Facilities for the Judicial Building. Also included is disabled access and Internal Refurbishments of the Building to improve accessibility to enable users with disabilities to be better facilitated. Further improvements are also recommended to the rear Building that is used as the Public Library and disabled access to the rear of the former Police Station. It was noted that this</p>  |            |

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|                  | <p>application is the second phase of the proposed improvement and refurbishment works. The previous application was approved in 2019. It was noted that whilst the original submission was to install a Ramp for wheel chair access, due to the differences in level and following discussions with the applicant on restricted space availability, a ramp is not now required as it is proposed that the floor level of the new building at the rear would be lowered to match the floor level in the Court Room and the Judicial Offices. The CPO said that the Representation received highlighted a number of issues but stated that the Outline Development Permission 2017 has lapsed and therefore compliance with condition requiring endorsement from the St Helena National Trust and the Heritage Society did not now apply. It was also noted that the applicant had consulted with the Heritage Society but the discussion between the two parties were not amicable.</p> <p>Mr Andrew Pearce spoke and advised that the issues raised in the representation had been addressed. Mr Paul Scipio spoke on behalf of the Applicant. The members supported the application and said that this proposal is an improvement and user friendly. As this is a Capital Programme Project the application would have to be referred to Governor-in-Council for final determination.</p> <p><b>Resolution:</b> The application for Proposed Partial Demolition and Erection of Single Storey Building to Provide Improved Facilities to Judicial Buildings was supported by the Authority. To Governor-in-Council for final determination.</p> | <b>CPO</b> |
| <p><b>3)</b></p> | <p><b>Application 2020/57 – Proposed Construction of a Covered Area – Emergency Entrance to the General Hospital, Jamestown - Programme Management Unit, St Helena Government</b></p> <p>The Chief Planning Officer presented this application. The site falls within the Intermediate Zone and Jamestown Conservation Area restrictions. The proposal is to construct a Structure to cover the Existing Emergency Entrance Ramp. This would consist of Three Timber Posts and lean-to Roof where the Rafters would be concreted inside of the Existing Wall. The East Elevation would be of Stud Work and cladded in Timber. The colour to be the same as the Existing Hospital Building.</p> <p><b>Resolution:</b> The application for Proposed Construction of a Covered Area was approved with Conditions as recommended by the PO. A Decision Notice to issue.</p>   | <b>CPO</b> |
| <p><b>4)</b></p> | <p><b>Application 2019/48 – Proposed Pet Care Centre – Merrimens Forest – Rodney Yon</b></p>  |            |

The Chief Planning Officer presented this application. The site falls within the Green Heartland Zone with no Conservation Area Restrictions. The proposal is to construct a Single Storey Steel Structure Building that would be wooden cladded and not cladded with Cement Fibre Boards as stipulated in the report. The roofing would be of IBR with a small section of the Roof on the East Elevation to be of translucent Sheeting. It was noted that an Existing Track runs beneath the site that is at present only utilised by Connect St Helena Ltd and Sure SA Ltd. The development would be sited above the Existing Track. Sufficient space would be available for car parking and on site manoeuvrability of vehicles. Some Excavation would be required. The Pet Care Centre would provide services that includes kennelling for Dogs and Cats whose owners are travelling overseas, kennelling and re-homing of stray Dogs, microchipping of Pets, sale of worm and flea treatments, general pet care including grooming and nail clipping. There would also be an opportunity for training for persons interested in working and caring for domestic pets and would also provide essential information to the general public about pet care.

There was an objection from Mr Pearce who said that the objection came from the Heritage Society. Members of the Authority noted that the plan was not accurate and a window detail in one of the elevation drawing was missing. This should be brought to the Applicant's attention. It was noted that access from White Gate is the shortest route and the applicant should contact Connect and Sure on this. There is no requirement for a license for this proposal. A question was asked how would the Applicant dispose of dog waste, but it was reported that bins would be provided for this. It was also asked about the lighting but this would be a condition.

Concern was expressed that in an event that this proposal not being successful, would the area be returned to its original state. The answer was in the affirmative. The Authority agreed that the Applicant be given twelve months from any potential closure of business to remove the buildings and reinstate the land.

The Authority supported the application taking into account the structure to be wooden cladded, the missing window on the plan picked up with the applicant and its re-instatement should the development not be successful. Because this application is a departure from the Land Development Control Plan the application should be referred to Governor-in-Council for final determination.

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|           | <p><b>Resolution:</b> The application for a Proposed Pet Care Centre was supported by the Authority, subject to the conditions and the Structure to be wooden cladded and an informative in respect of re-instatement of the sites should the business venture not be successful. To Governor in Council for final determination.</p>  | <b>CPO</b> |
| <b>5)</b> | <p><b>Application 2020/52 – Proposed Loft and Garage Extension – Cow Path, Half Tree Hollow – Robert Scipio</b></p>  |            |
|           | <p>The PO presented this application. The site falls within the Intermediate Zone. The proposal is for a Loft and Garage Extension. The Loft Conversion would consist of alterations to the ground floor. The Proposed Garage would be constructed on the South Western Corner of the House and the existing access track would be re-aligned to allow for the additional excavation works needed for access into the proposed garage. The excavation would be 3.5 metres behind the Existing House, resulting in an embankment of approximately 1.1m. It was noted was the fact that there was a discrepancy on the drawings with regards to the Railings. Also the dormers windows design were to provide a form of weather protection and clarity was sought how far they protrude out. It was also mentioned that the roof looked to be oversized. The building would be of timber frame in PVC cladding. A question was raised as to why the roof could not be lowered and the bedroom and the balcony levelled. The Authority asked that the overhanging of the roof be brought to the attention of the Building Inspectors when the applicant applies for building Regulations approval.</p> <p><b>Resolution:</b> The application for Proposed Loft and Garage Extension was approved with conditions as recommended by the PO and that the overhanging of the roof to be brought to the attention of the Building Inspectors. A Decision Notice to issue.</p> | <b>PO</b>  |
| <b>6)</b> | <p><b>Application 2020/61 – Proposed Construction of a Two Bedroom Dwelling – Near Rosemary Plain – Conway Duncan</b></p> <p>The PO presented this application. The Site falls within the Green Heartland Zone with no Conservation Area Restrictions. The PO said that it became known after the application was registered that the site falls in the Green Heartland Zone, where there is a clear presumption against new residential developments. The Applicant was advised of this but wanted the application to be progressed for consideration. The Applicant did not provide a justification. The proposal is to construct a Two Bedroom Dwelling. Excavation works would be necessary resulting in an embankment of 3.1m vertically on the cross section. The remaining available space would be used as car parking and on site manoeuvrability.</p>  |            |

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|           | <p><b>Resolution:</b> The application for Proposed Construction of a Two Bedroom Dwelling was refused as recommended by the PO as the site lies within the Green Heartland Zone in the adopted LDCP 2012, where there is a clear presumption against new residential development, in order to retain the undeveloped nature and natural ecology of the area in accordance with policy GH.1 and GH.3. A Decision Notice to issue</p>   | <p><b>PO</b></p> |
| <p>7)</p> | <p><b>Application 2020/58 – Proposed Enclosed Lawn for Recreational Purposes – Constitution Hill Road, the Briars – Cheryl and Morgan Morice</b></p> <p>The PO presented this application. The site falls within the Intermediate Zone and Jamestown Conservation Area. The works requested would generally be considered as permitted development but as the plot sits within the proposed Jamestown Conservation Area, an application was requested. The Proposal is to construct a block wall measuring 11 – 12m in length, 4 – 4.5m in width and 1.2m high. This would form an enclosure where hard-core and top soil would be placed and consolidated. A Timber Fence would be erected around the enclosure to provide privacy as well as protection when the area is in use. The purpose is to have some form of outdoor area for leisure. The lawn would be constructed to meet the same ground level as the existing house. A small retaining wall is proposed to help with the management of screed from the current embankment, with due care being taken with regard to the bank excavation.</p> <p><b>Resolution:</b> The application for Proposed Enclosed Lawn for Recreational Purposes was approved with conditions as recommended by the PO. A Decision Notice to issue.</p> | <p><b>PO</b></p> |
| <p>8)</p> | <p><b>Application 2020/51 – Proposed Change of Roof Profile and Extension to Existing House to form a Verandah – Cow Path, Half Tree Hollow – Thelma Fuller</b></p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The proposal is to construct a verandah on the north and east elevation of the building in order to provide some form of protection to the building. Additional glazing is also proposed on the front elevation. The east elevation would consist of a slide door and window with a single door on the west elevation. The roof would also be raised thereby increasing the pitch to allow for rain water run-off and to increase the lifespan of the roof sheeting. It was stressed that the applicant be informed that if the existing roof is asbestos that advice be sought from the Technical Services Division of ENRD before any work is carried out involving asbestos.</p>   |                  |

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|     | <p><b>Resolution:</b> The application for Proposed Change of Roof Profile and Extension to existing house to form a verandah was approved with conditions as recommended by the PO, subject to the applicant being made aware of the requirement regarding removal of asbestos roofing. A Decision Notice to issue.</p>   | <b>PO</b> |
| 9)  | <p><b>Application 2020/54 – Proposed Construction of a Three Bedroom Dwelling – The Flag, Levelwood – Jamie Ellick</b></p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The proposal is to construct a three bedroom dwelling. Excavation works would create an embankment of 3.2 metres. The comments from Crown Estates were noted. The Authority requested that the applicant be advised to consider compacting the fill material in order to reduce the risk of land slip and to ensure its stability.</p> <p><b>Resolution:</b> The application for proposed construction of a Three Bedroom Dwelling was approved with conditions as recommended by the PO, subject to the applicant being advised on the compaction of the fill material. A Decision Notice to issue.</p>   | <b>PO</b> |
| 10) | <p><b>Application 2020/59 – Proposed Construction of a Two Bedroom Dwelling – Sapper Way – Justine Joshua</b></p> <p>The Planning Officer presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The Proposal is to construct a two bedroom dwelling. It was noted that a number of trees would have to be removed to allow the creation of the site platform. Excavation works would involve an embankment of 2.7 metres. The Authority requested that the applicant be advised to consider some form of weather protection for the south elevation of the proposed carport.</p> <p><b>Resolution:</b> The application for Proposed Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO, subject to the applicant being advised on the weather protection for the carport. A Decision Notice to issue.</p> | <b>PO</b> |



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| <p>11)</p> | <p><b>Application 2020/62 – Construction of a Two Bedroom Dwelling – Alarm Forest – Gavin Benjamin</b></p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The Proposal is to construct a two bedroom dwelling. It was noted that representations had been received, where there were concerns raised with regard to access and existing trees. These concerns would be addressed through the standard conditions. It was noted that the applicant had obtained the necessary permissions from Solomon &amp; Company (St Helena) Plc in respect of the drainage. The PO to obtain a copy and place on file.</p> <p>A Representative said that he was sorry, as he had not attended any meetings of the LDCA, but he asked if he could ask questions. He was told that the request should have been sent to the Secretary of the LDCA. However, the Representative did ask about the conditions that would be placed on this application. The PO read out the conditions. He further stated that there is no condition on the operating times and questioned why. The CPO advised on this matter, stating that this was not an issue on the Island and would be unreasonable as much of the self-build is done in the evenings and week-ends. The representative was concerned that his representation had been rejected. The Chairperson advised the representative that he should approach the Planning Officer at the Planning Office on these matters and told him that in future he should make a request to speak at the meeting and this should be done through the Secretary of the LDCA.</p> <p><b>Resolution:</b> The application for proposed construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to issue.</p> | <p>PO</p> |
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## 8. Other Reports

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| <p>1)</p> | <p><b>Briars Development – 2017/08</b></p> <p>The CPO reported on a Development that was not constructed in accordance with the plans as approved. This was brought to the applicant’s attention where the applicant is now seeking a minor variation to take account of these works. The works undertaken was in breach of Building Control Regulations where it came to light when the roof inspection was carried out. The Applicant would like to retain the works as it stands and has therefore submitted a minor variation request. It was noted that the applicant was given temporary occupation by the Building Inspectors.</p> <p>Following discussion, the Authority recommended that the applicant constructs cornice on both levels of the development. The CPO to provide a press release setting out what</p> |
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is required for the submission of planning application and the process to be followed. This is for the public's information.

## 9. Approvals by CPO under Delegated Powers

There were no Development Applications dealt with under Delegated Powers by the Chief Planning Officer.

## 10. Minor Variations Approved by CPO

The following Seven Development Applications were approved as Minor Variations by the Chief Planning Officer. As normal practice key Stakeholders are approached when and where needed for Minor Variation Evaluation.

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| <b>1)</b> | <p><b>Application 2015/102/MV2:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To continue with development based upon the site as excavated</li> <li>– Location : Near the Rifle Range, Ladder Hill</li> <li>– Applicant : Sidonio Benjamin</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 30 July 2020</li> </ul>                                      |
| <b>2)</b> | <p><b>Application 2019/31/MV1:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To construct the external walls with blockwork and clad with stone</li> <li>– Location : Half Way, Half Tree Hollow</li> <li>– Applicant : Mr &amp; Mrs Adam Savva</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 30 July 2020</li> </ul>                                  |
| <b>3)</b> | <p><b>Application 2015/143/MV3:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To construct a underground Concrete Water Storage Tank for catchment of roof water runoff measuring 3m x 3m and a depth of 2m</li> <li>– Location : Head O'Wain</li> <li>– Applicant : Mario Yon</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 11 August 2020</li> </ul> |
| <b>4)</b> | <p><b>Application 2019/49/MV1:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To retain changes made to the property that comprises repositioning of en-suite and dormer and changing of slide doors to bi-folding doors on the ground and first floors</li> </ul>   |

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|           | <ul style="list-style-type: none"> <li>– Location : Half Way, Half Tree Hollow</li> <li>– Applicant : Robert Henry</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 13 August 2020</li> </ul>  |
| <b>5)</b> | <p><b>Application 2020/40/MV1:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To enclose both Patios, addition of Windows and change of Window Designs on the front, side and rear elevations</li> <li>– Location : Alarm Hill</li> <li>– Applicant : Ronald William Scanes</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 24 August 2020</li> </ul>  |
| <b>6)</b> | <p><b>Application 2019/109/MV1:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To replace three Panels of Glazing including corresponding top lights with aluminium spandrel panel to match the existing window frame. Glass to be obscured glazing in the Bathroom as indicated on the drawing. Replace the store to align with the revised glazing bars and replace the door with a double door to make the storage more accessible. To not alter the existing pier from the Bedroom into the Foyer as it would result in structural implications if the opening is to be widened in accordance with the original design.</li> <li>– Location : The General Hospital, Jamestown</li> <li>– Applicant : St Helena Government, Programme Management Unit</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 4 September 2020</li> </ul> |
| <b>7)</b> | <p><b>Application 2020/33/MV1:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Minor Variation</b></li> <li>– Proposal : To change Dining Room Window to Slide Door as well as construct a Balcony on the front elevation</li> <li>– Location : Clay Gut</li> <li>– Applicant : Kimberly Thomas</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 14 September 2020</li> </ul>  |

## 11. Discharge of Condition by CPO

The following Condition was discharged under Delegated Powers by the Chief Planning Officer.

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| <b>1)</b> | <b>Application 2020/33/MV1:</b> <ul style="list-style-type: none"><li>– Requested : <b>Discharge of Condition</b></li><li>– Proposal : In respect of Condition 5iii of Decision Notice – Percolation Test Results</li><li>– Location : Pleasant Valley, near Levelwood Clinic</li><li>– Applicant : Ryan Crowie</li><li>– Official : Ismail Mohammed, CPO</li><li>– Approved : 4 September 2020</li></ul> |
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## 12. Strategic Planning Matters

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| <b>1)</b> | <b>Rupert’s Valley Development Plan</b> <p>The CPO reported that there has been progress but he stressed that there are other commitments that he needs to deal with alongside of this. He was unable to give a definitive date for the completion of this Plan</p>  |
| <b>2)</b> | <b>Conservation Area Management Plan</b> <p>On hold. The Chairperson advised that this should continue as an item on the Agenda until finalised. This is one of the CPO’s list of work to be dealt with.</p>   |
| <b>3)</b> | <b>LDCP Review</b> <p>The CPO reported that he has not made much progress with the LDCP. This is due to workload currently experiencing in Planning. The work involves the editing of the document. It was noted that the LDCA meeting for September was cancelled to allow the CPO to concentrate on the work of the LDCP. A member of the Authority recommended that a special meeting of the Authority could be held to assist the CPO with the editing of the draft LDCP to help speed up the process.</p> |

At this point, a representative from the public asked if he could raise a question of procedure under AOB. This could not be entertained.

## 13. Any Other Business

Members had no other business to discuss.

## 14. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 4 November 2020.

The Chairperson thanked Members for their attendance. The meeting closed at 13.15hrs.

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

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Chairperson to the LDCA

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Date