



St Helena  
Government

# MINUTES

## Land Development Control Authority Meeting

Date : Wednesday, 5 May 2021  
Time : 10 am  
Venue : The St Helena Community College, Jamestown

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

### Absent

**Also in Attendance** Six Members of the public including Applicants.

### 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 development applications 2021/07 and 2021/17 as he had a relevant interest.

### 3. Confirmation of Minutes of 7 April 2021

The Minutes of meeting of 7 April 2021 were confirmed and signed by the Chairperson subject to the following amendment:

“Matters Arising”

2021/07 - Stevedores Building and Public Facilities – Rupert’s Valley – Programme Management Unit, St Helena Government.

“Executive Council agreed with the advice given by the Land Development Control Authority” to be inserted after 16 March 2021”.

#### **4. Matters Arising from Minutes of 7 April 2021**

##### **Application 2020/75 – Installation of Safety Rails to the Entrance Steps to Reception, Castle Building – St Helena Government**

It was noted that the Discharge Notice in respect of the design for the hand railing had been issued on 16 March 2021. No further action required.

##### **Application 2020/60 – Erection of a Notice Board – the St Helena Yacht Club, the Wharf, Jamestown – Stephen Coates: St Helena Yacht Club**

Whilst it was noted that this application was approved by Executive Council on 16 March 2021 for a temporary period, the notice board had not yet been erected so an assessment could not be made. It would be reviewed after the twelve month period elapsed.

##### **Press Release to the Public regarding planning procedures**

Not yet finalised. The Chairperson asked that the Press Release, agreed several months ago, should be issued to the public as soon as possible. It was noted that the CPO had written to the Press and Radio Presenters inviting them to meet with him collectively or individually to discuss planning procedures but he did not receive a response. It was further noted that Public Relations were in contact with the Portfolio Director on this matter. The CPO advised that Public Relations had also been asked to speak with him direct.

##### **Application 2020/89 – Construction of a Double Storey, One Bedroom Dwelling – near Coleman’s Tower – Sylvia Voce**

The CPO advised that he had general discussions with Crown Estates to seek their views as to whether they could contribute towards restoration works at Coleman’s Tower. This was followed up in writing on 31 March 2021. It was noted that Crown Estates were still reviewing this request but there had been a positive reaction.

##### **LDCP Review**

The CPO informed the meeting that the matter of PMU implementing the construction works at Rupert’s Valley and Crown Estates allocating crown land to St Helena Airline is being followed up. The CPO had discussions with PMU on this matter as to how Ruperts’ are being reviewed and the matter of land being allocated. Member, Mr Karl Thrower advised that it was no longer possible to provide the recording of the Chamber of Commerce meeting of 2 March 2021 to the

Authority. The general lack of a development plan for the Ruperts' area was highlighted. The CPO would move forward with this.

### **Application 2019/110 – Access Road – Bottom Woods – Infrastructure & Transport**

It was noted that a site visit was carried out on 12 April 2021 and members requested that the applicant be asked to provide further information relating to the drainage scheme, water runoff and cross sections. This information had now been provided and the application would be reported back at the LDCA meeting on 2 June 2021.

### **Future LDCA meetings**

The CPO reported that he would now be going off island towards the end of June 2021 for leave.

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

Members were given a list of Building Control Activities for the month of April 2021 for their information.

## **6. Current Planning Applications**

LDCA Members were given a list of current development applications. There were 21 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.

## **7. Applications for LDCA Determination**

1)	<p><b>Application 2021/23 – Proposed Installation of Windows and Door on Existing Verandah- Fiddlers Green, near Chubb's Spring, upper Jamestown – Christopher Joshua</b></p> <p>The PO presented this application. The site falls within the Intermediate Zone and within the proposed Jamestown Historic Conservation Area. The application is to undertake works to the Existing House to enclose the open Verandah. The Verandah has a dwarf wall and approximately five supporting columns, where the area between the columns on the northern elevation would be used for the Installation of four windows and a sliding door for entrance. A second French Door was proposed on the eastern elevation.</p> <p>It was reported that an application was requested as the building is within the proposed Conservation Area but the proposal is not on a building of historical significance and not within a densely populated part of upper Jamestown. This development would not adversely impact upon the appearance of the Existing Building or the setting of the Conservation Area. It has been assessed against the LDCP Policies and can be supported.</p>	
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	<p><b>Resolution:</b> The application for Proposed Installation of Windows and Door was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<b>PO</b>
2)	<p><b>Application 2021/25 – Construction of a Two Bedroom Dwelling – Near the Haul Road, Bottom Woods – Jaylee Crowie</b></p> <p>The PO presented this application and said that this application as well as application 2021/31 would be discussed together. The site falls within the Intermediate Zone and not within any proposed conservation area. The application is to Construct an Access Road from the Haul Road situated to the North of the plot and would be constructed to serve a number of plots for development. Site Excavation would be undertaken and the proposal to construct a Two Bedroom Dwelling would be positioned on the South Western Corner with a parking area to the North and a lawn area to the East. Sewerage has been proposed into a septic tank soakaway. The soakaway would be installed on the lower side of the Haul Road on Crown land. This would also serve application 2021/31 if approved. The comments were noted from the Energy section of Connect St Helena Ltd and also from the Roads Section. The proposal would not detract from the amenity of the area. It meets the aims of the LDCP Policies and can be supported.</p> <p><b>Resolution:</b> The application for the construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<b>PO</b>
3)	<p><b>Application 2021/09 – Covered Area and Installation of Photovoltaic Panel System – Mantis Hotel, Main Street, Jamestown – St Helena Hotel Development Limited</b></p> <p>Member, Mr Karl Thrower, having declared an interest left the table when this item of business was discussed. The CPO presented this application. The site falls within the Intermediate Zone and is a group of Grade 11 Listed Buildings and is within the Jamestown Conservation Area. The application is to construct a Pergola on the top terrace at the rear of the Mantis Hotel Building. The Pergola would cover the whole of the terrace area and would have a solid roof with an angled roof to enable the Installation of the PV Panels. It was noted that the applicant had provided a design and access statement.</p> <p>The CPO stressed that the application is being considered for the Construction of the Pergola and not for the Installation of the Panels as the later development is more incidental. The proposed development is a Pergoda rather than a Pergola due to the solid roof that will cover this open area. The proposed development of the Pergola raise a number of issues of aesthetics and whether it is in cognisance with the historic setting of the</p>	

building and at the height level of the installation. The CPO in considering the design said that there was no justification for the purposed covering of this area. The applicant was advised on the issues in considering the application and that he should consider a different design relating to the covered area.

The Applicant had requested that the application be progressed forward as it stands. The CPO stressed that the functionality must be addressed and considered that the proposed erection of a wooden structure to create a covered area would not enhance or protect the character of the area. It would detract from the ambiance of the area and by enclosing this open space, this open area would be lost for the purpose it had been created, an environment to enjoy the openness and to also appreciate the environment. The scale of the development and the use of materials would not be in keeping with the wider appearance of the area and its surroundings. The proposal has been assessed against the LDCP policies and does not comply with the objectives of those policies.

The Agent spoke in support of the application.

The Authority in considering this application said that the design could have been better. It was noted that there were some benefits in having a sheltered area for functions and that there should be a way to cover this area. The design is very basic and it was suggested whether the applicant could explore other options. A softer approach would have been better. The Members were not happy to approve the design that was presented to them although it was acknowledged that it could enhance the functionality for the Hotel. Consideration should be taken into account in respect of the design and how it addresses the building.

It was stated that if the installation of the PV panels were the main reason, then there were other possible options and the rear of the main Hotel Roof could be one such option. It was suggested that the application could be deferred for the applicant to explore alternative options for LDCA's consideration.

It was pointed out however by the CPO that no consultation took place prior to the submission of the development application and that the Agent was made aware of the issues and further advice was given in subsequent correspondence. The CPO advised that the application should not be deferred. The CPO asked that if the LDCA is minded to approve the application to state under what policy, this could be approved.

	<p>After much deliberation, the application was refused on the grounds that the proposed development fails to comply with the objectives of the Built Heritage Policies, in that the proposed development in that location fails to enhance the character and heritage objectives of the Listed Building and the Conservation Area and that the proposed covered area of the upper terrace does not respect the design and character. It would create a built form that is contrary to the original objective of creating this space and area for enjoyment of an open environment. The proposed development is therefore contrary to the objectives of the LDCP policy as the scale, layout and proportions of the proposed development is not coherent with the open space between the Listed Building.</p> <p><b>Resolution:</b> The application for Covered Area and Installation of Photovoltaic Panel System at Mantis Hotel was refused with reasons as recommended by the CPO. A Decision Notice to issue.</p>	<b>CPO</b>
<p><b>4)</b></p>	<p><b>Application 2021/17 – Change of Roof Sheeting from Corrugated Iron to IBR and Installation of Photovoltaic Panels – the Victoria Shop, Ladder Hill Corner, Shy Road, Jamestown – Gregory Cairns-wicks</b></p> <p>Member, Mr Karl Thrower, having declared an interest left the table when this item of business was discussed. The meeting was advised that this application was withdrawn from the agenda at the April LDCA meeting. The CPO presented this application and apologised to the applicant for deferring this application at the last meeting. The site falls within the Intermediate Zone and within the proposed Jamestown Conservation Area. The application is to replace roof sheeting from Corrugated Iron to IBR sheeting for the rear part of the main building facing Market Street that is listed. It was noted that the Corrugated Iron is coming to the end of its life span. It is also proposed to install approximately sixty Photovoltaic Panels on the same section of the roof.</p> <p>The comments received from the Heritage Society were noted.</p> <p>The proposed development is within the curtilage of a Listed Building and the proposed siting of the panels would not have an adverse impact on the Listed Building or the setting of the Conservation Area. It was pointed out that the panels would not be visible from Market Street but would be visible from a number of vantage points such as Jacobs Ladder and Shy Road. This proposal meets with the LDCP policies and could be supported. In order to mitigate the visual impact, it was considered that the roof coverings should be a dark slate grey. Condition nine to give effect to this.</p>	

	<p><b>Resolution:</b> The application for Change of Roof Sheeting from Corrugated Iron to IBR and Installation of Photovoltaic Panels on the Victoria Shop was approved with conditions as recommended by the CPO. Condition nine to read “the colour of the roof shall be dark slate grey”. A Decision Notice to issue.</p>	<p><b>CPO</b></p>
<p>5)</p>	<p><b>Application 2021/30 – Construction of a Two Bedroom Dwelling – Thompsons Hill - Danielle Anthony</b></p> <p>The PO presented this application. The site falls within the Intermediate zone and not within any proposed Conservation Area. The application is to form an Access from the Existing Road, north west of the plot with a site platform measuring approximately 13 x 17.5m, resulting in an embankment of approximately 1.5m on the top platform and 2.8m on the bottom platform for the Construction of a Two Bedroom Dwelling that is of a split level design. Sewerage has been proposed into a septic tank that would be positioned on the driveway with the overflow connected into the soakaway situated to the north of the site.</p> <p>The comments received from the Roads Section were noted.</p> <p>The proposal would not have any adverse impact on the amenity of the area. The development meets the aims of the LDCP policies and could be supported.</p> <p><b>Resolution:</b> The application for Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<p><b>PO</b></p>
<p>6)</p>	<p><b>Application 2021/31 – Construction of a Two Bedroom Dwelling – near the Haul Road, Bottom Woods – Nicole Benjamin</b></p> <p>The PO presented this application. This application was discussed in conjunction with application 2021/25. The site falls within the Intermediate Zone and not within any proposed Conservation Area. The application is for Construction of a Two Bedroom Dwelling. Access to this development site would be formed from the Haul Road situated to the North of the plot and would be constructed to also serve plot LWN0483 to the North and plot LWN0470 to the South. Site Excavation would be undertaken with a platform measuring 36m in length and a width of 19m, resulting in an embankment of 3m. Sewerage has been proposed into a septic tank soakaway situated on the neighbouring plot that would be connected into the communal soakaway below the Haul Road.</p> <p>The comments received from the Energy section of Connect St Helena Ltd and the Roads Section were noted.</p>	

	<p>The proposal would not detract from the amenity of the area. It meets the aims of the LDCP Policies and could be supported.</p> <p><b>Resolution:</b> The application for construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<p><b>PO</b></p>
<p>7)</p>	<p><b>Application 2021/26 – Maintenance to Two Ficus Trees – at the back of the Court House, Castle Gardens, Jamestown – Crown Estates, Property Division, St Helena Government</b></p> <p>The CPO presented this application. The site falls within the Intermediate zone and the Jamestown Conservation Area. The application relates to works to Two Ficus Trees that have raised considerable concerns with regard to the impact on the neighbouring Listed Public Buildings that are undergoing construction works. The Trees have considerable amount of overhang of branches that could potentially cause health and safety issues for the general public. It is proposed to undertake extensive works to the Trees that would include lopping and topping in order to remove all low hanging branches and reducing the height of the trees.</p> <p>The application is supported by a full tree assessment. A number of options had been considered for the maintenance and wellbeing of the trees. It was noted that four options were considered and upon advice given by the CPO, the applicant agreed that option three be considered in topping to a height beyond that would be manageable for future tree maintenance.</p> <p>The agent who was in attendance was given the opportunity to answer questions that the Authority might have had. It was noted that the root system does not extend as far as the Court House Building but could develop at a later stage.</p> <p><b>Resolution:</b> The application for proposed Maintenance to Two Ficus Trees at the back of the Court House, Jamestown was approved with conditions as recommended by the CPO. A Decision Notice to issue.</p>	<p><b>CPO</b></p>
<p>8)</p>	<p><b>Application 2021/32 – Proposed Change of Roof Profile and Extensions to Existing House to form a Bedroom, Patio, Store Room and Toilet – Blackfield, Longwood – Christine Scipio</b></p> <p>The PO presented this application. The site falls within the Intermediate zone and not within any proposed Conservation Area. The application is to undertake some alterations and extensions to the Existing House. The proposal had been assessed against the LDCP policies. It would not detract from the existing amenity of the building or the surrounding properties. It would improve the functionality and quality of the development and could</p>	



	<p>be supported. The Authority asked that an advisory be placed on the Decision Notice for the safe removal of the Asbestos Roofing. It was noted that procedures are in place for the removal of Asbestos Roofing.</p> <p><b>Resolution:</b> The application for proposed Change of Roof Profile and Extensions to Existing House to form a Bedroom, Patio, Store Room and Toilet was approved with conditions as recommended by the PO with an advisory to take account of the removal of asbestos sheeting. A Decision Notice to issue.</p>	<b>PO</b>
<b>9)</b>	<p><b>Application 2021/18 – Proposed Installation of Septic Tanks and Soakaways – Alarm Forest – Programme Management Unit, St Helena Government</b></p> <p>The CPO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The application is to Install Septic Tanks and Soakaways for a number of properties that would be affected in the area of Alarm Forest. Discussion had taken place with the applicant’s agent where advice was given in that the ground condition assessment in this area be undertaken to ascertain the existing soil condition and the potential water retention, before the site is allocated for the proposed development and the proposals for the location of the tanks and the soakaways. It was noted that the applicant provided the result of the percolation test that were undertaken and was satisfactory for the purposes of the proposed development. It was also noted that there were no contamination. The development has been assessed against the LDCP policies. It would not have any adverse impact on any existing and future developments in the vicinity. It meet the aims of the LDCP policies and could be supported.</p> <p><b>Resolution:</b> The application for Proposed Installation of Septic Tanks and Soakaways was approved with conditions as recommended by the CPO. A Decision Notice to issue.</p>	<b>CPO</b>

## 8. Approvals by CPO under Delegated Powers

<p>The following Two Development Applications were dealt with under Delegated Powers by the Chief Planning Officer.</p>	
<b>1)</b>	<p><b>Application 2021/06:</b></p> <ul style="list-style-type: none"> <li>– Requested : <b>Full Development Permission</b></li> <li>– Proposal : Alterations and Extensions to Existing House to form a Bedroom</li> <li>– Location : Rose Villa, Bottom Woods</li> <li>– Applicant : Gemma Glanville</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Approved : 6 April 2021</li> </ul>

<b>2)</b>	<b>Application 2020/55:</b> <ul style="list-style-type: none"><li>– Requested : <b>Full</b> Development Permission</li><li>– Proposal : Alterations and Extensions to Existing House to form an En-suite and Patio</li><li>– Location : Hutts Gate</li><li>– Applicant : Hansel Clingham</li><li>– Official : Ismail Mohammed, CPO</li><li>– Approved : 22 April 2021</li></ul>
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## 9. Minor Variations Approved by CPO - NIL

## 10. Discharge of Conditions by CPO:

<b>1)</b>	<b>Application 2019/23/DC7:</b> <ul style="list-style-type: none"><li>– Requested : <b>Discharge of Condition Seven</b></li><li>– Proposal : For the submission of percolation test results in respect of the Fun Park</li><li>– Location : Merrimens Forest, St Pauls</li><li>– Applicant : Messrs Craig and Paul Scipio</li><li>– Official : Ismail Mohammed, CPO</li><li>– Approved : 30 March 2021</li></ul>
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## 11. Strategic Planning Matters

<b>1)</b>	<b>Rupert's Valley Development Plan</b> <p>The CPO reported that work is in progress. It was noted that works have already taken place at Rupert's without having a plan in place. Members felt that this is an urgent matter in having the Rupert's Valley Development Plan progressed.</p>
<b>2)</b>	<b>Conservation Area Management Plan</b> <p>On hold. To continue as an item on the Agenda until finalised.</p>
<b>3)</b>	<b>LDCP Review</b> <p>The CPO reported that the Director of ENRP is now involved with the editing of the LDCP and it is almost complete. It was questioned whether there is a Legal Representative on the Review Panel. It was noted that the Legal Chambers would not give any views on policy matters. To be kept on the Agenda until finalised.</p>

## 12. Minor Amendments of plans in Conservation Areas and Listed Buildings

The CPO presented the report in respect of the process and procedures for review of minor amendments of development proposals in Conservation Areas and to Listed Buildings. The CPO

gave the background information relating to this matter whereby concerns were expressed by the Heritage Society in respect of the previous decision following a paper by the Locum Head of Planning and Development Control dated January 2017. The CPO recommended that in view of the issues raised by representatives of the Heritage Society on the decision taken, it was considered that Planning Officers should not be required to comply by that decision and that Officers should be able to make reasonable decisions on the assessment of design details and proposed changes. The decision should be at the Officers discretion to determine whether there would be further value in seeking advice from Stakeholders.

The CPO recommended that the Authority revoke the decision made in January 2017 requiring the Planning Service to consult with St Helena National Trust and the Heritage Society on minor variations sought by applicants and that it should be left to the discretion of the Planning Officers. The CPO reminded Members that minor variations sought should be an improvement to the original design and gave examples of recent minor variations that have been approved.

Mr Andrew Pearce on behalf of the Heritage Society had requested to speak on this item but the Chairperson declined this request.

Members questioned whether it was possible and/or necessary to consult all stakeholders on minor variations.

After some discussion, it was recommended that a decision on this report should be deferred so as to have an open discussion and dialogue between the Heritage Society and the Land Development Control Authority to consider their concerns. A meeting to be arranged with the Heritage Society and a further report to be brought back to the LDCA at a future meeting by the CPO.

### **13. Any Other Business**

One member highlighted a structure that had recently been approved to be erected at the Consulate Hotel and questioned how different was this proposal in comparison with the proposed structure at Mantis Hotel. It was felt that there should be a consistency of approach and decision making. It was stressed that the proposal should be considered in the context of the buildings and its surrounding. The CPO stated that he would be happy to discuss the impact of the proposals on site with the LDCA. CPO to arrange a site visit to review this.

The CPO reported that he is now going on overseas leave on or about 23 June 2021. The CPO asked if the Chair would agree to have another LDCA meeting on Monday, 21 June 2021 as there are applications that require decisions before he goes on overseas leave. It was noted that depending on the arrival of the flight in June, member Mr Gerald Yon would not be able to attend.

**14. Next Meeting**

The next LDCA Meeting is scheduled for Wednesday, 2 June 2021.

The Chairperson thanked Members for their attendance. The meeting closed at 12.40hrs.

**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**