

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY, 7
DECEMBER 2016, AT 9 AM AT THE EDUCATION LEARNING CENTRE, JAMESTOWN**

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| Present | Mrs Ethel Yon | Chair Person |
| | Mr Paul Hickling | Deputy Chair |
| | Mr Gavin George | Member |
| | Mr Raymond Williams | Member |
| | Mr Ralph Peters | Member |
| | Mr Karl Thrower | Member |
| In attendance | Mr David Taylor | Head of Planning |
| | Mrs Karen Isaac | Secretary |
| | Mr Shane Williams | Planning Assistant |
| Off Island | Mrs Riana de Wet | Ag Chief Planning Officer |

Apologies

ACTION

1. ATTENDANCE AND WELCOME

The Chairperson welcomed all present and thanked members for attending.

There were 3 members of the public present which included a representative from the Press - Saint FM.

2. DECLARATIONS OF INTEREST

There were 2 declarations of interest. The Chairperson declared in respect of application no. 2016/60 and left the table. Deputy Chair, Mr Paul Hickling declared in respect of application nos. 2016/100 and 2016/152.

3. CONFIRMATION OF MINUTES OF 2 NOVEMBER 2016

Minutes of the meeting held on 2 November 2016 were circulated, confirmed and signed.

4. MATTERS ARISING FROM MINUTES OF 2 NOVEMBER 2016.

Application No. 2016/115

3 x 2 Bedroom Dwelling – Rifle Range, Half Tree Hollow – Deborah Benjamin
This application follows on from 2016/9, whereby the applicant wanted to site 5 houses on the same plot, refused on 10 May 2016. CPO explained that she had advised the applicant to reduce the scheme to 3 dwelling. This she had done, but she had then increased the footprint of each dwelling from 90m² to 127m², resulting in average plot coverage of 25%, just slightly lower than the initial density of 27% and leaving insufficient space around the dwellings.

- 1 – CPO to advise the applicant that the LDCA does not accept the proposed development as the footprint of the proposed

dwelling leaves insufficient amenity space and creates difficult vehicle maneuvering space. The applicant is invited to submit revised proposals or otherwise the application stands refused.

- 2 – If revised plans are submitted showing smaller footprints, CPO to bring the application back to LDCA with full appraisal of issues relating to the site access.

Following negotiations between the Planning Office and the applicant, revised plans were submitted that took account of the reduction in the size of the dwellings.

Resolution: Approved subject to conditions recommended.

CPO's report also included appraisal of the access road, which needs extensive reconstruction. CPO to bring to attention of Roads Manager, when appointed with a view to reporting to ENR Committee for action.

5. HEAD OF PLANNING AND DEVELOPMENT CONTROL'S REPORT – DEVELOPMENT APPLICATIONS FOR DETERMINATION

Application No. 2016/30

Proposed Upgrading work to existing track to allow access to 2 residential sites – Upper Cleugh's Plain – Crown Estates Management

The intention is to upgrade in order to serve two new residential plots in upper Cleugh's Plain that otherwise has no vehicular access. The existing track lies within the Green Heartland but the two plots it will serve are in the Intermediate Zone.

Resolution: Approved subject to conditions recommended.

Application No. 2016/34

Proposed Grocery and Hardware Shop – Two Gun Saddle – Jonathan Fuller

The LCPO saw no apparent reason why this application hasn't been dealt with before now. The CPO would have requested revised plans but owing to the fact that this application has been sitting for a while, he thought it unreasonable at this stage and saw no reason to further delay.

This is for a single storey retail Shop to be made out of shipping containers, supported by concrete piers. The location sits within the intermediate zone on the east side of the main road leading to Alarm Forest. The site is partially filled with tipped material, with compaction uncertain that would be difficult for conventional construction. It is noted that car parking is a requirement but in this case, not all the space needed and the land could rather be used for landscaping purposes. The CPO to address the Building Regulations on a, b, c and d below.

The Authority asked that the applicant's attention be drawn to:

- a) the risk of electric shock in converted containers, in the event of an electrical fault energising the steel structure, requiring greater protection than in a conventionally built structure;

- b) the possible behaviour of a steel structure in case of fire within the containers, requiring immediately available means of escape;
- c) the importance of ensuring that structural integrity of the containers is maintained when they are adapted, particularly in respect of the structural corner pillars; and
- d) the possible existence of materials containing asbestos fibres in the existing tipped materials on site, requiring full precautions when any excavations are made.

Resolution: Approved subject to conditions recommended.

Application No. 2016/52

Proposed 2 Bedroom Dwelling with Garage – Nr Head O’Wain Clinic – Neil Bennett

The site is at Head O’Wain Clinic and lies on the edge of, and within the Green Heartland Zone in the adopted LDCP 2012, where there is a clear presumption against the principle of residential development, in order to preserve the undeveloped nature and natural ecology of the area. The CPO saw this proposal as not being a clever design and not a good site. Member RW ask why it was not possible for the applicant to have been made aware of the fact that this proposal is against the LDCP, 2012, and planning permission would be unlikely to be granted when he submitted the application but nothing could be found on record to this effect. The Chairperson was not happy that this had not been done and Chief Planning Officer gave an assurance that it would be done in similar cases in the future.

Resolution: Refused as recommended.

Application No. 2016/55

Proposed Parking Area for House – Shy Road, Jamestown – Peter Fowler

This is a small area on the side of Shy Road with the intention to create a small level parking space for one vehicle. The site lies in the Conservation Area. A small length of the stone wall will be taken down and the applicant has agreed to reuse the stone to build a retaining wall at the northern end of the parking area. It was asked whether an Engineer was asked to investigate this particular site but the CPO informed members that he had visited the area and saw no problem for this parking.

Resolution: Approved subject to conditions recommended.

Application No. 2016/56

Proposed Workshop and Septic Tank – Longwood – Larry Francis

The CPO would have again have requested revised drawings but he thought it unreasonable at this stage as this application was sitting for a while too, saw no reason to further delay.

The location is in the intermediate zone on the east of Longwood Road between Hutts Gate and Longwood Gate. This is for a metal workshop building where the applicant will relocate his engineering business from Longwood Dairy Buildings.

Additional information is being covered in the conditions of the Decision Notice. Details on the septic tank and the soak-away system will be met under the Building Regulations. Condition 6, together with the foot note noted by members. It was noted also that there is a lot of land for this proposal that could become a dump area but the CPO advised that if the area do become a dump area, it could be dealt with under the Ordinance.

Resolution: Approved subject to conditions recommended.

Application No 2016/60 – For Reconsideration

The Chairperson left the table for this item. The Deputy chair deputized.

Proposed Renovation of steps to Street Side Basement (Basement to be repurposed from Storage to Shop in order to display local artwork) – Broad Way House – SHNT

The building is listed Grade 1 and is in the Conservation Area. This application was considered by the Authority at its September meeting. The application form states the proposed development as:

Re-purpose the street side basement room of Broadway House from storage into a space to house our shop and display and sell local artwork. This will require the rebuilding of the steps from the street to the basement. The existing concrete slab will be broken up and removed to level the bottom of the doorway. The uneven steps will also be removed and replaced with even steps. The steps and the area leading to the doorway will be clad with locally made paving slabs to match the pavement of Main Street.

It is clear from the above that the applicant was requesting change of use of the basement, with the proposed work to the steps *as a consequence* of that change of use. It is apparent however, that the application was wrongly assessed as simply being an application for alteration of the steps, and the Decision Notice was issued to that effect rather than granting permission for change of use.

The simplest way to put matters right is for the Authority to withdraw the existing Decision Notice and re-issue it correctly describing the development applied for, subject to appropriate conditions, which are recommended in the report on handling.

Of importance is the fact that the consultations and advertisements in respect of the application did describe the proposal correctly, and were not just in respect of work to the steps.

The proposed change of use is in accordance with LDCP policy in that (a) increased economic use of the listed building will help to ensure its future; and (b) the consequent improvement of the steps will enhance and protect it rather than detract from it.

Recommendation: that the existing decision be withdrawn and development permission for **Change of Use of Existing Basement to Shop and Gallery, with related Alteration to Entrance Steps** be granted. It was noted that the steps will not project further into the pavement than they do at present.

Resolution: Approved subject to conditions recommended.

The Chairperson returned to the table.

Application No. 2016/63

Proposed 1 Bedroom 2 Storey Dwelling – HTH – Patrick Stevens

This development is in Half Tree Hollow and will sit in the intermediate zone. It will be a small 2 storey house adjacent to existing single storey house. The space is adequate. The existing drive and vehicle standing area will be shared.

Resolution: Approved subject to conditions recommended.

Application No. 2016/69

Proposed conversion of existing dwelling house into 2 dwellings – New Ground – David Yon

This is near New Ground Point, in the intermediate zone. The intention for this proposal is to fill in the existing verandah and extend to encompass the existing bathroom, thus creating additional bathroom/and kitchen/dining areas under a combined new roof. The 2 dwellings will have adequate amenity space and room for vehicles.

Resolution: Approved subject to conditions recommended.

Application No. 2016/100

Proposed Introduction of Renewable Energies into the building structure of the Old Quarantine Station (incorporating solar water heating, photovoltaic panels to produce hot water and electricity, rainwater harvesting and water purification equipment) – Lemon Valley – ESH

This is a grade 111 listed building in the conservation area, at the Old Quarantine Station, Lemon Valley and is the only building to survive largely intact. The applicant wishes to make this fit for recreational purposes and in so doing, aims to make it an exemplar of sustainable technologies. This proposal is supported by LDCP Policies.

It was noted that a report on this was done by a Consultant in Britain. Concerns were raised at the meeting on this proposal with regards to having a backup generator and no storage facilities are shown on the plan, the facing of the panels, water for human consumption, the filtration of grey water. In raising these issues, Member KT was invited to have a look at the Consultant's report and discuss with the CPO.

Resolution: The CPO to speak with the applicant on the issues raise. To be deferred until January's meeting.

Application No. 2016/103

Proposed Double Garage and Storeroom – Sea View – Kevin J George

This is in the intermediate zone in the Alarm Forest area, Sea View on the eastern side of the main road and is to replace an existing storage Container with a double Garage and a Storage area in the roof.

Resolution: Approved subject to conditions recommended.

Application No. 2016/107

Proposed Backfill to sloping area to create a flat car park – Silver Hill Shop, Levelwood – Solomon & Company PLC

This is in the intermediate zone and located at Silver Hill Shop, Levelwood and is to create a Platform (soil filled) for a small Car Park adjacent to the Silver Hill Shop. Use will be made of the excavated spoil from the footings. Space will be provided for a delivery vehicle or for one car.

Resolution: Approved subject to conditions recommended.

Application No. 2016/108

Proposed erection of 4 Polytunnels, a metal clad storage shed and platform to accommodate 2 water storage tanks (with capacity of 10,000 litres each) – Ex ADA Estate, Longwood – ENRD

The locality is land to the north of Piccolo Hill and Barn View properties, Longwood and sits within the intermediate zone. This application is to site 4 Poly tunnels, a metal clad storage shed and platform to house 2 water storage tanks. The CPO highlighted the policy on poly tunnels for information. It was noted that the poly tunnels would not be seen from Longwood House.

Resolution: Approved subject to conditions recommended.

Application No. 2016/123

Proposed Change of Use of the Ex-Avec Centre to the New Headquarters of the St Helena Police Service – Avec Building, Jamestown – Head of Property Division (Rob Bryson)

This is for the conversion including change of use of the Ex AVEC Centre, Jamestown to new Headquarters of the St Helena Police Service, in the intermediate zone. It is noted that there will be more pressure with regards to parking areas near the AVEC Centre and follows that there will be less parking pressure in the Grand Parade, where the Headquarters currently stands. Members were concerned that traffic and parking congestion would be significant with potential hazards for children in the area of Pilling School and relatively limited visibility for emerging police vehicles. They also noted inadequate access for people with disabilities in parts of the building as proposed to be converted.

Resolution: To be deferred for the CPO to discuss revisions with the Head of Property Division for revised plans to be considered at the January meeting.

Application No. 2016/126

Proposed extensions to conservatory, study, Bedroom and Bathroom on both

sides of the house – Knollcolmbes – Mr M Stevens

This is for extensions to an existing single storey dwelling below the Boer Cemetery, in the Green Heartland. The applicant wishes to extend at both ends with a Conservatory at the northern end and a Bedroom, Bathroom and Study at the southern end. A new roof extended over the entire building, is proposed thus replacing and covering part of existing roofs at various levels.

Resolution: Approved subject to conditions recommended.

Application No. 2016/127

Proposed extensions, Lounge and Bedroom – Head O'Wain former Clinic – Delray MacDaniel

This had been recommended for refusal but CPO advised that revised drawings are to be submitted and therefore requested the application be deferred.

Resolution: Deferred.

Application No. 2016/129

Proposed 2 Bedroom Dwelling – Sapper Way – Miss Casey Lawrence

This proposal will sit in the intermediate zone, Sapper Way and is for a new single storey dwelling within part of the garden area of an existing single storey dwelling. Access for the dwelling will be from the main road, Sapper Way. The area is partially occupied by the septic tank and soak-away serving the existing house. The proposal includes taking this out and creating a new septic tank and soak-away serving both properties. The site plan shows the proposed soak-away running directly through a prominent tree on the site that would be destroyed and could not then contribute to the effective action of the soak-away that needs to be adjusted.

With regards to the objection from Connect Energy in respect of overhead power lines, development permission can be granted subject to possible slight re-siting or re-levelling of the building, to be required by planning condition, if accurate measuring proves it to be necessary when the footprint has been pegged out on site. It was noted that the applicant will bear such costs. Conditions to be renumbered.

Resolution: Approved subject to conditions recommended.

Member, Mr Gavin George left the meeting to attend another appointment.

Application No. 2016/131

Installation of Handrails on Entrance to Rose & Crown Shop – Jamestown – Tara Wortley

This is for the installation of handrails on the shop entrance steps of Rose & Crown, Jamestown. The shop is a grade 2 listed building in the intermediate

zone. Heritage Society commented that the railings should be straight and not curved but CPO pointed out that the steps as now existing are wider at the bottom than the top and so curved handrails are necessary.

Resolution: Approved subject to conditions recommended.

It was highlighted that a Conservation Area Management Plan should cover developments such as signage/handrails/ paving etc. The CPO to prepare a draft for consideration by the Authority in due course.

Application No. 2016/142

Proposed Communal Bin Housing Project – Across the Island of St H (23 Sites) - ENRD

This proposed communal bin project is for concrete bases and low surrounding rails on 23 locations around the island. For some areas it might be appropriate for stone surrounding walls and/or planting. The LCPO informed members that a day has been set aside for both him and the agent, Mr Mike Durnford to visit and inspect all of the sites, at which decisions can be taken. The LCPO asked the authority for this application to be dealt with under delegated powers where appropriate works can be agreed in each case and then to issue decision notice outlining a schedule for each site with appropriate specifications.

It was noted that a representation was received to this application.

Resolution: Approved to be dealt with under delegated powers by CPO following the recommended inspections.

Application No. 2016/148

Proposed Sewage Holding Tank – Rupert’s Valley – Colin Benjamin

This is for a sewage holding tank in the coastal zone, Ruperts Vallery.

CPO reported an objection from a neighbor including a request for the Authority to visit the site. It was noted that Connect St Helena has plans in hand to install a communal system in Rupert’s which the applicant could connect in to that means there will not be a need to have a soak-away. The CPO to speak with the applicant advising him upon the plans that Connect St Helena will be doing.

Resolution: Approved subject to conditions recommended and that the air vent from the tank be located 5 mtrs away from the residential house.

Application No. 2016/151

Proposed Bus Stop Shelter – Head O’Wain – The Property Division

This is for a bus stop shelter at Head O’Wain, Blue Hill in the green heartland. This was seen as the most practicable location. Mention was made of the fact that an application was refused earlier for a development proposal in the green heartland. The policy consulted by the CPO. Some members saw this as not being an ideal location and wondered whether Solomon’s would give permission for the shelter to be put on their land, about 100 mtrs where the original site is proposed. To be investigated.

A copy of the LDCP to be sent to members not in possession of a copy for their information and retention.

Resolution: Deferred until the next meeting.

Application No. 2016/152

Proposed Signage Renewal – The Standard, Jamestown – Solomon and Company PLC

Member, Mr Paul Hickling declared his interest.

This is for a signage renewal at the Standard, Jamestown that sits in the intermediate zone. It was noted that there are no legal requirements to having a name of the licensee on the sign.

Resolution: Approved subject to conditions recommended.

Application No. 2016/153

Proposed Ambulance Access Alterations – The General Hospital, Jamestown – Health Directorate

This is for the improvement of access for the ambulance. Located at the General Hospital, Jamestown and lies in the intermediate zone. The comments from Heritage were noted and the CPO asked that he be given authorization to negotiate a revised proposal and to discuss it with the Heritage Society in reaching an agreement. The members were happy for this to be done and agreed for it to come back to the Authority with the revised drawing. Members expressed concern that part of the existing wall had already been demolished and CPO explained this had been done to relieve blockage of the main sewer from the hospital. He also stated that a container on site was to be removed.

Resolution: Approval given for negotiations but to come back to the LDCA.

Application No. 2016/156

Proposed 2 Bedroom Dwelling – Longwood – Theresa Corker-Coleman

This 2 Bedroom Dwelling will be located in Longwood, north of Longwood Supermarket and is in the intermediate zone.

Resolution: Approved subject to conditions recommended and an additional condition to be added requiring that the proposed dwelling shall not be occupied until the access road has been improve and surfaced such that it is suitable for use by normal passenger cars. Works of repair and improvement to those parts of the access which form part of the public highway shall follow agreement with the Highway Authority and shall be done to their agreed specification.

Member, Mr Gavin George returned.

Application No. 2016/157

Proposed 2 Bedroom Dwelling – Half Tree Hollow – Cherilee Cranfield

This is for a 2 Bedroom Dwelling House in Half Tree Hollow and sits within the intermediate zone. Comments from Environmental Health concerning pollution

were noted and CPO advised that this will be alleviated when the planned sewerage scheme is done. Three sewerage applications will be discussed at a special meeting to be arranged next month.

Resolution: Approved subject to conditions recommended.

It was brought up at this stage that the planning office has received 3 sewer/sewerage applications and it is most likely that these will be discussed in next month's meeting but it was suggested that a special meeting be arranged for these specific applications.

Application No. 2016/164

Proposed siting of 2 Containers – Horse Point Landfill – LEMP

This application is for siting of 2 containers temporarily until the LEMP project has been completed. This is at Horse Point Landfill site, Longwood North, in the national Conservation area.

Resolution: Approved subject to conditions recommended.

6. Applications approved by the CPO under delegated powers –

Application No. 2016/116

Antenna Tower – Cleugh's Plain – Daniel Leo

Application No. 2016/122

Antenna Tower – Sapper Way – Gilbert Legg

It was noted that authorization was given from the owner of the house for this proposal.

Application No. 2016/132

Antenna Tower – Horse Pasture – Stedson Stroud

Application No. 2016/134

Proposed excavation to establish an on-site parking lot – Nr Three Tanks HTH – Tony Clarke

Application No. 2016/139

2 Bedroom Dwelling – Bottom Woods – Genieve Walker

7. Minor variations approved by the Chief Planning Officer -

Application No. 2016/159

Removal of Ramp and additional toilets – 1, 2 & 3 Main Street, Jamestown – St Helena Hotel Development

Application No. 2016/160

To Omit approved Passenger Lift – 1, 2 & 3 Main Street, Jamestown – St Helena Hotel Development

The CPO advised that he had visited the development and full provision was being included for persons with disabilities.

Application No. 2016/162

Installation of Extractor Fan – Bertrand’s Cottage, Longwood – ESH

8. List of new development applications received

Noted.

9. Strategic issues affecting development

Conservation Area Management Plan for Jamestown as noted with minute for 2016/131 previously.

The Chairperson asked if the CPO could make a start on the plan for Jamestown. CPO stressed that it will not meet January’s meeting as he has to review the Building Regulations and also that as mentioned earlier the 3 applications for sewer to be dealt with.

10. Any Other Business –

Scheme of Delegation

CPO had circulated a draft revised Scheme of Delegation with the agenda. He was strongly critical of the revised scheme adopted in December 2015 because it was not transparent and it had also not been operated as intended. The proposed new Scheme of Delegation was therefore based on the original Scheme adopted in 2009 but revised, in part to reflect the fact that the 2013 General Development Order had since introduced the concept of “Permitted Development”.

Resolution: the revised Scheme of Delegation, copy attached to these minutes be adopted with immediate effect and be reviewed after 12 months. The CP to sign off.

Attendance of Media Service

It was pleasing to see that a member of the media service of Saint FM was present.

Member, Mr Karl Thrower who is also a member of SAMS said hopefully in the new year a member of Sams will also be present.

Presentation on applications and statistics

The PA did a short presentation on the above.

Proposed High Voltage Electricity Lines from Sandy Bay to Blue Hill – development application 2016/158

The CPO asked for the Chairperson’s permission to introduce this matter orally, being an application supported by an Environmental Statement (ES), from Connect St Helena Ltd to provide a ring network arrangement to augment the electricity supplies to the Blue Hill area. Most of the length of new line is to be

laid underground but a length from near French's Gut to Blue Hill would be overhead.

CPO explained that the application had been advertised in accordance with Regulations and no representations had been received but the advertisement period had not expired in time for the application to be included on the agenda. He stated that the matter was urgent because the works are funded only for completion within this financial year. Accordingly he requested that the matter be delegated to him to take forward to the Governor in Council, provided the Chief Environment Officer was happy with the ES, without waiting until after the next meeting of the Authority.

Resolution: that the matter be delegated to the CPO, subject to the Chief Environment Officer being happy with the Environment Statement, for recommendation to the Governor In Council for permission to be granted subject to such conditions as he will recommend.

11. Closed Items

The sewer applications were further discussed.

12. Date of next meeting

Agreed that the date of the next meeting be on 11 January 2017.

The Chairperson thanked members for their attendance and wished them a Happy Christmas. The meeting closed at 12.25 Hrs.

Chairperson

Date

