

MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 5 MARCH 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN

PRESENT	Mr John Styles	Chairman
	Mr Rodney Buckley	Deputy Chairman
	Miss Rosemary Bargo	Member
	Mr Paul Hickling	Member
	Mrs Joan Peters	Member
	Mrs Cathy Hopkins	Member
IN ATTENDANCE	Mr David Taylor	Head of Planning & Development Control
	Mr Alfred Isaac	Planning Officer
	Mrs Karen Isaac	Secretary
OFF ISLAND	Mrs Ethel Yon	Member

ACTION

1. ATTENDANCE AND WELCOME

The Chairman welcomed all present and thanked members for attending. A special welcome was given to Mrs Cathy Hopkins, a newly appointed member to the Land Development Control Authority.

One member of the public was in attendance throughout and 2 members of the public were in attendance in respect of item no. 6 – Application No: 2014/13 – Proposed New Department Store – Solomon & Company, Greenland’s, Jamestown.

The Director of ENRD, Mr Trevor Graham joined the meeting where he and members introduced themselves. Mr Graham gave a brief talk and said that he hoped he would be able to join future meetings. Members were informed that it may be necessary for Mr Graham to be an Advisor to the Authority until the arrival of the new H P&DC.

2. APOLOGIES

There were no apologies.

3. CONFIRMATION OF MINUTES OF 5 FEBRUARY 2014

Minutes of the meeting held on 5 February 2014 were confirmed and signed.

4. MATTERS ARISING FROM MINUTES OF 5 FEBRUARY 2014.

4.1 Thompsons Wood – Enforcement Appeal, Mr Michael Roberts

The H P&DC reported that a joint meeting has been arranged with both the Attorney General and the President of the Appeals Tribunal this afternoon. The outcome will be brought to the special meeting of the LDCA on Wednesday, 12 March 2014.

H P&DC

4.2 Assessment of trees – criteria for making Tree Preservation Orders

To remain an item for discussion. Completion should be not later than the end of 2014 as stated in minutes of 5 February 2014. Secretary

4.4 Responses to Consultations

The exchange of emails between the H P&DC and the Deputy Chief Secretary attached to these minutes. The initial reaction from Directors, doubting whether responses were properly reported to the Authority, was plainly wrong. The H P&DC stressed that the DCS's initiative has evidently worked as can be seen in the consultation responses this month although it was noted that Environmental Health is still not responding. The H P&DC to speak to the DCS on this. H P&DC

4.5 Development Plan for Ruperts Valley

The H P&DC informed members that a meeting took place the previous day with the working group of the Rupert's Valley Development Plan in respect of the representations received. The working group members were asked to send their comments to the H P&DC by Friday of this week in readiness to be presented at the special meeting of the Authority arranged for Wednesday, 12 March 2014, at 10 am. The H P&DC to report. H P&DC

9 Duplication of Highways Authority and Land Development Control Authority Procedures

Revision of the Highways Ordinance is needed and the H P&DC reported that he had been advised by the Attorney General that he requires a political mandate and instruction to properly identify what is required. The AG was still awaiting further details of what the airport legislation will involve which will need to take precedence as the timescale is for this to be presented to Legco in November. Member, Mrs Cathy Hopkins was updated on this issue. The Secretary will contact the Chairman of ENR Committee and Highways Authority. Secretary

10 Land Planning and Development Control Ordinance, 2013 Regulations and Orders

Members would have already had copies. The H P&DC is happy to go through the documents with all members if they so wish. H P&DC

11.3 Press Attendance

The Chairman who is a member of the Media Board reported that "SAMS" currently have very severe staffing shortages but will discuss this with the Board when the situation eases. CP

Further matters of report from the meeting of 5 February 2014

Application No: 2013/77 – Air Conditioning Unit for Governor's Office – Management Plan for planting beds

The PO reported that whilst work has started, this is being held up by works being done at the Castle stairway. To be monitored and reported to future meetings. PO

Application No: 2014/4 – Proposed 3 Bedroom Dwelling – Lisa Hercules, Springbok, Levelwood – Effluent Standards

The H P&DC had taken this up with the Head of Environmental Management. Enforceable water quality standards should be in place by 2016, to which the quality of effluent from septic tanks can be controlled by conditions attached to the grant of development permission. See email attached to these minutes for ease of reference.

AOB Strategic issues affecting development – Appointment of new members to the Authority

The Chairman reported that he had taken this up with the DCS and was awaiting a response. However, Mrs Cathy Hopkins MBE had now been appointed a new member to the Land Development Control Authority for a period of 3 years with effect from 26 February 2014.

5. DEVELOPMENT APPLICATIONS APPROVED BY THE PLANNING OFFICER UNDER DELEGATED POWERS

The PO reported that there were no development applications approved under delegated powers. Member, Mrs Cathy Hopkins will have an insight of what developments are approved under these powers and requested that she meet with the Planning Officer to discuss this. PO

6. PLANNING OFFICER'S REPORT – DEVELOPMENT APPLICATIONS FOR DETERMINATION

The following development applications were considered and determined as stated below. Planning Officer to process accordingly.

Application No. 2014/6 – Proposed erection of 10 Poly tunnels – Russell Clingham, Ladder Hill

It was agreed by the Authority that this application be refused, as indicated in the PO's recommendation, in that the site is within a Conservation area and adjacent to listed buildings where the scale of the proposal is inappropriate. It is contrary to the policy on Poly Tunnels, Green Houses and Shade Houses. It was requested that the PO should write to the Crown Estates on the matter of a lease on the alternative site, which was suggested by the PO of the former SHG Nursery near the Rifle Range. The Chairman congratulated the PO and members took note of how well the PO had handled this application. PO

Application No. 2014/7 – Proposed improvements – Roads Section, SHG, 'Constitution Hill' Road

The H P&DC reminded members of the LDCP Policy RT1(a) which states:
(a) "Development permission will be granted for the construction of new roads and the upgrading of existing roads appropriate to the island's development needs (and utilising excavated waste and other secondary construction materials) provided that, in the design and layout of the roads to achieve safe conditions, speed and free flow of traffic shall be of lower priority than that of minimizing the impact upon the natural and built heritage of the island".

The PO reported that if the Authority was minded to approve the proposed improvements, this application, being for infrastructure works, would be referred to the Governor in Council with the Authority's recommendation to grant permission subject to conditions.

The H P&DC explained that the work requires specific development permission because it involves work outside the existing hard surface of the road, whereas road works that do not extend the hard surface are Permitted Development under the General Development Orders.

Members requested amendment of condition No 1 such that approval of the management plan shall be by the Authority rather than the PO thus ensuring collective responsibility.

Members were also concerned that new walls should be built and finished traditionally, using lime mortar rather than cement; condition No 2 to be amended to read: Retaining walls shall be constructed of stone masonry laid in the traditional manner using mortar made of lime and locally sourced earth. (Reason unchanged).

In making the recommendation to the Governor-in-Council with this condition, members were aware (and wished it to be made clear) that this would set a precedent for new and repair work on highway walls generally, to retain the traditional character rather than the harsh character of cement work done in recent years.

Members discussed storm water drainage from Constitution Hill, which flows ultimately to the Run. They expressed concern that no maintenance work to the Run appears to be carried out and its structural condition is deteriorating. They therefore requested that this be drawn to the attention of the Governor-in-Council along with the recommendation on this application.

PO

Application No. 2014/8 – Proposed 4 Bedroom Dwelling – Ian Williams, Coffee Grove, Sandy Bay

Member, Mr Rodney Buckley declared his interest and took no part in the discussion. It was noted that no response was received from Environmental Health. Approved with conditions as PO's recommendations.

PO

Application No. 2014/9 – Proposed 3 Bedroom Dwelling – Kerry Peters, Bushes Hollow, Blue Hill

It was noted that no response was received from Environmental Health and that Heritage said that the mature trees should be preserved but it was noted by the PO that there are only shrubs nearby. Approved with conditions as PO's recommendations.

PO

Application No. 2014/10 – Proposed 5 Bedroom Dwelling – Alan Fowler, Head O'Wain

Members questioned whether this development would affect the recently approved upgrading of overhead cables from low voltage to high voltage and PO assured them it would not. Approved with conditions as PO's recommendations.

PO

Application No. 2014/11 - Proposed 3 Bedroom Dwelling – Gemma Andrews, Upper Cow Path, Half Tree Hollow

Members were concerned over the effect of Condition No 1 and requested a timescale from Connect St Helena. Approved with conditions as PO's recommendations with Condition No. 1 to be amended to read: "The dwelling shall not be occupied until the applicant has obtained approval from Connect St Helena to discharge sewage to the public sewer in the light of upgrading of the sewerage system by them, to separate storm

water from foul sewage, or such other work done by Connect St Helena in conjunction with St Helena Government, sufficient to avoid the risk of pollution". The Secretary to write to Connect St Helena to get a timescale and progress report, to report to the next meeting.

PO/Secretary

Application No. 2014/12 – Proposed 3 Bedroom Dwelling – Rudie McDaniel, Cleughs Plain

It was agreed that this application be deferred until the applicant has provided confirmation of agreement for the sewage effluent soakaway. Pending written agreement the PO to deal with under delegated powers. It was noted that no responses were received from Heritage or Environmental Health.

PO

Application No. 2014/13 – Partial demolition and reconstruction to a reconfigured design – Solomon & Company, 'Greenland's, Jamestown

The H P&DC gave the background to this proposal. He explained that Solomon's had asked him for advice on redevelopment of the site from 2011 onwards and he had produced a variety of sketches for Solomon's consideration. In 2013 Solomon's had decided to progress with one of the sketch designs, with some alterations, and instructed a commercial draughtsman to prepare drawings suitable for the development application, which they had submitted. The drawings were not satisfactory in a number of significant ways which H P&DC had immediately discussed with Solomon's and with the draughtsman on their behalf. The latter was not able to produce revised drawings and H P&DC had therefore drawn them for Solomon's, on the basis of first receiving a letter from Solomon's making clear that the drawings were done not in expectation of fee or reward. H P&DC explained that a copy of that letter is on the file. He then left the room and the proposal was introduced and explained by the PO.

Member, Mrs Cathy Hopkins asked whether she should declare an interest in view of membership of the Heritage Society and was advised that she should not. It was explained that Father Fred had seen the drawings on behalf of the Heritage Society. Clarification was sought over any proposed changes to windows facing Napoleon Street and it was resolved to add a condition requiring that, as part of the development, the original sash windows are restored.

PO explained that the advertisement period for the application will not expire until Friday, 7 March. It was therefore resolved that permission be granted subject to no adverse representations being received by Friday, 7 March, subject to conditions as recommended by the PO and an additional condition:

"As part of the development the sash windows on the Napoleon Street elevation shall be restored to their original form and so maintained.

Reason: to ensure the development protects and enhances the character of the listed building and the Historic Conservation Area in accordance with planning policy BH2".

PO

Members also asked to be given hard copies of the drawings.

PO

7. MINOR AMENDMENTS APPROVED BY THE PLANNING OFFICER – Variation to development permission: Application No: 2013/36 – Extension to Cape Villa – repositioning of building to avoid building on made up ground

Noted. If an application is not a minor one then it will come to the Authority as a new application.

8. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED

The list of new development applications had been distributed and was noted.

9. STRATEGIC ISSUES AFFECTING DEVELOPMENT

The lack of responses from Environmental Health to be pursued.

H P&DC

10. AIRPORT TERMINAL BUILDING – EXTERNAL FINISHES FOR COMMENTS

Members took note and were pleased with the PO’s comments on the cladding designs for the external finishes of the airport terminal building. All 5 options were considered by the Authority for stone cladding of the buildings. Members expressed their gratitude for the opportunity to comment whilst acknowledging that the Authority has no statutory power to make a formal decision. Unanimity was reached by members to follow the opinion already expressed by the PO “that the stonework should be done using stones of mixed sizes (not too big to handle) with the use of ‘pinners’ in horizontal courses of 300/450mm and not as random rubble. Joints should be thin/narrow and neatly pointed, and the finished stone face should be pleasing and free from ‘snot’, not with wide joints that are prominent and distracting. It was recognised that St Helena’s built heritage is of a standard that is of outstanding quality, and is an asset that is hope to attract tourists. The stone work should reflect such quality.” The members did not recommend acceptance of any of the samples proposed, because they do not achieve adequately the standard required but, of those offered, the latest – option 5 is the least bad. Members commented that the island possesses tradesmen with the necessary skill to achieve what is needed. This information to be relayed to the Access office this afternoon.

Secretary

11. ANY OTHER BUSINESS

1. Light Pollution

A member questioned the issue of light pollution from ships as apparently the lights on the NP Glory 4 shines through people’s windows at Alarm Forest and wondered whether there is anything in the Harbour Ordinance in respect of lighting levels. The H P&DC to have a check.

H P&DC

2. Visit to the Airport site

A member asked whether it would be feasible for the Authority to pay a visit to the Airport site. The Secretary will enquire. The Director of ENRD to be included in the visit.

Secretary

3. Last working day for H P&DC

The H P&DC informed members that his last working day with SHG is Friday, 14 March 2014 and a BBQ has been arranged for the afternoon at Colin’s Bar in Sandy Bay if they wished to attend.

There being no further business to discuss, the Chairman thanked members for their attendance. The meeting closed at 11.40 hrs.

Chairman

Date

NEXT MEETING TO BE ON WEDNESDAY 2 APRIL 2014, 9.00AM AT AVEC.
