

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

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

ACTION

1. ATTENDANCE AND WELCOME

The Chairman welcomed all present and thanked members for attending. A special thank you to member, Mr Rodney Buckley for deputising in the absence of the substantive Chairman. Two members of the public were in attendance in respect of application nos. 2013/17 and 2013/18

2. APOLOGIES

There were no apologies.

3. CONFIRMATION OF MINUTES OF 8 JANUARY 2014

Minutes of the meeting held on 8 January 2014 were confirmed and signed by both the Chairman and the Deputy Chairman.

4. MATTERS ARISING FROM MINUTES OF 8 JANUARY 2014.

4.1 Thompsons Wood – Enforcement Appeal, Mr Michael Roberts

The H P&DC informed members that he had been advised by the Attorney General to arrange a joint meeting with Mr John Mc Richie, President of the Appeals Tribunal, to discuss this further. H P&DC to report back to the Authority next month.

H P&DC

4.2 Assessment of trees – criteria for making Tree Preservation Orders

Members had received a copy of the interim report attached to these minutes. In view of the departure of the H P&DC next month, the Chairman asked for a projected timetable. Members resolved that the target for completion should be not later than the end of 2014, and to remain an agenda item.

H P&DC/Sec

4.3 Application No: 2013/27 – Proposed Shooting Range and Club House – NASAS

Members had received a copy of the response from the Director of Policing dated 28th January, which they considered to be inadequate. Members were clear that it is their

duty to ensure appropriate safeguards are in place but expertise over achieving adequate safeguards with firearms lies with the police not the Authority. It was therefore resolved to add a planning condition requiring the applicant to obtain confirmation in writing from the Police before the shooting range is brought into use, that the Police are satisfied with the security of the installation, positioning of gates, barriers, warning signs and all operational procedures. Similarly, members were not satisfied that reliance on the public toilets will be sufficient to avoid a health hazard but the relevant expertise lies with Environmental Health. It was therefore resolved to add a planning condition requiring the applicant to obtain confirmation in writing from the Health and Social Welfare Directorate that the arrangement is satisfactory, before the shooting range and club house are brought in to use.

Approved as PO's recommendations plus the two additional conditions stated above.

PO

4.4 Responses to Consultations

The exchange of emails between the HP&DC and Interim Director of ENRD had been circulated. The Authority strongly supported the HP&DC in continuing to monitor the situation and pursue further with the Deputy Chief Secretary. The HP& DC observed that it is almost always the same directorates who are not responding to the consultation process.

H P&DC

4.5 Development Plan for Ruperts Valley

Email of 17 January 2014 from H P&DC to the Deputy Chairman, attached to these minutes, had been circulated to members. It was noted that the consultation period has been extended to Friday, 21 February 2014. Representations will therefore be brought to the Authority at the March meeting.

9 Duplication of Highways Authority and Land Development Control Authority

The HP&DC reported that the joint meeting of the Highway Authority and ENRC had been postponed and the matter was not discussed at the subsequent meeting. The Attorney General had confirmed that revision of the Highways Ordinance is required. HP&DC to pursue with the Attorney General.

H P&DC

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

The HP&DC stated that the 2013 Land Planning and Development Control Ordinance and its associated Regulations and Orders had become of full effect on 1st February 2014. The documents are still with Printech and will be distributed as soon as received.

Secretary

11.3 Press Attendance

The Chairman who is a member of the Media Board stated that he will pursue this with SAMS.

CM

Application No: 2009/71/DW - Unauthorised development near Longwood gate

A copy of a letter sent to plant operators reminding them that excavation works should be carried out in strict accordance with approved plans had been circulated. PO was thanked for carrying this out.

Application No: 2013/77 – Air Conditioning Unit for Governor’s Office

The Secretary reported that the management plan had been received and is satisfactory. The HP&DC recommended that implementation of the management plan should be monitored to make sure it is done and this was agreed.

PO

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

None.

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. 2013/115 – Proposed kitchen, lounge and bathroom extension – Ron Knipe, Levelwood

Approved with conditions as PO’s recommendations.

PO

Application No. 2013/117 – Proposed canopy – Solomon & Company, HTH Fuel Station

Approved with conditions as PO’s recommendations.

PO

Application No. 2013/18 – Proposed change of use from Ware house to Offices – Solomon & Company, Jamestown

Approved with conditions as PO’s recommendations.

PO

Application No. 2014/1 – Proposed 3 Bedroom Dwelling – Michelle Thomas, Bluemans Field

Approved with conditions as PO’s recommendations.

PO

Application No. 2014/2 – Proposed extension of HV and LV lines – Connect St Helena, Barren Ground

Approved with one condition as PO’s recommendation. A foot note to be added to the effect that the applicant be advised that within the CDA the expectation of planning policies is generally that electrical and telecom services be laid underground. In this instance the LDCA, being mindful of the existing LV overhead line, is content to approve overhead lines but this approval should not be taken as a precedent in other cases.

PO

Application No. 2014/3 - Proposed 2 Bedroom Dwelling – Julian Beard, Cleughs Plain

Members were made aware of two representations that were received. Approved as PO’s recommendations. The PO to inform third parties of the decision of the Authority.

PO

Application No. 2014/4 – Proposed 3 Bedroom Dwelling – Lisa Hercules, Springbok, Levelwood

Approved as PO's recommendations. A foot note to be added that with reference to condition 1 of the decision notice, the LDCA is mindful of the need to avoid pollution of the nearby stream. Unless the soil percolation tests to be submitted and approved are satisfactory, the applicant be advised to install a system to achieve an enhanced quality of waste water, typically suspended solids (SS) 20mg/litre, biological oxygen demand (BOD) 15mg/litre and ammoniacal nitrogen (AMM-N) 10mg/litre. The applicant to be made aware that advice can be sought from Connect St Helena on the means of achieving these standards. If it becomes apparent that there are no statutory National St Helenian guidelines on waste water pollution levels, the UK national standards be identified for possible adoption in St Helena via Environmental Health initiative. HP & DC to pursue. The PO to reword the last sentence in condition 1 to read "The results of these tests are to be submitted to and shall have been approved by the Planning Officer before the development is commenced".

PO

HP & DC

Application No. 2014/5 – Outlining planning permission for 6 housing sites – Crown Estates, SHG, Hollow Crescent, HTH

Approved as PO's recommendation with an added condition that the dwellings shall not be occupied unless the public sewerage system has first been upgraded to separate storm water from foul sewage, or such other work as has been approved by Connect St Helena in conjunction with SHG, sufficient to avoid the risk of pollution, to comply with planning policy SD 6.

The PO to also add to condition1 the word "sewage" after storm water and reword condition 2 by adding at the beginning "Application for detailed development permission, showing" and also to amend the reason by adding at the end, the words "and in conformity with Section 17 of the Land Planning & Development Control Ordinance, 2013."

A foot note also to be added, advising the applicant that owing to the small size of some of the plots and the gradient on the site, innovative forms of development including split level dwellings may be necessary to achieve an acceptable form of development.

PO

7. MINOR AMENDMENTS APPROVED BY THE PLANNING OFFICER

None.

8. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED

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

9. STRATEGIC ISSUES AFFECTING DEVELOPMENT

1) Appointment of new member to the Authority to replace Mrs gay Marr: The H P&DC reported that he had held discussions with the Governor and is waiting a reply. The Chairman also undertook to discuss with the Governor.

CM

2) Political over-sight of ENRD activity. The e-mail exchange between the H P&DC and Interim Director had been circulated. The HP&DC reported a further e-mail exchange with the Chief Secretary expressing concern that elected Members are seeking

involvement in operational matters rather than policy, which he considers is not their role. H P&DC to provide copies to the Secretary for distribution to Authority members.

H P&DC/Sec

10. TOUR AROUND JAMESTOWN

The PO reported that some progress had been made with regard to buildings being renovated, cleaned and painted. It was also noted that some property owners wanted to clean up their property, but could not because of the unavailability of skilled labour and lack of finances to do the required works. Overall there is a positive attitude from the public to have Jamestown cleaned up. The Chairman, although pleased that progress has been made, felt that there was still much to do and it is very important that officials and the Authority continue to ensure that significant progress is made.

ALL

11. APPLICATION NO: 2013/79 – IMPROVEMENTS TO FOREST TRACK AT THOMPSON’S WOOD HILL – MANAGEMENT PLAN

The management plan had been circulated. The two comments from Environmental Management Department concerning spraying and re-growth of ferns were noted and the management plan was approved.

12. ANY OTHER BUSINESS

A member sought clarification as to whether a person not able to develop land in the Green Heartland is eligible for compensation. The H P&DC stated that the areas included in the Green Heartland in the LDCP had been the subject of full public consultation and debate. The Ordinance is clear as to the circumstances in which compensation is payable. Implementation of adopted LDCP policies is not one of them. If an aggrieved person is not satisfied on this point he should direct his enquiries through the Public Solicitor.

The Chairman informed members that he will be away from the island from end April 2014. In future he will be away annually for a period of approximately of 6 months every year. The Chairman advised that he would speak to the Governor informing him of his future pattern of absences. Future Chairmanship arrangements will be for the Governor’s decision. The Chairman would also take up the matter of a replacement for Gay Marr who has recently resigned. This would cover the problem of the shortage of members of the LDCA and the achievement of a quorum (3 Members) at future meetings.

CM
HE
CM

There being no further business to discuss, the Chairman thanked members for their attendance. The meeting closed at 11.05 hrs.

Chairman

Date

NEXT MEETING TO BE ON WEDNESDAY 5 MARCH 2014, 9.00AM AT AVEC.

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