

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY, 13
JANUARY 2016, AT 9 AM AT THE JAMESTOWN COMMUNITY CENTRE**

Present	Mrs Ethel Yon	Deputy Chairperson
	Mrs Cathy Hopkins	Member
	Mrs Joan Peters	Member
	Mr Paul Hickling	Member
	Mr Gavin George	Member
	Mr Raymond Williams	Member
In Attendance	Mr Martin Hannah	Head Planning & Development Control
	Mr Alfred Isaac	Planning Officer
	Mrs Karen Isaac	Secretary

ACTION

1. ATTENDANCE AND WELCOME

The Deputy Chairperson welcomed all present and thanked members for attending, with a special welcome to newly appointed member, Mr Raymond Williams. Because of the DC having to declare her interest in application nos. 2015/126 and 2015/151, member, Mrs Cathy Hopkins agreed to chair for those 2 items.

There were 8 members of the public present.

2. DECLARATIONS OF INTEREST

Deputy Chairperson declared her interest in respect of application nos. 2015/126 and 2015/151, member, Mr Gavin George in respect of application no. 2015/126, Member, Mr Paul Hickling made it known that he is the Director of ESH and Member, Mrs Cathy Hopkins Vice Chairperson of the Heritage Society. Deputy Chair and Members left the table when application(s) were being heard.

3. CONFIRMATION OF MINUTES OF 2 DECEMBER 2015

Minutes of the meeting held on 2 December 2015 were circulated, confirmed and signed.

4. MATTERS ARISING FROM MINUTES OF 2 DECEMBER 2015.

Application No. 2015/48 – Proposed change of use and new build hotel development 1, 2 and 3 Main Street, Jamestown

As reported previously, nothing further has been received from the neighbours nor from ESH. Miss Mia Henry and family have been asked for an update but are still to reply. The members will be informed if anything further received.

Application No. 2015/49 – Proposed change of use of dwelling house (class C3) to C1 and related operations – Bertrand’s Cottage

As reported last month, the H P&DC is checking over the information submitted

by ESH. Work appears to have ceased but one member highlighted that works is on-going. Member, Mr Gavin George wondered whether he should be declaring his interest in this matter as he is a full time employee of Pro Arc, overseeing these works. The H P&DC will take advice from the AG's Chambers. H P&DC

Application No. 2015/51 – Proposed commercial camping site with sanitary facilities and management accommodation, Hooper's Rock, Blue Hill – Andrew Hook and Loretta Coleman

The draft agreement is with applicant for review who was seeking legal advice. Understood to be off island.

PO's Report

Application No. 2015/18 – Church Steeple – It was noted that the Contractor have gone to Cape Town for training without informing the interested bodies. This development will enure after a period of 5 years. It is known that periodic checks are being made on the safety of the scaffolding.

Strategic Issues affecting development

Any strategic issues will be covered in the yearly report to the Governor. This is hoped to be done before the next scheduled meeting. Report to be circulated to members. H P&DC

AOB

Rupert's Development Plan

The Rupert's Working Group met in December 2015. Next meeting will be on 14 January 2016. It is hoped to get plan back on track.

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

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

Application No. 2015/126 – Proposed Tourism Holiday Park – Bradleys, Bottom Woods – Millennium Holiday Park Limited

This item took up nearly two hours of time covering presentation, objectors' statements and applicant's response and members' questions.

The H P&DC presented this application for outline development permission. The site is crown owned and will be leased to the applicant. The development proposed is a change of use of land and related operations to retain and alter building in order to provide a 60 bedroom letting accommodation (Class C1) and ancillary buildings and recreational facilities accommodation including tennis courts and outdoor pool. This

development affects the coastal zone policy. Appendices read out.

4 objections were received – St Helena National Trust, Andy Pearce, Stephen Biggs and Maureen Jonas and Michael Thorpe. Slides were shown for a better understanding including the movement of the DVOR that was approved as a minor amendment. It was noted that the Weather Station is sited in the area known to be populated by Mole spiders protected species. Some issues were highlighted from various consultees ie. Septic tank and soakaway, access arrangements car parking. A number of conditions were recommended by Air Access to safeguard the aerodrome and these had been incorporated into CPO's recommended conditions.

The Objectors were given time to speak. Mr Jeremy Harris, St Helena National Trust presented the Trust's objection and spoke on behalf of the other objectors. The objectors state that the development is contrary to Development Plan Coastal Zone and Natural Heritage policies, lacks sensitivity to ecology and landscape character, it is a departure from the requirements of the airport development permission and it concerns objectors that no environmental impact assessment has been undertaken.

Mr Andy Pearce in his written statement stressed that this development application will have a permanent detrimental effect on the visual, conservation and tourism amenity of the island.

Mr Stephen Biggs and Miss Maureen Jonas highlighted the fact that the Airport and Environmental Management Plan clearly states that the workers Camp at Bradleys must be removed on the completion of the airport. It is assumed that this application, if approved would be in direct contradiction of the Land Development Control Plan and would not only be illegal but could be corrupt. The objectors further states that SHG have said that tourism should be of high value and low volume.

Mr Michael Thorpe also highlights that the workers camp is a temporary construction and must be removed on completion of the airport. The development of this site will damage the ecological interest of the area, being an important area for the Wirebird and mole spiders. It was further stated that the work camp is not well situated and cannot see how St Helena can be marketed as a desirable destination when the accommodation is being used as a workers camp.

The agent for the applicant was also present but he informed the Authority that he was requested by the applicant not to give a presentation but was there rather to answer any questions the Authority might have about the submission.

Mr Harris advised that The St Helena National Trust objected to Bradleys Camp initially but at that time Mr Jeremy Harris was not in post.

Members expressed concern about the screening checklist and summary for the development application. It was noted that an EIA had been prepared in support of the airport development permission including temporary workers camps but it was assumed

that this was done on a temporary measure and some members agreed that the permanent effects of development may not have been properly taken into account. The CPO advised that it was not necessary to do a full EIA for this proposal. It was stated that the Authority and HPDC has to be guided by the EMD personnel where it was noted that most of the issues in the screening checklist would not have a significant impact.

The professional judgement of EMD supported by the HPDC is that the development regulated by conditions would not have significant effects upon Wire Bird or Mole spider.

The concerns of the St Helena National Trust were discussed and the H P&DC advised that he has to respond to the application that is presented to him and some aspects of the design and some issues raised were not easy. One member highlighted that Development Plan Policy clearly states that an impact statement should be done but the HPDC disputed this requirement. The Ordinance and the Regulations in force since 2013 should be applied. The H P&DC stated that there was sufficient information available to make a determination and he accepted the advice of the Environmental Assessment Manager as the best environmental and scientific advice available to Government. There was further debate about the siting of the buildings and impact upon the wider landscape and also discussion about communication between the applicant and the St Helena National Trust and what is actually known about the mole spiders and their habitat. The HPDC repeated that if an EIA was deemed necessary to support this application or provide additional environmental information it would have been requested.

In the report on handling, the H P&DC recommended approval subject to 12 conditions. Some required specifically for aerodrome safeguarding reasons. Before reaching a determination and making a recommendation to Council, members requested a site visit. The site visit to take place on Wednesday, 20 January leaving Jamestown at 9.30 am. Secretary to arrange. Miss Isabel Peters to be invited to the special meeting to take place after the site visit. This application was seen as a major one.

Secretary

Application No. 2015/131 – Proposed 1 Bedroom Dwelling House – Red Hill, St Paul’s – Layla Andrews

The location for this development lies along the east side of the road leading to High Knoll and falls within the intermediate zone. The development is a single storey 1 Bedroom Dwelling House.

PO

Approved as PO’s recommendations.

Application No. 2015/132 – Proposed 3 Bedroom Dwelling House – Bottom Woods, Longwood – Kerry Yon

This development will be located to the north of the main road leading from Ropery Field onto Bottom Woods and falls within the intermediate zone. This is for a 3 Bedroom Dwelling House with works including demolition of existing building.

PO

Approved as PO’s recommendations.

Application No. 2015/133 – Proposed 1 Bedroom Flat to include use of an existing room – Narra Backs, Jamestown – Henry Thorpe

This site is adjacent to the properties of Miss Mia Henry, Ivy Glanville and Mr Peter Fowler and falls within both the intermediate zone and conservation area. This application is for the development of a 1 Bedroom Flat to include use of an existing room.

It was recommended that development permission be refused as the development submission is determined to be contrary to development plan policies H1, H9 and IZ1 by virtue that the proposed building is an over-development of land that if implemented will exacerbate an already intensive pattern of built development in Narra Backs and therefore unlikely to achieve improved and sustainable standards of domestic amenity.

The Authority in considering the recommendation of the PO recognised that a previous development permission had been granted for a house. Some Members recollected another similar application that had been refused due to concerns about access, siting and inadequate amenity space. Members questioned what other use this site could have and queried if normal planning standards would expect a requirement for garden space in the city of Jamestown. Reference was made to the relaxed car parking standard. The CPO advised that since 2012 the Adopted Plan expects higher standards of domestic amenity to be provided.

Members also queried why there was reference to lack of disabled access because not all development applications reviewed by the Authority have made provision for disabled access. The HPDC replied that he had considered the potential of the development for tourism (short term letting) where perhaps some compromise could be made to the standard of residential amenity required of long term residential occupation. Tourism accommodation should nevertheless make adequate provision for the mobility impaired.

While he conceded the design was an imaginative and generally quite sensitive approach having regard to the Conservation Area he felt that the inadequate setback from neighbouring property, poor access and inadequate garden space weighed against the submission as it appeared to be an over-development of land.

Members were given the opportunity to make a site visit on this application. The HP&DC, in his profession stated that he cannot support this application for reasons set out in the report on handling.

The Authority therefore agreed that this application be refused. Applicant's right of appeal to be communicated. PO

Refused as PO's recommendations.

Application No. 2015/134 – Proposed 3 Bedroom Dwelling House, 1.5 Storey – Nr Princes Lodge, St Paul's – Nigel George

This site is to the north west of Princes Lodge, Red Hill and falls within the intermediate zone. This application is for the development of a 1.5 storey, 3 Bedroom Dwelling House. PO

Approved as PO's recommendations.

Application No. 2015/139 – Proposed Split Level 3 Bedroom Dwelling House – Nr Spring Bok, Levelwood – Clayton Leo

This site is within the intermediate zone, Springbok, Levelwood and is for the development of a split level 3 Bedroom Dwelling House. PO

Approved as PO's recommendations

Application No. 2015/140 – Proposed 4 Bedroom 2 Storey Dwelling House – Woody Ridge, Levelwood – Patrick and Jacky Thomas

This application is for the development of a 4 Bedroom 2 Storey Dwelling House. Members reminded that permission was granted in June 2015 for this site but had not been implemented. This was a new application. PO

Approved as PO's recommendations

Application No. 2015/143 – Proposed Split Level 2 Bedroom Dwelling House – Head O'Wain – Mario Yon

This is in the intermediate zone and is situated at Head O' Wain. This application is for the development of a 2 Bedroom Split Level Dwelling House. Members noted that access is a real concern. PO

Approved as PO's recommendations

Application No. 2015/150 – Proposed Access Track and Silt Trap – Harpers Valley – Connect St Helena Limited

This development is within Harpers Valley between the Earth Dam on the east and the Eliza Mary Lloyd Trust Gardens on the west and falls within the Green Heartland. This application is for the development of an access track and silt trap. PO

Approved as PO's recommendations.

Application No. 2015/151 – Proposed construction of Water Reservoir (Tank) – Longwood Avenue – Connect St Helena Limited

This area is a residential area but also has a common area Longwood Green and play area to the North, Longwood House to the East and residential plots with adjoining farm plots to the South. This falls within the intermediate zone. The development is a Water Reservoir (tank), retaining/screen wall around the tank, stone wall along road edge, planting between existing trees and grass block paved parking and service area. Declarations of interest noted. There were objections from St Helena National Trust and Mr Martineau on the grounds that the proposed development falls within the historic conservation area and proximity to and setting upon Longwood House and whilst some effort has been put into mitigating the impact, the development, by its nature and scale, is in their view entirely inappropriate and would have a significant negative impact on the setting of one of the most crucial buildings and areas to St Helena's future tourism policy. It is believed by the SHNT that there would be a significant outrage both locally and internationally, if this application were to be approved. The SHNT strongly urges the applicant to look for alternative options. Representation received from Michel Dancoisne-

Martineau on the grounds in protecting the immediate surroundings of a renowned world historical site. There were no representations from France.

It was noted that ideally it would not be recommended for the tank to be located on this site but it was the importance of having the tank there. The applicant from Connect St Helena spoke briefly on the background of this development. The security of supplying water is for the island as a whole. It was reported that resources is available from the bore hole for the dry season and it was decided to upgrade the system. If the tank was lower down the gravity falls away. The agent spent time on site to envisage what people will see and how to balance the intrusion. It was noted that it doesn't want to distract Longwood House.

Mr Jeremy Harris, St Helena National Trust was not prepared to speak against this application but he took a few moments to emphasise the importance of Napoleonic history and tourism for the island. Alternative sites had been identified that will mean that some 2 bars of pressure will be lost and there were no other means of increasing those 2 bars, the higher the development, the bigger the pressure. If the tank was to be positioned lower it will be very costly.

It was recommended that development permission be granted subject to conditions. To Exco for final determination. PO

Approved as PO's recommendations.

6. APPLICATIONS APPROVED BY THE PO UNDER DELEGATED POWERS – NONE

7. MINOR VARIATIONS APPROVED/NOT APPROVED BY THE CHIEF PLANNING OFFICER/PLANNING OFFICER

Application No. 2015/137 – Minor Amendment – To permit altered siting of the DVOR Apparatus – Airport Runway – Access Office - **APPROVED**

8. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED

The list of new development applications had been distributed and was noted. The H P&DC took members through the list identifying what could be dealt with under delegated powers and what would have to come before the Authority. Application Nos. 2015/152 and 2015/153 will come before the Authority. The rest will be dealt with under delegated powers. Members were informed of Application No. 2015/153 – Pre –application enquiry – Offal Waste Pit – Bamboo Hedge Farm.

9. STRATEGIC ISSUES AFFECTING DEVELOPMENT

The H P&DC will wrap up any strategic issues the Authority might have, in the end of year report. Members to have sight of when completed before sending to the Governor in March 2016. It was noted that there is a lack of design standards and guidance on slopes and developments and the size of the cut. H P&DC

10. ANY OTHER BUSINESS

There was nothing to report under any other business.

11. CLOSED ITEMS

Application No 2015/142 – Proposed partial change of use of dwelling (Class C3) to Class A5 – Hot Food Takeaway, Class C1 – Shop and Class A3 – Restaurant – Mac-Ville, Alarm Hill – Karen and Darren McCoy

The H P&DC asked for this application to be heard as a closed item because it raised potential enforcement matters and because an objection from the Housing Division raised concerns that he would rather not discuss in a public forum. The Housing Manager and Crown Estates Manager were in attendance for this item. Members were updated on the situation surrounding this application. PO

Refused as PO's recommendations.

The Deputy Chairperson thanked Members for their attendance and apologised for the long meeting. The meeting closed at 14.25 hrs.

Deputy Chairperson

Date

12 NEXT MEETING TO BE ON WEDNESDAY 3 FEBRUARY 2016 AT 9 AM AT THE EDUCATION LEARNING CENTRE, JAMESTOWN