

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 4 SEPTEMBER 2013, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN**

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| <b>PRESENT</b>              | Mr Rodney Buckley<br>Mrs Joan Peters<br>Mrs Ethel Yon | Deputy Chairman<br>Member<br>Member                                     |
| <b>IN ATTENDANCE</b>        | Mr David Taylor<br>Mr Alfred Isaac<br>Mrs Karen Isaac | Head of Planning & Development Control<br>Planning Officer<br>Secretary |
| <b>OFF ISLAND</b>           | Mr John Styles<br>Mr Paul Hickling                    | Chairman<br>Member  |
| <b>LEAVING ISLAND TODAY</b> | Mrs Gay Marr  | Member  |

**ACTION**

**1. ATTENDANCE AND WELCOME**

The Chairman welcomed all present and thanked members for attending.

**2. APOLOGIES**

An apology was received from Member, Miss Rosemary Bargo.

**3. CONFIRMATION OF MINUTES OF 21 AUGUST 2013**

Minutes of the meeting held on 21 August 2013 were confirmed and signed subject to the following amendment:- **Secretary**

Page 6, item 12 – Planning Contravention – “ANRD” to be replaced with “SHG” on the 10<sup>th</sup> line.

**4 MATTERS ARISING FROM MINUTES OF 21 AUGUST 2013.**

**4.1 Thompsons Wood – Enforcement Appeal, Mr Michael Roberts**

There was nothing further to report.

**4.2 Assessment of trees – criteria for making Tree Preservation Orders**

**H P&DC**

The H P&DC to report on the findings of the first meeting of the Trees Advisory Group, to be held the following day.

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

**PO**

Revised drawings were still awaited. PO to chase up.

**4.4 Scheme of delegation to the Planning Officer**

To be discussed at item 11 on the agenda.

- 4.5 Responses to Consultations** **H P&DC**
- The H P&DC was discussing this matter further with SHG to see if consultation procedures could be made more effective.
- 4.6 Dark Skies Initiative**
- Nothing further to report.
- 4.7 Application No: 2012/150 – Derek Thomas** **PO**
- It was reported that building works were being monitored and that the joinery was being made.
- 4.8 Application No: 2013/61 – Proposed 1 Bedroom Dwelling – Chayenne John and Scot Crowie** **PO**
- The PO informed the Authority that he had met with both the applicant and the objector and an agreement had been reached on the issue on access and have now been resolved.
- 4.9 Report – Assessment of Environmental Protection Frameworks in the UK OT** **H P&DC**
- The H P&DC reported that he had responded to the report and informed the Authority that he had given the report to SAMS for a radio or press article. There had also been mention of the report on Community radio.
- 4.10 Development Plan for Ruperts**
- The H P&DC informed the Board that he would be attending a meeting that afternoon on the development plan for Ruperts. The risk of sewage effluent accumulating behind the proposed jetty had been acknowledged and the H P&DC stressed again the importance of having a proposal for dealing with it. The H P&DC asked for a representative from the LDC Authority to be on the working group and it was suggested that Member, Mr Paul Hickling be asked to be the representative. Failing that Mr John Styles, the Chairperson would be asked. **H P&DC**
- 4.11 Proposed General Development Order**
- The H P&DC informed the Authority that he had spoken on the radio on this subject on 2nd September and would be doing another talk next week. The Authority was informed that the period for consultations had been extended to Friday, 20 September 2013. Examples and diagrams had not yet been done but would be included in the final draft. It was agreed that this item would be placed on the agenda for October's meeting of the Authority rather than a special meeting in September, then to be discussed in the ENR Committee meeting on 10th October together with draft planning regulations and orders, to go to Exco for approval early in November and if approved to be of effect from the beginning of December. **H P&DC**
- 4.12 Planning Contravention: Forestry section engineering works at Toby's Ledge, Thompsons Wood**

The H P&DC reported that the development application had been received and was being processed, to be reported to the next meeting of the Authority.

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

There were no development applications to report under delegated powers as advised by the PO.

## **6. PLANNING OFFICERS REPORT – NEW DEVELOPMENT APPLICATIONS** PO

The following development applications were considered and recommended for approval in accordance with the Planning Officer's recommendations, except where otherwise noted. Planning Officer to process accordingly.

### **6.1 Application No: 2013/63 – Revised drawings on the proposed conversion from a School to 5 Bedroom Challenging Behavioural Unit** PO

Approved with conditions as PO's recommendations with an added condition on external lighting.

### **6.2 Application No: 2013/67 – Proposed Double Garage – Fernando Henry** PO

Approved with conditions as PO's recommendations.

### **6.3 Application No: 2013/68 – Proposed 2 Bedroom extension – Stuart Peters** PO

Approved with conditions as PO's recommendations.

### **6.4 Application No: 2013/69 – Proposed 3 Bedroom dwelling – Leon Williams** PO

Approved with conditions as PO's recommendations.

### **6.5 Application N0: 2013/70 – Proposed conversion of a Shop to a 1 Bedroom dwelling and Bathroom extension – Tracy Corker** PO

Approved with conditions as PO's recommendations.

### **6.6 Application No: 2013/71 – Proposed extensions and alterations to existing upper floor Verandah – Patrick Thomas** PO

Approved with conditions as PO's recommendations.

### **6.7 Application N0: 20-13/72 – proposed Garage, Verandah, Patio and Conservatory extension – Adrian Sim** PO

Approved with conditions as PO's recommendations.

## **7. MINOR AMENDMENTS APPROVED BY THE PLANNING OFFICER**

There were no minor amendments to report as advised by the PO.

**8. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED**

Noted.

**9. STRATEGIC ISSUES AFFECTING DEVELOPMENT**

Nothing further to report.

**10. REVISED LAND PLANNING AND DEVELOPMENT CONTROL ORDINANCE**

H P&DC

The H P & DC informed the Authority that the Regulations are being dealt with and will be taken before the ENRD committee in October 2013. The regulations will be effective from 1 December 2013.

**11. SCHEME OF DELEGATION TO THE PLANNING OFFICER**

Copies of the scheme of delegation approved in 2009 had been circulated for consideration and discussion. The Deputy Chairman asked whether the scheme of delegation and the draft General Development Order (GDO) were in duplication. The H P&DC explained that they were separate but some minor categories of development covered by the scheme of delegation would disappear if the GDO were to be approved. Approximately a third of the development applications received in the last two years would not have needed to be submitted if the GDO had been in place but submissions under the Building Regulations would still have been required where structural work was involved. Members stressed the importance of the public being made aware that building regulations submissions would still be required. It was agreed:

(a) that the scheme of delegation should continue, with amendments to refer to the Authority rather than The Board and category 3(d) (electricity poles) to refer to 6 poles rather than 3 poles; and

(b) if and when the GDO is approved by ExCo, revisions to be made to remove three categories of development applications that will no longer be submitted these being:

3(a) development within the curtilage of a dwelling house where no change of use is involved.

3(b) the alteration or extension of any building except a listed building where such work does not increase the overall height of the building and where the increase in ground floor area measured externally is not more than 30m<sup>2</sup> or not more than 25% of the existing floor area, whichever is greater.

3(c) the internal alteration of any building except a listed building where the work does not alter the external appearance of the building or, in the case of non-domestic buildings such alteration to the external appearance is not normally visible from any public place.

**12. ANY OTHER BUSINESS**

**Castle Tower**

Members expressed an interest in the works being undertaken on the Castle staircase tower. The H P&DC updated the authority on the happenings in remedying the movement in the building. It was noted that permission had been granted in October 2012 for the work.

**Hospital renovations**

Members asked if any development application had been received for the hospital renovations. The H P&DC said he understood that the work had been shelved pending discussions with DfID over funding for a replacement hospital on another site because of concern over rockfall risk and the currently available funds were to be spent on equipment. The Deputy Chairman lamented the delay and waste of funds on consultants' reports over a period of years when it had been obvious for years that a new site was required.

**Preparation of Minutes and Matters Arising**

**Secretary**

The Deputy Chairman requested that minutes of the LDCA meetings be prepared and circulated to the Authority by email within 3 working days. Members of the Authority to inform the Secretary if they are content with the minutes or otherwise within 2 working days. Minutes then to be amended if necessary before the next Authority meeting. Matters arising would then be extracted from the minutes and detailed on the agenda by reference number.

There being no further business to discuss, members were thanked for their attendance. The meeting closed at 11.30 am.

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Deputy Chairman

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Date