

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 8 JANUARY 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN**

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

**ACTION**

**1. ATTENDANCE AND WELCOME**

The Deputy Chairman welcomed all present and thanked members for attending. One member of the public was in attendance.

**2. APOLOGIES**

There were no apologies.

**3. CONFIRMATION OF MINUTES OF 4 DECEMBER 2013**

**PO**

For record purposes, minutes of the meeting held on 4 December 2013 had been confirmed and signed prior to this meeting. It was noted that the documents for this meeting reached members of the Authority later than normal and the Deputy Chairman asked if this could be put back on track.

**4. MATTERS ARISING FROM MINUTES OF 4 DECEMBER 2013.**

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

**H P&DC**

The H P&DC informed all that discussions are taking place with the Attorney General.

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

**H P&DC**

The H P&DC apologised for not having the interim report attached as stated. This will now be debated in February’s meeting.

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

**PO**

The PO presented a report to the Authority. Report attached to these minutes for ease of reference. Members considered that Marshals should be at security gates for safety precautions and recommended that the Police Authority be involved with this matter. The Authority is concerned about police supervision, height of the building, lack of toilet facilities, access and the plan showing gates and signs. It was therefore agreed that this matter be deferred until a response is received from the Police, as requested earlier.

#### **4.4 Responses to Consultations**

H P&DC

The H P&DC reported that discussions have taken place with the Deputy Chief Secretary and are continuing. At this stage the Ruperts Wharf Application No: 2013/92 was highlighted which is a typical example where responses were lacking from critical Government Directorates.

#### **4.5 Development Plan for Ruperts Valley**

H P&DC

The H P&DC reported that the Plan is out on public consultation until 24 January 2014 and responses are slowly coming in. Public meetings are to be held in the evenings at Longwood on 13, Jamestown on 15 and Ruperts on 16 January 2014. It was asked why no meetings are being held in other districts to which the H P&DC said this was discussed with the Interim Director but it was thought that it was not necessary owing to the fact that public meetings to discuss the wharf application had taken place where virtually no members of the public were in attendance. A report on representations received and recommendations will be presented to the Authority on 5 February 2014. The H P&DC also informed the authority that a meeting was held with the Chamber of Commerce who have lots of concerns. A response to this is awaited from Dr Corinda Essex.

#### **4.6 System for tracking temporary development permissions.**

The H P&DC reported that this is now in operation and is being backdated to cover existing temporary permissions as time permits.

#### **6 Application No: 2013/92 – Application under the Airport Ordinance 2006 to the Governor-in-Council for construction of permanent Wharf, sea rescue facility and fuel pipeline at Rupert’s Bay**

The H P&DC informed the Authority that Executive Council had approved the construction of the Wharf on 17 December 2013 subject to the planning conditions recommended by the Authority with one amendment that the condition in respect of assessment of rock fall risk was changed from a requirement for all recommendations from the geotechnical assessment to be implemented before the Wharf is brought in to use to a requirement that “the Governor-in-Council shall consider the recommendations” before the Wharf is brought in to use. All of the other planning conditions recommended by the Authority remain as drafted that means that (1) there is a requirement to assess and implement recommendations in respect of sewage and trade effluent; (2) the Authority will assess adequacy of access to the Wharf and the Sheers; (3) the Authority will assess the management plan to protect Argos operations and (4) the Authority will assess the rescue craft boat shed.

#### **Application No: 2013/93 – Private Garage at Longwood Avenue**

The PO reported that the applicant had agreed to siting the Garage in line with the existing buildings on the site. Decision Notice issued with conditions to reflect this. The PO was commended for negotiating this outcome.

#### **9 Duplication of Highways Authority and Land Development Control Authority**

H P&DC

A joint meeting of the Highways Authority and ENR Committee has been requested for

Thursday, 9 January 2014 to discuss the way forward.

## **10 Land Planning and Development Control Ordinance, 2013 Regulations and Orders: Ordinance revision**

H P&DC

The H P&DC stated that the 2013 Land Planning and Development Control Ordinance and its associated Regulations and Orders came in to effect, fully replacing the 2008 Ordinance and its Regulations from 1 January 2014. The documents are with the printers and copies will be provided for all Authority members as soon as they are ready. The documents are also on the SHG Website. The H P&DC informed all that transitional provisions mean that development applications received before 1 January 2014 will still be determined under the 2008 procedures.

### **11.1 Telecom Plinths and Cabinets in Jamestown**

The H P&DC informed the Authority that the development application ref: 2013/114 was advertised for 14 days expiring on 20 December 2013. Two planning objections were received in respect of the cabinet in market Street and the Highways Authority also object to it as an obstruction in the highway. As a result revised siting was agreed (through a special meeting of the Education Committee) in the Duke of Edinburgh Playground. On that basis the two planning objections were withdrawn and the Highways Authority objection became irrelevant. No objections were received in respect of the cabinets in Back Way, near Carnarvon Court and in Drummond Hay Square. The PO therefore issued the development permission for all four plinths and cabinets, dated 21 December 2013.

### **11.3 Press Attendance**

H P&DC

The H P&DC reported that discussions had been held with SAMS. Their reason for non attendance at Authority meetings is that Wednesday mornings are busy in Sentinel editorial work ready for publication the following day. It was agreed that further discussion be deferred until Mr John Styles returns to the island later this month as he is a member of the SAMS Board as well as the Authority.

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

PO described the applications 2013/103, 2013/104, 2013/105 and 2013/108 approved and the decisions were noted.

## **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. 2013/106 – Proposed access road – Hensil Phillips, Woody Ridge, Levelwood**

PO

Approved with one condition as PO's recommendations.

### **Application No. 2013/107 – Proposed widening track and rebuilding walls – ANRD, Harpers Estate**

PO

Approved as PO's recommendations with a foot note to advise that the development shall make provision for surface water drainage.

**Application No. 2013/109 – Proposed 2 Bedroom Dwelling – Tara Lawrence, Half Tree Hollow. PO**

It was brought to notice that the PO's report states application no: 2013/08 but should read as stated above. The PO apologised for this error. Approved with conditions as PO's recommendations.

**Application No. 2013/110 – Proposed 2 Bedroom Dwelling – Ryan Crowie, Nr Gordon's Post PO**

Application on hold pending investigation of alternative access.

**Application No. 2013/111 – Proposed 3 Bedroom Dwelling – David John, Clay Gut PO**

The PO read out the representation received from Reginald Williams on the issue of drainage. The Authority agreed to defer this application until a percolation test is carried out and if satisfactory PO will deal with. As an alternative the applicant to check whether foul drains can be linked in to the main sewer.

**Application No. 2013/112 - Proposed installation of Photovoltaic Panels on roof – PO  
Connect St Helena - ESH Buildings, Ladder Hill**

Approved as PO's recommendations.

**Application No. 2013/113 – Proposed installation of Photovoltaic Panels on roof – PO  
Connect St Helena – Carnarvon Court, Jamestown**

Approved as PO's recommendations.

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

Noted.

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

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

**9. STRATEGIC ISSUES AFFECTING DEVELOPMENT**

**H P&DC**

The H P & DC voiced his concern over the Authority being short of members. A list of suggested people had been given to His Excellency the Governor but nothing received. The H P&DC will chase up with His Excellency on his return to the island.

The Deputy Chairman raised the matter of oversight of work of the Directorate by elected members. The Deputy Chairman felt that it is insufficient and as a result elected members and their electorates are insufficiently informed of the workings of the various parts of the Directorate, the co-ordination of the various strands of work and the progress on specific projects. An example was the Half Tree Hollow sewerage issue, especially as advice given is that the septic tank systems are reaching capacity limiting further

dwellings under the relevant LDCP policy. The Deputy Chairman also highlighted that some committees are overwhelmed with decision work, ENR being a case in point and that the original intention was the creation of sub-committees with specific areas of responsibility. This has been discussed with various elected members. The H P&DC to bring to the attention of Paul McGinnety, Interim Director to have this taken up with Gillian Francis, Deputy Chief Secretary for an Exco debate.

**10. UNAUTHORISED DEVELOPMENT NEAR LONGWOOD GATE – Application No: PO 2008/71/DW**

This matter was discussed in private by direction of the Deputy Chairman. The H P&DC reported on unauthorised development near Longwood Gate. Permission was granted for development in August 2008 for a new dwelling on an excavated site below Deadwood Road, subject to detailed planning conditions to protect the stability of the road. The conditions had been ignored and stability of the road has been compromised, as a result of which, work to move the carriageway away from the excavation is required together with construction of a retaining wall built of stone-filled gabions. The H P&DC reported that there have been discussions with the applicant, contractors responsible for the work and with the Solicitor General, as a result of which, no legal action is recommended. The matter was reported to the Authority for their information only. In 2009 the Planning office wrote to all plant operators informing them that they should only undertake excavations in accordance with approved plans. The PO to again remind contractors of this in writing. Members to be given a copy.

**11. ANY OTHER BUSINESS**

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

Secretary

The Deputy Chairman noted that the required management plan had not been received and was disappointed that no mention was made under matters arising. The Secretary to write to the Deputy Chief Secretary for the submission of the management plan within 10 days, failing this prosecution of SHG will be brought through the Public Solicitor.

**Application No 2013/89 – Control Kiosk, Hutt’s Gate Water Treatment Plant**

PO

A member enquired if the above development had been undertaken in accordance with the approved plans. The PO informed the authority that he would check the work on site against the approved plans.

Member, Mrs Joan Peters stated that she will be away from island from 18 January 2014. The Chairman will return to island this weekend and it was noted that member, Mrs Ethel Yon is still off island until March 2014.

There being no further business to discuss, the Deputy Chairman thanked members for their attendance and their valuable contribution during his term of office. The meeting closed at 11.35 am.

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Chairman

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Date

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



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