

MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY, 19 AUGUST 2015, AT 9 AM AT THE COUNCIL CHAMBERS, JAMESTOWN

Present	Mr Rodney Buckley Mrs Ethel Yon Mrs Cathy Hopkins Mrs Joan Peters Mr Paul Hickling	Chairman Member Member Member Member
In Attendance	Mrs Riana de Wet Mrs Karen Isaac	Locum Planning Officer Secretary
Apologies Off Island	Miss Rosemary Bargo Mr Gavin George	Member Member

ACTION

1. ATTENDANCE AND WELCOME

The Chairman welcomed all present and thanked members for attending.

There were 6 members of the public present, 3 of which were in respect of application no: 2015/48 and 1 member in respect of application no: 2015/50.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CONFIRMATION OF MINUTES OF 24 JUNE 2015

Minutes of the meeting held on 24 June 2015 were circulated, confirmed and signed.

4. MATTERS ARISING FROM MINUTES OF 24 JUNE 2015.

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

It was noted that conditions 5, 8, 10, 11 and 12 of the decision notice in respect of the above application still needs to be presented to the Authority for their approval.

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 Authority were informed that the next scheduled Exco meeting will take place on 25 August and in order for this application to be heard by Exco, papers had to be with the Clerk of Councils by 11 August. However, the next meeting will be on the 8 September to which the LPO will aim towards but do not wish to commit to this date. If the LPO is unable to put together the necessary information by then, it will be passed back to Martin Hannah, H,P&DC for the 22 September’s meeting.

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

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

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

Authority members expressed their surprise for this application to be further presented to them as it was agreed for it to be referred to Exco. Members were informed that the application did not go before Exco, as the plans had been revised to take account of the conditions that were placed upon the original application. Members questioned whether this revised plan should have been put out to public consultation. The application before the Authority was not a new application but a mitigation plan to the original and consultation would not have changed the principles of the proposals. It was felt by a member that this was confusing and that the policy should be revisited.

Members noted that the building line which affects the neighbours on the original published proposals was positioned further away from the residential properties but has now been repositioned closer to the neighbours. In this respect an explanation was presented advising that the boundary line for the Blue Lantern had been repositioned by the property division, hence an even distance now between the Blue Lantern and the neighbour's properties. Day light lost by the parties remain at 20% and 50% respectively.

Members were taken through the mitigation plan noting that a number of the conditions imposed on the original plan had been addressed, in particular the roof terrace bar and swimming pool has been removed. It was reported that the residents were now content with the mitigation plan but required some assurance on the use of the space between the hotel building and their residence. A landscaping management plan and a construction management plan to be submitted to the Planning Office. It was recommended that the applicant give consideration to offering to provide the residents with one way view window glass for their windows between buildings.

There will not be any guest access to the roof terrace vacated by the removal of the bar and swimming pool and this is a possible space for the location of solar panels. Alternative fire escape final details will be given when applying for Building Regulations and duct work to run inside the building and not outside. Consideration will also to be given to timings when goods are being delivered in the light of church services and the need for a user friendly access via Church Lane.

It was stressed that in giving a considered assessment to this application, Members must ignore references made in various submissions setting out that precedence has already been established in surrounding buildings in relation to protecting the Island heritage. It was agreed this is considered a weak argument.

Whilst it was reported that the neighbours who originally objected to the proposals are now content with the mitigation proposals, members have not received written confirmation of this. LPO reported that no written confirmation was received by the Planning Office. Members requested written confirmation to be obtained from residents and copies forwarded to them.

Following lengthy consideration of both the original Planning Officer's report and the

current LPO's report, Members concluded that the mitigation plans as presented addressed their previous concerns attached to the original plans and approved the plans with the following conditions.

Conditions as set-out in the original plan to be amended as follows:-

1, 2, 3, 4, 9, 10, 11 and 12 to remain the same. Conditions 5, 6 and 8 to be deleted and Condition 7 to incorporate the heritage window colour condition. Written confirmation from the residents and landscaping and works management plans to be submitted. LPO

Application No: 2015/50 – Proposed renewal of roof – Wranghams House, Sandy Bay – Debbie and Neil Fantom

Members were up-dated that this application had previously been approved with conditions. One of the conditions imposed was that the roof covering shall replicate the appearance of a natural slate to accord with built heritage.

The applicant has now requested that consideration be given for the use of standard roofing materials – dark grey/charcoal coloured IBR. His submission is that replicate of natural slate is not available locally and proving to be very expensive. In addition the roof of the house is in very bad repair and need urgent attention, plus a very expensive replacement job. He further advised that his agent was having difficulty in obtaining the necessary information and in meeting the timeframe for the repairs of the deteriorating roof.

Members noted that Wranghams was never maintained and allowed to deteriorate by the government. The new owners of the house are sympathetic towards the Island's historic assets and undertake to remain sympathetic to renovation to this listed building. The Authority holds the view that if the Island's listed buildings are to be preserved then where possible a balance needs to be struck.

Members concluded that a dark grey/charcoal IBR would be a massive improvement to that of the existing red roof and save the building from further deterioration. The request was approved to replace the previous replicate slate condition with that of grey/charcoal IBR. LPO

Approved as LPO's recommendations.

Application No: 2015/57 – Proposed siting of signage, Thorpes Wholesale Store, Jamestown – W A Thorpe & Sons

This proposal is the siting of a permanent sign – A1 size (59 cm x 84 cm) on Thorpes Wholesale Store, Jamestown, existing retail premises, and is being presented by the LPO on behalf of the H P&DC.

The signage will be made of aluminium with mock chalkboard effect typeface placed on a recessed timber panel to the main entrance of the Wholesale building. The property is listed and is in the Conservation area. In his report, the H P&DC recommended to the Authority that this application be refused as the design and appearance of the proposed advertisement is determined to be detrimental to the character of the listed building and wide conservation area, contrary to Built Heritage Policies of the adopted development plan.

The Authority requested that the applicant first exhibit the sample for member's perusal at the next meeting to take place in September. Members stressed that there should be a consistency with all signs in Jamestown.

LPO

Application N0: 2015/63– Proposed Bar and Bistro, Blackfield, Longwood – Ronald and Kim Henry

This proposal is for a change of use of a dwelling house (class C3) to Restaurant and Café (Class A3) and related operations. The property is a residential dwelling house and in part accommodates a small shop where the Bar is proposed. It was noted that two objections were received for this proposal and there have been positive comments from the consultations. The LPO reported that this was seen as a difficult application and whilst the Authority is sympathetic towards development, a decision will have to be made responsibly. Taking into account material planning considerations, the following key aspects were highlighted:-

- Location
- Density
- Prevalent land use and character
- Proximity to neighbours and buffers
- Property and plot size
- Landscaping
- On-site parking, access and turning

Having regard to the material planning considerations, representations received and comments made by various directorates within SHG, other stakeholders and interested parties, the LPO recommended that this application be refused based on the following:-

- Social impact (Safeguarding of Children, time and noise pollution)
- Development restriction (Parking, space, location, density, buffers and building design)

LPO

Not approved as LPO's recommendations.

Application No: 2015/66 – Proposed stacking and siting of containers, ESH Workshop, Nr the Rifle Range, Ladder Hill – Ambledale Workshop Ltd

This application is for the stacking and siting of 9 containers, in total 360m² (50% increase of what has already been created there). The need for the stacking and siting of these containers are for office space, storage and glass crushing. Whilst there were no objections to this proposed development the Planning Office saw this as another difficult application. The LPO stressed that before any more development takes place in this area, a change is needed, whereby the area should have a proper developing plan.

It was pointed out that a revision of the LDCP is needed. The following key development points was highlighted:-

- Location and off site accessibility
- On site manoeuvrability
- Visibility and buffering
- Availability of utility services
- Land availability and plot sizes
- Safety and risk mitigation
- Type of uses

Based on the above points the Authority supports that this site/area/location is suitable for industrial expansion, but allowing further/future applications in this area will inevitably bring the residential and industrial uses closer together and into conflict.

The Authority also noted the extent of this proposed development and stressed that allowing this application will not only set precedence but make further development planning of the entire area very difficult.

The Authority agreed with the recommendation of the LPO that this application and any future applications be refused until such time as a precinct (area) development plan for the entire area, which would include residential, has been considered and approved.

Not approved as LPO's recommendations.

LPO

6. APPLICATIONS APPROVED BY THE LPO UNDER DELEGATED POWERS

Application No: 2015/59 – Proposed fixing of CCTV Cameras located at various areas at the Wharf, Jamestown – Steve Kirk for SHG

Whilst this application had been approved under delegated powers, it had caused some concern amongst the Authority in respect of the use of delegated powers and in the public in respect of the use of CCTV cameras.

The Chairman informed Members that he had discussed this matter with the LPO and they had agreed that this approval could be revoked under section 30 of the Land Planning and Development Control Ordinance, 2013, on the grounds that approval for the use of CCTV Cameras that affects the privacy of society as a whole, requires regulated political approval permitting the Authority to consider the placing and installation of CCTV Cameras in any particular location on the island.

Members were advised by the Chairman that the Cameras are already on island having been ordered some 2 to 3 months ago before submitting an application for development. However no installation works have yet taken place since the issuing of the approval under delegated powers and therefore can be revoked. The Chairman requested member's consideration in revoking this approval under section 30. Members agreed that the approval be revoked and that the applicant is advised of the reasons for the refusal and recommended that permission is sort through his line manager for the necessary political and legislative approval.

LPO

Application No: 2015/62 – Proposed installation of Overhead and Underground Fibre Optic Cable serving the Airport site – Sure South Atlantic Ltd

Application No. 2015/65 – Proposed Garage, Sapper Way – Anders Bowers

Application No. 2015/69 – Proposed Tree Pruning, various areas in Jamestown – Crown Estates

Application No. 2015/70 – Proposed extension to include Bedroom Wardrobe, Lounge area and ensuite bathroom, Cow Path, Half Tree Hollow – Anna Bowers

7. MINOR VARIATIONS APPROVED BY THE LOCUM PLANNING OFFICER

Application No: 2015/68 – Minor amendment to permit the realignment of the building on

site at Half Tree Hollow and to erect a timber deck – Tara Lawrence

Application No: 2015/72 – Minor amendment for the alteration and replacement of the main entrance door on the northern elevation of the General Hospital – Paul Brough, Agent.

Application No. 2015/75 – Minor amendment for new site excavation at Longwood, nr Clingham’s Store – Tessa Roberts

Application No. 2015/83 – Minor amendment for the removal of double garage at ground level and the proposal of a stone wall to stabilise the embankment/soil and at the same time provide improved visual effect to the front façade. – Julian Beard

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 development of Half Tree Hollow as highlighted in application no. 2015/66.

10. ANY OTHER BUSINESS

Displaying of signage

In revisiting application no. 2015/57, the Authority agreed that the community should be reminded of the fact that they should be applying for development permission for any such signage displays. This could be done as a press release or placed in the news papers. LPO agreed to undertake advert.

Writing Stone, Sandy Bay – Solomon & Company

The Authority was informed that a member of the public as well as a Councillor expressed their concern regarding roadway/access excavations taking place over land within Writing Stone, Sandy Bay, land owned by Solomon & Company and enquired whether planning permission had been granted. A site visit took place and it was established that the excavations were quite extreme and no planning permission had been submitted. Solomons have advised that all works have now ceased. The matter is to be dealt with accordingly.

11. CLOSED ITEMS

There was nothing to report on closed items.

The Chairman thanked members for their attendance. The meeting closed at 12.45 hrs.

Chairman

Date

12. NEXT MEETING TO BE ON WEDNESDAY 16 SEPTEMBER 2015 AT 9 AM AT THE COUNCIL CHAMBER, THE CASTLE, JAMESTOWN.

