

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY, 6
APRIL 2016, AT 9 AM AT THE EDUCATION LEARNING CENTRE, JAMESTOWN**

Present	Mrs Ethel Yon	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
	Mrs Riana Dewet	Planning Consultant
	Mrs Karen Isaac	Secretary
Off Island	Mr Alfred Isaac	Planning Officer

ACTION

1. ATTENDANCE AND WELCOME

The Chairperson welcomed all present with a special welcome to Riana Dewet, Planning Consultant and thanked members for attending.

There were 3 members of the public present, 1 of which was specifically for application no. 2016/29.

2. DECLARATIONS OF INTEREST

Member, Mrs Cathy Hopkins object to application no. 2016/29 and left the table when this application was heard. Chairperson, Mrs Ethel Yon and also President of the St Helena National Trust reported that although the St Helena National Trust object to application no. 2016/29, it was a collective objection and not one made by her individually and so it was not necessary for her to declare her interest in this respect. This was advised by the Attorney General. Members had no problem with this. The Chairperson also advised that because of another commitment she is to leave the meeting shortly after 10 am. Member Mrs Cathy Hopkins who is also the Deputy Chairperson has agreed to chair the meeting from then on.

3. CONFIRMATION OF MINUTES OF 9 MARCH 2016

Minutes of the meeting held on 9 March 2016 were circulated, confirmed and signed.

4. MATTERS ARISING FROM MINUTES OF 9 MARCH 2016.

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

It was reported that signed letters withdrawing their objections, have now been received from the neighbours. It was made known that a team member of Mantis

is now on island. This item is now to be deleted.

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

Both members Mr Paul Hickling and Mr Gavin George declared their interest in this application but were allowed to remain at the table.

It was reported that works are at an advanced first fix stage and that some conditions appeared to have been breached. A dispensation to planning condition had been requested to allow installation of fire doors with visibility panels and also the colour of the external paint to be approved. It was known that the fire door had already been widened to which a member was not happy with. It was asked whether the fire door has to be a certain size. There are 2 sets fire doors, 1 double and 1 single door. Members felt that this sort of approach was not good practice and asked if the persons responsible were ever reprimanded. Whilst procedures need to be followed, didn't want to delay the progress. Members highlighted the fact that in November 2013, the Castle issued a directive to all Directorates to reiterate the importance of following procedures with regards to application for developments. It was stated that SHG sets policies and so should be abiding by them. Bertrand's Cottage is a listed building. Members were given copies of correspondence as follows:-

Gavin George, employee of ProArc reported that Mr Kevin George has been appointed to conduct a watching brief. Gavin understands that condition 2 has now been met; David Goodrick has secured a verbal agreement with Head of Planning regarding condition 5 that is the kitchen ventilation pipe work will be connected to the existing chimney (details of the ventilation system can be sent as soon as they are received from the supplier) Gavin has emailed Head of Planning concerning the external paint for condition 9. Conditions 3, 4, 6, 7, 8 and 10 are currently in the process of being finalised and a drawing proposal will be submitted shortly.

Kevin George, in his email of 1 April 2016 reported that he has been conducting a watching brief for Contractor, John Isaac. This was effective from 10 February 2016 and continues to do so once a week. Mr George will record any artefacts found and if human remains were ever to be discovered, works would cease and a professional Archaeologist would be contacted for advice. The Museum is Mr George's first point of contact. Every site visit is recorded and photo shots taken. An end of year report will be produced.

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 applicant has advised that he had sought Legal advice whilst in the UK. At this present time, the applicant is not in a position to accept the terms as detailed in schedule 1 of the proposed section 25 of the draft planning agreement, issued to him end of November 2015. The applicant will not be able to progress with this

application at this moment and time. He will however, be investigating a scenario where mutual terms are achieved and so do not wish to close this application process just yet.

Update

Application no. 2015/119 – Broad Bottom Farm – SHELCO

This application was presented to Exco on 15 March, carried over from the previous Exco meeting on 1 March 2016. Given that the application was for full planning permission, the decision was deferred for a further 2 weeks in order for certain details to be provided and was therefore deferred until 29 March 2016. Exco met on 29 March and the application was again deferred pending further discussions with the Head of planning. HofP informed the Authority that he was to meet with Exco Members and the AG this coming Monday to review the proposed conditions and look in particular at timeframes. HofP has been in contact with SHELCO. It was stressed that careful consideration should be given as don't want to turn away investments.

PO

Application no. 2016/07 – Upgrading and redevelopment of bay side infrastructure and the installation of a fire fighting water tank – Rupert's Bay – Air Access

This application was heard and deferred by Exco on 15 March 2016 in order for a site visit to be undertaken. A site visit took place. Exco approved this application on 29 March 2016.

5. **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. 2015/154 – Proposed use of Ballroom as a Guest Lounge and Breakfast Kitchen – Consulate Hotel , Jamestown – Hazel Wilmott, Consulate Investments

The locality for this development application as described above sits east side of Main Street, Jamestown. The alterations to the building were explained by the Head of Planning where members were shown some slides for a better understanding. It was noted that it is more of a traditional appearance. It was also noted that the Fire Service did not comment on this application. It was highlighted that Building Control will emphasise what needs to be put in place from a building point of view. There will be arrangements within the building for disabled access. It was advised that works had already started. The applicant was under the impression that she had approval to do this. If applications are not dealt with within the 60 day period, it can be deemed as refusal and members thought this as being unreasonable. To amend the advisory note to take in to account disabled facilities.

Secretary

Approved as CPO's recommendations.

Application No. 2016/06 – Proposed subdivision and refurbishment of existing building to form 2 studio flats, raising building height by 1m, reorganise and replace windows with sliding sash, raise height of doorway to “St Helena Café” and reinstate the Chimney – Percy’s, Nose Gay Lane, Jamestown – W A Thorpe & Sons Ltd

This application is in the intermediate zone and forms part of the Jamestown Conservation Area and is a listed building. The Deputy Chairperson saw this as being a sensitive development to the street of Jamestown. Renovated works to no 1 apartment has been completed. It was noted that the said Café had been used as a Café previously. It was also noted that apartment no 2 is being occupied by a family member. It would seem that a lot more work is being undertaken. The chimney is part and parcel of the stone wall that is being worked on now. There will not have to be access to get through the apartments. Adrian Greentree’s representation noted. It was understood that the applicant had spoken with Solomon & Company and it was further understood that there were no problem with Solomon’s but unfortunately this was not in writing. It is the applicant’s responsibility to raise any party wall issues with Solomon’s. Any risk with regard to fire safety depends upon the use of the building. It was noted that the leading door from the front street is much smaller and the Building Inspector will be asked to take a look at this with a fine tooth comb. It might have been helpful if the applicant had first spoken to the planners before submitting application. It was mentioned that the Court Yard should be for residents use only and this could be a condition but if the café had been used for 5 years it will be lawful. However, it was stressed that the Café had only been used for 1 year.

Secretary

Approved as CPO’s recommendations.

Application No. 2016/15 – Proposed double storey 4 Bedroom Dwelling House and Double garage – New Ground – Delia du Preez

This development will sit adjacent to Patrick and Rosemary Robinson and is in the intermediate zone. Concerns highlighted in the realignment of the right of way. The services will need to be addressed as it was wondered how the development is to be drained as there is no communal system arrangements. Condition 12 needs to be stipulated – continuity, services, communal system. Condition 12 to be reworded accordingly. Condition 9 reference made to septic tank to be deleted.

Secretary

Approved as CPO’s recommendations.

Application No. 2016/16 – Proposed double storey 4 Bedroom Dwelling House, Double garage and right of way access – New Ground – Michelle Yon

This development sits closely with the above application no. 2016/16 and is the same description. The wording of condition 12 is slightly different. The site plan does not indicate the services.

Secretary

Approved as CPO's recommendations

Application no. 2016/29 – Proposed partial change of use of land from a recreation playground to a public car park and related development operations

Paul Brough, SHG's Engineer in attendance to answer any questions the Authority might have. This proposed development as described above sits in the intermediate zone in Jamestown (Conservation area). The HofP stated that the background and history of this dates back to the 1930's and explained the proposed development. Various drawings were submitted showing present arrangements. It was noted that no external lighting or tree works were highlighted on the actual plan. There will be works to the heritage wall. Trees growing in the Playground were of Banyans, ficus microcarpa. There were representations received. Bishop Fenwick contacted and object verbally. Due to constraints could not put it in writing. A verbal objection was also brought to member's attention. Whilst a member was sympathetic to this application, was not in favour. Mention was made of the fact that the playground has been neglected by Government. Whilst it was recognised that car parking is an issue in Jamestown members felt that they could not approve this application. It was stated that Safeguarding should have sent in their consultation reply. There could be a lot more to gain from this playground rather than having car parks there.

The Authority approved the recommendation of the Head of Planning in that this application be refused. The decision was unanimous.

H P&DC

Refused as CPO's recommendations

6.

APPLICATIONS APPROVED BY THE CPO/PO UNDER DELEGATED POWERS –

Application No. 2015/71 – Proposed refurbishment and extension – Silver Hill Shop and Bar - Levelwood – Solomon & Company (St Helena) Plc

Application No. 2015/146 – Proposed Bathroom, Kitchen, Lounge, Verandah and Deck extensions – Blueman's Field – Rick Walters

Application No. 2016/03 – Proposed erection of Water Closet complete with associated Septic Tank and Soakaway System – Coffee Grove, Lower Sandy Bay – Solomon & Company (St Helena) Plc

Application No. 2016/05 – Proposed 1 Bedroom and 2 Bathrooms extensions and Patio enclosure, demolition of inside Wall and roof alterations – Young's Valley – Terrence Peters

Application No. 2016/08 – Proposed 2 Bedrooms and Bathroom extensions – Clay Gut – Russell Thomas

Application No. 2016/12 – Proposed 3 Bedroom Dwelling House with single garage – Barren Ground, Blue Hill – Kim Yon

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

There were no minor variations to report.

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 H P&DC informed the Authority that E&NR Committee had initiated a process to commence review of the Land Development Control Plan. A working group has been established but the H of Planning has not been involved thus far. It was suggested by the H of Planning and the Director of ENRD that a member of the LDC Authority sits on this working group since the Authority is charged with administering and interpreting the policies. The Chairman of the working group will have to further discuss. If the procedures set out under Legislation are not being followed with regards to the reviewing of the LDCP, the Chairperson to take this up with the Governor.

CP

10.

ANY OTHER BUSINESS

Tree Preservation Orders request

A request was made for the trees standing outside the Canister, Jamestown for its limbs to be pruned to facilitate a bus stop. The Authority saw this as not being a good idea. They have no problem in the tree being pruned as it is causing an obstruction. It was suggested that the back limbs be pruned also carefully. Approved for tree pruning and not to facilitate a bus stop.

Jamestown Market

The H P&DC informed the Authority that there was a planning application in for the windows and shop fronts to be used for the market. This application is partially retrospective. Members felt that this was not good practise and is happening too often. Member, Mr Paul Hickling will raise the concern with ESH Management as he sits on the Board.

11.

CLOSED ITEMS

Bottom Woods, Unauthorised building operations

No enforcement notice has been issued to the applicant pending review of the file and investigation of complaint lodged by contractor.

The Deputy Chairperson thanked Members for their attendance. The meeting closed at 13.00 hrs.

Chairperson

Date

12.

NEXT MEETING TO BE ON WEDNESDAY 4 MAY 2016 AT 9 AM AT THE EDUCATION LEARNING CENTRE, JAMESTOWN

