

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 2
JULY 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN**

Present	Mr Rodney Buckley	Deputy Chairman
	Mrs Ethel Yon	Member
	Mrs Joan Peters	Member
	Mrs Cathy Hopkins	Member
	Miss Rosemary Bargo	Member
	Mr Paul Hickling	Member
In Attendance	Mr Martin Hannah	Head, Planning & Development Control
	Mr Alfred Isaac	Planning Officer
	Mrs Karen Isaac	Secretary
Apologies		
	Off Island	Mr John Styles

ACTION

1. ATTENDANCE AND WELCOME

The Deputy Chairman welcomed all present and thanked members for attending. In the absence of the substantive Chairman the Deputy Chairman chaired the meeting.

Mr Martin Hannah, the Head of Planning & Development Control was in attendance where he and members introduced themselves. Mr Hannah gave a brief talk about himself. One member of the public was in attendance.

There were no declarations of interest. However, the Deputy Chair asked if this could be a standard item on the agenda. Secretary

2. CONFIRMATION OF MINUTES OF 4 JUNE 2014

Minutes of the meeting held on 4 June 2014 were circulated, confirmed and signed prior to this meeting.

3. MATTERS ARISING FROM MINUTES OF 4 JUNE 2014.

4.1 Thompson's Wood – Enforcement Appeal, Mr Michael Roberts

The Head of Planning & Development Control reported that he had taken this matter up with the legal staff regarding serving of an Amenity Order. As soon as a response is received the H P&DC will report back to the Authority. H P&DC

4.5 Development Plan for Ruperts Valley

The H P&DC explained that given his short time on island he had limited opportunity to

update the master plan but has inspected the land and reviewed consultation responses and this has already led to some refinement of the original concept. The intention over the next 4 to 6 weeks is to engage with key stakeholders to work up an agreed development plan for Rupert's that will form a basis of future decision making. Any master plan will likely be driven by the operational needs of the port and customs operations and the accommodation requirements of existing users, fishing industry and demand for new warehouse and storage accommodation. This has to be balanced against several identified constraints to development. The H P&DC expressed less support for housing development due to proximity of bad neighbour users and the fuel pipeline. It was stressed in the meeting that there are pressure for developments and it is necessary to consult with others. H P&DC

4.9. Duplication of Highways Authority and Land Development Control Authority Procedures.

The H P&DC will look into this matter. This item can now be deleted from matters arising until October 2014. H P&DC/Sect

15.1 Long term development plan for Jamestown

The Deputy Chair reminded members that a development plan for Jamestown is needed but this has awaited the Head of Planning & Development Control arrival on island. Some members referred to the deficiencies of the previous master plan exercise for Jamestown, produced without wider public consultation, and all agreed that this time engagement with key stakeholders and the community must be undertaken. The H P&DC was asked for a timeframe for production of a development plan for Jamestown for which he anticipated a 12 month programme as realistic to produce a plan ready for adoption. H P&DC

15.2 Shelco

To be deleted. Secretary

15.3 Jamestown Enhancement Plan

To be deleted. Secretary

15.4 Chairmanship

The H P&DC to take this matter up with the Director, ENRD. H P&DC

4. **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. 2014/30 – Proposed 2 Bedroom Dwelling – Delmarie Williams, Nr Bay House, Sandy Bay

Members highlighted some issues in respect of whether a split level house was considered for this plot of land and if the infill would be more than 3 metres. Members were not happy with the time scale given for condition No 11 and it was agreed that the

time scale of 3 months should be amended to 6 months. Applicants should be made aware that they should include landscaping proposals and properly detail access arrangements in their submission. The notes of guidance to be revised and published. The PO in the meantime to advise applicants on submission requirements landscaping and access. Members also took note of the consultation responses received which due to their brevity or imprecision were of limited benefit to members. It was agreed that the H P&DC to take this issue forward. It was noted that this was highlighted in previous meetings with exchange of correspondence between the Authority and the Chief Secretary. In condition No 2 it stated that the results of the soil percolation tests should be submitted to and approved by the Authority. It was agreed that the H P&DC should deal with but can delegate to the PO. Condition No. 10 to be amended. Approved as PO's recommendations.

PO

Application No. 2014/31 – Proposed 3 Bedroom Dwelling – Troy Leo, Nevergrove , Levelwood

Once again some dissatisfaction was expressed concerning the consultation responses. It was voiced that no adverse comments was received but it was stated that other comments may have been useful to the applicant. Some discussion followed regarding requirement for rain water attenuation and storage as some members considered that existing provision may not be adequate. It was also noted that the conditions recommended were not always the same. Proposed conditions no 10, 11 and 12 in respect of this application were discussed in some detail. The new Head of Planning acknowledged the need for consistency and fairness but explained that each application for development permission should be treated on its merits and assessed individually. Conditions appropriate to one application may not be relevant or proportionate in other cases but he considered that some applications were inadequately supported with information and the conditions were necessary and served a planning purpose in this case.

Members also noted other changes to the style of conditions and decision letter and the head of Planning explained the rationale behind these adjustments and where conditions were appropriate or where an advisory note should be used. It was agreed to accept these changes but take steps to inform applicants of what is expected and therefore a guidance leaflet should be drawn up and given to applicants. Approved as PO's recommendations.

PO

Application No. 2014/32 – Proposed Poly tunnel and levelling of Playing area – Elaine Benjamin for SHG, Education Learning Centre, Jamestown

The application was determined to be in accord with Policy SI 1 notwithstanding some concern about built heritage policy as the site is in a Conservation Area. A member asked if a watching brief could be carried out with regards to archaeology remains. It was noted that Father Fred George does the consultation replies for Heritage. Approved as PO's recommendations.

PO

Application No. 2014/33 – Proposed 1 Bedroom Flat – Richard Stevens, Jamestown

This proposed flat is a potential subdivision as the development could be used as an independent residence. The roof will be about 2 meters higher than the existing building and the distance between the proposed and the existing building is 2 meters. Members were not content with the potential to subdivide also leaving the existing property without

a garage or car parking and also leaving the both subdivided properties insufficient garden space. Members also noted the acceptance by the applicant of identified risk of rock fall danger and considers that if the new development were authorised and the land was subsequently subdivided and conveyed to new ownership, a new property owner may have a different attitude to risk which could lead to pressure for extension to the existing rock fall protection. Approved as PO's recommendations subject to a planning condition or agreement that the said land shall not be subdivided. The PO to write to the applicant to advise outcome. PO

Application No. 2014/34 – Proposed installation of Air Conditioning Compressors, Lionel Joshua for SHG, Wharf, Jamestown

No concerns regarding this application. Approved as PO's recommendations. PO

5. MINOR VARIATIONS APPROVED BY THE PLANNING OFFICER

There were no minor variations to report by the PO.

6. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED

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

7. STRATEGIC ISSUES AFFECTING DEVELOPMENT

There was nothing to discuss under strategic issues.

8. CASTLE MANAGEMENT PLAN – AC UNIT, GOVERNOR'S OFFICE

Email from ACS (Support) attached to minutes for ease of reference and for information only. This can now be deleted from the minutes. Secretary

9. ANY OTHER BUSINESS

Member, Mrs Joan Peters informed the Authority that she might not be present for the next meeting. Member, Miss Rosemary Bargo also informed the Authority that she will be off island from September through to November 2014.

The PO sought clarity on whether receipt of submissions for approval in respect of planning conditions should be approved by the Chief Planning Officer and not Head of Planning. It was noted that the Chief Planning Officer is responsible. PO

The Deputy Chairman thanked members for their attendance. The meeting closed at 10.45 hrs.

Deputy Chairman

Date

10. NEXT MEETING TO BE ON WEDNESDAY 6 AUGUST 2014, 9.00AM AT AVEC.