

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 3 SEPTEMBER 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN**

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

**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.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CONFIRMATION OF MINUTES OF 6 AND 14 AUGUST 2014**

Minutes of the meetings held on 6 and 14 August 2014 were circulated, confirmed and signed prior to this meeting.

**4. MATTERS ARISING FROM MINUTES OF 6 AUGUST 2014.**

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

The Head Planning & Development Control reported that he is still pursuing this issue. H P&DC

4.5 Development Plan for Ruperts Valley

The H P&DC reported that the draft for the Ruperts Development Plan is almost complete. Members were informed that the plan made by the previous H P & DC had to be altered mainly to take into account sufficient container space. Once the report is finalised, it will be brought to the LDCA that is envisaged to be towards the end of this year. H P&DC

15.4 Chairmanship

The Deputy Chair informed members that he had discussed this with the Governor where he was asked if he would take on the role as Chairperson to which he agreed. This was seen as best practise for good governance. The substantive Chairperson will be thanked

for his time as Chairperson of the LDCA. The Deputy Chair now awaits his appointment.

#### 15.5 Advisory Leaflet – Intending Developers

The advisory leaflet for intending developers will be updated by the H P&DC. This item should now be deleted from the minutes.

H P&DC/Sec

There were no matters arising from minutes of 14 August 2014.

### 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. 2014/44 – Proposed 3 Bedroom Dwelling – Gareth Johnson, Red Hill, St Pauls**

Members were reminded that this application was deferred from last month's meeting. The applicant did not wish to amend the drawings. Access will be formed onto the site from an existing track which connects to the main road. It was noted that in the consultation reply from the Roads Section, concern was expressed that excess storm water from this development could find its way onto the main road network given the type of soil surrounding the site. It was voiced that comments of this nature will be forthcoming quite often from the roads section. Members also voiced their concerns on the issue of storm water particularly in the Half Tree Hollow area and were told that Connect St Helena is looking into possible ways of managing surface water. Approved as PO's recommendations.

PO

#### **Application No. 2014/45 – Screening Opinion – Rupert's Bulk Fuel Installation**

Although this application did not appear on the agenda, for record purposes members were informed that the above application was for a screening opinion and did not need to be presented to the LDCA.

#### **Application No. 2014/46 – Proposed change of use from Shop to Crèche – Dorita Fuller, Barracks Square, Jamestown**

The PO reported that the Fire Service had been consulted regarding this proposal and the plans submitted were drawn up in accordance with their recommendations. It was noted that no response was received from Environmental Health. It was also noted that the Phillips Sign is still up on this said building. The H P&DC will speak to the person concerned in having it removed. Approved as PO's recommendations.

PO

#### **Application No. 2014/47 – Screening Opinion – Solar Farm at the Ladder Hill Rifle Range**

This application was not presented to the LDCA but for record purposes members were informed that this was for a screening opinion only.

#### **Application No. 2014/48 – Proposed 6 Bedroom Dwelling – Kylie Hercules, Deadwood**

In considering this application, because of the size of the dwelling, members expressed speculation whether the development could be used for rental accommodation purposes in the future. It was noted that if such a proposal was to materialise, this would require permission for change of use, which would be supported. Additional parking space would be required. Approved as PO's recommendations. PO

**Application No. 2014/49 – Proposed Fencing – Connect St Helena Limited, Chubb's Spring, the Briars**

A member enquired whether there was a foot path across the site and if pedestrians would still be able to use it, as the LDCP make provision for the maintenance of footpaths. The PO to speak with the applicant and to investigate if foot path exists. PO

**6. MINOR VARIATIONS APPROVED BY THE PLANNING OFFICER**

There were no minor variations to report by the PO.

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

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

**8. STRATEGIC ISSUES AFFECTING DEVELOPMENT**

Application No. 2013/56 – Proposed 3 Bedroom Dwelling – Alberta Knipe, Seaview

The H P&DC informed members that there was some significant excavation works taking place at Sea View that he considered to be unauthorised. The applicant had breached the planning conditions 1, 2 and 9 as set out in the decision notice. Although these conditions were not discharged, operations had commenced. Excavations in excess of the approved 2.78 metre height were recorded.

Because the development is determined to be unauthorised the HP&DC recommended that the operations cease until the matter has been regularised. Although this breach of development control is an offence under the Land Development Control Ordinance, It was agreed by the LDCA that enforcement action can be avoided if certain actions be taken 1) within 28 days commission and exhibit satisfactory percolations tests, 2) within 28 days commission a Civil Engineer or competent person to inspect the excavation and slope face and advise upon any necessary measures to provide lateral support to the embankment, 3) within 28 days submit plans for written approval by the Planning Office detailing proposed mitigation as recommended by the competent person engaged to report upon the stability of the embankment and 4) within 28 days submit a scheme of landscaping for written approval by the Planning Office and thereafter implement the approved scheme within 6 months of the date of approval. Miss Knipe should also be made aware that if she does not comply with these requirements the matter will be raised at the LDCA meeting in October when enforcement action may be authorised. H P&DC

Since the arrival of the H P&DC an advisory note is now included in the decision notice in respect of adherence to conditions being placed to remind applicants about their responsibilities under the law.

Solar Farm – Half Tree Hollow Rifle Range

The H P&DC made members aware of an application that is anticipated shortly for a

Renewable Energy Solar Farm at the Half Tree Hollow Rifle Range. The H P&DC explained the background to the proposal and emphasised the tight timeframes available for assessment and determination of the expected application. October is a critical date and the HP&DC wished to be assured that there would be a quorum of members available during October to make a recommendation to Governor in Council. Following discussion the Deputy Chairman indicated that a special meeting could be convened if necessary to consider this proposal but he wished normal assessment procedures to be followed.

The H P&DC will keep members updated. The applicant has been briefed on the procedures that need to be followed when submitting an application. It was voiced that it would be regrettable to see the rifle range discontinued without a commitment to replace the facility. The HP &DC explained that while there was no commitment from Connect to relocate the rifle range but he was aware of mooted alternative sites including the possibility of a new range shared with the police but it was unlikely that the prospective application would provide assurances about relocation. In summing up when the application is received, it will be considered by the authority and then referred to Governor in Council with recommendations for decision. PO

**9. ANY OTHER BUSINESS**

Application No 2012/50 – Mulvin Thomas

The PO informed members that the above application was presented to the 'Board' 2 years ago with a recommendation for refusal. The resolution of the Board was not to refuse the application but to request amended plans that would comply with policy and was deemed acceptable.

Members considered the revised design and approval was granted with an additional condition to be added regarding requirement for roof insulation. PO

The HP&DC advised Members that in the future he should prefer the Authority to dispose of applications without undue delay and to refuse applications that did not comply with policy or the design is determined unacceptable. However, this does not prevent an applicant from submitting a revised application and alternative design for reconsideration.

The PO informed members that a formal request to adjust the boundary between the Coastal and Intermediate Zone in the Barren Ground and Burnt Rock areas had been received from Crown Estates.

The Authority had been made aware of an anticipated request in July 2014, when members gave their support. This matter will now be processed and submitted with the Authorities recommendation to GIC for decision. PO

The Deputy Chairman thanked members for their attendance. The meeting closed at 10.30 hrs.

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Deputy Chairman

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Date

**10. NEXT MEETING TO BE ON WEDNESDAY 1 OCTOBER 2014, 9.00AM AT AVEC.**

