

MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 5 NOVEMBER 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN

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

ACTION

1. ATTENDANCE AND WELCOME

The Chairman welcomed all present and thanked members for attending. A special welcome to Member, Mr Gavin George.

One representative was in attendance for the below application.

Application No. 2014/55 – Proposed revision to Application No. 2013/82 – replacing underground cabling with overhead lines – Andy Crowe for SHG, Half Tree Hollow CDA

Mr Andy Crowe, Housing Executive gave a brief talk on the above application. It was explained that the purpose of the Half Tree Hollow CDA was for government was to design and build an exemplar housing development. Half Tree Hollow was chosen for this development due to the priority given to rehousing tenants at Ladder Hill Fort and RE Yard. HTH is a difficult site to develop due to the igneous rock base, the aridity of the area and the need for the wider HTH sewerage problems to be addressed. The process to date had involved master planning the estate layout, designing the infrastructure and designing the exemplar homes. It had been described as one of the most sophisticated housing developments the Island has seen.

Outline permission for the 65 homes on the site, with detailed development permission for 14 houses was obtained in October 2013, ahead of the infrastructure design. The infrastructure design envisaged the use of two trenches to keep the electricity supplies and water and sewerage separate.

However when it came to the tendering of the work, the price for all 65 plots was very high and would not have been affordable to either government or the purchasers, at over £20,000 a plot. A less ambitious specification for 18 plots was tendered, but this too was unaffordable. Discussions with the contractors identified that the main cost were the risk attached to excavating hard rock and the cost of the pipework and cabling.

By changing to overhead cables, this halved the amount of trenching to be undertaken and by procuring the components direct, the overall cost of the work would fall by over a third. The development would then be more affordable, although it was acknowledged that developing CDAs on rocky terrain were always going to be expensive. The Housing Executive emphasised that this would not be a problem at Bottom Woods, which is to be the subject of a separate planning application.

The contract was entered into and the Housing Executive applied for a variation to the planning permission, accepting that he was not aware at the time that it would amount to an entirely new planning application, because overhead cables are a common feature of HTH.

Members of the Board asked why the electrical cables could not be laid within the same trench as in the UK. The Housing Executive stated that this has been considered but would still result in more excavation and that is what is expensive. Members asked whether the poles would be visible from Jamestown and the Housing Executive assured them that they would not be. Members recognised that the change to the design was driven entirely by cost, a matter that the Board could not take into account.

The Chairmen asked members to ignore comments from the consultees about HTH not being attractive at present but to focus on the LDCP policy that services on CDAs should be underground. It was noted that this contract has already been awarded and works are well on the way without the approval of the development application but it was acknowledged that the signing of the contract is not the remit of the Authority. No breach of planning had been made at this stage because the poles had not been erected.

The Housing Executive was thanked for his presentation and invited to stay, but was informed that he could not participate any further.

The Chairperson highlighted the fact that there are a number of issues to realise in this application for which they need to satisfy themselves. Policy in the LDCP requires that the LV network in CDAs is laid underground. Departure from this policy requirement could set a precedent, and there is a need for consistency. The Chairperson urged that there should be consistencies on all planning developments in accordance with the development plan. It was noted that the Planning Officer's statement is based purely on financial grounds but the Authority must abide by the LDCP. If the Authority grants permission for this application, it was realised that they may not be able to defend themselves if another similar situation arises. Examples should be set and policies adhered to. Therefore, the Authority did not agree that development permission should be granted.

The resolution of the Authority was to recommend to Governor in Council that development permission should be refused.

Reason: The application for overhead LV network in CDAs is contrary to adopted policy.

However, should Governor in Council be minded to grant approval, the conditions as listed on the planning officers' report should be attached to such grant of permission.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CONFIRMATION OF MINUTES OF 1 OCTOBER 2014

Minutes of the meeting held on 1 October 2014 were circulated, confirmed and signed prior to this meeting.

4. MATTERS ARISING FROM MINUTES OF 1 OCTOBER 2014.

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

Being pursued by the Head Planning & Development Control with the AG's Office with regard to legal procedure. H P&DC

4.5 Development Plan for Ruperts Valley

As reported in last month's meeting, the report when finalised will be presented to the Authority towards the end of this year. The Steering Group meeting was held on 6 October 2014 with the next one scheduled for Monday, 10 November 2014. As reported, the issue on a drainage design should be completed by December 2014. H P&DC

5.3 Application No: 2014/51 – Proposed relocation of VHF Radio Antenna – Merlin George for SHG, Jamestown

Being discussed as an agenda item.

8. Strategic issues affecting development – application no. 2013/56 – Proposed 3 Bedroom Dwelling, Alberta Knipe, Seaview

Following a site visit to the building site, it was recommended by David Goodrick, engineer with EHS, that installation of a 1.8m high retaining wall along the rear of the building, abutted to the bank be constructed to suit contour of land. This wall should be engineer designed, and the ground above this height graded back to a 45 deg slope to prevent the erosion and collapse of the embankment due to the friability of the soil. The Planning office is now awaiting actual design of the wall.

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. 2014/51 – Proposed relocation of VHF Radio Antenna – Merlin George for SHG, Jamestown

Members were reminded that this application was continued from last month's meeting pending discussion on siting. It was agreed with the applicant that a better location would be on top of the west wall of the castle building, behind the bougainvillea plant. Having also consulted the Crown Estates, they do not have any objection to the change of location on the basis that the antenna is placed in an area where it can be easily accessed and maintained and not close to the Bougainvillea plant so as to make it difficult when pruning. Approved as PO's recommendations with condition no. 2 being modified to require approval of the method and appearance of fixing the antenna to an historic building. PO

Application No. 2014/54 – Proposed new access – Hensil Phillips, Woody Ridge, Levelwood

This proposal is a continuation of a development permission granted in January 2014. The information submitted for this application is inadequate to meet the standards and it is therefore recommended that development permission is granted for outline only to afford the opportunity to provide additional information on road design, drainage and services to meet the access and servicing requirements of future development. The H P&DC explained the reasons for the conditions imposed in PO's report.

PO

Application No. 2014/57 – Proposed Garage, Store and Yard extension – Virginia and Colin Richards, Half Tree Hollow

Approved as PO's recommendations.

PO

Application No. 2014/58 – Proposed 1 Bedroom Dwelling – Royston Beard, Half Tree Hollow

Approved as PO's recommendations with an added condition that the property shall not be sub-divided and sold as separate properties.

PO

Application No. 2014/59 – Proposed construction of Wheel Chair access – Ian Gough for Solomon & Company, entrance to DIY Store, Jamestown

A member asked why this application is only happening now since the new pavement has already been laid. The H P&DC explained that the applicant would like to have undertaken the work simultaneously, however the proposal required permission, and the process has a time limit. The comments from Heritage noted. Approved as PO's recommendations.

PO

Application No. 2014/60 – Proposed vehicular access to existing Dwelling – Richard Walters, Blueman's Field, Thompsons Hill

Condition 1 to be amended to read 1.5m and not 3m. Approved as PO's recommendations.

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

The H P&DC informed the Authority that a meeting took place yesterday for the design of the new drainage structure sewerage treatment facility for half Tree Hollow. The design for Ruperts is being looked at by another Engineer with a similar design for Jamestown. These exercises are being sourced in order to have infrastructures in place. A meeting also took place this morning with the DFID team. The Authority was informed that there should be some new development applications forthcoming.

9. ANY OTHER BUSINESS

The PO asked members if they were happy for January's meeting to be put back by 1 week. Members agreed.

The H P&DC informed members that the Secretary will be away from the island from 20 November until February/March for personal reasons. Cover will be obtained.

The Chairman thanked members for their attendance. The meeting closed at 10.50 hrs.

Chairman

Date

10. NEXT MEETING TO BE ON WEDNESDAY 3 DECEMBER 2014, 9.00AM AT AVEC.