

**MINUTES OF THE LAND DEVELOPMENT CONTROL AUTHORITY MEETING HELD ON WEDNESDAY 7
MAY 2014, AT 9 AM AT THE ADULT & VOCATIONAL EDUCATIONAL CENTRE, JAMESTOWN**

Present	Mr Rodney Buckley	Deputy Chairman	
	Miss Rosemary Bargo	Member	
	Mrs Ethel Yon	Member	
	Mrs Joan Peters	Member	
	Mrs Cathy Hopkins	Member	
In Attendance	Mr Trevor Graham	Director, ENRD	
	Mr Alfred Isaac	Planning Officer	
	Mrs Karen Isaac	Secretary	
Apologies			
	Off Island	Mr John Styles	Chairman
	Medical	Mr Paul Hickling	Member

ACTION

1. ATTENDANCE AND WELCOME

The Deputy Chairman welcomed all present with a welcome back to member, Mrs Ethel Yon, and thanked members for attending. In the absence of the substantive Chairman the Deputy Chairman chaired the meeting.

There were 2 members of the public present and 3 representatives from Air Access for agenda item no. 13.

2. Apologies - agenda item moved to attendance.

3. CONFIRMATION OF MINUTES OF 2 APRIL 2014

Minutes of the meeting held on 2 April 2014 were circulated, confirmed and signed prior to this meeting.

4. MATTERS ARISING FROM MINUTES OF 2 APRIL 2014.

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

Awaiting arrival of the new Head of Planning & Development Control on 17 June 2014 for serving an Amenity Order.

H P&DC

4.5 Development Plan for Ruperts Valley

The Director, ENRD reported that the preparation of a second draft plan is moving slowly and requested that the submission to Authority be delayed until July's meeting. This would allow time for the new H P&DC to be in post and for his guidance to be given on the overall Rupert's Plan. The Authority is mindful that pressure is building up for the

Rupert's Plan to be agreed so that timely development can get started, but agreed the request for the extension recommending that the plan be given priority immediately the new HP&DC is in place.

Director, ENRD/
H P&DC

9 Duplication of Highways Authority and Land Development Control Authority Procedures

The Secretary contacted the Chairman of ENR Committee and Highways Authority who has confirmed that this issue is being addressed. The Director, ENRD is following up and together with the PO will take a closer look at the policies currently in place, alongside current legislation.

Director,
ENRD/PO

1.3 Press Attendance

This matter was not reported upon due to the fact that the Chairperson is not on island. For the record the Chairman was to further discuss with "SAMS" their attendance at meetings after their staffing shortages had eased. It was agreed for this item to be deleted from the minutes.

Secretary

Further matters of report

Development applications approved by the Planning Officer under delegated powers

The PO reported that items that could be dealt with under delegated powers are now covered under the General Development Order (GDO). Therefore, no list is necessary. It was agreed for this item to be deleted from the agenda.

Secretary

Application No: 2014/15 – Tree Lopping in Jamestown

The PO confirmed that Condition No 2 required to be imposed under section 31 (2) of the Ordinance is not appropriate to Tree Lopping.

AOB

As a priority the new H P&DC to work on a long term development plan for Jamestown. Draft proposals for the development plan together with timescales will be submitted to the Authority when prepared.

Director,
ENRD/H P&DC

The Director, ENRD reported that he had heard nothing more from Shelco.

Elected members to be encouraged to take part in the Jamestown Development Plan and the conservation and restoration of Crown Assets that are of important Heritage Value – will be continued work in progress.

5. DEVELOPMENT APPLICATIONS APPROVED BY THE PLANNING OFFICER UNDER DELEGATED POWERS

The PO reported that the General Development Order (GDO) is working very satisfactorily and the need for delegated powers by the PO is eliminated. This item therefore falls away as a standard agenda item.

Secretary

6. 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. 2014/18 – Proposed Installation of Electricity Pole – ENRD for SHG, Barn View, Longwood

Approved as PO's recommendations with one added condition that wires shall not cross the main road. PO

Application No. 2014/19 – Proposed re-building of Garage/Car Port and Utility Room – Priscilla McDaniel, Bella Vista, Southernns

Approved as PO's recommendations. PO

Application No. 2014/20 – Proposed change of use of Office/Store to Bistro type Restaurant and establishment of cleaning material outlet – Smith & Watson Investments, Ladder Hill Business Park

It was noted that environmental health were involved in discussions during the application process but there were no response from them in the consultation. It was further noted that the current toilet facilities were adequate under Building Regulations with regard to number of persons that could be accommodated.

Members noted that the said building is the property of ESH and wondered whether the application should have come from them and not Smith & Watson Investments. The PO advised that land ownership is not a planning consideration; however members felt that some clarity should be sorted on this. The Deputy Chair to take up with the legal personnel the issue of ownership. Deputy Chair

Approved as PO's recommendations with one added condition that the building shall not be brought into operation until both health and safety certificates are issued by the Health and Fire Services departments. PO

Application No. 2014/21 – Proposed Wireless IT Link – David George for SHG, Customs Buildings, Jamestown

It was noted that this application involved a Listed Building which is not covered under the GDO. There were no comments from Heritage; very likely due to the fact that Father Fred is off island. However, member Cathy Hopkins, also as a member of the Heritage Society, expressed her view.

Approved as PO's recommendations with one added condition that the antenna shall be proportionally positioned to correspond with the existing window and possibility painted to blend with the existing wall. PO

Application No. 2014/22 – Proposed Shed – Fred George, St Mark's Hall, Longwood

It was noted that works will be carried out using re-claimed materials. Approved as PO's recommendations. PO

7. MINOR VARIATIONS APPROVED BY THE PLANNING OFFICER

There were no minor variations to report by the PO.

8. LIST OF NEW DEVELOPMENT APPLICATIONS RECEIVED

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

9. STRATEGIC ISSUES AFFECTING DEVELOPMENT

There was nothing to discuss under strategic issues. However, the Deputy Chairman updated the Director, ENRD on this item.

10. DIRECTIONS TO CHIEF PLANNING OFFICER

A letter received from the Clerk of Councils dated 17 April 2014 was discussed. This letter is a Direction from Governor-In-Council, being a list of developments that is to be referred to G.I.C. Members were content that some development needs to be referred to G.I.C. but felt that the list was excessive.

However all applications will come to the Authority for their consideration and it is the remit of the Authority to deal with each application in accordance with the law and its policies, and to make the appropriate recommendations to G.I.C.

It was noted that this direction supersedes the directions issued in November 2012.

11. Application No. 2013/77 – Management Plan – AC Unit Governor’s Office

An update from the Deputy Chief Secretary on the Management Plan raise concerns from the DCS that planting and watering in the garden patches along the terrace, is very likely to cause damage to the building structure of the Castle and the terrace wall. Email of 16 April attached to minutes refers.

With regard to the capital works, it was noted that some work has been completed and the ENR Works Team are anticipating that the painting of the rails will be done by the middle of next week. With regards to the ashtrays, the DCS has been advised by the Deputy Director of ENR that they might have to place a special order. The bougainvillea has continued to be pruned and a process for logging the maintenance on the air con unit will be put in place.

Accepting the likely water ingress problems the Authority gave approval for all references to planting and watering in the plan to be deleted, but agreed that there should be some planting and recommended that the DCS should seek the advice of the Environmental Management on dry land plant species suitable for this area.

Secretary

12. Ruperts Wharf – Argos management Plan

Members considered the Management Plan for Ruperts Wharf with regard to protecting the safe and hygienic operation of the Argos facility during construction works and noted that the plan is very clearly set out and the issue addressed in a professional manner. Members were content with the plan as submitted providing that:

(1) all environmental mitigation measures, including monitoring, set out in the CEMP are carried out and (2) all mitigation measures are carried out under the supervision of, and

to the satisfaction of, the Project Management Unit of the Airport.

Secretary

13. Permanent Electricity supply to the Airport

The Access Office had previously circulated to members a copy of their request to G.I.C. for an amendment to the permanent electricity supply to the Airport, which required consideration also by the LDCA. Amendment required was for parts of the temporary overhead lines currently in use to remain permanent.

The Project Manager (Construction) Air Access gave a short presentation on their options considered for underground and overhead cabling.

Following the presentation, members were taken through the Access Office plan by the Deputy Chairman, discussing each section in detail. Members were mindful that the expectation from the community during the airport consultation period and the presumption by the G.I.C. in 2008 that no overhead lines would be across PBP. They were also mindful that airport environmental documentation also expected the highest standard for airport development.

General discussion then followed and clarification was sort on a number of issues from the Access team present.

Before reaching a decision the Deputy Chairman drew member's attention to the remit of the Authority; which is to apply the law and its associated policies and in this case satisfy themselves that this variation is justified.

In conclusion member's unanimously agreed that the plan as submitted did not provide sufficient justification to agree to the proposed overhead variation and refused the application.

Resolution: The Authority recommends to the Governor-in-Council that consent for the proposed sections of overhead electricity supply to the airport is declined under:

Secretary

- (1) The Environmental Statement 2007
- (2) The Planning Statement for the Airport Project (approved by GIC in September 2008) and
- (3) The Environmental Management Plan 2011

14. FURTHER MATTERS OF REPORT FROM PREVIOUS MEETING

None. This standard agenda item to be removed.

15. ANY OTHER BUSINESS

1. St Helena Airport – Dry Gut Open Channel Mitigation

A letter dated 30 April 2014 from Andreas Huber, PMU Manager was circulated to members prior to the meeting. This requested a variation to the mitigation measures as set out in the Variation Development Permission granted on 5 July 2013 and confirmed in the letter from Clerk of Councils dated 6 July 2013.

Members were content and agreed that the request for this further variation is sufficiently justified. Governor-in-Council to be advised accordingly.

Secretary

2.Revocation of permission for new build Fire Station at Ladder Hill

The PO reported that although approval had been given in respect of a new build fire station at Ladder Hill, plans are now in hand to build the fire station at Alarm Forest. A member of the public has expressed an interest in developing the Ladder Hill site, and due to change in circumstances asks if the permission for the fire station could be revoked to free this land for other uses. PO

Section 30 of the LPDC Ordinance makes provision for permission to be revoked. The PO to speak to the Police/Fire & Rescue Services and Crown Estates on this issue.

2. Variation – application no. 2012/27/JT – 3 BEDROOM Dwelling – Mona Bodlovic

The PO reported that a variation to the above application was received in that the original plan was for a pitch roof but now it has been requested to have a mono pitch roof to coincide with the buildings that are already there. The Authority agreed for the PO to deal with. PO

3. Chairmanship.

A member asked what is the position regarding the substantive Chairman and asked for some clarity in the matter. The Deputy Chair expressed the view he do not believe it is good governance for him to be deputising for six month each year. The Director, ENRD will follow up. Director

The Deputy Chairman thanked members for their attendance. The meeting closed at 11.40 hrs.

Deputy Chairman

Date

NEXT MEETING TO BE ON WEDNESDAY 4 JUNE 2014, 9.00AM AT AVEC.