



MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 4 September 2019
Time : 10 am
Venue : Council Chamber, Castle

Present	Mrs Ethel Yon OBE	Chairperson
	Mr Paul Hickling	Deputy Chairperson
	Mr Ralph Peters	Member
	Mr Raymond Williams	Member
	Mr Karl Thrower	Member
	Mr Gavin George	Member
	Mr Ismail Mohammed	Chief Planning Officer (CPO)
	Mr Shane Williams	Planning Officer (PO)
	Mr Paul Scipio	Planning Assistant (PA)
	Mrs Karen Isaac	Secretary
Apologies	Mr Gavin George	Member

1. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending.

2. Declarations of Interest

Member Raymond Williams declared his interest in respect of application 2019/58 as he is one of the Trustees of Harpers Estate. Member Karl Thrower declared his interest in respect of application 2019/61 as he reported that he is doing some work for the applicant. PA Paul Scipio declared his interest in application 2019/61 as he prepared the plans for this application and this was before his contract with the St Helena Government. Mr Scipio made it known that since he has been contracted to work in the Planning Service he is not involved in preparing any more plans.

3. Confirmation of Minutes of 7 August 2019

The Minutes of meeting of 7 August 2019 were confirmed and were signed by the Chairperson.

4. Matters Arising from Minutes of 7 August 2019

Application 2019/18 – Claire George

A redesign to be submitted.

Minor Variation 2018/25/1 for the change from Single Entrance Doorways to Double Doors with Sidelights (Canister) approved at the 5 June 2019 meeting

The CPO reported that this matter has not moved forward, but once information is received, the matter would be brought to LDCA. This is in respect of the foot path and the disabled access.

5. Building Control Activities/Update

LDCA Members were given a list of Building Control Activities for the month of August 2019 for their information. It was noted that the new Building Regulations are now in operation.

6. Current Planning Applications

LDCA Members were given a list of Current Development Applications.

There were 26 applications awaiting determination at the time of preparing the Agenda. Some are awaiting further information whilst others are in the consultation period or being addressed. The CPO said that the number of applications had been reduced and it was hoped that by the end of this year, all outstanding 2018 development applications would be dealt with.

7. Applications for LDCA Determination

1)	Application 2018/77 – Proposed New Prison and Custody Building (OUTLINE) – Bottom Woods – Prison Project Board The Chief Planning Officer presented this application. It was noted that this application was presented and discussed by LDCA some time ago. There was one representation that was raised on the process and the procedures. The CPO reported on the history of the site. A revised EIA was submitted in light of concerns and issues that were raised and reported to LDCA. The CPO said that the Governor had considered withdrawing the application until a revised EIA was submitted, but he was advised against this and to await the revised EIA as there were no other changes to the development proposal. The Governor was content with this advice. It was noted that the revised EIA had	
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	<p>dealt with the construction and future operation of the use, noting that the biggest impact would be during construction. It was also noted that the CEO is supportive of the EIA and its conclusion.</p> <p>Resolution: The Application for a New Prison and Custody Building in OUTLINE was approved with conditions as recommended by the CPO. The decision to be forwarded to the Governor in Council for final determination on the development application.</p>	CPO
2)	<p>Application 2018/70 – Proposed Construction of a Double Garage – Stephen Piek – Clay Gut</p> <p>The Planning Assistant presented this application. The site falls within the Intermediate Zone where policies apply such as serviceability and the impact on neighbouring amenity. There are no other Conservation Area Restrictions. Whilst it was noted that this application was accompanied by hand drawn plans, there were sufficient detailed information to allow the application to proceed. It was noted that a discussion had taken place with Crown Estates on the tidying up of plots and this recommendation should be reinforced to Crown Estates.</p> <p>Resolution: The application for the Construction of a Double Garage was approved with conditions as recommended by the PA. A Decision Notice to issue.</p>	PA
3)	<p>Application 2019/15 – Proposed Construction of a One Bedroom Dwelling – Nr MTB’s Shop, Half Tree Hollow – Derek and Bridget Henry</p> <p>The Planning Officer presented this application. It was noted that this application was presented to the LDCA before but was deferred until the applicant had obtained the necessary agreement on the sewage connection from Connect St Helena Ltd. A Legal Agreement to this effect should be drawn up and signed by parties involved.</p> <p>Resolution: The application for the Construction of a One Bedroom Dwelling was approved with conditions as recommended by the PO with a further condition making reference to the Legal Agreement. A Decision Notice to issue once a copy of the Legal Agreement has been received.</p>	PO

<p>4)</p>	<p>Application 2019/38 – Proposed Formation of Access Road to Existing House – Nr Youngs Valley – Raymond Henry</p> <p>The Planning Assistant presented this application. The site falls within the Intermediate Zone. Following consideration, it was agreed that a cattle grid be placed at the top and at the bottom of the new road and the section of new road to the turning to be of Tarmac surface. The applicant to be advised of a suitable surface for the rest of the road.</p> <p>Resolution: The application for the Formation of Access Road to Existing House was approved with conditions as recommended by the PA, with an added Advisory in respect of the remainder of the road surfacing. A Decision Notice to issue.</p>	<p>PA</p>
<p>5)</p>	<p>Application 2019/44 – Proposed Extensions to Existing House to form a Double Storey Extension (Bedroom with En-suite and Balcony, Dining Room, Patio, Utility Room and Walk in Wardrobe– Sea View, Alarm Forest – Brian Paul Fuller</p> <p>The Planning Officer presented this application. The site falls within the Intermediate Zone. It was noted that this application does not meet the policies in respect of the design and the scale. The Agent was contacted in this respect and asked whether he would consider a re-design but the applicant would not re-consider. In his recommendation, the PO recommended that the application be refused in that the design and scale of the proposed extension does not comply with the objectives of Policy 1Z1(a) and (b) in terms of scale, layout and proportion and it is considered not to be of coherent form to the original building and the surrounding area. It is also materially damaging to the design and the amenity of the existing building. The Authority after considering and also taking into account that the applicant did not wish to consider a re-design agreed that before refusing the application, the applicant to be given further opportunity to consider the design and to encourage him to speak with the Planning officer in an effort to compromise on the design.</p> <p>Resolution: The application for Extensions to Existing House to form a Double Storey was deferred. The PO to action accordingly.</p>	<p>PO</p>
<p>6)</p>	<p>Application 2019/53 – Proposed basic Tree Maintenance – Swimming Pool and Customs Building, Jamestown – Crown Estates, St Helena Government</p> <p>The Planning Officer presented this application. The two sites fall within the Intermediate Zone and in the Conservation area. It was at this point that Mr Andy Pearce asked if he could make a point of order. The Chairperson replied whilst it is not normal to allow public to speak when there is no request, but</p>	

	<p>he was given the opportunity to speak. He stated that he did not see the application as it was not properly advertised to allow the public to come and view the application. He went on to say that he don't think the works to the tree at the Swimming Pool should be classed as basic tree maintenance. There should be an application for the removal of the tree. The LDCA after consideration agreed that there should be a split decision. The proposal for the removal of the tree at the Swimming Pool requires a new application. The removal of the tree at the Customs was approved.</p> <p>Resolution: The application for the basic tree maintenance at the Swimming Pool was not approved. Further information is to be requested. The removal of the tree at the Customs building was approved with conditions as recommended by the PO. A Decision Notice to issue in this respect.</p>	<p>PO</p>
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<p>7)</p>	<p>Application 2019/54 – Proposed Extensions to Existing House to form a Conservatory and Construction of a Two Bedroom Double Storey Dwelling – Clay Gut – Reginald Williams</p> <p>The Planning Officer presented this application. The sites falls within the Intermediate Zone with no Conservation restrictions. It was noted that the proposed Two Storey development is not in compliance with policy where it would require the embankment to exceed 3m vertically, to enable the building to be constructed. Because of this, it was recommended that the application be refused. The Authority in their consideration advised not to refuse but agreed that the application be deferred for the applicant to come and speak to the Planning Officers. It was stressed at this point that the public should be made aware that they should first come and speak to Planning Officers on their proposals before submitting their applications. The PA highlighted that there could be a simple solution for this proposal.</p> <p>Resolution: The application for Extensions to Existing House to form a Conservatory and Construction of a Two Bedroom Double Storey Dwelling was deferred for the applicant to speak to Planning Officers. The PO to action accordingly.</p>	<p>PO</p>
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<p>8)</p>	<p>Application 2019/56 – Proposed Internal Refurbishment for the relocation of Judicial Services - Ex Police Headquarters, Jamestown – Property Division, St Helena Government</p> <p>The Planning Officer presented this application. The sites falls within the Intermediate Zone and in the Conservation area. It was noted that because</p>	
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	<p>the building is a grade 1 listed building, this application had to come before the LDCA. The matter of the wheel chair friendly toilet was discussed where Members asked to seek clarification on this, as the layout did not seem to allow unrestricted access for a wheelchair user.</p> <p>Resolution: The application for Internal Refurbishment of the Ex Police Headquarters was deferred until information is received regarding the wheel chair friendly toilet. The PO to action accordingly.</p>	<p>PO</p>
<p>9)</p>	<p>Application 2019/58 – Proposed Erection of Three Poly Tunnels- Harpers Estate – Martin Joshua</p> <p>The Planning Assistant presented this application. The sites falls within the Green Heartland Zone, located in the centre of agricultural land where currently there are four existing Poly Tunnels on site, of identical size. This was approved, but the Authority felt that an additional condition should be for guttering to be installed to take care of the rain water runoff.</p> <p>Resolution: The application for Erection of Three Poly Tunnels was approved with conditions as recommended by the PA together with the additional condition. A Decision Notice to issue.</p>	<p>PA</p>
<p>10)</p>	<p>Application 2019/59 – Proposed Two Bedroom Extension to Existing House – Sapper Way – Jody Grant-Lawrence</p> <p>The Planning Officer presented this application. The sites falls within the Intermediate Zone with no Conservation Area Restrictions. This was a straightforward application and no issues of concern were raised.</p> <p>Resolution: The application for a Two Bedroom Extension to Existing House was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<p>PO</p>
<p>11)</p>	<p>Application 2019/61 – Proposed Demolition of Ruins at the rear of the Property and Construction of Nine Accommodation Units – opposite Pilling School, Jamestown – Johnny Isaac</p> <p>The Planning Assistant left the table. The Chief Planning Officer presented this application. There was one Representation received. The site falls within the Intermediate Zone/National Conservation Area. This is a Grade III Listed Building. The policies B4 and B5 were highlighted. A concern was raised that the proposal would interfere with the setting of the church, where, when</p>	

<p>viewed from the street area in the northerly direction towards the Church, the steeple would no longer be fully visible. There was a comment from Connect St Helena Ltd with regard to the sewerage problem in Jamestown, but this could be dealt with by way of a condition on the sewage capacity. Mr Andy Pearce spoke on behalf of the Heritage Society where he referred to the Design and Access Statement in particular BH4c.</p> <p>The Authority highlighted a number of issues relating to this application and asked that the applicant consider better arrangement for pedestrian access on the road and an alternative design solution for the main building.</p> <p>Resolution: The application for the demolition of ruins and Construction of Nine Accommodation Units were deferred for further discussion with the applicant by way of submitting an alternative design. The CPO to action accordingly.</p>	<p>CPO</p>
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8. Approvals by CPO under Delegated Powers

The following Three Development Applications were dealt with under Delegated Powers by the Chief Planning Officer.

<p>1)</p>	<p>Application 2019/55</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Installation of a Bus Shelter – Location : Red Hill, Levelwood – Applicant : Property Division – Official : Paul Scipio, PA (Authorised by Ismail Mohammed, CPO) – Status : Approved on 20 August 2019
<p>2)</p>	<p>Application 2019/57</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Change of Roof Profile on Existing House and Garage from Pitch to Hip Design – Location : Nr Princes Lodge, St Pauls – Applicant : Andrew and Syrena Ellick – Official : Paul Scipio, PA (Authorised by Ismail Mohammed, CPO) – Status : Approved on 22 August 2019
<p>3)</p>	<p>Application 2019/49</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Variation to Application 2017/30 for Alterations and Extensions to House in construction

- Location : Half Way, Half Tree Hollow
- Applicant : Robert Henry
- Official : Shane Williams, PO (Authorised by Ismail Mohammed, CPO)
- Status : Approved on 28 August 2019

9. Minor Variations Approved by CPO

The following Five Development Applications was approved as Minor Variations by the Chief Planning Officer. As normal practise key Stakeholders are approached when and where needed for Minor Variation Evaluation.

- 1) **Application 2014/19/MV1**
 - Requested : Minor Variation
 - Proposal : To Omit a Block Wall and Column and to Install a Steel Column on proposed Garage/Carport
 - Location : Bella Vista, Southernns
 - Applicant : Priscilla McDaniel
 - Official : Ismail Mohammed, CPO
 - Status : Approved on 13 August 2019
- 2) **Application 2019/34/MV1**
 - Requested : Minor Variation
 - Proposal : To Flip the House Layout horizontally as a result of site ground conditions
 - Location : Nr Princes Lodge, t Pauls
 - Applicant : Michael Ellick
 - Official : Ismail Mohammed, CPO
 - Status : Approved on 16 August 2019
- 3) **Application 2018/35/MV1**
 - Requested : Minor Variation
 - Proposal : To Change from Gable to Hip Roof as well as an increase to the pitch of the roof resulting in a 600mm height increase to enable additional Attic Space
 - Location : Nr Sundale, Half Tree Hollow
 - Applicant : Shannon Henry
 - Official : Ismail Mohammed, CPO
 - Status : Approved on 21 August 2019

4)	Application 2017/71/MV1 <ul style="list-style-type: none">– Requested : Minor Variation– Proposal : To Change the Double Door Garage to Single, extending an Existing Bedroom and Creating a Patio– Location : Cow Path, Half Tree Hollow– Applicant : Gladys O’Bey– Official : Ismail Mohammed, CPO– Status : Approved on 21 August 2019
5)	Application 2017/59/MV1 <ul style="list-style-type: none">– Requested : Minor Variation– Proposal : To Join Steps to the Property in order to comply with the Fire & Safety Recommendations– Location : Nr the Salvation Army Hall, Half Tree Hollow– Applicant : Alan Joshua– Official : Ismail Mohammed, CPO– Status : Approved on 22 August 2019

10. Strategic Planning Matters

1)	Ruperts Valley Development Plan <p>The CPO reported that there has not been any further progress on this matter.</p>
2)	Conservation Area Management Plan <p>On hold. The Chairperson advised that this should continue as an item on the Agenda until finalised.</p>
4)	LDCP Review <p>The CPO reported that there have been a few more chapters received from Consultant, Riana De Wet. It was noted that a meeting of the LDCP is scheduled for Monday, 9 September 2019. It was further noted that the original timetable for this review was September 2018, but it was hoped that it should be completed by April 2020.</p>

11. Future Housing Development and Sewage Capacity in Half Tree Hollow

The CPO reported that there is progress on this matter but very much an agreement with applicants. The Planning Team is working with two applicants at the moment. The CPO said that he is taking a report to the ENR Committee as it involves financial commitment.

12. Any Other Business

There was nothing to discuss under Any Other Business.

13. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 2 October 2019.

The Chairperson thanked Members for their attendance. The meeting closed at 13 10 hrs.

Signed by the Chairperson of the Authority, as a true reflection of the Meeting

Chairperson to the LDCA

Date