



**St Helena
Government**

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 4 March 2020
Time : 10 am
Venue : The Council Chamber, Castle, Jamestown

Present	Mrs Ethel Yon OBE	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 Paul Hickling	Deputy Chair

Also in Attendance Eight Members of the public, including applicant(s).

1. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending. The Chairperson asked for the members of the public to please sign the attendance register.

2. Declarations of Interest

The Chairperson, Mrs Ethel Yon declared her interest in respect of development application 2020/05 as she is first cousin to Mrs Ivy Ellick who has made representation in respect of the proposed development and has requested to speak. The Chairperson said she will leave the table when this item of business would be discussed. It was stressed by the members of Authority that there was no reason why she could not remain at the table.

3. Confirmation of Minutes of 26 February 2020

The Minutes of meeting of 26 February 2020 were confirmed and were signed by the Chairperson.

4. Matters Arising from Minutes of 26 February 2020

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 the applicant had previously considered withdrawing this request but now wishes the LDCA to consider this application as a minor variation.

UPDATE: CPO reminded the Members of the update at the last meeting, when it was agreed that additional door furniture should be added to ensure safety of the user inside the building pedestrians on the walk way. This matter is now closed.

Application 2019/44 – Extensions to Existing House to form a Double Storey – Sea View, Alarm Forest – Brian Paul Fuller

The applicant was informed of the Authority's concerns regarding the design. A meeting was to be arranged.

UPDATE: A meeting with the Applicant's Agent took place where he was advised of the Authority's concerns. The Agent is now to submit revised drawings as suggested to him by the Planning Office.

Exco Memorandums

The CPO informed the Authority that three Exco Memoranda will be presented to Executive Council on 10 March 2020 in respect of application 2019/112 for the replacement of and additional Solar Type Street Lights, application 2019/114 for new HM Prison and application 2019/115 for the Custody Suite. The remaining applications for ExCo will be presented at the meeting on 24 March 2020

5. Building Control Activities/Update

LDCA Members were given a list of Building Control Activities for the month of February 2020 for their information.

6. Current Planning Applications

LDCA Members were given a list of current development applications. There were 23 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 highlighted that the number of applications for the year 2018 has been reduced and that 3

remain to be dealt with. He also highlighted that 7 applications remain for the year 2019 but stressed that some of these applications are awaiting further information from the applicants. One member enquired as to why application 2016/161 for the Abattoir Soakaway System at Bamboo Hedge is no longer listed on the current applications list. The member was informed that this application was withdrawn by the applicant.

7. Applications for LDCA Determination

<p>1)</p>	<p>Application 2020/01 – Proposed construction of a two Bedroom Dwelling – Head O’Wain, Blue Hill – Karen J Buckley</p> <p>The Planning Assistant presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. At the pre-application discussion it was highlighted to the applicant that the site plan showed the soil spill from the excavation proposal would fall outside of the applicant’s boundary that could pose a risk and affect the main road. It also indicated a higher embankment. As a result the applicant submitted a revised site plan taking into consideration the embankment and the soil spill that would now be within the boundary mark. The proposed development was now in compliance with the policies and was acceptable as now proposed.</p> <p>Resolution: The application for construction of a two bedroom dwelling was approved with conditions as recommended by the PA. A Decision Notice to issue.</p>	<p>PO</p>
<p>2)</p>	<p>Application 2020/02 – Proposed construction of a two Bedroom Dwelling – near the Rock Club, Half Tree Hollow – Simon Andrews</p> <p>The Planning Officer presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. It was highlighted that full development permission was given in 2015 for the construction of a two Bedroom Split Level Dwelling. However, the applicant now wishes to construct a bungalow hence the reason for this application. It was noted that the drainage line would be laid through a neighbour’s property but an agreement has been reached between both parties and a letter of consent obtained for the record. The comment made by the Sewage and Water Division (Connect St Helena) with regard to the current sewage capacity issue in Half Tree Hollow was noted. It was pointed out that whilst the design of the previously approved development was aesthetically better, the revised plan was considered to be acceptable and in compliance with planning policies.</p> <p>Resolution: The application for construction of a two Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<p>PO</p>

3)	<p>Application 2020/03 – Proposed Installation of two Signs – Millennium Forest, near Horse Point – St Helena National Trust</p> <p>The Planning Assistant presented this application. The site falls within the Coastal Zone and the Proposed National Conservation Area the in LDCP. One sign would be located at the main entrance to the Millennium Forest Car Park and the other one along the Haul Road facing in the direction of the Airport. The signs would be made from treated pine. The proposal meets the Policy of the LDCP – Appendix 8 as highlighted by the PA.</p> <p>Resolution: The application for installation of 2 Signs were approved with conditions as recommended by the PA. A Decision Notice to issue.</p>	PA
4)	<p>Application 2020/05 – Proposed Change of Use from Residential Care Home to 10 Units of One Bedroom Social Housing Flats – Barn View, Longwood – Property Division, St Helena Government</p> <p>For this agenda report the Chairperson who had declared her interest in this application left the table and members agreed for Karl Thrower taking the chair for this item of business. The CPO stressed that whilst the Chair had declared interest due to a representation from a close relative, she did not need to leave the table.</p> <p>The Planning Officer presented this application. The site falls within the Intermediate Zone and is partially in the Proposed Longwood Conservation Area. There were 4 representations in respect of the proposed development and three had requested to speak. The representations received were very similar in their context and many of the issues raised were not planning related. The PO stressed the concerns expressed were very passionate as regards the use of public funds and monies raised by the public for building of the Residential Care Home to support people with disabilities and in providing respite for families and carers. Unfortunately they were not material planning considerations.</p> <p>The three Representees spoke in support of their objections to the proposed change of use of the facilities established for people with disability and support for their families and carer through public generosity for specialist residential use albeit for elderly with mobility difficulties. It was noted that the concerns raised by these representations could be forwarded to the applicant to address, if they so wished. It was acknowledged and noted that this is a very sensitive matter for many people. It was however pointed out that for planning purposes, this meeting was not the right platform for raising, debating and making decision on the issues being brought by these</p>	

	<p>representations. Explanation were sought on the rightful ownership of this building. It was stressed that this was not a planning matter, but the Planning Officer had sought advice from the applicant (SHG Property Manager) on this matter and he was told that the building had been handed over to SHG but this could not be ascertained at the time. The building has been vacant for a number of years and sits in a wider residential area. Two of the Objectors asked to speak on a point of reference. The CPO reiterated that the issues raised are not a planning consideration.</p> <p>It was noted that 3 of the Bedrooms did not have natural lighting but this would be a matter to be dealt with under the Building Regulations. In respect of the fire escape, this would also be a matter for the applicant to address when applying for Building Regulations approval. It was stressed that it is very important for the Fire Service to deal with concerns raised in respect of people with mobility difficulties. It was pointed out that the proposed development had been designed for people with disabilities and mobility problems to be able to live independently. The response from Connect Energy was noted.</p> <p>Question was put as to whether this application should be deferred for reasons regarding fire escapes and ownership of the building, but it was stressed that these were not planning related issues. It was noted that the change of use would provide much needed social housing for elderly people with disability and/or mobility difficulties.</p> <p>Resolution: The application for Change of Use from Residential Care Home to 10 Units of one Bedroom Social Housing Flats was approved with conditions as recommended by the PO. The CPO to ascertain the rightful ownership of the property in reporting to the Governor-in-Council. This application is to be referred to Governor-in-Council for final determination as the proposal is a departure from the Social Infrastructure Policy S1.4.</p>	<p>CPO</p>
<p>5)</p>	<p>Application 2020/04 – Proposed One Bedroom Flat Extension and Storeroom – Briars Village – Michel Dancoisne-Martineau</p> <p>The Planning Assistant (PA) presented this application. The proposal was for an extension to an existing Garage to form a two story one Bedroom apartment flat and for the construction of a single storey Store Building to the south of the existing Garage. The site is adjacent to the main entrance to the Briar’s Pavilion and adjoins the southern-east corner of the Proposed Briars Conservation Area.</p>	

The PA presented that the proposed development did not comply with Land Development Control Plan Built Heritage Policy (BH5), due to the design of the proposed development in terms of mass and details adjacent to the conservation area and at a very prominent position on the entrance to the popular visitor and tourism venue. It was pointed out that development would become a very dominant feature in this prominent location and streetscape which would detract from the setting of this historically important building and a visitor venue due to its features on the front elevation.

The Applicant (M. Dancoisne Martineau) was allowed to speak who at the beginning issued a document to members of the Authority advising them that this was with reference to his application. The Applicant stated that this development was part of a larger project for the Briars Pavilion and to make it attractive for visitors. The applicant failed to explain how this development proposal related to the wider project for Briar Pavilion. He said this development was the start of a wider and major tourist development in that area and that this building would act as a security for the rest of the development.

The applicant accused the Planning Officer of being bias in his presentation and went on to say that if the Briars Pavilion closes, it will be the fault of the LDCA.

The CPO reiterated the proposed development as designed and presented in this location was considered to be very prominent and could be described as “in your face” as you approach which not acceptable and stressed that the Authority needs to look at the proposed development in the wider context of the area adjoining the Briars Conservation area and its entrance to a popular visitor venue. The CPO also queried how the existing garage building in this location could have been approved and also when it was granted permission.

The Chairperson then asked members if they required more time to consider this application. The Chairperson also asked whether there was any mileage in sitting around the table with the applicant to discuss any changes to the development application. However, the CPO reminded members that they could only make a decision on the application in front of them.

After much deliberation, members agreed with the recommendation of the Planning Officer that the application be refused on the basis that the proposed development in terms of its location, design, mass and details

	<p>adjacent to the Historic Conservation Area would be a dominant feature in this prominent location and streetscape that will detract from the setting of this historically important building and a visitor venue and is in conflict with the objective of the Built Heritage Policy BH5.</p> <p>Resolution: The application for a one Bedroom Flat extension and Storeroom was refused as recommended by the PA based on its assessment of Policy BH5. A Decision Notice to issue. The Applicant has a right of Appeal.</p>	PA
<p>6)</p>	<p>Application 2018/31 – Proposed Permanent Siting of a 20ft Container for Storage purposes – Firing Range, Cox’s Battery – Police Directorate</p> <p>The Planning Officer presented this application. The site falls within the Coastal Zone and East Coast Scenic Reserve Area. The consultation response from Environmental Management was noted. In 2011 permission was granted for a Police Rifle Range with 3 conditions which were (1) the area remains open to the public when not being used for shooting practise, (2) no permanent structures are to be erected on the land and (3) all equipment used in association with rifle shooting is removed and the area left tidy after each shooting session. This application is to site a dark green Container adjacent to the Shooting Range for storage purposes. It was noted that from further discussions with the applicant, the proposal is now for a temporary siting. Members questioned as to whether the Container could be covered and also if an embankment could be formed around it, if they were to dig into the side of the hill. It was also suggested that a roof could be included and some landscaping undertaken to overcome the visual impact. It was noted that the container would be visual. Following concerns made by members, the applicant, who was present at the meeting, clarified the concerns raised.</p> <p>Resolution: The application for proposed Siting of a Container (temporary) for a period of 2 years was approved with conditions as recommended by the PO with additional conditions to take effect of the embankment and its landscape finishing. A Decision Notice to issue.</p>	PO

8. Approvals by CPO under Delegated Powers

<p>The following Development Application was dealt with under Delegated Powers by the Chief Planning Officer.</p>	
<p>1)</p>	<p>Application 2019/94</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Raising of Roof Profile – Location : Half Tree Hollow – Applicant : Diana Thomas

	– Official	: Ismail Mohammed, CPO
	– Status	: Approved on 6 February 2020

9. Minor Variations Approved by CPO

There was no Minor Variation approvals.

10. Strategic Planning Matters

1)	Rupert's Valley Development Plan Since the last meeting of 26 February 2020, there was nothing further to report.
2)	Conservation Area Management Plan On hold. The Chairperson advised that this should continue as an item on the Agenda until finalised.
3)	LDCP Review Since the last meeting of 26 February 2020, there was nothing further to report.

11. Any Other Business

There was no other business to discuss.

12. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 1 April 2020.

The Chairperson thanked Members for their attendance. The meeting closed at 12.40hrs.

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

Chairperson to the LDCA

Date