



**St Helena  
Government**

# MINUTES

## Land Development Control Authority Meeting

Date : Wednesday, 5 August 2020  
Time : 10 am  
Venue : The Council Chamber, Castle, Jamestown

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<b>Present</b>	Mrs Ethel Yon OBE	Chairperson
	Mr Paul Hickling	Deputy Chair
	Mr Raymond Williams	Member
	Mr Karl Thrower	Member
	Mr Gavin George	Member
	Mr Ralph Peters	Member
	Mr Ismail Mohammed	Chief Planning Officer (CPO)
	Mr Shane Williams	Planning Officer (PO)
	Mrs Karen Isaac	Secretary

### Apologies

**Also in Attendance** Twelve Members of the public, including applicant(s)/Objector(s).

### 1. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending. The Chairperson advised the meeting that Item 11 under “Any Other Business” would be withdrawn from the Agenda to allow members more time to consider.

### 2. Declarations of Interest

There were no declarations of interest to declare.

### 3. Confirmation of Minutes of 8 July 2020

The Minutes of meeting of 5 August 2020 were confirmed and signed by the Chairperson subject to the following amendment: Under Item 7(1) – Application 2020/41 – second

page, line 13 after the word project the words “Members expressed concern on the lack of attention to be given to the Monument” to be inserted.

#### **4. Matters Arising from Minutes of 8 July 2020**

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

At the meeting of 4 March 2020, it was reported that the Agent would be submitting revised drawings for this proposal. Since then a meeting was held with the applicant on 6 March 2020 and feedback from the Applicant was awaited.

##### **Application 2020/05 – Change of Use from Residential Care Home to ten units of one Bedroom Social Housing Flats – Barn View, Longwood – Property Division, St Helena Government**

This application is still with Executive Council. No decision has been made.

##### **Any Other Business**

##### **Signs at the Yacht Club, The Wharf, Jamestown**

The CPO reported that he had sought advice from the AG on the matter of painted signs on the building known as the Yacht Club. The AG advised that this does not constitute development. Members voiced their concerns about this and said that the Legal Notice should be amended.

#### **5. Building Control Activities/Update**

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

#### **6. Current Planning Applications**

LDCA Members were given a list of current development applications. There were 15 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 workload in the Planning Section is being managed at the moment.

#### **7. Applications for LDCA Determination**

1)	<b>Application 2020/41 – Proposed Container Handling Facilities incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking – Lower Rupert’s Valley - Programme management Unit, St Helena Government</b>  The Chairperson said that this application was discussed at length at the last LDCA meeting. She asked the CPO to take the meeting through the further report. The CPO said that it is not his intention to go through all of the report	
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but to highlight the issues regarding the EIA, alignment of security fencing and the impact on a number of the listed buildings/structures. The CPO informed the meeting that he has had discussion with the applicant regarding issues related to the alignment of the security fencing and the applicant had indicated that it did not wish to make any changes to the proposed development.

For clarification, the CPO stated that the listed buildings classification in the Crallan Report is for buildings and structures and that the structures in the Crallan Report are referred to as monuments, depicted by the letter "M", and by referring to these structures as monument they do not hold any higher status within the listing and stated that he hoped that he had not misled people or devalued their status of the listed structures. The CPO also pointed out that Policy BH1 is more appropriate for assessment than Policy BH6, which is more for archaeological investigation that is below ground and may be affected by development, and said his view is that the policy does not comply insofar as this application is concerned.

The CPO informed the meeting that a screening opinion was undertaken that did consider the proposed development would not have significant impact collectively against all the criterion. The access to the Beach area will be denied for additional four to five days. The issues raised by the objectors have been dealt with at the 8 July 2020 meeting. The development is quite fluent and further assessments have taken place. Since the application was submitted, there was a major fuel leak in the area. This, the CPO said did not change anything with regard to the application. Conditions would be applied to reduce the impact and it is manageable. The CPO informed the Authority that this application would go to Executive Council on 11 August 2020.

Members highlighted the major incident (fuel leak) that had occurred in Rupert's and the request they had made at the last meeting had not been addressed. The residents' health and safety issues were also highlighted. It was noted that none of the residents in Rupert's were consulted on this proposal. The Authority stressed that they needed to have responses from the applicant that were raised at the last meeting. Members felt that the issue of the security fence position needed to be addressed as well as the potential damage by the containers to the wall around the walled garden. It was voiced that if this application goes to Executive Council and is approved as proposed, a judicial review on the decision might be sought. Authority Members were advised that the issues they have raised could be dealt with and managed through a number of conditions that would be included with

	<p>the permission and the applicant would need to have the conditions discharged before that element of the development could be carried out. The Authority were also advised that in accordance with the Ordinance it has the opportunity to consider the development proposal and could make representations or comments to the Governor-in-Council and does not have to make a decision on the development application. Its views would be reported to the Executive Council.</p> <p><b>Resolution:</b> The Authority had reservations with the application for a Container Handling Facilities incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking being reported to Executive Council on 11 August 2020 when there remained many issues that were unresolved.</p>	<p><b>CPO</b></p>
<p><b>2)</b></p>	<p><b>Application 2020/50 – Proposed Construction of a Three Bedroom Dwelling – Longwood Road – John Vago</b></p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. It was noted that site excavation works had already been undertaken resulting in clearing of vegetation and regrading of the land and the applicant’s Agent was asked to stop works until an application has been submitted and considered by the LDCA. Permanent access for this development would be further along the road rather than just before the corner leading to Longwood Gate Junction. The Application is to construct a three Bedroom Dwelling with Verandah and a single Garage that could be supported.</p> <p><b>Resolution:</b> The application for construction of a Three Bedroom Dwelling was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<p><b>PO</b></p>
<p><b>3)</b></p>	<p><b>Application 2020/42 – Proposed Covered Way – St Paul’s Primary School – Programme management Unit, St Helena Government</b></p> <p>The Chief Planning Officer presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The application is to build a covered area for the children to provide protection from the weather during breaks and also for a formal games area for school lessons. Currently the school has no hard play area that can be used for such except for the grassed area and playing fields. The covered area will be 20.5m by 8.5m with a pitched roof. The height to the ridge would be 4.6m by 2.6m to the eaves. Timber posts would be used for supporting the pitched roof. The overall design of the structure is in keeping with the school’s building. It was questioned as to whether the storage tanks of minimum capacity of 450 litres is too small for overflow of rain water. A member of the Programme</p>	

	<p>Management Unit was allowed to speak where he stipulated that 1500 litre water tanks, possibly two would be used for the overflow.</p> <p><b>Resolution:</b> The application for a Covered Area was approved with conditions as recommended by the CPO subject to condition six being amended to take account of the 1500 litre water tanks(s). A Decision Notice to issue.</p>	<p>CPO</p>
<p>4)</p>	<p><b>Application 2020/48 (Retrospective) – Proposed Verandah Extension to Existing House – Brewery Yard, Jamestown – Neil and Deborah Fantom</b></p> <p>The Chief Planning Officer presented this application. The site falls within the Intermediate Zone and proposed Jamestown Conservation Area. This is a retrospective application. The application is for a retention of a Verandah extension to an existing dwelling house in an already congested residential area. The works includes erection of a timber framed structure with a metal roof cover on top of an existing concrete pavement. A timber structure has been built onto an existing concrete base that was used as a narrow patio for the property. It was noted that the existing house is connected to the neighbour’s properties. Prior to the works being undertaken, the property and the area had a very open feel with a narrow patio area. The construction of the verandah has now created a closed area to the building and the area and the detail to the building has been obscured by the projected roof. Whilst the building is not listed, it is a well-designed, two storey building with five equally portioned bays with a doorway in the central bay and eight panel glazed window at first floor level above the door. The verandah is considered to be not in keeping with the overall design of the building. One representation had been received. The Applicant was allowed to speak. It was felt that the verandah extension has made the building a bit dark and that something better could have been done. To alleviate the issue of darkness, Members felt that adequate lighting such as Perspex be installed above each window. This application had been recommended by the CPO for refusal. If the LDCA do not approve the recommendation, then they would have to consider action to be taken to remove the verandah structure. It was highlighted that the LDCA needs to make a decision on what is before them today. Following discussion, the application was approved for the owners to retain the development of the verandah as erected, subject to a minor change, in that the applicant be advised that he should erect translucent roofing to the areas of the roof that align with the windows to overcome the loss of light. The applicant to submit revised drawings. The CPO would draft a decision and email to Members for their approval.</p> <p><b>Resolution:</b> The retrospective application to retain the Verandah Extension to Existing House was approved subject to the applicant submitting revised</p>	<p>CPO</p>

drawings to take account of the translucent roofing. The CPO to draft a decision for member's approval. A Decision Notice is then to be issued.
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## 8. Approvals by CPO under Delegated Powers

The following two Development Applications were dealt with under Delegated Powers by the Chief Planning Officer.	
<b>1)</b>	<b>Application 2020/23</b> <ul style="list-style-type: none"> <li>– Requested : Full Development Permission</li> <li>– Proposal : Access Road</li> <li>– Location : Deadwood</li> <li>– Applicant : Gillian Fowler</li> <li>– Official : Shane Williams, PO (authorised by Ismail Mohammed, CPO)</li> <li>– Status : Approved on 15 July 2020</li> </ul>
<b>2)</b>	<b>Application 2020/43</b> <ul style="list-style-type: none"> <li>– Requested : Full Development Permission</li> <li>– Proposal : Change of Roof Profile</li> <li>– Location : Bottom Woods</li> <li>– Applicant : Campbell Duncan</li> <li>– Official : Shane Williams, PO (authorised by Ismail Mohammed, CPO)</li> <li>– Status : Approved on 29 July 2020</li> </ul>

## 9. Minor Variations Approved by CPO

The following four Development Applications were approved as Minor Variations by the Chief Planning Officer. As normal practice key Stakeholders are approached when and where needed for Minor Variation Evaluation.	
<b>1)</b>	<b>Application 2019/03/MV3</b> <ul style="list-style-type: none"> <li>– Requested : Minor Variation</li> <li>– Proposal : To continue with development based upon the site as excavated</li> <li>– Location : Clay Gut</li> <li>– Applicant : Nigel George</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Status : Approved on 2 July 2020</li> </ul>
<b>2)</b>	<b>Application 2017/130 MV2</b> <ul style="list-style-type: none"> <li>– Requested : Minor Variation</li> <li>– Proposal : To install two Conservancy Tanks to collect sewerage and two 1000 litre Collection Tanks for grey water overflow for irrigation purposes</li> <li>– Location : Near Half Way, Half Tree Hollow</li> <li>– Applicant : Robert Henry</li> </ul>

	<ul style="list-style-type: none"> <li>– Official : Ismail Mohammed, CPO</li> <li>– Status : Approved on 15 July 2020</li> </ul>
<b>3)</b>	<p><b>Application 2019/70 MV1</b></p> <ul style="list-style-type: none"> <li>– Requested : Minor Variation</li> <li>– Proposal : To change orientation of the House Sites, reposition proposed Dwellings, allow minor excavation Works on phase one layout and to form five metre access/driveways on each of the proposed thirty nine CDA plots</li> <li>– Location : Bottom Woods West CDA, Longwood</li> <li>– Applicant : Infrastructure and Transport Directorate, SHG</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Status : Approved on 20 July 2020</li> </ul>
<b>4)</b>	<p><b>Application 2019/64 MV1</b></p> <ul style="list-style-type: none"> <li>– Requested : Minor Variation</li> <li>– Proposal : The addition of a Single Door leading into the Garage on the front elevation</li> <li>– Location : Cleughs Plain</li> <li>– Applicant : Edward Bowers</li> <li>– Official : Ismail Mohammed, CPO</li> <li>– Status : Approved on 22 July 2020</li> </ul>

## 10. Strategic Planning Matters

<b>1)</b>	<p><b>Rupert’s Valley Development Plan</b></p> <p>The CPO reported that he has been instructed by the Working Group to proceed and to incorporate the Consultants input into the document.</p>
<b>2)</b>	<p><b>Conservation Area Management Plan</b></p> <p>On hold. The Chairperson advised that this should continue as an item on the Agenda until finalised. This is one of the CPO’s list of work to be dealt with.</p>
<b>3)</b>	<p><b>LDCP Review</b></p> <p>The CPO reported that following the LDCA meeting of today, 5 August and the Exco meeting on Tuesday, 11 August, he will be concentrating on work relating to the LDCP that he envisage will be for the next three weeks with completion at the end of August/early September 2020. It was asked if Policies BH1 and BH6 could be looked into.</p>

## 11. Any Other Business

Members had no other business to discuss.

## 12. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 2 September 2020. However, the CPO said that he might request that the meeting of 2 September be cancelled but he will review the situation as to whether this request would have to be made. Also 2<sup>nd</sup> September is the scheduled date for the Tribunal Hearing.

The Chairperson thanked Members for their attendance. The meeting closed at 13.55hrs.

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

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**Chairperson to the LDCA**

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**Date**