



St Helena
Government

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 2 December 2020
Time : 10 am
Venue : The St Helena Community College, Jamestown

Present	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	Mr Gerald Yon	Member

Also in Attendance Seven Members of the public, including applicants/Objectors.

1. Attendance and Welcome

The Chairperson welcomed all present and thanked members for attending.

2. Declarations of Interest

There were no declarations of interest to declare.

3. Draft Marine Developments Policy: Presentation by Mr Rhys Hobbs, Marine Conservation Officer

Mr Rhys Hobbs, Marine Conservation Officer presented the Draft Marine Development Policy for St Helena to the LDCA. The Authority was supportive of the Policy but suggested that a chapter pertaining to this should be included in the revised LDCP. On page 8 5.5 it was also suggested

that it should be stipulated what mitigations are to be put in place and the wording that “SHG should publish the EIA Report” should be looked into. Mr Hobbs was thanked for his presentation.

4. Confirmation of Minutes of 4 November 2020

The Minutes of meeting of 4 November 2020 were confirmed and signed by the Chairperson.

5. Matters Arising from Minutes of 4 November 2020

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. It was noted that the applicant had advised that it was intended to withdraw the application but no action had yet been taken. Awaiting feedback from the Applicant

Any Other Business

Application 2020/77 – Proposed Construction of a Prefabricated Steel Building for Drainage Depot including minor Earthworks for Access and Construction of the Base Slab and also a Vehicle Turning Area – Red Hill Treatment Plant Work Site, St Pauls – Connect St Helena Ltd

Following the site visit, this application has been further deferred to seek clarity on the boundary lines and the status of the conditions on previous approvals. A response is awaited from the Applicant for the next LDCA meeting.

6. Building Control Activities/Update

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

7. Current Planning Applications

LDCA Members were given a list of current development applications. There were 21 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 reported that those 21 applications are manageable. He also said that Applicants are enquiring about the status of their Applications.

8. Applications for LDCA Determination

1) Application 2020/87 – Proposed Rehabilitation of Field Road and Side Path Road – Part of Jamestown and Ruperts Valley – Programme Management Unit

The CPO presented this application. The entire length of Side Path Road and South West section of Field Road falls within the Jamestown Conservation Area and the whole of the application site falls within the Coastal Zone. The CPO highlighted that both Field Road and Side Path Road have zero residual life in engineering terms and are no longer economically maintainable. There is also an increased risk of rapid and progressive failure, in particular Field Road. Rehabilitation of both roads are of national importance. The project provides an opportunity to improve road safety particularly on Field Road. The Application is to upgrade both Field Road and Side Path Road by widening them for two lane traffic, improvement to the Field Road/Side Path Junction, to improve road safety through better sight line and reducing blind spots and installation of safety barriers along Field Road. There would be selective widening by cutting into the hillsides, reconstruction of the road pavement with the removal of existing surface and replacing with new graded crushed rock road base material with new slurry seal surfacing. The road drainage would be replaced completely and upgraded. Also included is the ducting of the water main and telecommunication cables within the road.

The CPO informed the Members that prior to the submission of the Application, the Applicant had engaged with the Planning Officers and had been advised that they should undertake constructive engagement with the wider community, local businesses and Stakeholders and to submit the outcome of the consultation with the application. Members were also informed that an Application was received to adopt an Opinion under the EIA Regulation. A Screening Opinion was undertaken and it concluded that there would be an impact arising from the proposed development on a number of environmental factors, however, it was not considered to be significant to warrant a full EIA Report. The Opinion adopted by the CPO in accordance with the EIA Regulations was that the proposed development would not require an EIA report. The Decision Letter to the applicant in this respect would therefore set out a number of areas where attention was required to overcome potential adverse impact and that an Environmental Management Plan and Construction Management Plan should be submitted by the Applicant, setting out how the potential adverse impact would be managed and highlight the mitigation that would be put in place. It was noted that the Applicant held a number of meetings to identify issues and concerns that would need to be addressed; this also included a walk over the area. The required documents were submitted with the development application.

The Application site covers a total area of approximately three hectares from the Brow above Napoleon Street, alongside Side Path being a length of 1.3km long to the Junction with Field Road and then along Field Road at a length of 1.5km to the Junction with Haul Road. It is proposed to increase the minimum width of both roads to 5.5m to enable two lane traffic movement. With the cutting into the hillsides, the banks would be made stable with retaining wall using Gabions where possible with the rock used from the excavation works. The existing retaining wall would be good in places where it requires upgrading.

The CPO also informed Members that following the submission of the application a public consultation meeting was organised by the Planning Section to publicise the application and provide information on the proposed development. This meeting was attended by around 22 members of the public where a number of issues were raised as summarised in the report.

A number of representations were also received in respect of this development application.

The CPO reported that the development proposal has been assessed against a number of LDCP Policies as set out in the report. The proposal is in compliance with the policies highlighted and as the road is already established in the landscape, it is considered that widening would have minimal visual impact. The significant visual impact would be at the Field Road and Side Path junction and this would be dependent upon the details of the junction, whether it would be 7.5m radius or 10.0m radius. The CPO emphasised that to enable two large vehicles travelling in the opposite direction to negotiate the turn at the junction, a 10.0m radius would be required, however this would require considerable cutback into the hillside. Whilst 7.5m radius could also work, that would require descending vehicle to give way to the ascending vehicle. The CPO advised that this can be left subject to an appropriately worded condition to enable the applicant to undertake further design work. The CPO concluded that whilst there is some impact on the landscape arising from the road widening, however there were also considerable economic and social benefits.

It was pointed out that the major impact of the proposed development would be during construction, when both roads would need to be closed for a period to enable construction. However, it was also pointed out that if the Highway Authority was to undertake repair and maintenance works to these roads and

this required closure of the roads during construction, development permission would not be required and the Highway Authority would put in place any traffic management measures it considered appropriate. However as this proposed development is the subject of a development application, the LDCA as a Planning Authority can impose a condition requiring the applicant in consultation with the Highway Authority to put in appropriate traffic management measures during construction that would enable a safe diversion route and ensure safety for all road users.

Mr Andrew Pearce spoke in support of the objection received from the St Helena Heritage Society highlighting the issues that concerned the Society.

The Applicant also spoke setting out the benefits of the proposed development and the design considerations.

Members considered this application at length and raised a number of issues and concerns, in particular design of the storm water and surface water drainage system to ensure it was of sufficient capacity to take the potential increase in the volume of water run-off to ensure that there is no potential for flooding in low lying residential areas and also the volume of potential increase traffic within Napoleon Street. A question were also raised regarding the junction of Seales corner at the Brow as there were no proposal shown for improvements and was it part of the application red-line. Members were advised that this junction was not part of the development application, however it would be included within the Traffic Management condition and it could also be brought to the attention of the Applicants and to be advised that the alignment of this junction should be improved if there are no changes to traffic arrangement. Members stressed that the details accompanying the application in respect of this junction was not sufficient. It was highlighted that the concerns raised would be addressed and the details would be submitted as part of the traffic management plan. It was noted that there would be steel barriers and netting for safety purposes. A Member was also concerned about condition 6 of the Handling Report and stressed that the walkover should have been done already. The CPO advised that it would be appropriate to do the walk over before the start of the construction works also to ensure that there has been no change since the earlier investigation and assessment.

Mr Andrew Pearce asked if he would be able to speak again in respect of the proposal but permission was not granted by the Chairperson.

	<p>Members took the opportunity of viewing the plans and note the details of the position of the water pipe and cable ducting and the slip drainers. The new drain to be constructed would be sufficient to manage the storm water issue and would form part of a condition to be met. Speed control was also mentioned where it was stressed that Highway Authority should be involved if it is considered necessary to design in speed control measures, particularly at the sharp bends.</p> <p>In view of this development application being a Capital Programme Project, the application would be referred to the Governor-in-Council for final determination.</p> <p>Resolution: The application for Proposed Rehabilitation of Field Road and Side Path Road was supported by the Authority, subject to a number of additional Conditions to take account of the Storm Water and Surface Water with due regards being given to the junction of the improved Side Path Road and the junction to the Brow. To be reported to Governor-in-Council for final determination.</p>	<p>CPO</p>
<p>2)</p>	<p>Application 2020/68 – Proposed Construction of a Four Bedroom, Split Level Dwelling – Kunjie Field, St Pauls – Marc Lockley</p> <p>The PO presented this application. The site falls within the Intermediate Zone and has no Conservation Area Restrictions. The application is to construct a Four Bedroom, Split Level Dwelling. Access to the development site would be through parcel no. SCOT0307 where an easement was granted for this purpose. The Existing Track is in a poor state and would need clearing and upgrading. It is proposed to cut the access track down onto the site where the access would traverse onto the site platform. The gradient would be relatively steep and to combat this, it would be advisable to have a concrete surface. From the site platform, there would be an embankment of 3m that would be supported by gabions. There would be loss of some mature trees and vegetation, however this land is on the periphery of the forest and is within an established residential area and therefore is not considered to be detrimental. It was noted that this application is not for the development of Access Road or Excavation Works for the adjoining land parcel SCOT0305. The proposed development would not detract from the quality of the area and could be supported.</p> <p>Resolution: The Application for Proposed Construction of a Four Bedroom, Split Level Dwelling was approved with conditions as recommended by the PO. A Decision Notice to be issued.</p>	<p>PO</p>

<p>3)</p>	<p>Application 2020/69 – Proposed Demolition of Existing Ruin and Construction of a Three Bedroom Dwelling – Fishers Valley – Tony Malcolm Thomas</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. There is currently a vacant ruin on the land where most of it is clear of vegetation. The application is to demolish the Existing Ruin and Construct a new Three Bedroom Dwelling. It is proposed to cut an access road approximately 65m east of the plot boundary that is crown owned where an easement is to be sought by the developer. The length of the road measures 120m. The road is to be gravel finished. Excavation works would be undertaken where a site platform of 24m x 13m would be created, resulting in an embankment measuring 2.6m high. The Ruin to be demolished is not significant. The proposal would not detract from the amenity of the area and could therefore be supported.</p> <p>Resolution: The Application for Proposed Demolition of Existing Ruin and Construction of a Three Bedroom Dwelling was approved with Conditions as recommended by the PO. A Decision Notice to be issued.</p>	<p>PO</p>
<p>4)</p>	<p>Application 2020/75 – Proposed Installation of Safety Rails to the Entrance Steps – Entrance Steps to Reception, Castle Building – St Helena Government</p> <p>The CPO presented this application. The site falls within the Intermediate Zone and the Jamestown Conservation Area. The Castle Building is Grade 1 Listed. The application is to install Safety Rails on the Entrance Steps to the main Castle Building to provide support and make them more accessible for visitors requiring support. The railings are galvanised and are very simple with no decorative details and would be painted white.</p> <p>There was one Representation from the St Helena Heritage Society.</p> <p>It was emphasised that the proposed design and details of the Safety Rail to be installed are to ensure that it does not detract from the original appearance and respects the Heritage and Architectural quality of the building. The railings that have been designed is in compliance with the Built Heritage Policies of the LDCP.</p> <p>Mr Andrew Pearce spoke in support of the objection received from the St Helena Heritage Society.</p>	

	<p>It were felt by Members that other options could have been explored. The CPO advised that before the submission of the development application there were number of options considered to assess potential impact and the proposal submitted was the best option. Members wished to see the other options before making a decision and therefore deferred their decision on the report before them. It was noted that the Fire Service did not comment on this application.</p> <p>Resolution: The application for Proposed Installation of Safety Rails was deferred for alternative options to be considered.</p>	<p>CPO</p>
<p>5)</p>	<p>Application 2020/73 – Proposed Construction of a Three Bedroom Dwelling – Near Bunkers Hill, Alarm Forest – Julian Fagan</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The site was excavated in 2015 (reference 2015/93) where permission had been granted for Two Semi-detached Dwelling Units but was not constructed. This application is to construct a Three Bedroom Dwelling on the site, centrally positioned. D Blocks have been installed on the retaining wall and with appropriate landscaping could reduce the visual impact of the scarring on the landscape. The proposed development meets the aims of the LDCP policies and could therefore be supported. Members felt that the Applicant should be advised to continue with D Blocks up to eaves height.</p> <p>Resolution: The application for Proposed Construction of a Three Bedroom Dwelling was approved with conditions as recommended by the PO, subject to the Applicant being advised in respect of continuing with D Blocks up to Eaves height. A Decision Notice to be issued.</p>	<p>PO</p>
<p>6)</p>	<p>Application 2020/76 – Proposed Construction of a Two Bedroom Dwelling – Upper Cleughs Plain – Martina Henry-Stevens</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The application is to construct a Two Bedroom Dwelling in the area previously used for access purposes. A new Road would be formed to allow for site excavation as well as access to the current dwelling. The proposal would not detract from the amenity of the area. It meets the aims of the LDCP policies and could therefore be supported. Members queried as to where the effluent would go and advised that the Applicant considers compacting the fill material in 500mm layers. Members further advised that the Applicant consults with an Engineer for advice on any form of retaining considered necessary, before any work took</p>	

	<p>place. This is in order to reduce the risk of land slip and to ensure stability of the fill material. It was felt there was merit in the PO visiting the site when excavation works and impaction are taking place.</p> <p>Resolution: The application for Proposed Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the PO, subject to an informative being added in respect of the land slip and stability of the fill material. A Decision Notice to be issued.</p>	<p>PO</p>
<p>7)</p>	<p>Application 2020/90 – Proposed Change of Use from Dwelling House and Storage Building to Tavern – Marble Hall, Half Tree Hollow – Adrian J Greentree</p> <p>Member, Mr Gavin George did not contribute to this application as he is associated with the Applicant. The CPO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The application is to Change the Use from Dwelling House and Storage Building to Tavern. The CPO reported that the Application should be to retain the Change of Use and alteration made as the building had already been used for such purpose and some alteration to the front elevation already having been made. It was proposed to convert the Two Buildings to a drinking establishment for entertainment and leisure. The drinking establishment use falls within Use Class A4 and the current use is considered to be partially residential, retail (A1) and storage which falls within Use Class B1. The application proposes alteration to the front elevation to provide a sitting out area with construction of a Roof cover to form a Verandah. It was pointed out much of these alterations appeared to have already been undertaken including steps and disabled ramp and barriers to meet with safety requirements as well as the erection of the steel frame to provide support to the covering of the verandah area. Considerable landscaping has been provided to approve the appearance of the area. It was noted that Connect St Helena raised concerns in respect of the additional capacity of sewage discharge from this proposal.</p> <p>Neighbourhood Representations have been received from the Manager of the Community Care Centre as there have already been a number of incidents when functions have been held at the premises and the CCC car park has been used with no regard to access in case of emergency. The issues raised are relevant and important in the consideration of this development application. It was noted that the issue of car parking should be managed and controlled by conditions requiring the Applicant to ensure that Patrons are reminded not to park in the CCC Car Park and on the road side due to the double bend</p>	

	<p>in the roadway for road safety and the need to employ Car Park Attendants when there are large functions taking place. The noise pollution may be difficult to control and managed as such entertainment venues would be seeking to operate into late hours on the weekend and other holidays. The emission of noise would no doubt cause disturbance to the elderly and vulnerable residents of the CCC.</p> <p>It was noted that Three Toilets are in operation at the premises and it was stressed that the Applicant had been told not to construct a further toilet which he is now in breach of his previous approval.</p> <p>Members highlighted the incidents that have occurred in this area and in considering this Application took into account the comments received from the Neighbourhood. Members advised that permission be given for six months in the first instance to enable the assessment of the impact on the neighbourhood, in particular the residents and the users of the CCC. The Applicant to ensure that visitors do not park their vehicles in the HRH CCC Car Park and also to alert the CPO in advance of any events that would be taking place at the premises. The Applicant should also consider employing a Car Park Attendant at all events/functions when attendance could be in excess of fifty to supervise parking and safety of visitors to the premises. After six months, and subject to the assessment and monitoring of the uses, the Authority would then consider whether permanent permission would be granted after the consideration of the CPO's Report.</p> <p>Resolution: The application for Proposed Change of Use from Dwelling House and Storage Building to Tavern was approved with conditions for six months as recommended by the CPO. After six months and subject to the assessment and monitoring of the uses, the Authority would then consider whether permanent permission would be granted after consideration of the CPO's Report. A Decision Notice to be issued.</p>	<p>CPO</p>
<p>8)</p>	<p>Application 2020/80 – Proposed Alterations to the Existing House and Loft Extensions – Near Harlyn, Half Tree Hollow – Craig Scipio</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. The application is to extend the property through loft conversion that would also entail alterations to the ground floor of the existing house. A Spiral Staircase is proposed in the Storage Room that adjoins the Garage where it would lead into the new first floor in the Loft. In considering the impact on the amenity of the surrounding buildings it was noted there would be no loss of light or privacy in respect of</p>	

	<p>the neighbouring properties. The proposed development would enhance the quality of the landscape. It meets the aims of the LDCP policies and could therefore be supported. The comments received from Connect St Helena were noted.</p> <p>Resolution: The application for Proposed Alterations to the Existing House and Loft Extensions was approved with conditions as recommended by the PO. A Decision Notice is to be issued.</p>	<p>PO</p>
<p>9)</p>	<p>Application 2020/81 – Proposed Construction of a Three Bedroom, Split Level Dwelling – Near Ropery Field, Longwood – Sherilee Thomas and Stephen O’Connor</p> <p>The PO presented this application. The site falls within the Intermediate Zone and is not affected by any conservation area designation. The application is to construct a Three Bedroom Dwelling. It is proposed to cut an Access Road from the Existing Track. In considering the impact of the proposal, it would not detract from the amenity of the area. It will enhance the quality of the landscape and would meet the aims of the LDCP policies and could therefore be supported.</p> <p>Resolution: The application for Proposed Construction of a Three Bedroom, Split Level Dwelling was approved with conditions as recommended by the PO. A Decision Notice is to be issued.</p>	<p>PO</p>
<p>10)</p>	<p>Application 2020/82 – Proposed Siting of an Oil Storage Unit – Donkey Plain, New Ground – St Helena Government</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The application is to site a Unit on the northern side of the Plot where a section of the Existing Fence would be removed. This is in order to achieve access for the site excavation as well as permanent access to the Unit. The purpose for the Siting of this Unit is to comply with requirements of Regulations that would allow the storing of large quantities of Lubricants on site. No diesel or petrol would be stored within this Unit. The proposal would have some visual impact on the landscape but the positioning of the Unit would have the least intrusive impact compared to siting it on a higher level. The area consists of Industrial and Commercial Users and is considered not to be detrimental to the general area.</p> <p>The proposal is in compliance with the policies. The proposed development is consistent with the area and there would be no adverse impact on the surrounding area as a result of this development.</p> <p>The comments received from Connect St Helena and Sure were noted where a condition would be placed in respect of the existing infrastructure. It was</p>	

	<p>further noted that no comments were received from the Fire Service but they would be consulted in respect of the Building Regulations submission.</p> <p>Resolution: The application for Proposed Siting of an Oil Storage Unit was approved with conditions as recommended by the PO. A Decision Notice is to be issued.</p>	PO
11)	<p>Application 2020/83 _ Proposed Extensions to Existing House to form a Patio, Lounge and Garage – Barren Ground, Blue Hill – Sharon George</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The application is to construct a Garage on the Eastern Gable End, a Lounge and Laundry Room on the Western Elevation and a Patio/Covered Area on the North Elevation. Currently, there is an Existing Slab where the proposed Lounge is to be constructed. The proposal would not detract from the appearance of the Existing Building and would not affect the amenity of the surrounding properties. It meets the aims of the LDCP policies and could therefore be supported.</p> <p>Resolution: The application for Proposed Extensions to Existing House to form a Patio, Lounge and garage was approved with conditions as recommended by the PO. A Decision Notice is to be issued.</p>	PO

9. Approvals by CPO under Delegated Powers

<p>The following Development Application was dealt with under Delegated Powers by the Chief Planning Officer.</p>	
1)	<p>Application 2020/85</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Construction of a Garage – Location : Near MTB’s Shop, Half Tree Hollow – Applicant : Diana Benjamin – Official : Shane Williams, PO (authorised by Ismail Mohammed, CPO) – Status : Approved on 16 November 2020

10. Minor Variations Approved by CPO

<p>The following Two 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.</p>	
1)	<p>Application 2020/62/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To enlarge the Ground Floor Storage Room by 1m x 1m

	<ul style="list-style-type: none"> – Location : Alarm Forest – Applicant : Gavin Benjamin – Official : Ismail Mohammed, CPO – Approved : 30 October 2020
2)	<p>Application 2020/40/MV2:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To have the First Floor Balcony labelled ‘Patio’ cantilevered therefore omitting stanchions and supporting beams on the Ground and First Floor, addition of a Doorway on the First Floor of the South East elevation of the building and to omit the West elevation windows in both Bedrooms, enlarge the remaining Windows in the Bedrooms to 1.8m to allow for sufficient lighting and natural ventilation <ul style="list-style-type: none"> – Location : Clay Gut – Applicant : Reginald Williams – Official : Ismail Mohammed, CPO – Approved : 17 November 2020

11. Strategic Planning Matters

1)	<p>Rupert’s Valley Development Plan</p> <p>The CPO reported that there has been no further progress since reporting at the last meeting.</p>
2)	<p>Conservation Area Management Plan</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>
3)	<p>LDCP Review</p> <p>The CPO reported that no further progress has been made. He had met with the Chairperson of the Review Committee to discuss one chapter of the LDCP and he is also working with the Director of ENRP. The CPO said that he was told by the Director that he must concentrate fully on the review of the LDCP and not to work on any development applications. It was highlighted that in Office there are only the CPO and PO. Of note also is that the application for the road widening and the upgrade of Field Road and Side Path Road had taken up a lot of the CPO’s time.</p>

12. Any Other Business

There were no further business to discuss.

13. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 13 January 2021.

The Chairperson thanked Members for their attendance. The meeting closed at 13.50hrs.

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

Chairperson to the LDCA

Date