



St Helena
Government

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 4 November 2020
Time : 10 am
Venue : The Council Chamber, Castle, 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 Four 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. Confirmation of Minutes of 8 October 2020

The Minutes of meeting of 8 October 2020 were confirmed and signed by the Chairperson.

4. Matters Arising from Minutes of 8 October 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.

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 still had concerns. This would be reviewed as part of the LDCP.

Other Reports – Briars Development – 2017/08

The CPO reported that he had commenced drafting the Press Release setting out what is required for the submission of planning applications and also the process to be followed once the application has been approved.

5. Building Control Activities/Update

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

6. Current Planning Applications

LDCA Members were given a list of current development applications. There were 31 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 31 applications are manageable.

7. Applications for LDCA Determination

1)	<p>Application 2020/46 – Proposed Covered Area – The Consulate Hotel, Jamestown – Hazel Wilmot</p> <p>The CPO presented this application. The site falls within the Intermediate Zone and the Jamestown Conservation Area. The Building is listed as Grade 1. The application is to cover the upper Garden at the rear with a steel framed structure to create a Pavilion extending the sitting out area of the Hotel, Restaurant and the Café use. The structure would measure 11.35m by 6.93m with hipped roof that would be of IBR metal sheets. The proposed structure is to provide protection from the weather. There was one Representation.</p> <p>The proposal is simple in its design and given its location at the rear of the Consulate Hotel that has been altered over the years with a number of</p>	
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	<p>developments and alterations associated with its use, it is considered to be acceptable in terms of its design and use of material. The proposal is also considered to respect the changing character of the rear section within the curtilage of this listed building and can be supported.</p> <p>Mr Andrew Pearce was allowed to speak in support of the objection that were received from the St Helena Heritage Society.</p> <p>The applicant also spoke in support of the application.</p> <p>Resolution: The application for a Proposed Covered Area was approved with conditions as recommended by the CPO. A Decision Notice to issue.</p>	<p>CPO</p>
<p>2)</p>	<p>Application 2020/53 – Proposed Construction of a Double Storey, Two Bedroom Dwelling – Near Coleman’s Tower, Sapper Way – Dianne and James Venning</p> <p>The PO presented this application. The site falls within the Intermediate Zone and has no Conservation Area Restrictions. The application is to create a service road from the main road of Sapper Way towards the vicinity of the proposed development site. The road that would be of gravel finish would be constructed to serve this proposed development and also the demarcated plot to the South. There would be the loss of some trees as a result of the development. Once access has been established, it is proposed to cut access onto the site and a level platform being created for the dwelling. There would be an embankment of 3.5m at the centre of the site, the steepest section would measure 4 – 4.5m on the south western corner. The Dwelling would be constructed on the western side of the site platform.</p> <p>Site visits were undertaken where it was ascertained that the parcels of land may not be suitable for house developments as the proximity of the development to Coleman’s Tower might adversely impact the setting of the Tower, a number of trees being lost as a result of the proposed development and the proposed development would interfere with the continuity of single developments on this particular side of the road. This was addressed with the developer on the occasion of the second site visit. The applicant still wanted to proceed with the application so some changes to the design and additional information were requested. It was recommended that the applicant submit a Design and Access Statement as a result of the concerns raised and how they would be addressed.</p> <p>There was one Representation from Mr Andrew Pearce.</p>	

	<p>Mr Pearce addressed the Authority in support of the objection that was submitted by the St Helena Heritage Society, emphasising the potential impact to the listed Tower and its setting due to the proposed development.</p> <p>The Applicants also addressed the Authority setting out their case for the development.</p> <p>It was highlighted that there would be excavation works that could cause potential damage to Coleman’s Tower. It was stressed that there should be a watching brief and this should be one of the conditions if the application is approved. To combat the impact and the damage that could be caused to the Tower, a Construction Management Statement should be provided to take into account the development application about to be received for the adjacent site that could also have an impact on the listed Tower. Thus, it would be appropriate to collaborate the two developments, subject to the approval of the development on the adjacent site, to minimise disturbance to the Tower due to vibrations caused by the excavation.</p> <p>Following discussion, it was agreed that a site visit should be arranged to review the potential impact on the Tower. The Authority however were content to approve subject to a site visit being undertaken on 9 November 2020 to ascertain the conditions that should be imposed.</p> <p>Mr Andrew Pearce asked if a member of the Heritage Society could attend the site visit. This could not be entertained.</p>	
<p>3)</p>	<p>Application 2020/49 – Proposed Construction of a One Bedroom, Two Storey Flat – Red Hill, St Pauls – Stephen McDaniel</p> <p>The CPO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions but sits close to the Green Heartland Zone. The application is to form an access road from Sapper Way to the cleared area and Construct a Two Storey, One Bedroom Dwelling at the eastern end of the access track. A number of discussions were held with the applicant in respect of this proposal before the submission of the development application. The main issues relates to the need to remove a number of trees to create the access track and also the location would not provide a suitable living accommodation. The site is very narrow with a considerable bank to the road. It was considered by the Applicant that the access track requiring removal of some small trees would not harm the local landscape and the track would be of sufficient width to meet access</p>	

	<p>requirements for a single dwelling. Following these discussions, there had been no change to the plan.</p> <p>It was noted that there would be no issues with regard to the visibility of the development from High Knoll as there are many more buildings that are prominent and more visible in the landscape. This proposed building would be concealed amongst the trees around the site. There is no immediate impact on the landscape of Green Heartland as the site sits low down and is not easily visible due to surrounding trees and other vegetation.</p> <p>There was one Representation.</p> <p>Mr Andrew Pearce spoke in support of the objection received from the Heritage Society.</p> <p>One Member questioned as to how low down the site would sit in the landscape as concern was raised on the visibility of the proposed dwelling and if there is anyway it can be mitigated. It was noted that the visibility in that area is quite restricted. Following discussion, the Authority were content to approve subject to a site visit being undertaken on 9 November 2020 to ascertain if further conditions should be imposed particularly with regard to landscaping.</p> <p>Resolution: The Authority were content to approve the application for Proposed Construction of a One Bedroom, Two Storey Flat with Conditions as recommended by the PO and any further conditions as a result of the site visit. A Decision Notice to be issued.</p>	<p>PO</p>
<p>4)</p>	<p>Application 2020/64 – Proposed Road Improvements (Widening of Existing Road) – Ebony Cottage, Plantation Square – Cambrian Properties Ltd</p> <p>The PO presented this application. The site falls within the Green Heartland Zone with no Conservation Area Restrictions. The application is to widen a section of road approximately 1.5m for a length measuring 30m, being a result of a steep approach angle and corner that does not allow sufficient space for safe negotiation of the sharp bend. It was noted that the applicant and the Roads Section had carried out a site visit where it was concluded that the widening of the road would be the best solution. There would not be any obstruction to the road leading to the Polytunnels. The Authority noted condition 5 of the Handling Report.</p>	

	<p>Resolution: The application for a Proposed Road Improvements (Widening of Existing Road) was approved with conditions as recommended by the PO. A Decision Notice to issue.</p>	<p>PO</p>
<p>5)</p>	<p>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</p> <p>The CPO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The application is to erect a Prefabricated Steel Building on the Eastern side of the Redhill Treatment Plant Depot. The proposal would also include an Access Track to the lower area and Construction of a Concrete Base in which to place the Steel Building. It is proposed that there would be planting and vegetation on the eastern edge to reduce the impact of the proposed development in the landscape. It was noted that in November 2019, development permission was granted for the Construction of Two Prefabricated Steel Buildings; originally the application was for three Steel Buildings but because there was a concern with the location of the third Building, the Applicant was asked to re-consider this due to the potential impact of the development on the landscape. It was therefore deleted from the original proposal. The proposed Building would sit on the eastern boundary and would sit quite considerably low down.</p> <p>The Authority was advised that a number of discussions were held with the Applicant to consider alternative options for additional buildings to be located on the site but having reviewed the facilities on the Depot, it was felt that there was insufficient space within the site boundary for additional buildings except for extending the depot facilities on the eastern side of the boundary. The potential impact of the proposed development in the landscape is an issue that needed to be addressed and the solution would be through planting to screen the building.</p> <p>There was one representation. Mr Andrew Pearce spoke in support of the objection received from the Heritage Society.</p> <p>A question was asked whether the Applicant had other sites where additional development could be accommodated.</p> <p>Following discussion, the Authority deferred decision on this application and advised that a site visit to assess the potential impact should be included in the 9 November visits to other sites.</p>	

	<p>The Authority also requested that confirmation be sought in respect of the boundary that Connect St Helena Ltd has at Red Hill and to ascertain if they have the relevant permission to develop outside of the boundary line and to clarify whether they have implemented those conditions from previous approved applications.</p>	<p>CPO</p>
<p>6)</p>	<p>Application 2020/65 – Proposed Renewal of Development Permission 2015/86 (Construction of a Three Bedroom Dwelling) – Near the Ex Rifle Range, Half Tree Hollow – Cliff Richards</p> <p>The PO presented this application. The application is the same and is seeking renewal of the previous approved full development permission where approval was given on 4 September 2015. The development permission had expired hence the reason for this application. It was noted that no representations were received from stakeholders and the public when the application was approved in 2015. Since the approval in 2015, a minor variation was approved to lower the height of the apex of the development thus changing from 4.7m to 4.2m.</p> <p>A Representation was received from the owner of a neighbouring property requesting that a condition be included that would restrict excavation works within the hours of 8 am to 4 pm, Mondays to Fridays. It was not felt necessary to include a condition to restrict hours of construction as it is not considered to be an issue as construction is usually self-built and only takes place during hours of light.</p> <p>It was questioned as to whether the Applicant would be taking full responsibility for the road but it was stated that Crown Estates would be having an easement drawn up in respect of new Terms and Conditions and until this is sorted the Applicant cannot start developing.</p> <p>Resolution: The application for Proposed Renewal of Development Permission 2015/86 (Construction of a Three Bedroom Dwelling) was approved as recommended by the PO. A Decision Notice to issue</p>	<p>PO</p>
<p>7)</p>	<p>Application 2020/66 – Proposed Demolition of Existing Single Garage and Construction of a Double Garage – Wood Vale, Blue Hill – Gillian A Francis</p> <p>The PO presented this application. The site falls within the Green Heartland Zone with no Conservation Area Restrictions. It was noted that the application is being considered on its merit and in light of material consideration. The application is to demolish the Existing Garage south of the driveway. Excavation works would then be undertaken to create a level platform 9m x 9m to allow Construction of the Double Garage. It was also</p>	

	<p>noted that the proposed development would not be seen from the street scene. The Members, while supporting this application advised that the colour of the wall be the same as the Existing Dwelling. In view of the justification provided for the material consideration to depart from the Green Heartland Zone and in accordance with policy GH2, the application would have to be referred to Governor-in-Council for final determination.</p> <p>Resolution: The application for Proposed Demolition of Existing Single Garage and Construction of a Double Garage was supported by the Authority, subject to an advisory to take into the account the colour of the Garage. To be reported to Governor-in-Council for final determination.</p>	<p>PO</p>
<p>8)</p>	<p>Application 2019/44 – Proposed Extension to form a Double Storey Extension to the Existing House to form a 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 PO presented this application. The site falls within the Intermediate Zone with no Conservation Area restrictions. It was noted that this application came before the Authority with a recommendation to refuse in September 2019, due to the design and the scale of the proposed Two Storey Extension not complying with the objectives of policy 1Z1 (a) and (b) in terms of scale, layout and proportion of the proposed development not being coherent with the original building. The Authority however deferred decision on the development application and requested that the Planning Officer negotiate an alternative design for the proposed extension.</p> <p>Discussions have been held with the Applicant and a site visit was also undertaken to review the constraints and opportunities for an alternative extension option. The view of the Applicant remains the same as he felt it was not possible to improve the proposed design of the extension due to the restrictions and constraints of the site.</p> <p>The Authority felt that the Garage were not possible due to the closeness to overhead power lines and this would not meet the requirement of the policy. An alternative suggestion was that the proposed Extension could be of a Dormer Roof Style so that the height of the proposed Extension would not be as high as that of a second Storey and would therefore reduce the visual impact.</p> <p>The alternative suggestions were not favoured by the Applicant and wished for the Authority to further consider the original proposal. In view of the</p>	

<p>efforts that were made by the Planning Officers in negotiating an alternative design and whilst concern remains in respect of the design, it was considered by the PO, that whilst accepting the design of the proposed extension is not ideal, due to the physical constraints of the site, the members was asked to consider this as an exception. The extension would not be duly visible in the landscape and it was recommended by the CPO that the application be approved. It was stressed that careful consideration must be given when asking for exceptions. It was further stressed that low voltage lines should not be sitting over any development. It was also questioned whether permission was granted for the construction of the Garages. This should be clarified and if it was ascertained that no permission was given, then the matter should be addressed.</p> <p>The Authority had concerns with the recommendation of the CPO and considered that the proposed design was an issue and there should be no exception. The proposed design of the extension does not respect the character of the building and is over powering for the original building and therefore contrary to the objectives of the Policy IZ.1 (a), (b) in the scale, layout and proportions of the proposed development are not coherent with the original building.</p> <p>Resolution: The application for Proposed Extension to form a Double Storey Extension to the Existing House to form a Bedroom with En-suite and Balcony, Dining Room, Patio, Utility Room and Walk in Wardrobe was refused as it is contrary to Policy IZ.1(a) and (b). A Decision Notice to issue.</p>	<p>PO</p>
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8. Approvals by CPO under Delegated Powers

<p>The following Two Development Applications were dealt with under Delegated Powers by the Chief Planning Officer.</p>	
<p>1)</p>	<p>Application 2020/67</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Construction of a Garage – Location : Bushes Hollow, Horse Pasture – Applicant : Graham Lane – Official : Shane Williams, PO (authorised by Ismail Mohammed, CPO) – Status : Approved on 7 October 2020

2)	<p>Application 2020/72</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Construction of a Garage – Location : Near Harlyn, Half Tree Hollow – Applicant : Craig Scipio – Official : Shane Williams, PO (authorised by Ismail Mohammed, CPO) – Status : Approved on 23 October 2020
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9. Minor Variations Approved by CPO

The following Three 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.

1)	<p>Application 2020/20/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To form a Temporary Access Track to the Top Platform during construction period – Location : Clay Gut – Applicant : Reginald Williams – Official : Ismail Mohammed, CPO – Approved : 2 October 2020
2)	<p>Application 2019/87/MV2:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To replace Master Bedroom Window with a Slide Door as well as add a Single Window in the Utility Room – Location : Alarm Forest – Applicant : Scott Stander – Official : Ismail Mohammed, CPO – Approved : 12 October 2020
3)	<p>Application 2019/22/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To construct an En-suite on the South Eastern Bedroom – Location : Ladder Hill – Applicant : Shelley Henry – Official : Ismail Mohammed, CPO – Approved : 12 October 2020

10. Discharge of Condition by CPO

The following Condition was discharged under Delegated Powers by the Chief Planning Officer.

1)	Application 2020/62: <ul style="list-style-type: none">– Requested : Discharge of Condition– Proposal : Detailing the Existing Tree Line as well as Boundary Treatment in the form of a proposed Stone Wall on the Northern Boundary and D-Block Wall along the excavated embankment at the rear of the Property– Location : Alarm Forest– Applicant : Gavin Benjamin– Official : Ismail Mohammed, CPO– Approved : 14 October 2020
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11. Strategic Planning Matters

1)	Rupert's Valley Development Plan <p>The CPO reported that there has been no further progress since reporting at the last meeting.</p>
2)	Conservation Area Management Plan <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)	LDCP Review <p>The CPO reported that he had made some progress with the LDCP. He has dealt with Five Chapters and is proceeding with the other chapters over the next few weeks. The CPO stressed that due to workload currently experiencing in Planning, he was not able to complete the review in the time that he said he would. The CPO further reported that every effort would be made for its completion. It was noted that the Director of ENRP is assisting with this.</p>

12. Any Other Business

White Hill, Levelwood

One Member expressed concern in respect of the Advert that was placed in the Independent for 23 October 2020. This was the notice of Environmental Impact Assessment for a Space Park at White Hill, Levelwood. The Member stressed that there should be the use of more modern reference points so that it defines the location of the site. It was further stressed that whilst there is a new GPS Map in operation, co-ordinates should be included in all development application correspondence. The CPO reported that the Planning Section was not consulted on the advertisement of this consultation.

13. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 2 December 2020.

The Chairperson thanked Members for their attendance. The meeting closed at 13.05hrs.

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

Chairperson to the LDCA

Date