



St Helena
Government

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 6 April 2022
Time : 10 am
Venue : The St Helena Community College Main Hall, Jamestown

Present	Mrs Ethel Yon OBE	Chairperson
	Mr Paul Hickling	Deputy Chair
	Mr Ralph Peters	Member
	Mr Gavin George	Member
	Mr Gerald Yon	Member
	Mr Lawson Henry	Member
	Mr Shane Williams	Chief Planning Officer (Acting)
	Mr Paul Scipio	Planning Officer (PO)
	Mrs Karen Isaac	Secretary
	Miss Kaylee O'dean-Piek	Administration Assistant
Absent	Mr Ronald Scanes	Member

Also in Attendance Six Members of the public, including Applicants

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 2 March 2022

The Minutes of meeting of 2 March 2022 were confirmed and signed by the Chairperson.

4. Matters Arising from Minutes of 2 March 2022

Application 2021/45 – Construction of a Three Bedroom Dwelling – Head O’Wain – Marjorie and David Harding

The Application was supported by the LDCA on 2 February 2022. CPO, Ag to prepare cover note for the next Governor-in- Council meeting. It was noted that there was no definitive date as to when the Application would be presented to Governor-in-Council. This was deemed unacceptable. The Chairperson to speak with the Clerk of Councils on the matter.

ACTION: CP/CPO, Ag

Application 2021/93 – Demolition of Existing House and Construction of a Two Storey Dwelling – Barracks Square, Jamestown – Neil George

The Application was presented to the LDCA on 2 February 2022. It was recommended by the CPO, Ag that a site visit be carried out to establish what potential impact the proposed development would have on the setting of Barracks Square, before a decision is made. A site visit was carried out and concerns were expressed on the foundation support. A question was also asked whether it would be advisable for the Applicant to seek engineering advice, but it was pointed out that this would be dealt with through Building Regulations. The CP would go on site to have a look. The CPO, Ag advised that he had discussed the matter of concern with the Draughtsman who undertook to relay to the Applicant. In view of the concern raised, the Applicant was advised to submit revised plans for consideration.

ACTION: CPO, Ag upon receipt of revised plans

Application 2021/95 – Installation of Security Gates – The Marine Centre, the Wharf, Jamestown – Marine Section, ENRP, SHG

The Application was supported by the LDCA but the CPO, Ag was advised that he should first check if any conditions were put in place when approval was given for the Security Fencing. The CPO, Ag however said that no conditions were made regarding the Security Fencing. The CPO, Ag to prepare a cover note for the next Governor-in-Council meeting.

ACTION: CPO, Ag

Rupert’s Valley Development Plan

The Chairperson reported that no progress had been made by the Director, ENRP due to work constraints. This would now be left for the new CPO to deal with. The Chair would ensure that this item is given priority.

ACTION: New CPO

Application 2021/79 – Construction of a Workshop, Office, Carpentry Shop and Store Room – Ruperts – Adrian Duncan

The Application was supported by the LDCA on 6 October 2021 and presented to Executive Council, but was deferred by the Ministers. The CPO, Ag reported that a site visit to Rupert’s were carried out by the Ministers. The Ministers expressed concern regarding alternative access

road at the back of Rupert's Valley. LDCA was also made aware that the Ministers were looking at amending some conditions which were recommended by the former CPO and supported by LDCA, but at this point in time the CPO, Ag could not enlighten the Authority what these amendments were. The Ministers had also expressed concerns with regard to the Bulk Fuel Installation, but it was pointed out that the Fire Service did not have any objection to the proposal. It was noted that the CPO, Ag was preparing a cover note for Governor-in-Council but no definitive date had yet been set for this application to be presented to Governor-in-Council.

Directives from Governor in Council to the Chief Planning Officer

It was noted that the Lawyer (Aldhem Garner) was in process of amending the Directions to CPO for consideration.

Application 2022/01 – Restoration of Existing Roof – Castle Gardens, Jamestown – Paul Gunnell

Following discussion, the Authority noted that this Application would fall under the new directions to CPO dated 21 February 2022 (section 3 d) and would therefore have to be presented to Governor-in-Council. As there was some difference of opinion on this the CPO, Ag was asked to seek clarity on the matter. Clarity were sought from the Minister of ENRP and it was ascertained that this application did not fall under the directions to CPO. Decision Notice issued. No further action required.

Application 2022/02 – Installation of Photovoltaic Panels – Bishopsholme, St Pauls – Diocese of St Helena

Following discussion, the Authority highlighted that the Application could fall under the new directions to CPO dated 21 February 2022 and requested that the CPO, Ag seek clarity on this. Clarity were sought from the Minister of ENRP and it was ascertained that this application would need to be presented to Governor-in-Council as it is a listed building.

Food Vendors

A member enquired what was happening with the Food Caravan near the General Hospital as the person responsible was now doing car valeting. The CPO, Ag had followed this up with the Minister of SS&HA who advised that he would check what permission was given by the previous Highways Authority. He would report back the outcome at the next LDCA meeting.

COP 26

In response to a question asked by a member with regard to Cop 26, the CPO, Ag asked what exactly he was required to discuss with the Director of ENRP. He was advised to find out from the Director, any strategies that are to be implemented as a result of the Conference by the Portfolio that would be directed through Planning policy/legislation.

LDCP

It was highlighted that before the LDCP is finalised, a paragraph should be included to take into account landscaping and vegetation. The CPO, Ag advised that this had been followed up.

Paul Scipio– Part-time Worker

Mr Scipio advised that his appointment as PO in Planning would expire at the end of April. He asked the Authority if they were happy for him to carry on drawing plans whilst still being employed by SHG. The Authority felt that while there would not be any objection in principle to this, it would not be appropriate for him to then present Applications to LDCA for approval. It was suggested that the PO discuss the matter with the Director of ENRP. The Chairperson would also discuss with the Portfolio Director the possibility of Mr Scipio’s appointment being extended.

5. Building Control Activities

LDCA Members were given a list of Building Control Activities for the month of February 2022 for their information.

6. Current Planning Applications

LDCA Members were given a list of current Development Applications. There were 16 applications awaiting determination at the time of preparing the Agenda. The Chairperson thanked the Planning Staff for this.

7. Applications for LDCA Determination

1)	<p>Application 2022/06 – Change of Windows and Doors to UPVC – Fairhaven, Jamestown – Belinda Bennett</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>One Representation was received.</p> <p>Following discussion, the Authority highlighted the need for the Windows to be set back from the outside wall and also to install them in exactly the same place. The Authority supported the recommendation of the CPO, Ag subject to this condition. As the building is listed one within the Crallan Report, the application would have to be referred to Governor in Council for final determination.</p> <p>Resolution: The Application for Change of Windows and Doors to UPVC was supported by the LDCA. Their comment would be reported to Governor-in-Council for final determination.</p>	CPO, Ag
2)	<p>Application 2022/07 – Installation of Handrail – Baptist Chapel, Market Street, Jamestown – Baptist Church</p>	

	<p>PO presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>One Representation was received.</p> <p>The Applicant was allowed to speak.</p> <p>Following discussion, the Authority questioned the distance from the horizontal point but the PO advised that the Rail would not be flush. It was also questioned whether there were any other options available on the type of material to be used. It was however highlighted that the proposed material would match what was already in existence. The choice of material and its colour should be conditioned to this effect. The Authority supported the recommendation of the PO subject to an added condition to take into account the choice and colour of material to be used. As the building is listed within the Crallen Report, the application would have to be referred to Governor-in-Council for final determination.</p> <p>Resolution: The application for Installation of Handrail was supported by the LDCA. Their comment would be reported to Governor-in-Council for final determination.</p>	<p>CPO, Ag/PO</p>
<p>3)</p>	<p>Application 2022/03 – Construction of a Two Bedroom Dwelling and Garage – Rupert’s Valley – Deon Maggott</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended refusal as the proposal failed to comply with policy CZ.3 f as its design did not demonstrate a coherent form with any other development within 250m in terms of its form, proportion, scale, details and external materials. Also it failed to comply with policy H.3 as it did not comply wholly with policy CZ.3 and therefore development permission could not therefore be granted.</p> <p>The applicant was allowed to speak.</p> <p>Following discussion, the Authority did not support the recommendation of the CPO, Ag. One member stated that economic development should be encouraged and that refusal at this stage was unacceptable. It was recommended that the Planning Officer should first discuss options/alternatives with the Applicant. It was agreed to defer the application to allow the Applicant to explore other options and concepts with</p>	

	<p>the Planning Staff for consideration of the LDCA. It was mentioned that a flat external cladding would be better than IBR cladding.</p> <p>Resolution: The Application for Construction of a Two Bedroom Dwelling and Garage was deferred to allow the Applicant to explore and discuss other options with the CPO, Ag.</p>	CPO, Ag
4)	<p>Application 2022/09 – Construction of a Four Bedroom Dwelling – Cleughs Plain – Alex Adams</p> <p>PO presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Following discussion, the Authority approved the proposed Development subject to the Applicant constructing a Retaining Wall before construction of the proposed development.</p> <p>Resolution: The application for construction of a Four Bedroom Dwelling was approved with conditions as recommended by the PO with an added condition to take account of the Retaining Wall. A Decision Notice to issue.</p>	PO
5)	<p>Application 2022/11 – Laydown Area for Containers, Materials and Equipment – Bunkers Hill, Alarm Forest – Nigel George</p> <p>The CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Following discussion, the Authority approved the proposed development. It was noted that the land sits outside of the CDA. It was pleasing to see that matters were progressing in respect of the application.</p> <p>Resolution: The application for a Laydown Area for Containers, Materials and Equipment was approved with conditions as recommended by the CPO, Ag. A Decision Notice to issue.</p>	CPO, Ag

8. Approvals by CPO, Ag/PO under Delegated Powers: NIL

9. Minor Variations Approved by CPO, Ag

The following Development Application were approved as Minor Variation by the CPO, Ag. As is normal practice, key Stakeholders are approached when and where needed for Minor Variation Evaluation.

1)	<p>Application 2020/89/MV2:</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : An addition of Window in Storage Room on the western elevation. This is in respect of the Construction of a Double Storey One Bedroom Dwelling that was approved on 31 March 2021. – Location : Near Coleman’s Tower, Sapper Way – Applicant : Paul Loosley – Official : Shane Williams, CPO, Ag – Approved : 15 March 2022
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10. Revocation of Condition by CPO, Ag

The CPO, Ag advised that he had received a letter from the Agent (Mr Peter Constantine) relating to application 2021/94 – Construction of a Two Bedroom Dwelling at Barren Ground for Melanie Richards for a revocation of Condition 3 of Decision Notice. The Authority was told of the contents of the letter the CPO, Ag received. The CPO, Ag did not feel that Condition 3 should be waived. The Authority asked that the Planning Officers speak to the Agent on a way forward. It was highlighted that the issue is the height of the embankment and the impact of visual scarring. It was felt that the Planning Officers could look at an alternative proposal and come up with a recommendation to modify the condition. The Authority agreed to defer a decision on the matter to enable a site visit to be carried out and then back to LDCA for consideration. The Secretary to arrange.

11. Strategic Planning Matters

1)	<p>Rupert’s Valley Development Plan</p> <p>The Chairperson informed the meeting that this item had been passed to the Director, ENRP to action, as the former CPO regrettably took no action, but due to work load, it had proved difficult for the Director to progress. This would now be a priority for the new CPO when he arrives on Island.</p>
2)	<p>Conservation Area Management Plan</p> <p>On hold. To continue as an item on the Agenda until finalised.</p>
3)	<p>LDCP Review</p> <p>On hold until the arrival of the CPO.</p>

11. Any Other Business

Application 2020/87 – Rehabilitation of Field and Side Path Roads.

The CPO, Ag advised that there are ongoing issues with regards to the R2 project for the rehabilitation of Side Path Road. He highlighted that works carried out as a result of a collapsed wall were not in accordance with the Construction Management Plan (CMP). It was noted that the Programme Management Unit (PMU) did not consult with Planning on this particular matter. The Planning Section therefore contacted the PMU regarding the issue. A response was provided, the contents of which were shared with the LDCA. Following discussion, Members felt that the Minister should be alerted on this and to ask for an investigation to be undertaken. The CPO, Ag to prepare first draft of a report to the Minister which should be shared with all members of the LDCA.

12. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 4 May 2022.

The Chairperson thanked Members for their attendance. The meeting closed at 11.40hrs.

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

Chairperson to the LDCA

Date