



St Helena
Government

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 1 June 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 Ronald Scanes	Member
	Mr Gavin George	Member
	Mr Ralph Peters	Member
	Mr Lawson Henry	Member
	Mr Robert Thornhill	Head of Planning & Building Control
	Mr Shane Williams	Chief Planning Officer, Ag
	Mr Paul Scipio	Planning Officer
	Mrs Karen Isaac	Secretary
	Miss Kaylee O'dean-Piek	Administration Assistant
Apologies	Mr Gerald Yon	Member

Also in Attendance Five Members of the public, including Applicants

1. Attendance and Welcome

The Chairperson welcomed all present with a special welcome to Mr Robert Thornhill, the new Head of Planning & Building Control & substantive Chief Planning Officer, and thanked Members for attending.

2. Declarations of Interest

Member, Mr Lawson Henry declared his interest in respect of Application 2022/25 and PO, Mr Paul Scipio in respect of application 2022/28.

3. Confirmation of Minutes of 4 May 2022

The Minutes of meeting of 4 May 2022 were confirmed and signed by the Chairperson.

4. Matters Arising from Minutes of 4 May 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 was advised by the Minister to proceed with the preparation of the cover note for presentation at the next Governor-in- Council meeting scheduled for end of June 2022.

ACTION: 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. As recommended by the CPO, Ag, a site visit was carried out on 2 February 2022 to establish what potential impact the proposed development would have on the setting of Barracks Square, before a decision was made. From the site visit, grave concern was expressed on the foundation support and, as such, whether it would be advisable for the Applicant to seek engineering advice. It was pointed out however by the CPO, Ag that the latter would be dealt with through Building Regulations. The CPO, Ag informed Members that he had discussed the concerns with the Applicant’s Draughtsman who agreed to relay the concerns raised to the Applicant. The CPO, Ag advised that the Application would be prepared in readiness for August LDCA meeting.

ACTION: CPO, Ag

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

The Application was supported by the LDCA on 2 February 2022. The CPO, Ag had been advised by the Minister that the application was anticipated to be presented to Governor-in-Council in early May 2022. However, this is now subject to revision of the new Directions to CPO of 22 February 2022. However, as there appeared to be some uncertainty of 3(d), the Minister had advised that she would have further discussions to ascertain what was intended. The CPO, Ag advised that he had a meeting with the Minister on 31 May 2022 and it was hoped that a decision would be taken soon to amend the new Directions to the CPO.

Rupert’s Valley Development Plan

This would now be dealt with by the new CPO who would ensure early attention is given to the matter.

ACTION: CPO

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

The CPO, Ag had been advised by the Minister that the Application had been put on hold pending further revision of the new directions to the CPO.

Food Vendors

A member enquired the position regarding 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 should speak to the Police as this is a matter for them. The CPO, Ag said he would arrange a meeting to discuss and would report back at the next LDCA meeting.

ACTION: CPO, Ag

COP 26

In response to a question asked by a member with regard to Cop 26, the CPO, Ag advised that he had a brief discussion with the Director, ENRP concerning the implementation of Climate Change. The Director advised that they are currently reviewing their assets and buildings on how to become more environmentally friendly. An example that already had been implemented are the installation of sun tubes and photovoltaic panels on the Scotland Offices building. To be kept in view.

LDCP

This would be progressed by the CPO and before finalisation, a paragraph should be included to take into account landscaping and vegetation.

Application 2022/06 – Change of Windows and Doors to UPVC – Fairhaven, Jamestown – Belinda Bennett

The CPO, Ag advised that the Application had been put on hold pending the revised new directions to the CPO.

Application 2022/07 – Installation of Handrail – Baptist Church, Jamestown – Baptist Church

The CPO, Ag advised that the Application had been put on hold pending the revised new directions to the CPO.

Application 2021/94 – Revocation of Condition 3 of Decision Notice – Melanie Richards

Revocation of Condition 3 of Decision Notice - Application 2021/94 – Construction of a Two Bedroom Dwelling – Barren Ground – Melanie Richards

A site visit was carried out and it was felt that the excavation works that were undertaken did not prove to be adversely affected from a distance. On site it was noted that vegetation had already grown on the affected area. The Authority was therefore content to revoke condition 3 attached to application 2021/94 but requested that a condition be included for the Applicant to

submit details on the trimming of the top of the top section of the embankment and proposals for landscaping of the area for approval by the CPO.

ACTION: CPO, Ag

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

The CPO, Ag had advised the Authority of works being undertaken that were not in accordance with the Construction Management Plan. Following discussion, the CPO, Ag was advised to prepare a draft letter to PMU about this non-observance and to let members have sight of it before despatch. The CPO, Ag advised that he is in process of finalising the draft letter.

ACTION: CPO, Ag

Unauthorised development – Cleughs Plain – Delray McDaniel

It was noted that Ms McDaniel had failed to submit a retrospective application in the time given. However, drawings were now received and would be checked by the planning staff.

ACTION: To be followed up by the CPO, Ag and the CPO.

Excavation Works – Near Young’s Valley – Owner, Delray McDaniel

It was noted that a site visit was carried out by the CPO, Ag to the area with the Developer who advised that permission was given to displace rocks in the area. A survey of the excavated area was now required and once this had been done, the findings should be reported to Planning for follow-up action.

Excavation works – Near Youngs’s Valley – Owner, Belfred McDaniel

A site visit was carried out by the CPO, Ag to the area and it was established that the excavation works had undermined the bank. Mr McDaniel said that he would put right the problem. The CPO, Ag said he would discuss with AG’s Chambers on a way forward.

ACTION: CPO, Ag in conjunction with Mr McDaniel

Application 2021/77 – Construction of a New Car Park – Maldivia - Deviations from approved plans – PMU

The CPO, Ag had met with Mr Garner in the AG’s Chambers to discuss the matter. This would now be discussed with the new Chief Planning Officer to determine a way forward.

5. Building Control Activities

LDCA Members were given a list of Building Control Activities for the month of April 2022 for their information which they found to be useful.

6. Current Planning Applications

LDCA Members were given a list of current Development Applications. There were 11 applications awaiting determination at the time of preparing the Agenda to which it was noted that the number of outstanding applications were reducing significantly.

7. Applications for LDCA Determination

1)	<p>Application 2022/21 – Siting of Desalination Plant, Water Storage Tanks, Laying of Water Feed and Brine Pipe, Installation of Beach Well and Construction of a Timber Cabin – Near Donny’s Bar. The Moat, Jamestown - C. E J Van Zon</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Mr Andrew Pearce was given permission to speak.</p> <p>The Applicant was given permission to speak.</p> <p>One member highlighted that this location within the Moat floods very badly and questioned the installation of having a Beach Well in this area which was likely to cause severe devastation. Also concern was expressed whether the Well would undermine the walls of the Moat. The CPO, Ag said advice had been sought from SHG’s Engineer to the effect that a minimum of 1m distance away from the walls would be recommended. It was noted that the development could not be seen from the top of the Moat, only the staircase would be visible. It was felt that the staircase gate should be kept locked when not in use by the Operator and that it should be freestanding so as not to cause any reliance on the wall. Also, it appeared from the photographs presented, there might be a possibility that the reinforced steel joists supporting the bridge could be deteriorating, and that there should be some checks and maintenance carried out. It was felt that if development permission is granted, there should be a condition or advisory to have the site reinstated if the business fails. The Planning Section to prepare appropriate safeguards in respect of the concerns raised.</p> <p>Resolution: The Application for Siting of Desalination Plant, Water Storage Tanks, Laying of Water Feed and Brine Pipe, Installation of Beach Well and Construction of a Timber Cabin was supported by the LDCA subject to additional conditions/advisories to take account of the concerns raised. The Application is within 50 metres of the sea and would therefore need to be presented to Governor-in-Council for final determination.</p>	
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	ACTION: CPO, Ag	
2)	<p>Application 2022/22 – Construction of a Two Bedroom Dwelling – Upper Cleughs Plain – Melvyn Nandy</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Following discussion, it was highlighted that a lot of thought had been put into the design of the development and the Authority was happy to approve.</p> <p>Resolution: The application for Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the CPO, Ag. A Decision Notice to issue.</p> <p>ACTION: CPO, Ag</p>	
3)	<p>Application 2022/23 – Installation of Photovoltaic Panels – Benji’s Store, Upper Jamestown – Deborah and Alan Benjamin</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Mr Andrew Pearce was given permission to speak.</p> <p>The Applicant was given permission to speak.</p> <p>Following discussion, It was noted that the roof is shallow so the panels would not be readily visible. It was agreed that the small part of the roof that would not be covered by the panels, should be painted dark slate grey to minimize the impact of the panels.</p> <p>Resolution: The Application for Installation of Photovoltaic Panels was approved with conditions as recommended by the CPO, Ag subject to an added condition to take account of the strips of Roof that would not be covered by the Panels. A Decision Notice to issue.</p> <p>ACTION: CPO, Ag</p>	
4)	<p>Application 2022/24 – Extensions to Existing House and Change of Roof – Near High Knoll, Half Tree Hollow – Samara Leo</p>	

	<p>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 recognised that the proposal would enhance the functionality and appearance of the property, and approved the application.</p> <p>Resolution: The Application for Extensions to Existing House and Change of Roof was approved with conditions as recommended by the CPO, Ag. A Decision Notice to issue.</p> <p>ACTION: CPO, Ag</p>	
5)	<p>Application 2022/25 – Construction of a Two Bedroom Dwelling – Levelwood – Christianna Knipe</p> <p>Member, Mr Lawson Henry who had declared his interest in the item of business remained at the table but did not take part in any discussion or decision.</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Resolution: The application for Construction of a Two Bedroom Dwelling was approved with conditions as recommended by the CPO, Ag. A Decision Notice to issue.</p> <p>ACTION: CPO, Ag</p>	
6)	<p>Application 2022/26 – Construction of a Two Bedroom Dwelling – Upper Cleughs Plain – Nicole Peters</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>It was noted that following excavation of the development site, the approved design could not fit on the site platform. Members were content with the improved revised design, and that the concerns highlighted by the CPO, Ag had been addressed.</p>	

	<p>Resolution: The application for Construction of a Two Bedroom Dwelling was approved with Conditions as recommended by the CPO, Ag. A Decision Notice to issue.</p> <p>ACTION: CPO, Ag</p>	
7)	<p>Application 2022/27 – Alterations and Extensions to Existing House – Ruperts valley – Kayleigh Crowie</p> <p>PO presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>Resolution: The Application for Alterations and Extensions to Existing House was approved with conditions as recommended by the PO. A Decision Notice to issue.</p> <p>ACTION: PO</p>	
8)	<p>Application 2022/28 – Extensions to Merrimen’s Fun Park (Formation of Pedestrian Ring Road, Boot Camp, Market, Catering and Fun Park Games Stalls and Extension to Go-Kart Track, Decking and Fence Line – Merrimen’s Forest, St Pauls – Craig and Paul Scipio</p> <p>PO, Mr Paul Scipio who had declared his interest in the item of business left the table and did not take part in any discussion or decision.</p> <p>CPO, Ag presented the application, outlining the main issues for consideration as detailed in the “Handling Report” and recommended approval.</p> <p>The Applicant was given permission to speak.</p> <p>Following discussion, it was noted that the development would be carried out within the current boundary of the Fun Park. The proposed development would not cause any adverse impact on existing amenities. Whilst it was noted that the original application did not go to Governor-in-Council, this application would need to on the basis of not complying with policy GH.2. Members felt that policy GH2 should be looked at and amended whilst the CPO is reviewing the LDCP. The Authority supported the recommendation to the Governor-in-Council for final determination in accordance with section 23(2) of the LDCP policy.</p> <p>Resolution: The Application for Extensions to Merrimen’s Fun Park (Formation of Pedestrian Ring Road, Boot Camp, Market, Catering and Fun</p>	

	<p>Park Games Stalls and Extension to Go-Kart Track, Decking and Fence Line was supported by the LDCA. To be presented to Governor-in-Council for final determination.</p> <p>ACTION: CPO, Ag</p>	
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8. Approvals by CPO, Ag/PO under Delegated Powers:

<p>The following Development Application were dealt with under Delegated Powers by the CPO, Ag /PO.</p>		
1)	<p>Application 2022/20:</p> <ul style="list-style-type: none"> – Requested : Full Development Permission – Proposal : Construction of a Garage – Location : Sandy Bay – Applicant : Alvin Henry – Official : Paul Scipio, PO (authorised by Shane Williams, CPO, Ag) – Approved : 25 May 2022 	

9. Minor Variations Approved by CPO, Ag:

<p>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.</p>		
1)	<p>Application 2020/87/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To Change from Bituminous Road Surface to Concrete Road Surface. This is in respect of R2 Roads Project – Side Path Road that was approved on 3 February 2020 – Location : Side Path Road – Applicant : Capital Programme Section, SHG – Official : Shane Williams, CPO, Ag – Approved : 3 May 2022 	

10. Strategic Planning Matters

1)	<p>Rupert’s Valley Development Plan</p> <p>This was discussed under matters arising. To be progressed by the CPO.</p>
2)	<p>Conservation Area Management Plan</p> <p>On hold. To continue as an item on the Agenda until finalised.</p>

3)	LDCP Review This was discussed under matters arising. This is a priority for the CPO to deal.
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11. Any Other Business

Deputy Chair, Mr Paul Hickling advised that he will be going off island and will not be here for the July and August LDCA meetings.

12. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 6 July 2022.

The Chairperson thanked Members for their attendance. The meeting closed at 1210 Hrs.

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

Chairperson to the LDCA

Date