

MINUTES

Land Development Control Authority Meeting

Date : Thursday, 12th September 2024
Time : 10 am
Venue : St Helena Community College Main Hall, Jamestown

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| Present | Mrs Ethel Yon OBE | Chairperson joined meeting at 11.35 hrs |
| | Mr Gavin George | Member |
| | Mr Lawson Henry | Member |
| | Mr Ronald Scanes | Member |
| | Mr Ian Gough | Member |
| | Ms Patricia Coyle | Head of Planning & Building Control (HoP&BC)/Chief Planning Officer (CPO) |
| | Mr Shane Williams | Senior Planning Officer (SPO) |
| | Miss Petra Joshua | Planning Officer (PO) |
| | Mrs Karen Isaac | Secretary |
| | | |
| Apologies | Mr Paul Hickling | Deputy Chair (Sick) |
| | Mr Gerald Yon | Member (Overseas leave) |

Also in attendance:

One member of the public (Applicant)

1. Attendance and Welcome

Member Mr Gavin George chaired the meeting until the Chairperson returned from another engagement. The Member welcomed all present and thanked Members for their attendance.

2. Declarations of Interest

There were no Declarations of Interest to declare.

3. Confirmation of Minutes of 1 August 2024

The minutes of 1 August LDCA meeting were confirmed and signed by the Chairperson as a true record of the meeting.

4. Matters Arising from Minutes of 1 August 2024

Application 2024/13 – Installation of Fence (Retrospective Application) – the Coffee Shop, Jamestown: Jill Bolton

The Application was recommended for refusal by the LDCA on 17 June 2024. It was noted that GIC agreed the recommendation of refusal at its meeting on 23 July 2024. CPO advised that she has until 22 October 2024 to engage with the Applicant and depending on the outcome, enforcement action might have to proceed. The matter is in progress.

ACTION: CPO

Application 2023/55 - Unauthorised Development – Cleughs Plain: Delray McDaniel

The SPO advised that a new Application had been received and is awaiting payment for the Application to be registered.

ACTION: SPO

Amenity Notice AI2024/02 - Works at the Jamestown Swimming Pool

The SPO to obtain something in writing from the Property Section on the concerns raised about the top part of the Swimming Pool Wall. The works specified in the Amenity Notice had been undertaken and it was suggested that Members might wish to view the works that had been done. It was noted that someone might be arriving on island to assess the concerns raised with regard to the ingress on the top part of the Swimming Pool Wall.

ACTION: SPO

Proactive approach to development applications

The Authority were provided with a paper on public awareness releases. The releases to include new developments and out buildings. There were nothing further to report.

ACTION: CPO

5. Building Control Activities

Members were provided with a paper on the activities for the month of August 2024.

6. Current Planning Applications

Members were provided with an updated paper on current applications. It was noted that there were 11 applications awaiting determination: 1 awaiting Governor-in-Council decision, 1 awaiting registration and 9 to be assessed.

7. Applications for LDCA Determination

1) Application 2024/23 – Construction of a 3 Bedroom, Split Level Dwelling – Clay Gut: Rawena Delaney

CPO presented and gave an outline of the Application.

Development permission had been granted previously for a split level, two bedroom dwelling at this site (development approval 2020/32) and it remained live up until 14 July 2025 and represents a “fall back” position if the current application is not granted approval.

The site is located in the New Ground Registration Section. The area falls within the Intermediate Zone and has no Conservation Area restrictions. It is sited to the North of 2 other plots and would use the same access road, whilst 2 being joint users of the proposed drainage system.

The CPO gave an assessment of her findings and concluded that the design creates an appearance similar to those of neighbouring properties in terms of siting, scale, proportion, details and external materials thus complying with the Housing Policy and could be supported.

Following discussion, one Member noted that from the site plan it shows that the soakaway is to be connected to the communal system and it was questioned as to whether this was correct. The CPO advised that there is a concern regarding the communal system or the other connection, meanwhile a septic tank and soakaway is proposed, however a percolation test would be required to determine the design and dimensions of either a traditional soakaway or drainage field. The requirement would be the subject of a condition to be approved by the CPO.

Resolution: The Application was approved with conditions as outlined in the Handling Report. Decision Notice to issue.

2) Application 2024/28 – Installation of Safety Railings – The Run Footpath, adjacent to the Duke of Edinburgh Playground, Jamestown: Programme Management Unit, EDIP, St Helena Government

PO presented and gave an outline of the Application.

The site where the safety railings are proposed to be installed is situated to the rear of existing buildings located in The Run area in the mid-section of Jamestown, south of the Bridge and is within the Intermediate Zone and Jamestown Historic Conservation Area.

The Application site links two areas of Trees preserved under the Tree Protection Ordinance (TPO) No. 1 of 2015 at the Duke of Edinburgh Playground.

The PO gave an assessment of her findings and concluded that the proposal would not result in any harm to the amenity of the area and could be supported on the basis that it complies with the Intermediate Zone, Built Heritage and Road and Transport policies.

The Agent was given permission at the meeting to speak.

In discussion, it was questioned as to whether the new fencing would continue on from the existing fencing near to the start of the footpath, just south of the Bridge and adjacent to the steps that lead up to the Duke of Edinburgh Playground. A further question was asked as to whether the residents of the multi storey flats (Harris Flats) nearer the centre of town would benefit from the newly installed safety railings. The Agent explained that although the proposal would not reach the residents of the multi-storey flats (Harris Flats), it is based on the highest number of recorded incidents in that particular area. However, the Agent continued to state that it is recognised that there is a need for safety railings in other areas of The Run footpath, but the current proposal is all that funding would allow at present and other areas could be considered in future.

Resolution: The Application was approved with conditions as outlined in the Handling Report. Decision Notice to issue.

3) Application 2024/29 – Construction of Disabled Access Ramps – The St Helena Community College, Jamestown: Programme Management Unit, EDIP, St Helena Government

CPO presented and gave an outline of the Application.

This plot is located within the mixed use area of Jamestown, where it is designated within the Intermediate Zone and the Jamestown Historic Conservation area.

Both Pilling School (to the south) and the Wall to Market Street (to the west) are Listed Grade III and the property to the north across Seale's Corner (road) is Grade II. Other buildings which are listed lies on the opposite side of Market Street, including the Baptist Chapel, Grade I, the Manse – Grade III and 4 Grade III Cottages/Houses.

The proposed development is for two disabled access ramps to give improved access for wheelchair and other ambulant disabled people to the St Helena Community College/Education Learning Centre. This would involve the provision of ramps with railings to the northern building, both of which are located in the Conservation Area.

It would provide public access to the building which provides training sessions.

The CPO gave an assessment and concluded that the proposed ramps would not be generally visible outside the application site due to their location behind surrounding boundary walls. It was not considered that the proposal would result in any harm to the locality or the special character and appearance of the Jamestown Historic Conservation area nor to the setting of the surrounding Listed Buildings.

Following discussion, the proposal was agreed with a focus on ensuring safety in high risk areas. The discussion also highlighted the need for compliance with Building Regulations regarding the construction of the access ramps to public buildings. It was noted that the proposed changes to the original design were made to ensure that the necessary standards for safety and accessibility were met.

Resolution: The Application was approved with conditions as outlined in the Handling Report. Decision Notice to issue.

4) Application 2024/30 – Construction of a 2 Bedroom Dwelling– Nr Longwood Gate, Longwood: Craig and Lauren Williams

SPO presented and gave an outline of the Application.

The site is within the residential area, west of the Jehovahs Witness Kingdom Hall, Longwood and is designated within the Intermediate Zone, with no Conservation Area restrictions.

The SPO gave an assessment and concluded that overall, the design being coherent within itself was considered acceptable within the location where the necessary services could be provided. The proposed use is for residential development and would not adversely impact the amenity of the area.

Following discussion, members did not have any queries or concerns and gave its approval.

Resolution: The Application was approved with conditions as outlined in the Handling Report. Decision Notice to issue.

5) Application 2024/33 – Installation of Electric Vehicle (EV) Charger for a period of 4 months – Museum Car Park, Jamestown: Jeremy Hart Ltd

SPO presented and gave an outline of the Application.

The proposal is to install a single freestanding Electric Vehicle (EV) charging unit within the Museum Car Park for a period of four months. The purpose of the proposal is to support a media initiative focusing on creating content that showcases the charging and usage of Electric Vehicles. A small Concrete Pad would be constructed for the Unit to be sited on. The electricity supply would be managed through trunking that would run behind the curbing to the Unit.

There are two locations that are being considered under separate development applications, however, only one unit would be installed at either location. The other location is for consideration under Agenda Item No. 6.

The SPO gave an assessment and concluded that the proposal complies with the relevant Intermediate Zone, Built Heritage and Energy policies, principles and the strategy of the LDCP.

Following discussion, Members agreed for the SPO to go back to the Applicant to ask them to reduce the number of bays requested for electric vehicle charging, indicating that if they chose not to comply, the Application would need to be revisited. The Members indicated a preference to refuse the Application based on the need for dedicated parking spaces for regular vehicles and suggested that the Application should be brought back for further decision if the Applicant refuse to reduce the number of bays to one as requested.

The discussion highlighted that the temporary infrastructure would have minimal visual impact and would comply with sustainable economic development strategies aimed at reducing pollution.

Resolution: The Application was approved with conditions as outlined in the Handling Report subject to negotiations between the Applicant and the SPO with regard to reducing the parking bays to one. Decision Notice to then be issued.

6) Application 2024/34 – Installation of Electric Vehicle (EV) Charger for a period of four months– the Arch Shop, Jamestown: Jeremy Hart Ltd

SPO presented and gave an outline of the Application.

The proposal is to install a single freestanding Electric Vehicle (EV) charging unit in front of the Arch Shop Car Park, Grand Parade for a period of four months. The purpose of the proposal is to support a media initiative focusing on creating content that showcases the charging and usage of an electric vehicle.

The SPO gave an assessment and concluded that the proposal complies with the relevant Intermediate Zone, Built Heritage and Energy policies, principles and the strategy of the LDCP.

Following discussion, Members were not happy with the location to where the proposal would sit due to parking issues. If approved, the parking bays would be left vacant for electric vehicles only, but that non EV's could also be using the parking bay if vacant, especially in the Grand Parade area. It was suggested that another location be explored. Mention was made of the loss of two parking bays during the festive season to which the proposal would be operating during this time. If the Members were mindful to approve, a condition could be placed on the specified operating times. It was wondered how that would be policed. The CPO said that the Planning Section could monitor and to determine if the developer was complying with the conditions. The application refers to a period of four months, but the applicant does not indicate when it would be removed but this could be conditioned. Mention was made that the Application should be refused on the basis

that it would be taking up unnecessary parking spaces on the Grand Parade. The CPO noted there is no specific policy in place to support this reason. It was voiced that the implementation for the proposal would be during the peak months where there would be a higher demand for parking spaces. This would require enforcement of parking regulations, emphasizing the need for checks to ensure that vehicles are parked according to the specified times, particularly for EV's. Members discussed the need to potentially install a time switch for EV charging to restrict electricity supply until designated charging hours, indicating a follow up on implementing the solution. A decision was made to condition the development to ensure that the EV charging point can only be used during specific hours (5 pm to 7 am) Monday to Saturday and 24 hours on a Sunday to manage general parking effectively.

Discussion took place on the compliance issues related to the enforcement of charging regulations for EVs, particularly the limitations on charging times and the implications of reserving parking spaces for EVs only during certain hours.

Resolution: The Application was approved with conditions as outlined in the Handling Report subject to negotiations between the Applicant and the SPO with regard to the limitation on the specific hours of charging and the charger to be removed at the end of the temporary period. The additional conditions to be forwarded to Member, Gavin George who chaired the meeting. Decision Notice could then be issued.

7) Application 2024/36 – Construction of a 3 Bedroom Dwelling – Pine Gate, Sandy Bay: Ian Stevens

CPO presented and gave an outline of the Application.

Development approval was given for application 2017/16 for the demolition of the existing dwelling and the construction of a three bedroom dwelling. During a visit by the Building Inspectors, it was noted that the proposed development had been part implemented but not in accordance with the approved details. This application seeks to rationalise the amendments prior to works recommencing. Notwithstanding this, the principle of development of a dwelling at the site remains acceptable.

The site is located to the Old Sandy Bay Clinic, overlooking the western slopes of Sandy Bay Valley and is within the Intermediate Zone.

The CPO gave an assessment and concluded that the proposal complies with the planning policies in terms of its siting, scale, layout, proportion, details and external material. The revisions include a higher excavation of 5m at the back of the property. While excavations greater than 3m are not normally permitted, the excavation was done some time ago and planting had already been established to the top section such that it would not appear as a jarring feature such that the proposed revisions to the previously approved scheme

would not negatively impact on the amenity of the area. There are no harmful impacts on neighbouring properties and could be supported.

Following discussion, Members were concerned about the 5m high excavation as it could set a precedent. The members reached a consensus that the proposed development is consistent with the previously approved plans, despite some concerns about site conditions and excavation steepness.

Resolution: The Application was approved with conditions as outlined in the Handling Report. Decision Notice to issue.

8) Application 2024/37 – Extension to Existing Covered Area – Seventh Day Adventist Church, Jamestown: Seventh Day Adventist Church

SPO presented and gave an outline of the Application.

The site is within the curtilage of what is known in the Crallen Report as the Seventh Day Adventist Welfare (including wall), a two storey building with the Chapel adjoining to the South, both of which are Listed Buildings at Grade III and of Group Value. It sits within the Intermediate Zone and the Jamestown Historic Conservation Area.

The SPO gave an assessment and said that the existing building is more modern than the Listed Building parts and is not currently visible from Market Street. The extension would measure approximately eight square metres and would utilise existing features such as the Wall to the North that would be tied in to the existing roof structure of the covered area. It would not protrude beyond the current ridge height. The extension would visually be seen from the Street area, however, it is limited in scale and set back behind the existing Garage. It would not be prominent or adversely impact the appearance of the building, the Listed Building or the setting of the Jamestown Historic Conservation Area. The use of the structure/buildings would remain the same. It would be inside the high boundary wall and would not impact on the neighbouring property to the North.

Following discussion, members did not have any queries or concerns and gave its approval.

Resolution: The Application was approved with conditions as outlined in the Handling Report. Decision Notice to issue.

The substantive Chairperson took over from the meeting at this point.

8. Strategic Planning Matters

Jamestown Conservation Management Plan (JCMP)

There was nothing further to report on this matter. An update from the visit of the Commonwealth Heritage Forum (CHF) was expected this month (September 2024). As

advised previously, the JCMP would be progressed by the CPO following finalisation of the Land Development Control Plan, should no offer be made by the CHF to assist with this work.

Land Development Control Plan Review

This item is being progressed by the CPO. The CPO is working through background and evidence based assessment, strategy and overarching policies relating to the LDCP review and is being tasked with creating a timetable that would include time with the Minister and the Portfolio Director of ENRP. It was mentioned that normally there would be the creation of an overarching policy followed by a strategy but it was felt that it would be acceptable to bring the both forward together. The CPO said that she did not at this point and time have a definitive time table.

9. Any Other Business

The Chair took the opportunity of welcoming back Member, Lawson Henry who was not at the meeting of the 1 August due to illness and also to PO, Petra Joshua on her return from holiday overseas.

Application 2024/31 – Change of Use of Barn View into Houses of Multiple Occupation (HMO) – Longwood: Property Division, C/o Gina Henry

It was noted that the Application had been deferred until 3 October 2024. Revisions had been requested.

Application 2024/18 – Electrical Box affixed to external Wall of Rickmers – Jamestown: Phil Yon

It was noted that the power unit that was affixed to Rickmers Building had been removed and was now affixed on the Ex PWD Store Building. One Member advised that he had received an email before the start of the meeting (12 September 2024). A question was asked if this move would require planning permission. To be investigated by the Planning Section.

ACTION: Planning Section

Application 2023/54 – Construction of a 2 Bedroom, Split Level Dwelling – Young's Valley: Belfred McDaniel

The Senior Planning Officer (SPO) mentioned that the Developer was supposed to have constructed a Gabion Wall within 3 months of the decision made in May 2024 but had not complied with the condition in ensuring stability of the embankment and that the proposed development do not adversely impact the existing and neighbouring amenity.

It was recommended by the SPO, and agreed by the Members, that the Developer should be given one month's notice to comply with the condition as 3 months had already been given to do so.

ACTION: SPO

Promotion

The Chair and Members acknowledged the promotion of Shane Williams to SPO and his upcoming degree course and expressed their support and encouragement for his new journey.

10. Next Meeting

The next meeting is scheduled for Thursday, 3 October 2024.

The Chairperson thanked members for attending and to Member, Gavin George for chairing part of the meeting. The meeting closed 12.25 Hrs.

Chairperson to the LDCA

Date