

Planning Officer's Report - LDCA MARCH 2020

APPLICATION	2020/06 – Erection of a Sign (2m x 1m)
PERMISSION SOUGHT	Permission in Full
REGISTERED	21 st January 2020
APPLICANT	Craig Yon
PARCEL	JT010026
LOCALITY	Lower Wharf
LAND OWNER	Crown – Leased to Craig Yon
ZONE	Intermediate Zone
CONSERVATION AREA	Heritage Coast NCA (Listed Building- Grade III)
CURRENT USE	Dive Centre
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none"> ▪ Sentinel Newspaper on 23rd January 2020 ▪ A site notice displayed in accordance with Regulations.
EXPIRY	6 th February 2020
REPRESENTATIONS	None Received
DECISION ROUTE	Delegated / LDCA/ EXCO

A. CONSULTATION FEEDBACK

1. Water Division	No Objection
2. Sewerage Division	No Objection
3. Energy Division	No Response
4. Fire & Rescue	No Response
5. Roads Section	No Objection
6. Heritage	Objection - Comments
7. Environmental Management	No Response
8. Public Health	No Response
9. ANRD	No Response
10. Crown Estates	No Response

11. Police Services	Not Consulted
12. Aerodrome Safe Guarding	Not Consulted
13. Enterprise St Helena	No Objection
14. National Trust	Objection – Comments

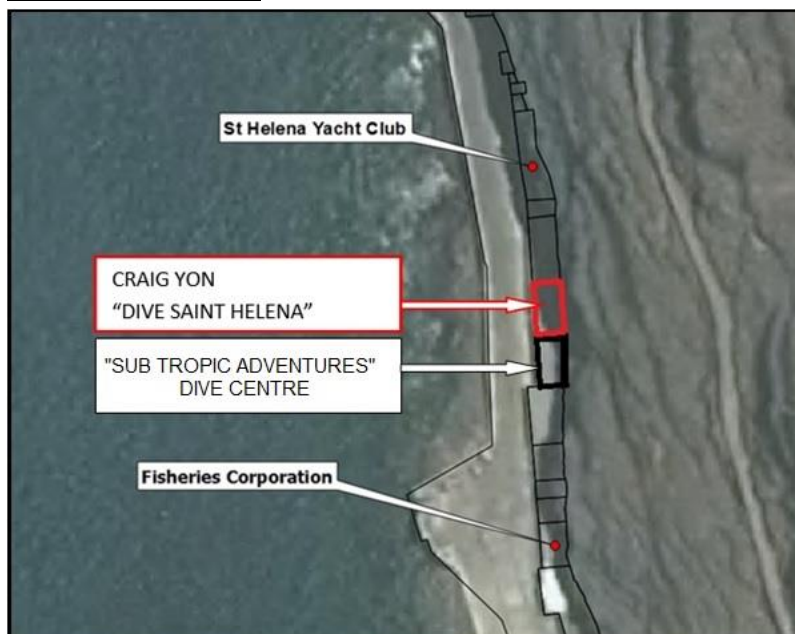
B. DEVELOPMENT DETAILS SUMMARY

This is a retrospective application seeking permission to retain the advertisement sign for the Scuba Diving business erected on the front elevation of a grade 3 listed building at James Bay. The application building is adjacent to another scuba dive business premises, “Sub Tropic Adventures”. The sign is 2000 x 1000mm, located left of the main door and above window. There is no alignment with neither the door nor window or any other building feature. The advertisement sign was erected over 15 months ago, following permission granted to the adjacent premises.

C. PLANNING OFFICER’S APPRAISAL

Location: The building is located in the Lower wharf area of James Bay fronting the ocean and is in the Jamestown registration Section. It is within the Intermediate Zone and is in the Heritage Coast Historic Conservation Area, where relevant Intermediate Zone and Built Heritage policies apply. The building is currently used as a dive Centre, and is next to similar scuba diving business “Sub Tropic Dive Adventures”. Both buildings are similar in their design and appearance, however due the upward slope of wharf level, the application property looks a little shorter in its height than the adjoining building.

Diagram 1: Locality



The building is a single storey stone structure and is Grade III Listed and holds Group Value within the Crallen Report.

Proposed: This retrospective application is to retain the advertisement sign erected on the front of the Grade 3 listed building that is constructed as a warehouse and advertising the Scuba Diving business operating from the premises. The proposed sign is timber framed 2000 x 1000mm, with a painted flat surface, located to the left of the main door and over the window.

Diagram 2: The Installed Sign



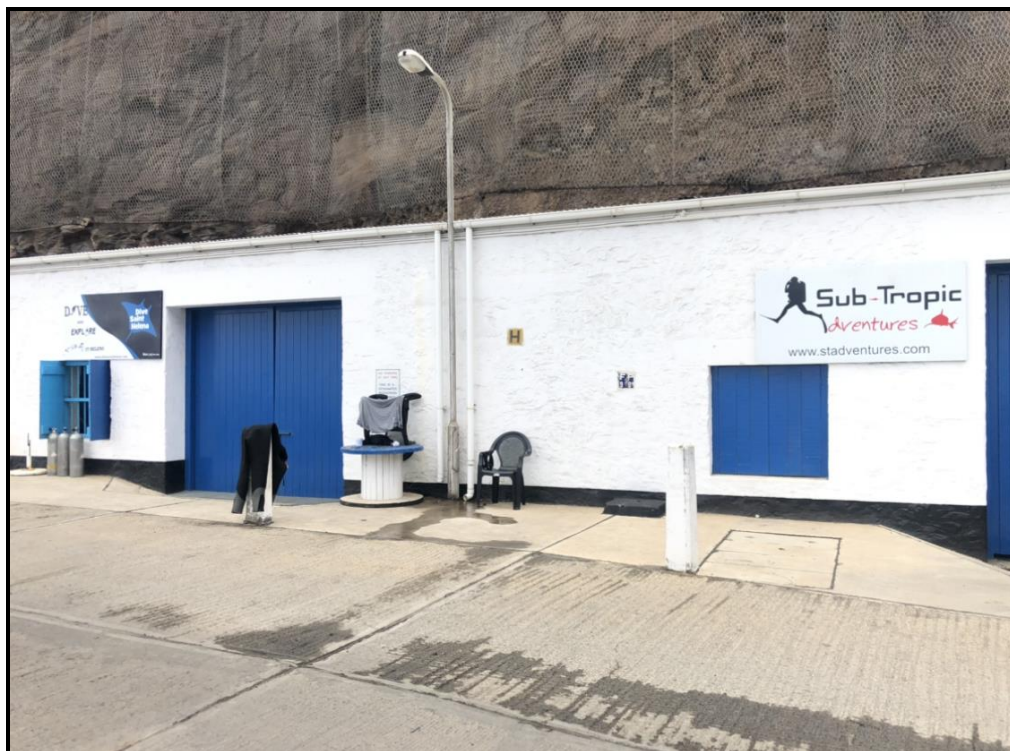
Diagram 3: Position of Sign



Background and Assessment: The adjacent property was granted permission for the erection of the advertisement sign (2m x 1m) for a period of three years on 25th September 2018 following the decision on the report made to LDCA at its meeting in September 2018, application reference 2018/63. The permission was subject to a condition stating that: “The sign must be installed as such to be aligned with the architectural feature of the elevation or be placed symmetrically on that elevation.” As the application premises is adjacent to this premises where development permission has previously been granted for the erection of advertisement sign it is considered that this application should be assessed and considered having regards to the previous decision of the Authority. The advertisement sign erected at the application premises is of similar dimensions on a building frontage that is identical in all aspects of its design, details, construction and colour scheme, albeit the application premises appears to be slightly shorter in its height.

The erection of the advertisement sign on the adjacent premises may be considered to be in compliance with the condition. The issues of concern is that advertisement sign was already made prior to permission being granted and given the dimensions of the sign, the position of erection of the sign was probably the most acceptable position.

Diagram 4: Proposed Sign in Relation to Existing Adjacent Sign



The occupier of the application premise has in many ways copied the consent of the development permission on the adjacent premises and has had the advertise sign of similar dimension made and erected in a similar position without development permission. Whilst the advertisement sign has been erected without development

permission, which is unlawful and it has taken considerable time to get the occupier of the premises to submit the development application, the main issue for consideration is whether the advertisement should be allowed to remain and given that businesses need to advertise their service could alternative position for the erection of the sign be more appropriate and/or more appropriate dimension for the advertisement sign be better for this building. In assessment with adjacent premises, the advertisement sign had already been made but not erected and it was agreed that it could be erected and was granted development permission.

Whilst these buildings are listed, more for their group value, these commercial warehouse buildings are of very simple design and construction with wide openings of solid wooden doors and simple square shaped window and very shallow mono roof that is almost flat. There are no details of features around the door and window openings. Along the Wharf there number of older buildings that are more reflective of the Island's historic architecture and heritage, however many of these building are in poor condition. Most of the buildings along the James Wharf do not have any signage, but with changing nature and role of James Wharf, with transfer of all shipping and freight operation to Rupert's Wharf, this area has the potential for more recreation, leisure and tourism related activities and signage for the buildings and uses may become a feature for the buildings. In view of this, there is a need to take a more flexible approach for advertisement signage for the buildings and business usage.

REPRESENTATIONS

Two representations have been received during consultation on the proposed development from the Heritage Society and Saint Helena National Trust (STHNT).

Heritage Society: The representation raises concerns that some information regarding Grade III Listing of the building were not included on the consultation form; that the development application is seeking retrospective permission for the retention of the advertisement sign, the application must be forwarded to the Governor in Council for final decision, and whether there was any pre-planning consultation.

There is also concerns that the erected sign contravenes the LDCP policy for not being centrally positioned over a door or window and dimensions doesn't comply with policy either.

The representation also points out that the size and position of the sign on the adjacent building is identical to that of the application site and that while the application (2018/63) was approved by the LDCA in September 2018 the application was not passed to the Governor in Council for final permission as required. The representation request that action is considered for non-compliance of the advertisement sign on the adjacent building. The Heritage Society has submitted alternative design and position of the advertisement sign for the two buildings.

Saint Helena National Trust: The representation is concerned that the proposed advertisement signage affects Grade III listed buildings and the visual impact on the historic environment of the Wharf is given due consideration in respect of planning policy and law and that due process is pursued. It also point out that the current sign proposal, in terms of size and location on the front elevation of the building, does not comply for advertisements (including signage) laid out in the Land Planning and Development Control Ordinance, 2013, and attendant policy.

The representation recommends that the planning application (2020/07), a proposal for the Old Customs House, be considered in relation with this application for the cumulative impact to the historic wharf, which is recognized as a historic conservation area.

Officer Response: The Proposed Signage has been evaluated against the Advertisement Policy (Appendix 8 of the LDCP) and although it generally complies with the overall objectives of the Policy it should be noted that the policy aims to provide a steer and consistency in decision making and as highlighted in the policy, is “not hard and fast rules and there will be times when it is appropriate to depart from them.”

The development application is for an erection of advertisement sign on a commercial property on James Wharf with a very commercial and industrial environment. Whilst this is one of a number of buildings listed for their group value and within a historic conservation area, the buildings are of very simple design and construction with no architectural feature or details of note on the main elevation. The proposed advertisement sign is larger in its dimensions in assessment with the advice contained in the policy, however does not impinge upon any feature and detail on the building that has adverse visual impact on the building or the area generally.

The development application 2018/63 (Erection of advertisement sign of identical dimensions on the front elevation of the adjacent building was approved by the Land Development Control Authority in September 2018, thus making allowance for appropriate policy deviation.

Since 2016, approval has been given to new or renewal of signage on the following buildings, which exceed the recommended 400mm in height.

- The Standard – (Jamestown NCA) - 610mm
- The White Horse (Grade III & Jamestown NCA) - 780mm
- St Kebabees (Grade III & Jamestown NCA) – 500mm
- Rosie’s Bar & Restaurant (Heritage Coast NCA) – 1000mm

All the signs above vary in both design and size; even though they fall within an NCA or are positioned on a Listed Building.

The development application 2018/63 for the adjacent premises should have been reported to the Governor-in-Council for decision in accordance with the Section 23(1) of the Ordinance and the Direction dated 17th April 2014 (Section 3); “The development of any land covered by water or land within 50 metres of land covered by water.” It was considered and interpreted at the time by Interim Chief Planning Officer that the development application for the erection of the advertisement sign was not required to be reported to Governor-in-Council as it was not within the direction issued and being a minor application for advertisement sign that did not constitute development of land or building in its wider interpretation. Furthermore, the permission granted is for a temporary period only.

The development application 2020/07 will be considered on its merit. The assessment of the development application has regards to other development proposals in the area and will consider the cumulative impact of the development in the area.

POLICY CONSIDERATION

The proposed development is assessed against the Land Development Control Plan 2012 – 2022 (LDCP) Appendix 8: Advertisement Policy set out below:

A. Explanation

- 1) The purpose of a Planning Policy is to steer development, in this case the **display of signs and advertisements**, in a preferred direction and to ensure consistency in decision making. Policies are not hard and fast rules and there will be times when it is appropriate to depart from them; but once adopted they should be the starting point for decisions and, to achieve consistency, they should be adhered to unless there are clear and compelling reasons to the contrary in a particular case.

B. Policy

- 9) Avoid more Advertisements than are Necessary
- 10) Avoid Advertisements that are Larger or More Prominent than Necessary
- 11) Avoid Advertisements that do not Respect the Architecture of Buildings to which they relate

OFFICER ASSESSMENT

As outlined above, the Policy is there to ensure consistency in decision making while allowing some flexibility. In the case of application 2018/63 the Members considered that proposed advertisement sign in view of the details of the building and its

location and it was generally considered to be in compliance with the policy. The applicant erected the sign to align with the door opening to the left of the door and it sits above the window. The occupier of the application premises has copied the advertisement sign for the adjacent property and erected the advertisement sign to the left of the door opening and above the window. However, the application building is slightly shorter in height than the adjacent building, the advertisement sign protrude above the door opening.

Had the applicant sought advice from the Planning Service prior to the erection of the advertisement sign, the advice would have been to ensure it is narrower to align with the top of the door opening. Whilst there is breach of Land Planning and Development Control Ordinance as the development has been carried out without the benefit of development permission the occupier of the premises has now submitted development application since the issue was raised with the Planning Service and the occupier advised to submit the development application to regularise the advertisement sign as erected. The advertisement sign has already been erected on the front elevation of the application site for over fifteen months and it is considered that development permission be granted for a temporary period and should expire at the same time as the development permission expire for the adjacent property and development reference number 2018/63 on 25th September 2021. The Planning Service will work with the two business occupiers to formulate design for advertisement sign and position of erection which respects the character of the building and the area's historic designation.

It is also considered that as the permission granted is for a temporary period only, the development application is not required to be submitted to the Governor-in-Council for the formal approval in compliance with the direction issued by the Governor-in-Council in April 2014.

D. RECOMMENDATION: That Development Permission be **GRANTED** subject to the following Conditions:

- 1) Development Permission is granted for the retention of the advertisement sign as erected and shown on the drawings submitted with development application dated 20th January 2020 for period that will expire on 25th September 2021.
Reason: to regularise advertisement sign in accordance with Section 26 of the Land Planning and Development Control Ordinance 2013.
- 2) Development Permission for the Advertisement shall lapse on 25th September 2021 and the advertisement shall then be removed unless written approval is

obtained from the Chief Planning Officer on behalf of the Land Development Control Authority.

Reason: To accord with the provisions of the LDCP Policy on Advertisements.

- 3) No damaged shall be caused to the Listed Building or any of its architectural features during removal of the Sign and surface area of the elevation is made good.

Reason: to ensure preservation of the Listed Buildings and accord with LDCP Policies BH1, BH2 and BH3.

Note that the Authority shall reserve the right to use its Power to Require Conformity under Section 38 of the Land Planning and Development Control Ordinance, 2013, should it be deemed necessary.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.

Planning Officer's Report – LDCA MAY 2020

APPLICATION	2020/07 – Change of Use from Class B1 to Class A1 (Storage Warehouse to Fishmongers)
PERMISSION SOUGHT	Permission in Full
REGISTERED	21 st January 2020
APPLICANT	Andrew Yon
PARCEL	JT010017
SIZE	0.03 acres (143m ²)
LAND OWNER	Crown Estates
LOCALITY	Old Customs House, Lower Wharf, Jamestown
ZONE	Intermediate
CONSERVATION AREA	Heritage Coast
CURRENT USE	HMS Customs Store
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Sentinel Newspaper on 23rd January 2020▪ A site notice displayed in accordance with Regulations.
EXPIRY	6 th February 2020
PUBLIC REPRESENTATIONS	None Received
DECISION ROUTE	Delegated / LDCA / EXCO

E. CONSULTATION FEEDBACK

15. Sewage & Water Division	No Objection
16. Energy Division	No Objection – Application required for electricity
17. Fire & Rescue	No Response
18. Roads Section	No Objection
19. Property Division	No Response
20. Environmental Management	No Response
21. Public Health	No Objection – Comments

22. Agriculture & Natural Resources	No Response
23. St Helena Police Services	Not Consulted
24. Aerodrome Safe Guarding	Not Consulted
25. Enterprise St Helena (ESH)	No Objection
26. National Trust	Objection - Comments
27. Sure SA Ltd	No Objection – Comments
28. Heritage Society	Objection - Comments

F. PLANNING OFFICER’S APPRAISAL

The application site is situated within the Lower Wharf area of Jamestown. The building in question is the Old Customs House, which is a Grade II Listed Building and falls within the Intermediate Zone and proposed Heritage Coast Conservation Area.

Diagram 1: Location Plan



THE PROPOSAL

The request is to change the Old Customs House, currently vacant into a use as a Fishmongers operation. This activity will involve preparation of fish, as well as being a sales establishment. The applicant will provide customers with quality fresh seafood, consisting primarily of offering ground/reef fish varieties and crustaceans. The business will supply both individuals and restaurants. Currently there is not a consumer service offered on Island, and will not be in direction competition with any other business established to date.

Works to be undertaken to the building will consist of forming two rooms, a waiting area and prep area. This will involve the construction of two stud walls and a single door. The hand basin for washing and fish waste will be connected into a one cubic metre water tank, which will be situated on the outside of the building. In order to connect the line into the tank, a small hole will be created through the existing wall. The intention is to empty the tank on a daily basis, where it will be recycled as garden water.

Unfortunately due to issues with the drainage, the applicant cannot connect into the existing line. The proposed development also is to utilise the existing signage board and paint over with 'Happydays fishmongers TEL xxxx/xxxx' in Algerian font. The font will be 80mm in size.

Diagram 2: Proposed Works (Initial Drawing)

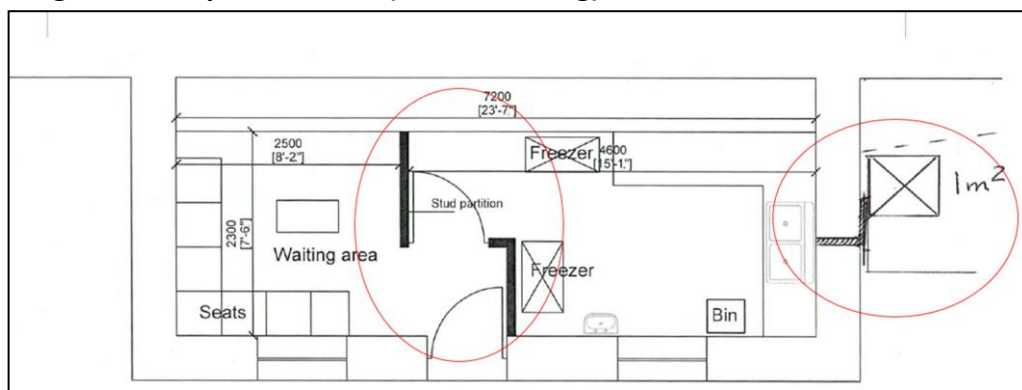


Diagram 3: Revised Drawing Correct Alignment of Windows & Door

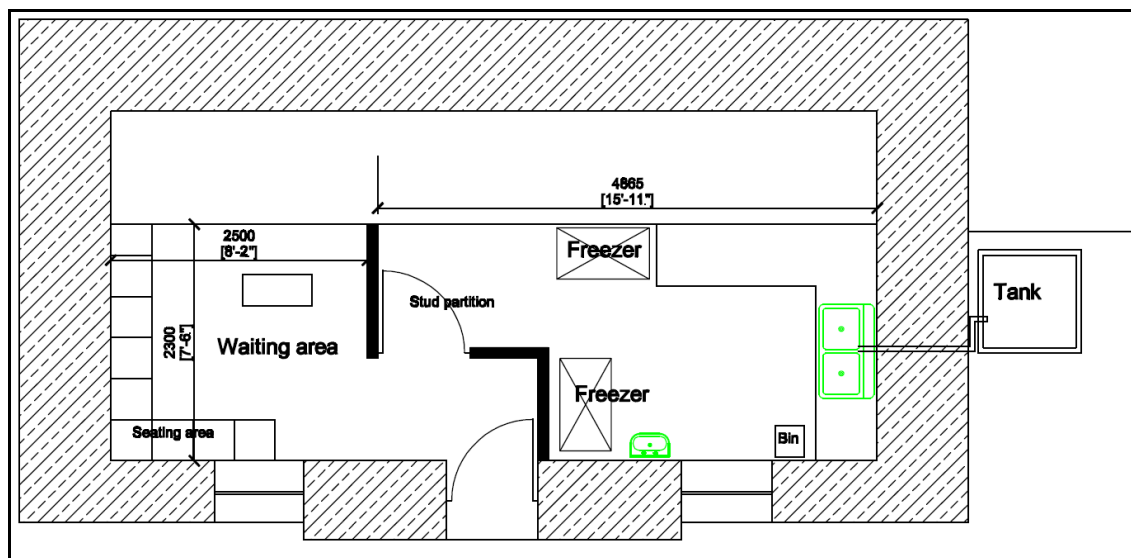
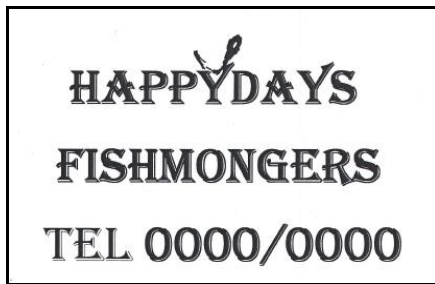


Diagram 4: Proposed Sign



STAKEHOLDER FEEDBACK

Public Health responded stating they had undertaken a site visit with the applicant and they have spoken to him with regards to the requirements to comply with Fish and Fish Products Ordinance/Regulations 2010/11. Furthermore they do not have any issues with the collection and disposal of waste away from the site (fish and water).

Sure SA Ltd has no issues with the temporary drainage solution. If a permanent solution is required, they have alerted that raised awareness of the underground cables crossing the front of this building if excavation works are required.

Heritage Society objected to the proposal, however stipulated the following:

- No objection to the change of use as it would relate to the general use of the Wharf, however this is on condition there are no changes to the fabric of the building and in particular any proposed changes to the windows or door.
- Plan does not properly represent the actual plan of the building.
- Lack of information regarding the advertisement and suggest that the lettering style should reflect the historic period of the building in accordance with the LDCP Advertisements Policy.
- The waste water collection tank outside the building is reserved for the highway and this area is part of the setting of the Listed Grade II building and would detract from it.
- Questioned whether the proposed use would be better suited for Freight Terminal based upon space and when the ship is in port.

National Trust does not object to the change of use, however has highlighted the current advertisement proposal does not comply with the policy, in terms of size and location on the building. With regards to the setting, the waste water tank will severely detract from the visual amenity.

OFFICERS RESPONSE

There will be no changes or alterations to the building, which will affect the existing walls, windows, doors or roof. Only the addition of stud wall partitions internally, which can be removed in the future.

Although the proposal will include a water collection tank on the outside of the building, this arrangement is a temporary one until a permanent solution is achieved with drainage. Currently as shown in diagram 3, a forklift occupies this area already detracting from the setting of this listed building as well as possibly causing damage to the external wall. Whilst the water tank is not ideal as a solution from a visual standpoint; in the interim period it may have a significant benefit of deterring wharf users from occupying this area for storing of machinery and pallets. With regards to the proposed signage, in hindsight it was not clear from the photograph provided of the exact location the sign would be. There is already an existing fascia board on the building and the proposal is inscribe the name and business details by painting over an existing signage board and this does not require development permission. This information was only provided for our information.

Nevertheless the proposed signage was assessed against the Advertisements Policy. Regarding the accuracy of the drawings. All internal measurements are correct, however it was found that the external features and wall thickness was not indicated correctly on the drawing. As a result of this, a revised drawing was requested and was found that there is no changes to the proposed design, therefore it was not deemed necessary to re-advertise for public consultation.

ADVERTISEMENTS POLICY

All business are permitted one sign on the principle of the building, attached flat to that elevation. Furthermore the current sign is not wider than 1.2m and aligns with the architectural feature, which is over the door. It also does not contain lettering taller than 200mm; the proposal will be 80mm. The policy mentions the advertisement should have lettering styles appropriate to various architectural periods. In comparison to the original sign, it would be more appropriate to have a font such as 'Times New Roman.' In terms of size and location on the building, this can be supported.

Diagram 3: Old Customs House (South Elevation – Area for Waste Water Collection)



Diagram 4: Old Customs House – Front Elevation



POLICY CONSIDERATION

The proposed development is assessed against the LDCP Policies set out below:

- Intermediate Zone: Policies IZ1 a, b,
- Water: Policy W2
- Sewage, storm and Drainage: Policies SD1 (b, c), SD3, SD.4 and SD7
- Built Heritage

OFFICER ASSESSMENT

In considering the development against the Intermediate Zone policies IZ1 a) and b), the proposed use is not materially damaging to the amenity of the area and the proposed development is consistent with the general use of the wharf activities. Apart from the hole to be created for the drainage, the appearance of the building will remain unaltered. No changes are proposed to the walls, roof and features such as the door and windows. The exterior is clearly in a poor state; allowing development of the building will encourage general maintenance, which has been clearly lacking for a number of years and bring the building back into use. Overall this proposal will improve and enhance the building, therefore can be supported as it is compliance with the policies set out above and more so in respect of the heritage and conservation aspect the development its compliance with the Built Heritage Policies.

G. RECOMMENDATION

It is recommended that **to Governor-in-Council** that Development Permission be **GRANTED** subject to the following Conditions:

- 1) This permission will lapse and cease to have effect on the day, 5 years from the date of this Decision Notice, unless the development has commenced by that date.
Reason: required by Section 31(2) of the Land Planning and Development Control Ordinance 2013.

- 2) The development shall be implemented in accordance with the details specified on the Application Form; location plan received on 21st January 2020 and Floor Layout received on 28th April 2020 as stamped and approved by the Planning Officer, on behalf of the Land Development Control Authority, subject to the Condition of this Decision Notice and unless the prior written approval is obtained for an amendment to the approved details under Section 29 of the Land Development Control Ordinance, 2013.

Reason: Standard condition to define the terms of the development and to ensure that the development is implemented in accordance with the approved.

- 3) This Development Permission does not confer approval under the Building Control Ordinance. Please consult with the Building Inspector(s) to find out whether building regulations approval is required, prior to the development commencing.

Reason: to ensure development is carried out in accordance with the Building Control Ordinance 2013.

- 4) The waste water collection tank must be removed daily and not sited at the proposed location during non-working hours.

Reason: to protect the setting of the listed building and proposed Heritage Coast Conservation Area.

- 5) Dust monitoring on site shall be undertaken on a daily basis. In the event that dust is at any time generated that is likely to travel outside of the site and towards neighbouring properties the following mitigation measures shall be taken:

- The erection of dust screens
- The damping down of materials that have the tendency to be carried by the wind
- Reducing the speed of site operated machinery
- In the event of adverse dry and windy weather conditions, site operations should be temporarily restricted or suspended

Reason: To assist the control and limitation of environmental particulate pollution.

- 6) **Construction Practices:** During construction of the development, no obstruction shall be caused on any public road and prior to occupation of the development the developer shall reinstate damage to any public road and other public or private infrastructure arising from implementation of the development permission.

Reason: To ensure safe vehicular access and reinstate damage to public infrastructure arising directly from the approved development in accordance with LDCP IZ1 (g).

- 7) Occupation of the development is not permitted until it is adequately served by a potable water supply, adequate energy supply as well as a waste water system for fish waste and, as approved by the Building Inspectors in consultation with the Chief Planning Officer.

Reason: To accord with LDCP IZ1, SD1, RT7 and W3.

- 8) Any External Lights shall be designed and sited so that they do not emit light at or above the horizontal and the light source shall not be visible beyond the site boundaries.

Reason: to minimize light pollution on the island in accordance with LDCP E8.

Further Advisory:

The sign to be painted should consist of the font style 'Times New Roman' to coincide with the Advertisement's Policy.

Please note that the LDCA, Planning and Building Control Division nor any of its employees warrant the accuracy of the information or accept any liability whatsoever neither for any error or omission nor for any loss or damage arising from interpretation or use of the information supplied by your Designer/Contractor.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.

Planning Officer's Report - LDCA May 2020

APPLICATION	2020/27 – Proposed Zulu Remembrance Monument
PERMISSION SOUGHT	Permission in Full
REGISTERED	17 March 2020
APPLICANT	Tourism St Helena
PARCEL	HTH0315
LOCALITY	Jacob's Ladder Viewing Platform
LAND OWNER	Crown
ZONE	Coastal
CONSERVATION AREA	NCA
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Sentinel Newspaper on 19 March 2020▪ A site notice displayed in accordance with Regulations.
EXPIRY	2 April 2020
REPRESENTATIONS	None Received
DECISION ROUTE	Delegated / LDCA / EXCO

H. CONSULTATION FEEDBACK

29. Water Division	Not Consulted
30. Sewage Division	Not Consulted
31. Energy Division	Not Consulted
32. St Helena Fire & Rescue	No Response
33. St Helena Roads Section	No Objection
34. Heritage	No Objection - Comment
35. Environmental Management	Not Consulted
36. Public Health	Not Consulted
37. Agriculture & Natural Resources	Not Consulted
38. Property Division (Crown Est)	No Objection

39. St Helena Police Service	No Objection
40. Aerodrome Safe Guarding	Not Consulted
41. Enterprise St Helena (ESH)	No Objection
42. National Trust	No Response
43. Sure South Atlantic Ltd	Not Consulted

I. DEVELOPMENT DETAILS SUMMARY

The application is to install Zulu Remembrance Monument to remember the number of Zulu prisoners exiled on the Island between 1907 and 1910 and in particular a number of them who actually during their captivity on the Island at the Jacob's Ladder viewing area. This area has been developed over the years with information board and benches to appreciate the grandeur of the Island at the top of the Ladder.

The proposed development is the erection of stone monument with carving of a shield and spear and a brass plaque with appropriate wording. The monument will be mounted on small concrete base. There will also be a larger plinth, approximately 300mm with stone edging

J. PLANNING OFFICER'S APPRAISAL

Location: The monument will be located at the view platform at the top of the Jacob's Ladder that has been developed as an area for tourist attraction. The site is part of the conservation area at the Ladder Hill Complex. The application site is within the **Coastal Zone Conservation Area**.

Diagram 1: Location Plan



Proposed: The proposed monument is a stone 1.5m in height and 0.75m in width. The actual depth of the structure is not indicated. The total platform will be 3.5m by 2.0m with rounded ends with stone edging giving a depth of 0.3m. The plinth for the monument will 1.2m by 0.8m.

Diagram 2: Details of the Proposed Development Area

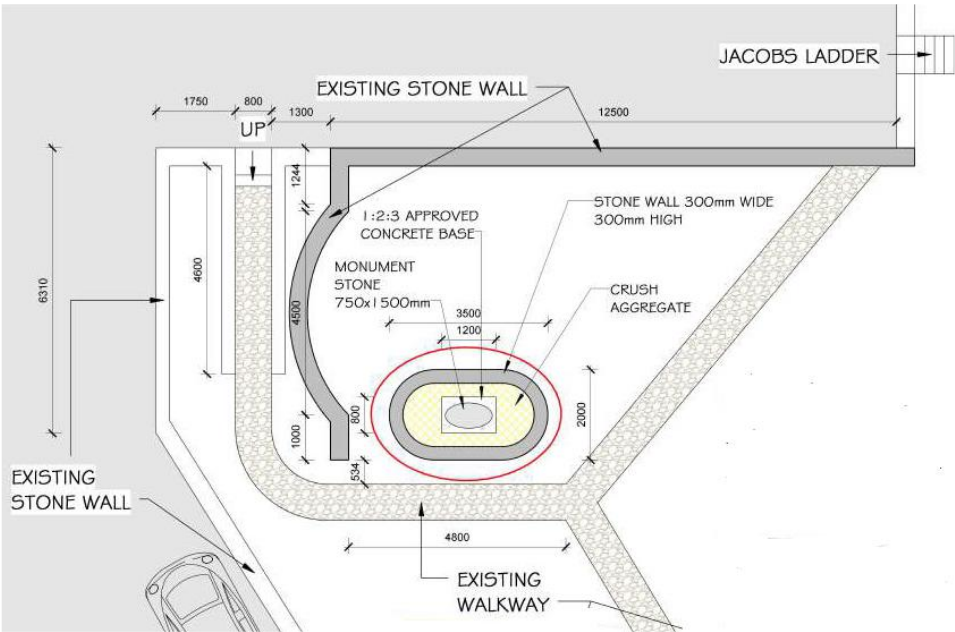


Diagram 3: Concept Design of the Monumental



Diagram 4: Details of Monument



REPRESENTATIONS

No representations were received from any statutory body or members of the public, including immediate neighbours.

LEGAL AND POLICY FRAMEWORK

The relevant policies of the Land Development Control Plan 2012 – 2022 that are applicable in the assessment of the proposed development are set out below:

Built Heritage BH1. Primary Policy (c), BH2

- BH1. (c) - Development in Historic Conservation Areas will be permitted only if it enhances and protects the character of the Area by reference to scale, proportion, details and external materials of the proposed development in relation to those of the Historic Conservation Area.
- **BH.2.** The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of the historic asset and its setting.

REPRESENTATION

Comments have been received from the Heritage Society. It considers that plinth is oversized and the piece of public art looks incongruous.

OFFICER'S ASSESSMENT

The proposed erection of the Zulu Remembrance Monument provide a recognition of the Islands historic past. The proposed monument on area that is developed to provide information for the tourist and local communities and to view the grandeur of the Island from the Ladder Hill Complex is an acceptable location. The location can also be developed as for reflection and remembrance whilst enjoying the view of the ocean and historic Jamestown.

The erection of the monument will provide an additional feature at this view platform to understand and appreciate the Island's history and for remembrance. The proposed development will enhance the area and meets with heritage objectives of the policy.

K. PLANNING OFFICER'S RECOMMENDATION

The development complies with the appropriate policies listed above and therefore, development permission be **GRANTED** subject to the following **Conditions**:

- 1) This permission will lapse and cease to have effect on the day, 5 years from the date of this Decision Notice, unless the development has commenced by that date.

Reason: required by Section 31(2) of the Land Planning and Development Control Ordinance 2013.

- 2) The development shall be **implemented in accordance with the details** specified on the Application Form; Site Layout, and Monument Plans received on 17th March 2020, as stamped and approved by the Chief Planning Officer (CPO), on behalf of the Land Development Control Authority (LDCA), unless the prior written approval of the CPO (on behalf of the LDCA) is obtained for an amendment to the approved details under Section 29 of the Land Development Control Ordinance, 2013.

Reason: Standard condition to define the terms of the development and to ensure that the development is implemented in accordance with the approved details.

- 3) **Construction Practices:** During installation of the Monument, no obstruction shall be caused on any public road and the developer shall reinstate damage to any public road and other public or private infrastructure arising from implementation of the development permission.

Reason: To ensure safe vehicular access and reinstate damage to public infrastructure arising directly from the approved development in accordance with LDCP IZ1 (g).

- 4) The applicant will be responsible for the ensure that the Monument is kept in good state of repair and is well maintained and if needs to be removed to be located elsewhere the area of the development will be left safe to the satisfaction of the Crown Estate.

Reason : To ensure that area of the monument is well maintained and does not become health and safety issue for the users.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.