

Planning Officer's Report – LDCA DECEMBER 2025

APPLICATION	2025/80 – Construction of Two-Storey Building to Comprise Use Class B1 Business, Warehouse & Distribution
PERMISSION SOUGHT	Full Permission
REGISTERED	08 September 2025
APPLICANT	Christopher Bargo
PARCEL	HTH1047, HTH1050
LOCALITY	Lower Half Tree Hollow
ZONE	Intermediate
CONSERVATION AREA	None
CURRENT USE	Existing Home/ Private Property
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ The Sentinel Newspaper on 11 September 2025▪ A site notice displayed in accordance with Regulations.
EXPIRY	25 September 2025
REPRESENTATIONS	None
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

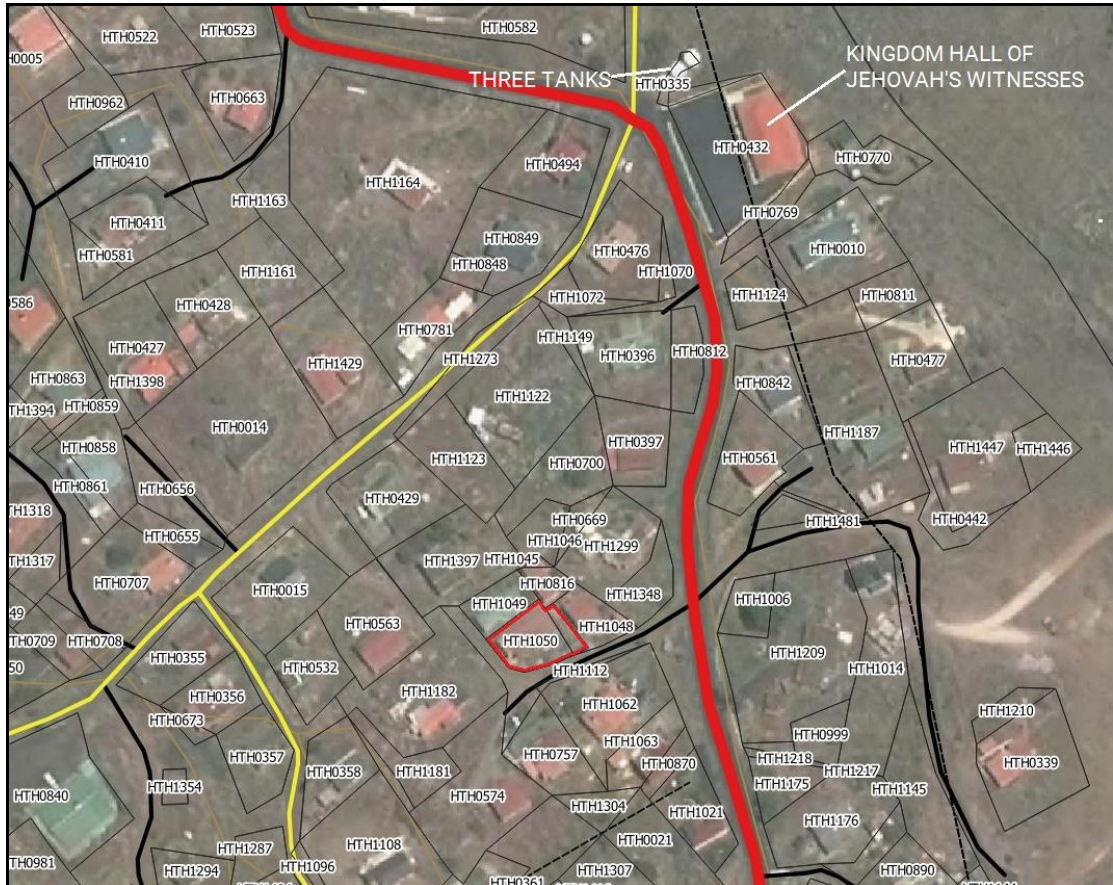
1. Sewage & Water Division	No Objection
2. Energy Division	No Objection
3. Fire & Rescue	No Objection
4. Roads Section	No Objection
5. Property Service	No objection
6. Environmental Protection	No Objection
7. Environmental Health	No Response
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	No Response
10. Aerodrome Safe Guarding	No Response
11. Economic Development	No Objection
12. National Trust	No Objection
13. Sure SA Ltd	No Objection
14. Heritage Society	No Objection
15. Maritime	Not Applicable

B. PLANNING OFFICER'S APPRAISAL

LOCALITY & ZONING

This plot is located in Lower Half Tree Hollow, where it is a mainly residential area and designated within the Intermediate Zone and has no conservation area restrictions.

Diagram 1: Location Plan



PLANNING HISTORY

This development application cross-references with earlier application; “2025/24 – *Construction of Two Storey Building to Comprise a Shop and Storage Space for Shop Goods & Some Domestic Items*” that was granted approval on 11 August 2025.

This application also links in with development application “2025/29 - *Proposed Change of Use from Shop to Dwelling Comprising Internal Alterations & Construction of Timber Deck*” in that, the reference to the existing ‘shop’ and the intention to move the business from that existing establishment to the new development proposal of 2025/24 as mentioned above.

Application 2025/24, as mentioned above, also relates to a previous application; “2014/38 – *Garage and Utility Room Extension*” that was granted approval on 08 August 2014. Development commenced against this approved proposal and is partly

constructed. It is attached to the existing residential home on site (Plot HTH1051). The intention was for the development proposal of 2025/24 to continue the new design build upon the existing development of 2014/38, with implementation of the necessary alterations to comply with the newly proposed design.

PROPOSED DEVELOPMENT

The Developer has now submitted this application for *“Construction of Two-Storey Building to Comprise Use Class B1 Business, Warehouse & Distribution”*, the purpose for which is a correction to the Use Class associated with the proposed development of previous Development Application *“2025/24 – Construction of Two Storey Building to Comprise a Shop and Storage Space for Shop Goods & Some Domestic Items”*. This application proposal automatically adopted *Use Class A1 – Shops*, due to the presence of the word ‘shop’ within the development proposal description. This also relates to application *“2025/29 – Proposed Change of Use from Shop to Dwelling Comprising Internal Alterations & Construction of Timber Deck”* that would see that the business, referred to as ‘shop’, would move from that established development on the Developer’s adjoining property, to the newly proposed development of 2025/24 as detailed above, so that the existing ‘shop’ could be converted into a one-bed dwelling.

However, at the stage of engaging with Building Control, it was noted that the Building Regulation requirements for *A1 – Shop* included a lift, which the Developer deemed not necessary for the nature of their business operations (*as described below*), and more so, it was queried as to whether the development proposed could technically be classified as a ‘shop’ or more appropriately classified under *Use Class B1 – Business, Storage and Distribution**. A review of the details provided by the Developer’s written statement for Development Application 2025/24 was therefore undertaken. The developer’s details are as outlined below:

“We wish to transfer the same business activities, mainly a supply on demand/to order service providing blinds, aluminium windows/doors and other DIY/hardware items to the partially built building at the back of our house. Customers collect good at an agreed time to ensure we are at home (we don’t have set opening hours) and they normally drive to the area directly in front of our house to pick up goods from the current building where goods are stocked for sale and then reverse to the tarmac space of our adjacent neighbour (agreed with the late husband). Alternatively, the customer will park in the park next to the current shop building or directly behind our house. Depending on the items purchased, customers prefer the goods to be delivered to them. At no time is there more than one vehicle collecting goods at any one time.

The road from the main highway to the neighbouring houses was improved (stone and rubble) some years ago with the then SHG community road grant funding, through a joint application by neighbours. The road was then tarmac, fully funded by the neighbours. Visitors to the neighbours also uses that tarmac area of our adjacent neighbour as a turn round area."

With the developer requesting that the determination of the proposed development of 2025/24 should have been for a Change of Use to *Use Class B1 – Business, Storage and Distribution*. If confirmed, this would then mean that there is no requirement for the installation of a lift under the Building Regulations.

When considering the nature of the Applicant's business as described, *Use Class B1: Business, Storage and Distribution* the applicant considers that the B1 Use classification of this proposed development is more appropriate than *Use Class A1: Shops*.

To clarify, there is no change to the works to be undertaken as proposed under planning approval 2025/24.

Diagram 2: Site Plan

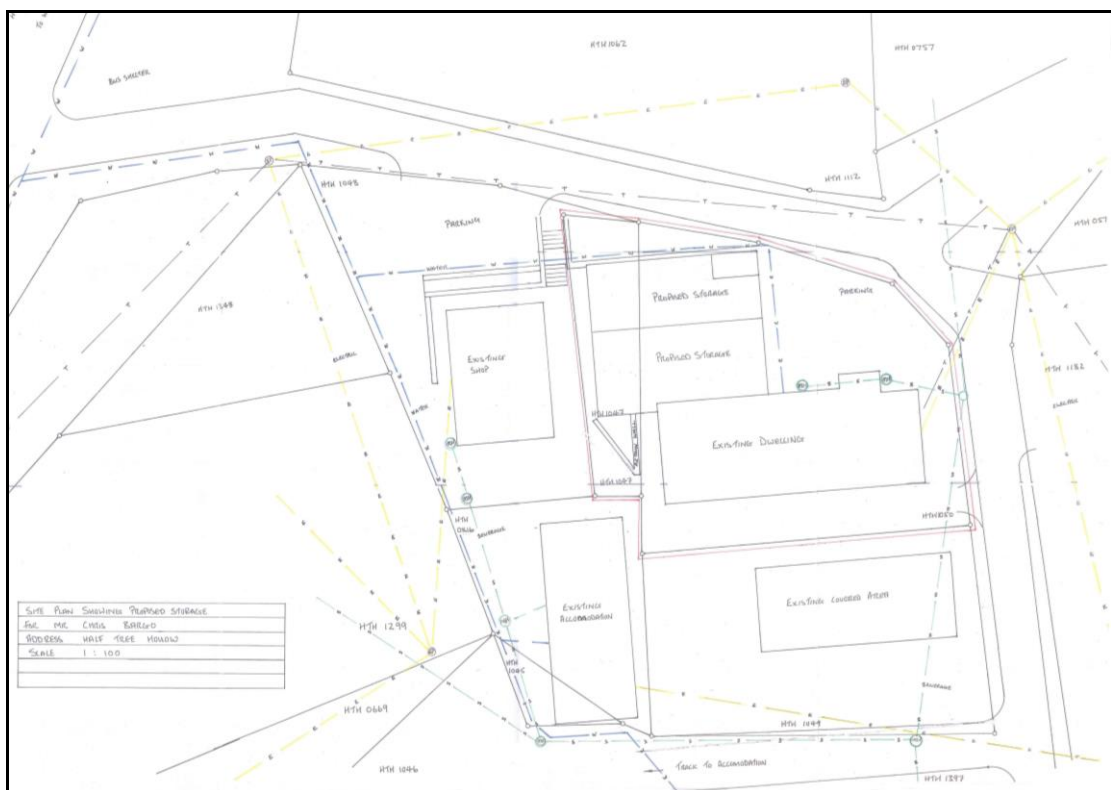


Diagram 3: Floor Plans

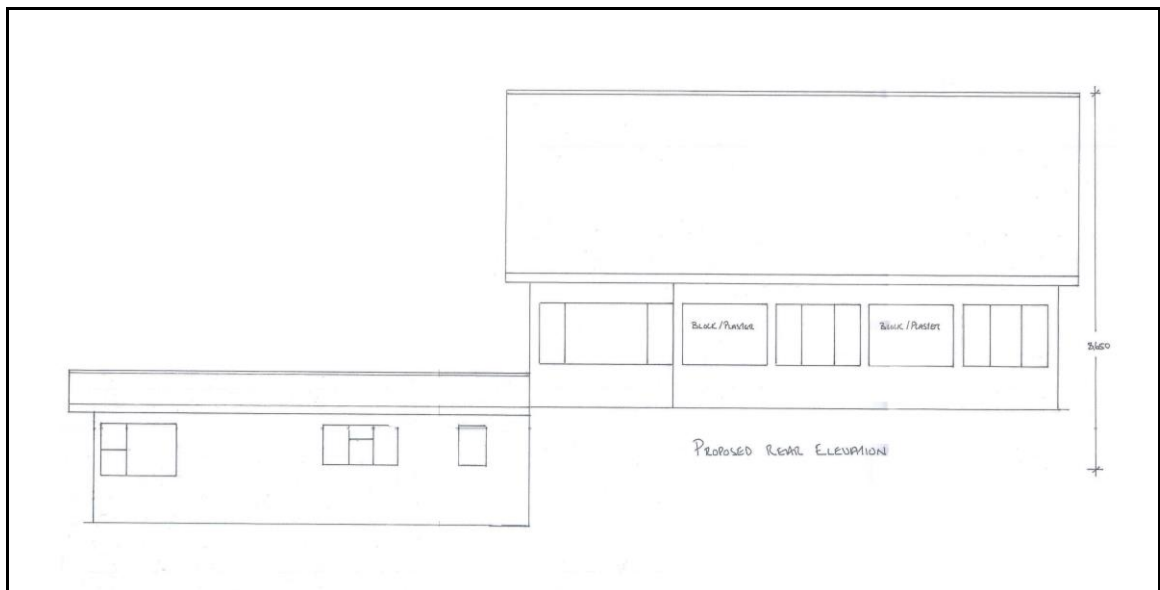


Diagram 4: Elevation Plans

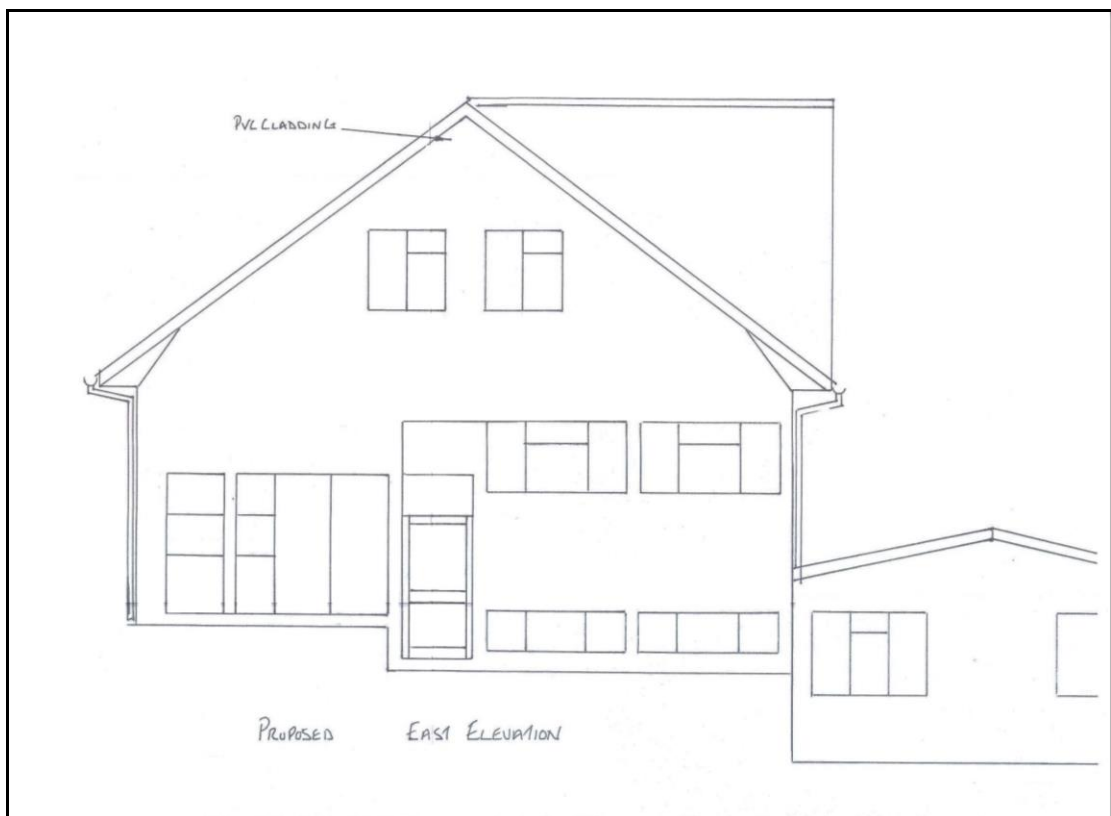
Proposed Front Elevation



Proposed Rear Elevation



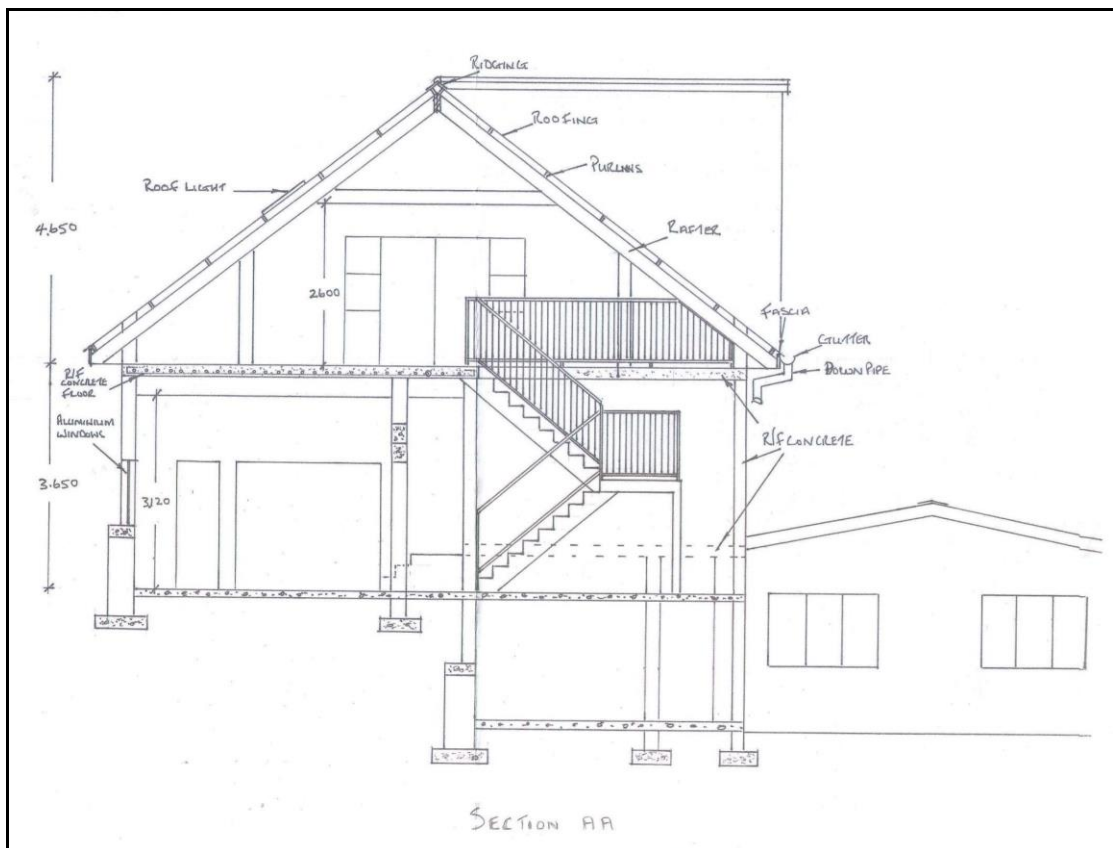
Proposed East Elevation



Proposed West Elevation



Diagram 5: Section A-A



STAKEHOLDER FEEDBACK & REPRESENTATIONS

There were no objections or representations received from stakeholders or any members of the public.

LEGAL AND POLICY FRAMEWORK

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

- Intermediate Zone: Policies IZ1 (a, b, c, f, g and h)
- Employment Premises Policy EP1
- Water: Policy W2
- Sewage, Storm and Drainage: Policies SD1 (b, c), SD3, SD.4 and SD7
- Road and Transport Policies: RT1 (c and d), RT3 and RT7

OFFICER'S ASSESSMENT

The works are no different to the works proposed under approval 2025/24 such that no further issues arise in relation to the impact of the works themselves.

In assessing this development proposal, the primary consideration is whether the change of the Use Class is from current C3: *Dwelling Houses* (ref. 2014/38 – *Garage and Utility Room Extension*) to B1: *Business, Storage and Distribution* or Use Class A1: *Shops*. This would in effect be against previous application 2025/24 and is therefore open to review.

Extract from Schedule 1 (Regulation 6(1)) of the LPDCC (General Regulations), 2013 – Use Classes

Use Class A1: Shops

Shops, hairdressers, travel and ticket agencies, post offices, pet shops, sandwich bars, internet cafes, showrooms, domestic hire shops, dry cleaners (but not laundrettes), funeral directors and internet cafes.

Use Class B1: Business, Storage and Distribution

Offices (other than those in Class A2), research and development of products and processes, light industry of a nature which can be carried on without detriment to the amenity of a residential area, and use for storage or as a distribution centre including open air storage.

For comparison of appropriateness and with reference to the details provided by the Applicant (above) as to the nature of the business:

The previous assignment of Use Class *A1: Shops* against Development Application 2025/24 was based on the applicant's use of the term "shop" when referencing his business. It was accepted previously by the Planning Office on this basis and on the basis of the planning history on the adjoining "shop" which was to be transferred to the new building. It appears that the applicants have used the term "shop" in a more generic way for a business which sells goods but the actual technical function of the business, which has been clarified, in part through the Building Regulations process, has meant that the incorrect Use Class may have been inadvertently applied.

The applicant has confirmed that his business is undertaken in line with the building to be used solely for storage or as a distribution centre and that it therefore lies within Use Class B1.

The applicant confirms that he sells products to the public but that the way his business acts is that the building provides a limited storage arrangement before people either collect goods ordered or he takes them to the customer. Most orders are taken by phone or on line. Customers/Members of the public do not enter the building to browse/purchase products nor are any "opening hours" posted.

When considered technically, and given the nature of the business as the Developer described in the written statement of Development Application 2025/24 (*as outlined in the Proposed Development*), it is considered that the Use Class *B1: Business, Storage and Distribution* is the appropriate classification that should be applied to this development proposal.

To conclude; the proposal (including the works) complies with the Intermediate Zone, Business Premises, Water Policy, Sewage, Storm and Drainage Policies and Road and Transport Policies and therefore can be supported.