

Minutes of the Executive Council in Planning Meeting (No: 04/26) held on Tuesday, 22 September 2026 at 2:00pm in the Council Chamber

Present: Her Excellency the Governor (Mrs B Lewis)
The Honourable Chief Minister (R E Cairns-Wicks, MBE)
The Honourable Minister Education, Skills & Employment (A J Turner)
The Honourable Minister Safety Security and Home Affairs (G A Brooks)
The Honourable Minister Health & Social Care (M D Henry)
The Honourable Minister Economic Development and Environment, Natural Resources Planning (K G Thrower)
The Honourable Attorney General (Mr A Duncan)

In Attendance: Secretary to Executive Council (Mrs N M Bargo)

The Financial Secretary (Mr D L Richards)
The Head of Governor's Office (Mr Q d Roquefeuil)
Head of Communications (Mrs A Dillon)

Apology: The Chief Secretary (Mr I Todd, OBE)

4.0 Welcome

The Governor welcomed all present.

There was one person seated in the public gallery.

4.1 Declarations of Conflict of Interest

It was noted that both Minister Thrower and the Attorney General routinely participated in diving activities with the applicant of the development application to construct a one-bedroom dwelling. They confirmed that their connection with the applicant would not impact their ability to provide objective advice.

The Chief Minister additionally mentioned that the applicant is a friend of her children.

4.2 Development Application – Construction of a One-bedroom Dwelling at East Lodge, near Gordon's Post (ECIP Memo 05/2026)

The Chief Planning Officer, Patricia Coyle and Acting Senior Planning Officer, Petra Joshua, introduced themselves.

The Minister for Economic Development and Environment, Natural Resources and Planning introduced the item, outlining that this Development Application has been referred to the Governor in Council in accordance with Section 23(2)(b)(i) of the Land Planning and Development Control Ordinance 2013 which requires all applications in respect of which it appears to the Authority that granting the application would be inconsistent with a Development

Plan but that there are material planning considerations which suggest that permission should otherwise be granted. The Acting Senior Planning Officer then presented this application and the recommendations set out in the Planning Officer's report to the Land Development Control Authority (Authority).

The proposed development is within the Green Heartland and is contrary to the Green Heartland Zone Policies however, the Authority has recommended the approval of this application citing that:

- The plot on which the development was proposed was a subdivision of an already developed property and included biodiversity measures and landscaping to blend with surrounding residential development area
- The proposed development would sit within an existing ribbon of residential developments, within a developed area
- The plot lay 35m from the Intermediate Zone, which is pro-development and there would be minimal impact/harm to the Green Heartland

Ministers raised concern that approving the application could set a precedent, as well as the potential risk of sequential subdivisions but noted that in this instance, the subdivision lay within an existing residential development area and the proposed development would not materially detract from Green Heartland/landscape. Members agreed that the material planning considerations listed were sufficiently outside of precedence.

In response to a query, Minister Thrower advised that the ongoing LDCP revision would address land classifications (Green Heartland versus the Intermediate Zone) and consider multiple tiers of land protection, including provisions for forestry, biodiversity and inconsistent boundary definitions. It was confirmed that the LDCP revision was approximately 50% completed and there would be a two-month public consultation period on the draft plan.

Ministers' Advice to HE the Governor

Following discussion, Council advised and the Governor agreed, that the development application for the construction of a one-bedroom dwelling at East Lodge, Alarm Forest be approved, in accordance with the recommendation of the LDCA, subject to Conditions 1–8 and the associated Informatives, as set out in the Planning Officer's Report to the LDCA dated August 2026.

The decision to be conveyed to the LDCA Secretary.

(Action: Secretary)

4.3 Development Application - Installation of Covered Area at the Mule Yard (Retrospective) (ECP Memo 06/2026)

The Minister for Economic Development and Environment, Natural Resources and Planning introduced the item, outlining the context for referring this development application to the Governor in Council. The Acting Senior Planning Officer presented this application and the recommendations as set out in the Planning Officer's report to the LDCA.

It was noted that this was a retrospective application for a roofed covered area at the Mule Yard; located within 50 metres of the sea and within a listed fortification.

The LDCA recommended the approval for the retrospective covered area noting that the roof matched existing structure in material and colour and was not affixed to fortification walls. The structure was easily removable and designed to avoid impact/harm to a nearby protected tree under the 2015 Tree Preservation Order.

It was noted that the Mule Yard would form part of the Jamestown Wharf Development Project and the existing structures may need to be removed in future. The lease for the Mule Yard was a relatively new one and the development applicant/lessee for the Mule Yard was aware of the Wharf Project.

Ministers expressed disappointment that this was the second retrospective application by the same business person/sitting lessee of the Mule Yard, submitted after appropriate notifications were made to Crown Estates. The Chief Planning Officer indicated that Breach Notices can require remedy by applying for retrospective approval; enforcement is possible if an available remedy was refused. The discussion highlighted the need to reconsider retrospective planning applications and the potential for imposing penalties on those who disregard planning regulations.

Ministers' Advice to HE Governor

Following discussion, Council advised, and the Governor agreed, that retrospective planning permission for the covered area at the Mule Yard be approved, in accordance with the recommendations of the LDCA, subject to Conditions 1 and 2 (and the associated Informative), and noting the requirements of the Tree Preservation Order, as set out in the Planning Officer's Report to the LDCA dated September 2026.

The decision to be conveyed to the LDCA Secretary.

(Action: Secretary)

4.4 Development Application – Installation Wastewater Treatment Plant at The Guns, Half Tree Hollow (ECiP Memo 08/2026)

The Chief Planning Officer was asked to present this application for consideration before the application for the Wastewater Treatment Plant at the Sand Yard.

The Minister for Economic Development and Environment, Natural Resources and Planning introduced the item, confirming that this application is referred to the Governor in Council in accordance with the Direction issued on 14th June 2022 under section 23(1) of the Land Development Control Ordinance 2013, requiring development of land for utilities infrastructure of public supply, including sewage, whether in public or private ownership.

The Chief Planning Officer presented this application and the recommendations as set out in the Planning Officer's Addendum report dated 14 September 2016 to the Land Development Control Authority (LDCA).

Key points noted were:

- The proposed wastewater treatment works would include two large tanks, filtration and two small buildings, located within the Historic Coast Heritage Conservation Area and near the tennis court and former swimming pool at Ladder Hill
- The plant would be a gravity-fed system serving Half Tree Hollow and surrounding catchment areas
- It was noted that the tanks would sit approximately 5.5 metres above ground. The LDCA recommended the realigning of the boundary wall and that the finishes match the existing surrounding structure to limit the visual impact of the tanks.

Ministers recognised the importance of this infrastructure development, along with the challenges of its location. The environmental and heritage concerns were noted, particularly the pollution and odour risks associated with the existing septic tanks, and the close proximity of the proposed plant to historic buildings, a public sporting amenity, the nearby business park, a food supermarket and restaurant/bar, as well as residential properties.

Members gave consideration to the concerns raised by the public including how the proposed wastewater treatment plant would affect the historic character of the Heritage Coast Conservation Area, odour, impact on near recreational facilities, and whether the plans had provided enough detail for the proposal to be properly assessed. These concerns formed part of the planning decision. Members noted that the proposed system was designed to be odourless and that the new plant is expected to reduce odours associated with the existing septic tanks. The Planning Officer stated that significant odour is unlikely during normal operation because of the plant's enclosed design and its distance from nearby homes, but acknowledged that odour may occur during periodic cleaning or maintenance.

The need for maintenance conditions and a plan to manage potential odour issues from the new development was discussed.

The Chief Planning Officer advised that the development aligned with the sewage infrastructure policy, and that odour management, maintenance and cleaning responsibilities, including the publication of scheduled cleaning, could be addressed through the development conditions.

It was further recognised that Connect Saint Helena Ltd (Connect) would operate the system once commissioned, and that ongoing maintenance and odour-related obligations should be managed through the new Utilities Licence, rather than through planning conditions. It was noted that the URA (Utilities Regulatory Authority) was responsible for ensuring that Connect met the licence conditions.

Ministers emphasised the need for a Conservation Management Plan for the Ladder Hill fortifications to inform future decisions. While the landscape challenges associated with the dry terrain were noted, reference was made to the nearby planting schemes that had been successfully implemented as examples of what could be achieved.

Ministers' Advice to HE Governor

Following discussion, Council advised and the Governor agreed, that Full Development Permission be granted for the installation of a Wastewater Treatment Plant at The Guns, Half Tree Hollow, subject to Conditions 1–12 (and the associated Informatives) as set out

in the Planning Officer's Addendum Report dated 14 September 2026. Condition 2, relating to compliance with the relevant policies of the Land Development Control Plan 2013, and Condition 6, relating to external works, landscaping and lighting, were amended. In addition, Condition 13 was imposed requiring all power supply cables serving the development to be installed underground.

Council further advised, and the Governor agreed, that an additional Condition 14 be imposed requiring the installation of timber slatted screening around the tanks to soften and reduce their visual impact within the Heritage Coast Historic Conservation Area.

The decision to be conveyed to the LDCA Secretary.

(Action: Secretary)

4.5 Development Application - Installation of Wastewater Treatment Plant, Sand Yard, Jamestown (ECIP Memo 07/2026)

The Minister for Economic Development and Environment, Natural Resources and Planning introduced the item, outlining the context for referring this application (relates to the development of land for utilities infrastructure of public supply, including sewage, whether in public or private ownership) to the Governor in Council.

The Chief Planning Officer presented this application and the recommendations as set out in the Planning Officer's report to the Authority.

Key points noted were:

- The treatment works would serve the Jamestown catchment, connections into Jamestown system and would address the current raw-sewage discharge at West Rocks, into James Bay. Ministers noted that the system would improve environmental health by eliminating raw sewage discharge into James Bay.
- The proposed plant would be located in the Historic Coast Historic Conservation Area and would be visible from the sea and Jamestown; hence the proposed boundary wall of a height 3m for screening around the plant, with natural stone finish, concrete roofs over tanks and intent to blend colours. Council proposed an additional condition to install timber slatted screening around the tanks, as applied to the other plant at The Guns, where visible
- Environment Health had requested further details and conditions to manage odour and proposed time restrictions for cleaning and maintenance due to the close proximity to food outlets; hence the condition to restrict cleaning time to minimise odour impact
- Members discussed the concerns raised through the planning process which included how the proposed wastewater treatment plant would affect the historic character of the Heritage Coast Conservation Area, odour, impact on near food outlets, and whether the plans had provided enough detail for the proposal to be properly assessed. The Planning Office acknowledged that drawings were missing at first and says revised plans were issued for further consultation.
- It was recognised that the new plant increased treatment capacity, but the bottlenecks would remain in Jamestown due to the undersized pipework under streets. Wider sewer/pipe upgrades would be required to accommodate larger developments in the future

- It was agreed that ongoing discussions between SHG and Connect Saint Helena Ltd regarding the Utilities Licence should incorporate provisions relating to maintenance and cleaning requirements, odour management, and public notification obligations about scheduled cleaning.

Ministers' Advice to HE Governor

Following discussion, Council advised, and the Governor agreed, that Full Development Permission be granted for the installation of a Wastewater Treatment Plant at the Sand Yard, Jamestown, subject to Conditions 1–12 (and the associated Informatives) as set out in the Planning Officer's Addendum Report dated 3 September 2026. This approval included an amendment to Condition 6, relating to external finishes, landscaping and lighting, and the addition of Condition 13, restricting cleaning hours.

Council further advised, and the Governor agreed, that an additional Condition 14 be imposed requiring the installation of timber slatted screening around the tanks to soften and reduce their visual impact within the Heritage Coast Historic Conservation Area.,

The decision is to be conveyed to the LDCA Secretary.

(Action: Secretary)

It was further agreed that maintenance and odour-management obligations, together with requirements for public notification of maintenance activities, be incorporated within the Connect Saint Helena Ltd Utilities Licence for both new wastewater treatment plants at The Guns, Half Tree Hollow and the Sand Yard, Jamestown.

(Action: Minister EC & ENRP)

4.6 Publicity/Briefing to Press

It was noted that the Executive Council Top Lines covering the applications would be prepared.

The Head of Communications was unable to attend the meeting; however, it had been agreed beforehand with the Chief Minister that she would liaise with the Secretary to obtain the relevant information arising from the meeting, from the audio recording.

(Action: Head of Communications)

4.7 Retrospective Planning Application Concerns

Secretary to note retrospective planning permission concerns as a matter on the agenda for the next Executive Council meeting for wider discussion.

(Action: Secretary)

4.8 Conclusion of Meeting

There being no further business the meeting concluded at 3:30pm.

N M Bargo
Secretary to Executive Council

Mrs B Lewis
Governor

15 October 2026