

Planning Officer's Report – LDCA NOVEMBER 2025

APPLICATION	2025/82 – Proposed Security Fence
PERMISSION SOUGHT	Full Permission
REGISTERED	09 September 2025
APPLICANT	Jill Bolton
PARCEL	JT020034
LOCALITY	The Coffee Shop, Jamestown
ZONE	Intermediate
CONSERVATION AREA	Jamestown Historic
CURRENT USE	Coffee Shop
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	Two received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Sewage & Water Division	No Objection
2. Energy Division	No Objection
3. Fire & Rescue	No Response
4. Roads Section	No Objection
5. Property Division	No Objection
6. Environmental Protection	No Objection – Comment
7. Public 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 – Comment
12. National Trust	No Objection – Comment
13. Sure SA Ltd	No Objection
14. Heritage Society	Objection – Comment
15. Maritime	Not Applicable

B. PLANNING OFFICER'S APPRAISAL

LOCALITY & ZONING

The development site is located at *The Coffee Shop*, Jamestown, where it is designated within the Intermediate Zone and Jamestown Historic Conservation Area.

Diagram 1: Location Plan



PLANNING HISTORY

This development proposal follows *Application for Development Permission 2024/13 - Retrospective Application for Installation of Fence* that was recommended to be refused by the Land Development Control Authority (LDCA) on 6 June 2024. The LDCA's recommendation was confirmed by the Governor in Council during the Executive Committee in Planning (ECIP), who agreed with the LDCA's decision and refused development consent on 23 July 2024.

Consequently, the Applicant appealed this decision and the case was heard at the Land Development Appeals Tribunal (LDAT) on 7 July 2025. This new development proposal has been received in response to the subsequent Ruling of the Tribunal (dated 10th July 2025) to uphold the LDCA/ECIP refusal of development consent; and, in line with Sections 39 and 40 wherein the LDAT decision states:

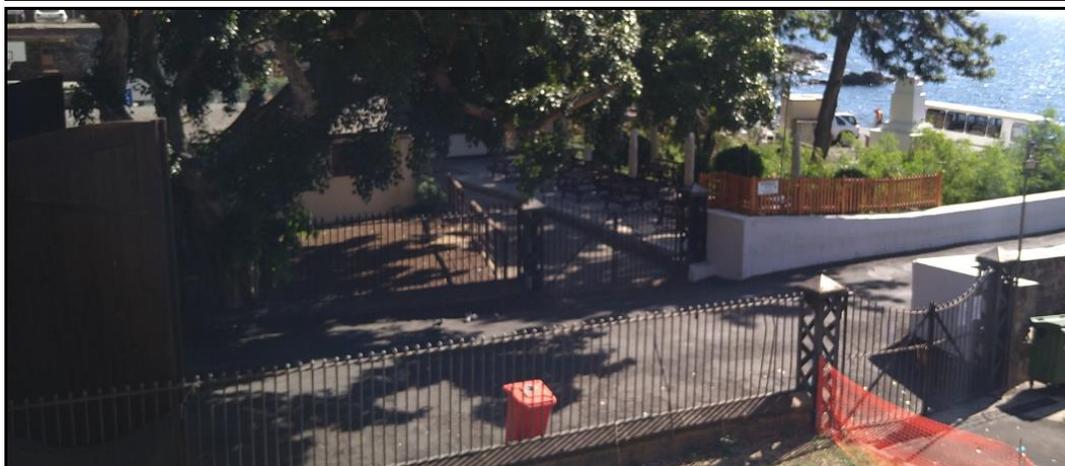
“39. To that end we believe that an enforcement notice is right given the significant impact of the fence on the landscape but that Mrs Bolton must be given sufficient time to rectify the situation and install a barrier that is in keeping with the location. There are some suggested proposals that the CPO can support with negotiation with Mrs Bolton and the freeholder. The concern of the Tribunal is that Mrs Bolton must have time to obtain planning permission and source the material needed, for example, metal railings or similar. Planning applications have to go to the Governor in Council and we are in a period just before an election, meaning we may be without an executive council for a period of time. Any new executive council may have other priorities than planning applications. We would consider a period of 9 months is realistic to progress an application and have in place what is required.

40. We allow the appeal against the issuing of the enforcement notice to this extent. The enforcement notice shall not be issued for at least 2 months from the date of this ruling. However, should there be in place within those 2 months an application for development permission that is not opposed by the CPO, then the enforcement notice shall not be issued in the 9 months following receipt of the application for development permission. If there is no unopposed planning application submitted within 2 months (or such later date as the CPO deems appropriate) then the enforcement notice should be issued.”

This current development application was registered on 9th September 2025 and therefore complies with being submitted within the 2 month period defined by the LDAT on 10th July 2025. As such, and in accordance with the above, the Enforcement Notice which requires the removal of the unauthorised fence will not be enforced until the 9th June 2026 at the earliest, although if a new fence is implemented then the unauthorised fence should be removed before that date.

The current unauthorised picket fence has been installed within the grounds of *The Coffee Shop*, affixed on top of the boundary/heritage wall and protrudes above (see photographs below).

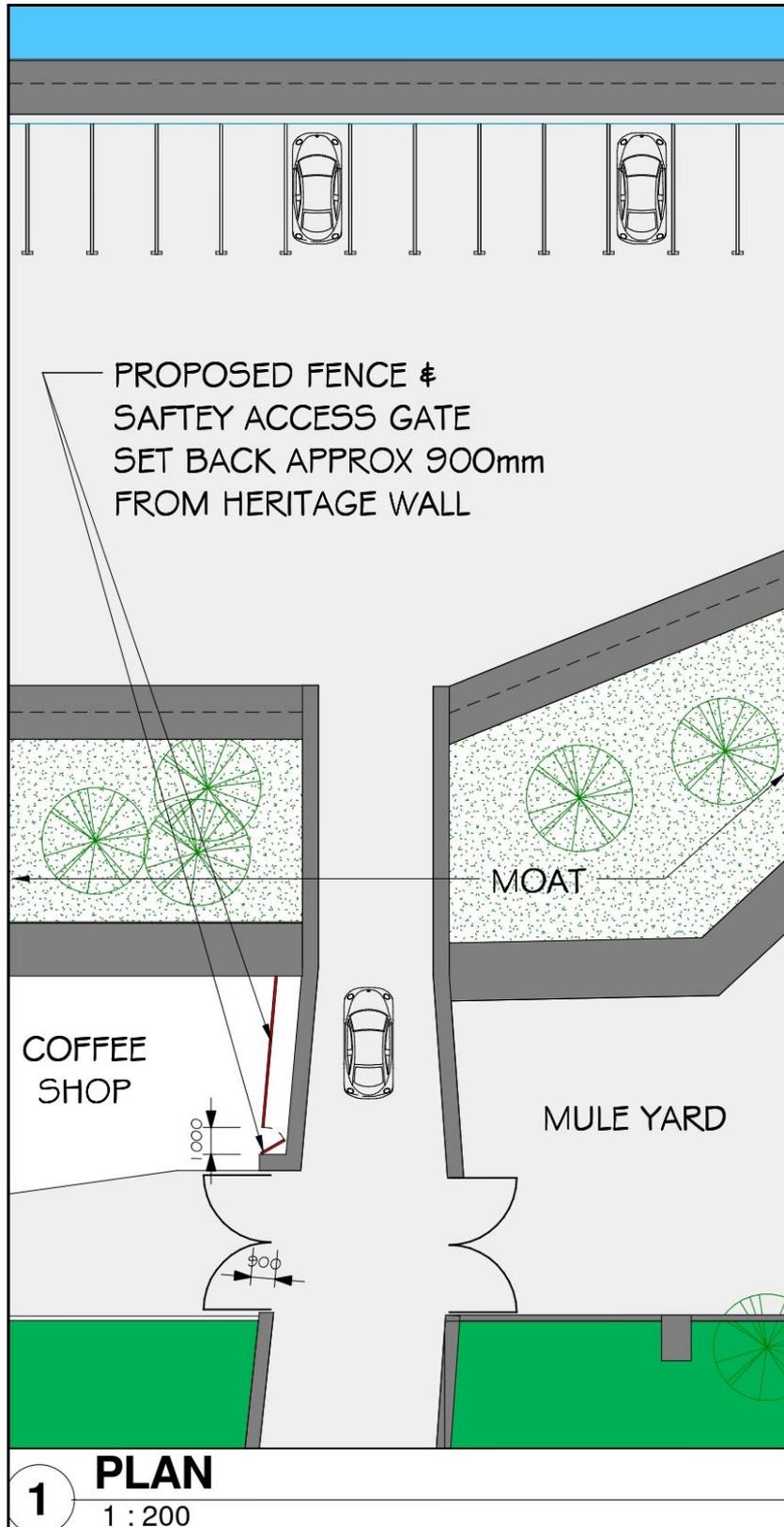
Diagram 2: Photographs Showing Current Picket Fence In-Situ



PROPOSED DEVELOPMENT

The development proposal is for the installation of a chain link fence with iron frame at *The Coffee Shop*, Jamestown.

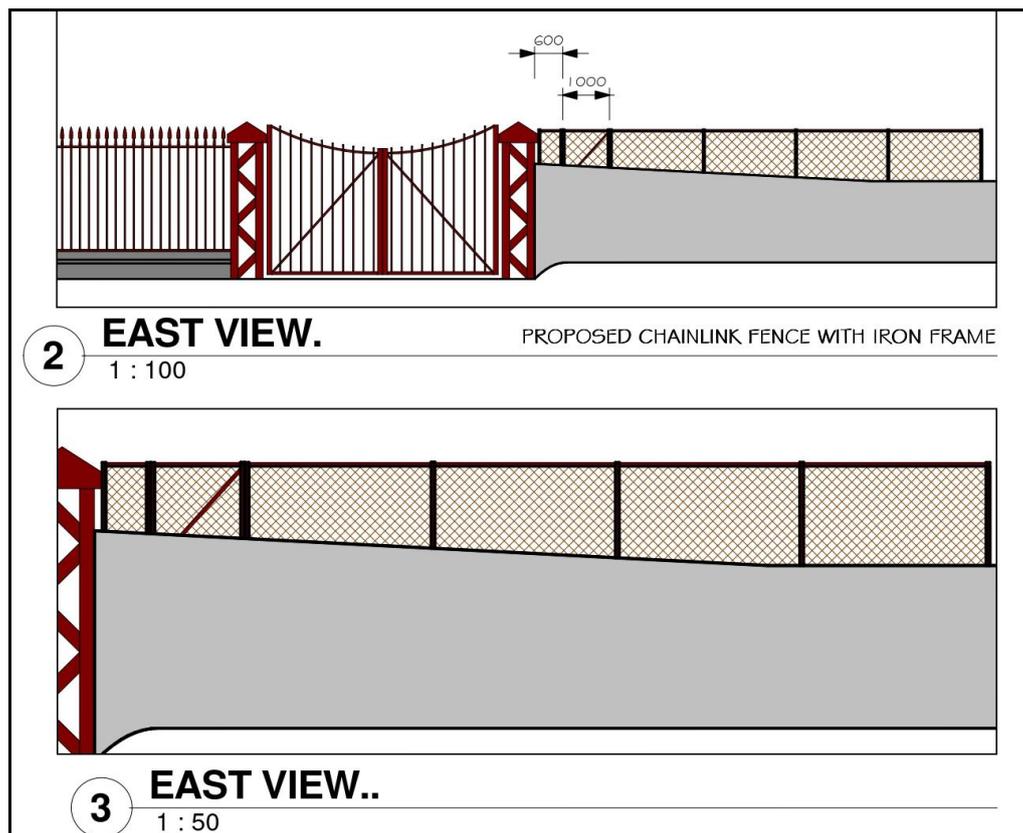
Diagram 3: Site Plan Showing Location of Proposed Fence



The fence would be constructed within the confines of *The Coffee Shop* boundary wall and set back 900mm from part of the heritage wall that faces directly on to the bridge road. The fence would also have a safety access gate installed at its southern end. The chain link fence will have a height of 2.9 m from ground level and appear, when viewed from the bridge, to be higher than the heritage wall by 1100mm (1.1m or roughly 3 ft.) approximately at the most northern end and about 750mm at the most southern end.

The justification for installing this fence, as previously, is as a result of anti-social behaviour and vandalism being carried out at the premises. The applicant believes the fence will act as a deterrent for perpetrators accessing the grounds, along with the construction of another gate at the western end of the premises. It should be noted that this application is solely for a front fence, and a rear gate, installed at roughly the same time, will be considered under a separate development application elsewhere on this agenda.

Diagram 4: East Elevation Showing Chain Link Fence



STAKEHOLDER FEEDBACK & REPRESENTATIONS

There was one representation from a member of the public and one received from *The Heritage Society as per below*. Comments were also received from the following stakeholders; *Environmental Protection, St. Helena National Trust and Economic Development (Tourism)* also detailed below.

Representation #1 – Member of the Public

This application follows the refusal of application 2024/13 and subsequent appeal. That application was refused for the reasons set out by the Chief Planning Officer in the Officer Report as follows.

C. RECOMMENDATION

Development Permission be refused for the following reason:

The development fails to comply with LDCP Policies BH1 a), BH1 c), BH.2 and BH5, as the appearance of the fence is not appropriate to the appearance and setting of the immediate area and Jamestown Historic Conservation Area, in terms of its design, scale, materials and siting.

This recommendation was accepted by the Governor in Council as the refusal reason.

Therefore, as a minimum, this new application needs to comply with those above LDCP Policies, BH1 (a), BH1 (c), BH.2 and BH5.

The application form says it is for a Proposed Security Fence. The accompanying drawing is confusing because it does not show just one proposed security fence. There is no detailed plan showing the proposal in relation to the existing lattice gate structure and no elevation from the west. There is no detail of how the proposed fence will be terminated against the moat.

It is not the role of the planning authority to make a choice for the applicant between two options. An application is supposed to be a single design by the applicant intended for approval.

Given the site is a Grade I listed monument in a conservation area there is not sufficient information provided in the application to enable a proper decision to be made.

Representation #2 – The Heritage Society

The Heritage Society has no objection to Option 2, iron railings matching the existing railings, but utterly opposes Option 1 chain link fencing and regards it as absurd that this could be proposed after all the careful considerations of the appeal.

Environmental Protection

Visually option 2 would be preferable to match the fence on the other side of the gate but this type of fence could cause safety issues here as people sit or lean on this wall. Some detail on why the fence is needed would be helpful i.e. is the intention to keep people off the wall or just prevent them throwing things into the coffee shop premises?

St Helena National Trust

Please Note: If choosing between options 1 & 2 – option 2 would be the preferred choice.

Economic Development

Comment from Tourism - We are in favour of this and think that as long as the design is in keeping with the vision for the area then we are happy to agree with the proposal.

[Officer Comment: The Applicant submitted two options for the security fence *before* official registration of the submission. The Applicant confirmed that it is Option 1 (chain link fence) that they would like to officially submit for consideration by the Land Control Development Authority. Consequently, the Applicant submitted a plan with just Option 1 (chain link fence) presented for official registration. Unfortunately, the plan that was distributed for consultation purposes was inadvertently the plan which showed two options. Notwithstanding, the development proposal for consideration is for *Option 1 – Chain Link Fence* only, as shown in the diagrams in this report and only those comments relating to this proposal can be considered.]

LEGAL AND POLICY FRAMEWORK

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

- Intermediate Zone: Policies
- Built Heritage Policies

OFFICER'S ASSESSMENT

Currently, there is a boundary wall either side of the main road and wrought iron fencing and gates that forms part of the symmetrical vista when entering from either side; the seafront, or from the Arch.

The Police's previously commented at pre-application stage at an on-site meeting with the applicants on 24th October 2024, that a security fence should be of a height upto 2m, and that it was also suggested defensive planting, e.g. Tungi, Burgonvelia,

some additional shrubs could added. Also discussed was that the colour should be dark grey to match the existing iron-work gates and that the fencing could be set back from the gates and form a parallel line across the site. Subsequently, three options were submitted which were considered and advice given on this basis.

However, of the three options submitted by the landlord (SHG Property Services) at pre-application stage in March/April 2025 – one for iron fencing to be attached to the wall, one for iron-work to be a freestanding fence set back and one for set-back chainlink fencing, none of the consultees at pre-application stage were in agreement with chainlink fencing but did favour the other two. The Police had no views on the design or appearance of the fencing. The outcome of the pre-application were shared with the applicants by Property Services.

The proposal would meet the discussions that the fence should form a parallel line across the site. The colour to be applied could form a condition of any approval and additional shrubs could be planted, again subject to an attached condition.

However the proposed 2.9m high fence is well in excess of what the Police indicate would be needed for security purposes and furthermore, the proposed fence projects up over that of the historic boundary wall by more than a metre at the highest point and, although set back from the boundary wall by just under 1m (900mm) it will appear prominent and visible from public viewpoints in the surrounding streetscape such that this proposal to install a security fence consisting of chain link fencing is not in keeping with any of the heritage features that faces directly on to the streetscape.

In considering the development proposal for a security chain link fence with iron frame, in accordance with the relevant policies, the design, material, scale and siting of the fence is not considered to contribute to the conservation of, nor enhances the aesthetic of the heritage streetscape of which it will be a part of, that is the bridge leading through *The Arch*.

Therefore, and to conclude this assessment of the proposal, the overall design of the chain link fence is not in line with LDCP Policies BH1 and BH2, in that it is not complimentary of existing features and does not add to the character or support the conservation of the Jamestown Historic area.

C. RECOMMENDATION: The application is to be referred to Governor in Council in accordance with Section 23 (2) of the Land Planning and Development Control Ordinance, 2013 and 'Directions to the Chief Planning' dated 14th June 2022, as the development is within 50 metres of the sea, and that Development Permission be **REFUSED** for the following reason:

- 1) The development fails to comply with LDCP Policies BH1 a), BH1 c), BH.2 and BH5, as the appearance of the fence is not appropriate to the appearance and setting of the immediate area and Jamestown Historic Conservation Area, in terms of its design, scale, materials and siting.