

Planning Officer's Report - LDCA NOVEMBER 2024

APPLICATION	2024/44 – Partial Change of Use to Class A1: Shops & Partial Enclosure of Ground Floor Verandah & Change in Signage
PERMISSION SOUGHT	Full Permission
REGISTERED	5 September 2024
APPLICANT	JT Partners
PARCEL	HTH1310
LOCALITY	Rosie's Bar & Restaurant, Ladder Hill, Half Tree Hollow
ZONE	Intermediate
CONSERVATION AREA	Heritage Coast
CURRENT USE	Vacant Bar & Restaurant
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Independent Newspaper on 13 September 2024.▪ A site notice displayed in accordance with Regulations.
EXPIRY	27 September 2024
REPRESENTATIONS	One Received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Sewage & Water Division	No Objection
2. Energy Division	No Response
3. Fire & Rescue	No Objection – Comment
4. Roads Section	No Objection
5. Property Division	No Response
6. Environmental Management	No Response
7. Environmental Health	No Objection – Comment
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	Not Consulted
10. Aerodrome Safe Guarding	Not Consulted
11. Economic Development	No Response
12. National Trust	No Response
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 within the mixed use area of Ladder Hill, where it is designated within the Intermediate Zone and falls under the Heritage Coast conservation area.

Diagram 1: Location Plan



PROPOSED DEVELOPMENT

The developer proposes to enclose the lower ground floor verandah to support the change of use to retail space and change in signage. Materials used to construct the verandah enclosure will be a timber structure with cement board and the IBR sheeting. A single post is needed to support the roof structure on the covered area to the west. There are no internal changes proposed with just re-purposing of the rooms such as the kitchen into a store room and the previous sitting area as shop space. The second element of the proposal is the addition of signage on the western elevation of the building measuring 1m x 1.2m, and on the northern elevation on the new extension a 13.75m x 0.5m sign. Both signage will have the Rose & Crown branding with the signage at the front elevation reading "Ladder Hill Supermarket."

Diagram 2: Site Plan

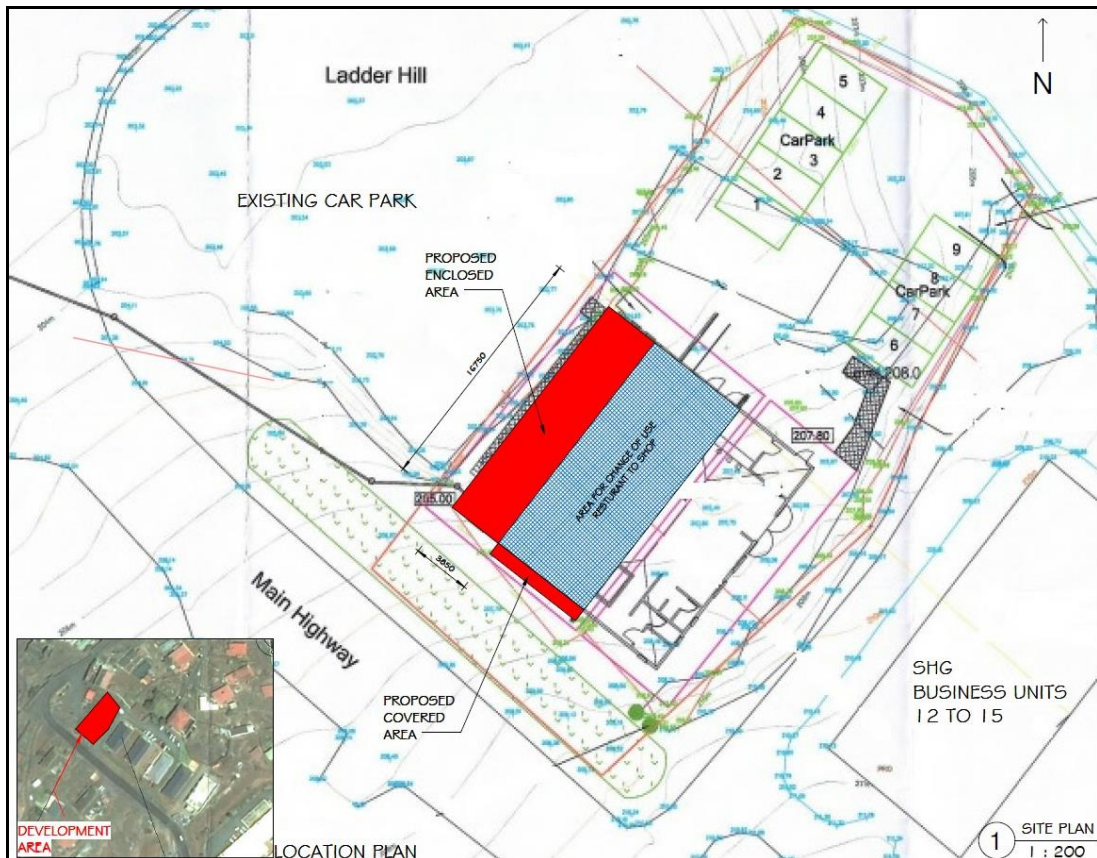


Diagram 3: Existing Ground Floor Layout

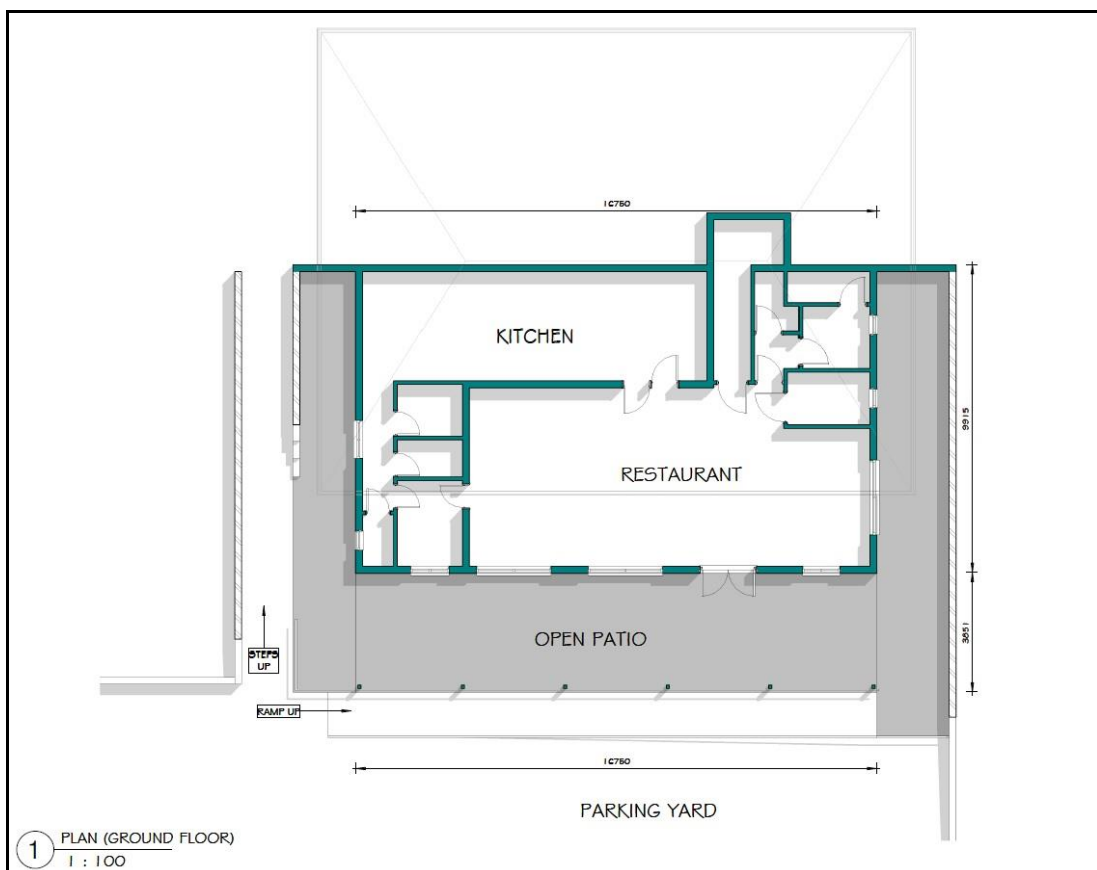


Diagram 4: Existing First Floor Layout

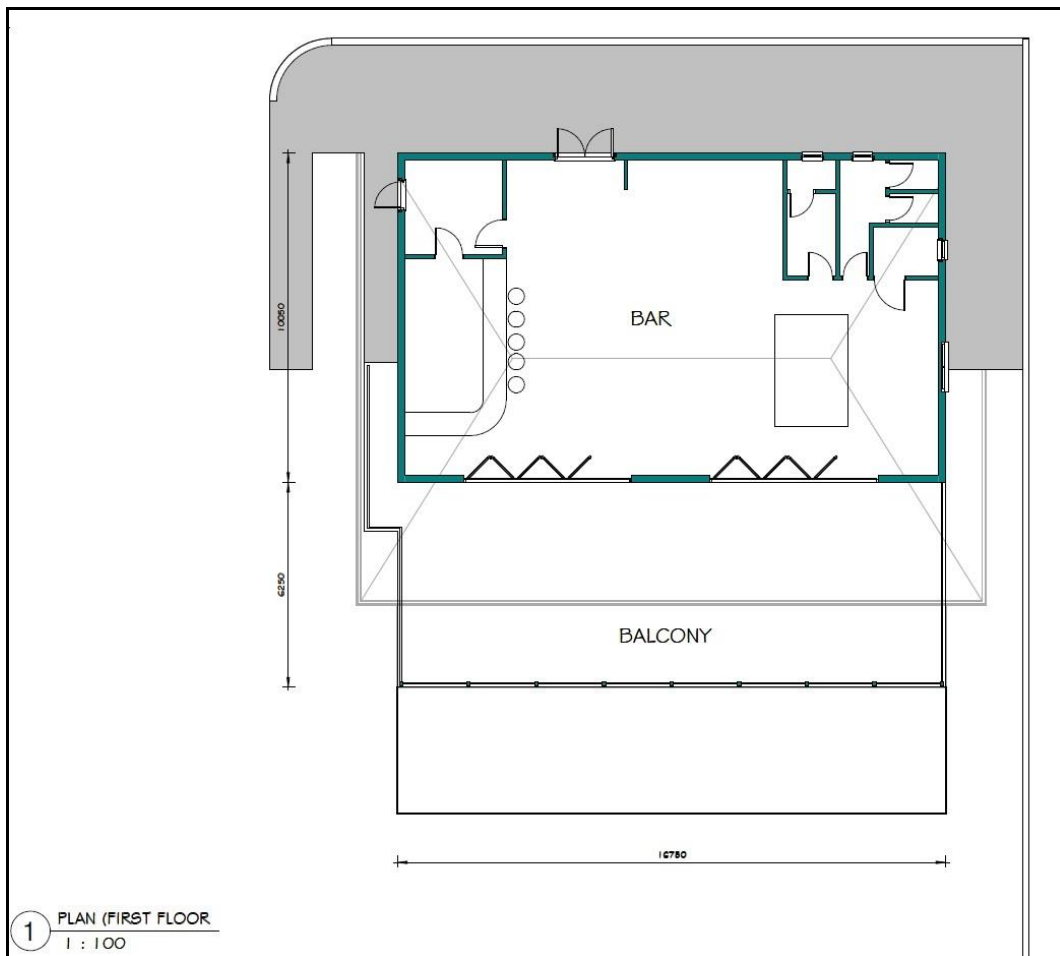
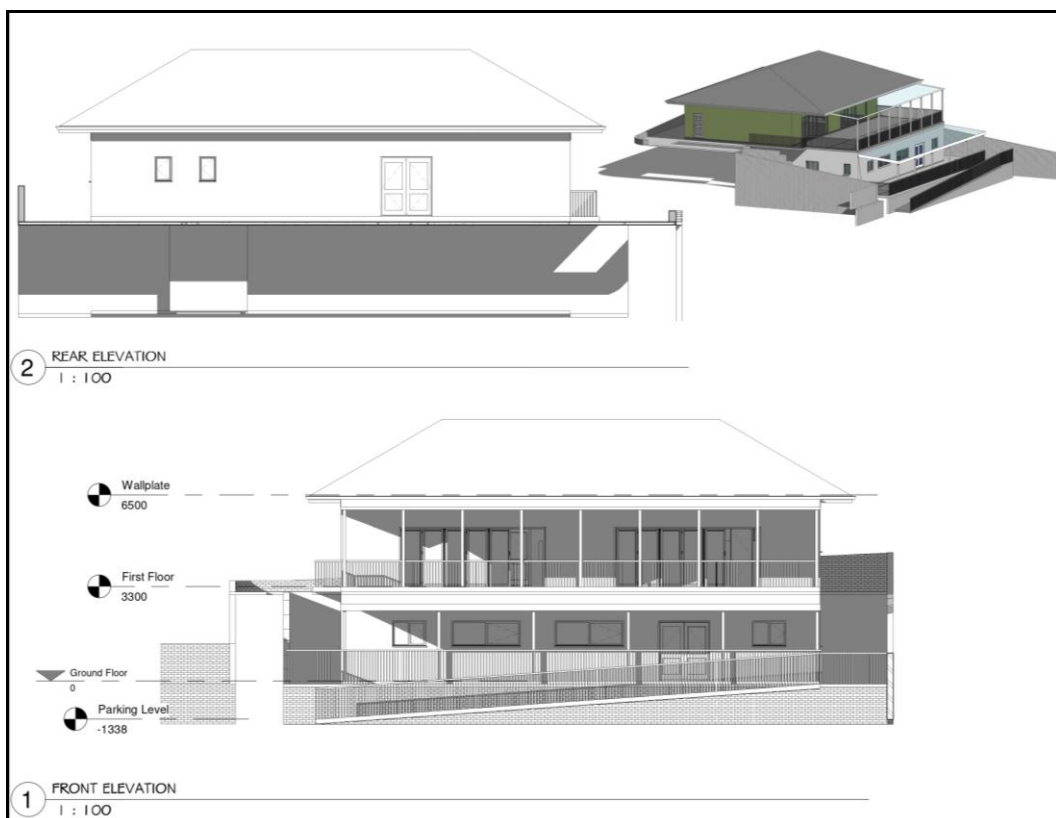


Diagram 5: Existing Elevation Plans



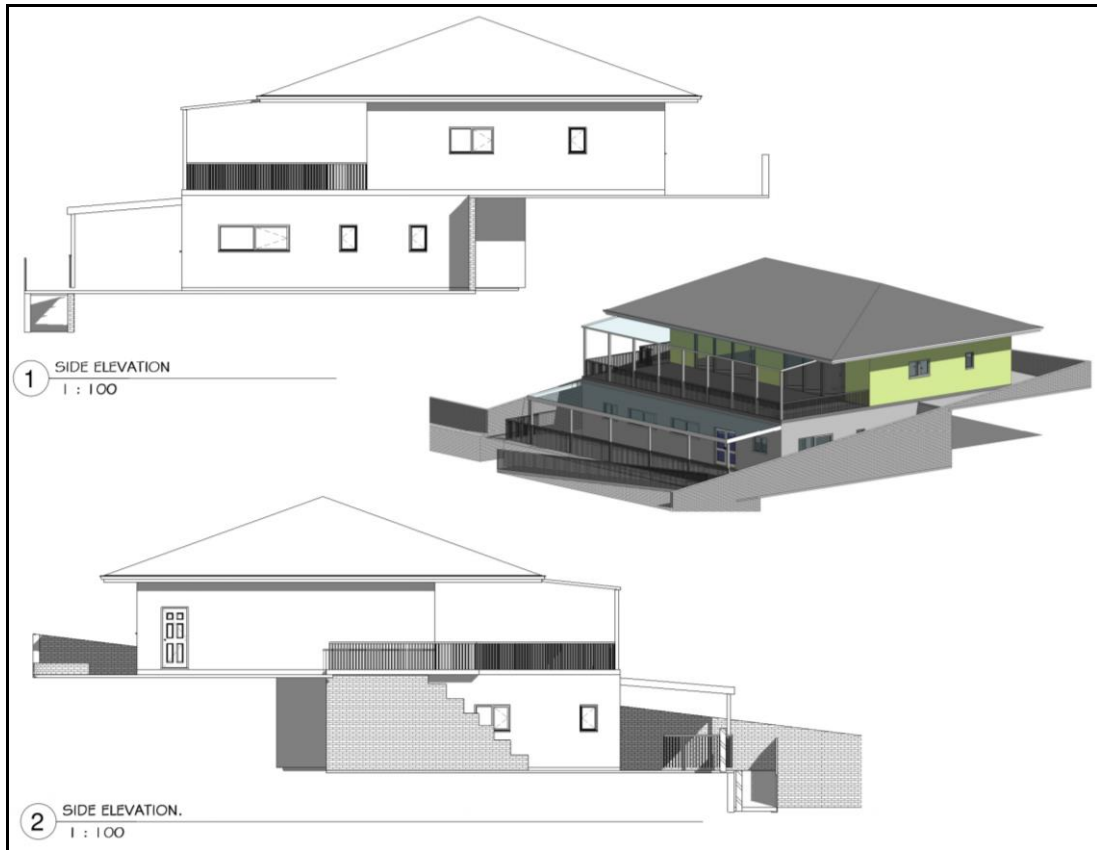


Diagram 6: Proposed Ground Floor Plan

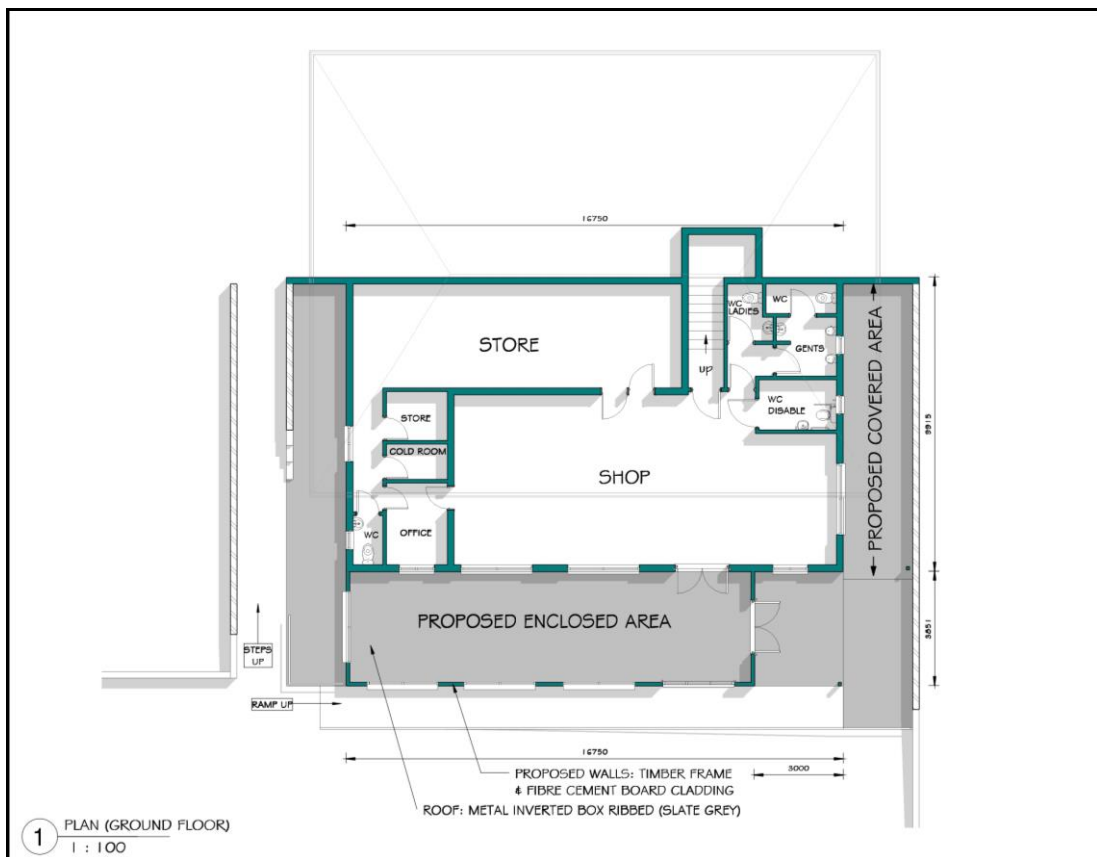


Diagram 7: Proposed First Floor Plan

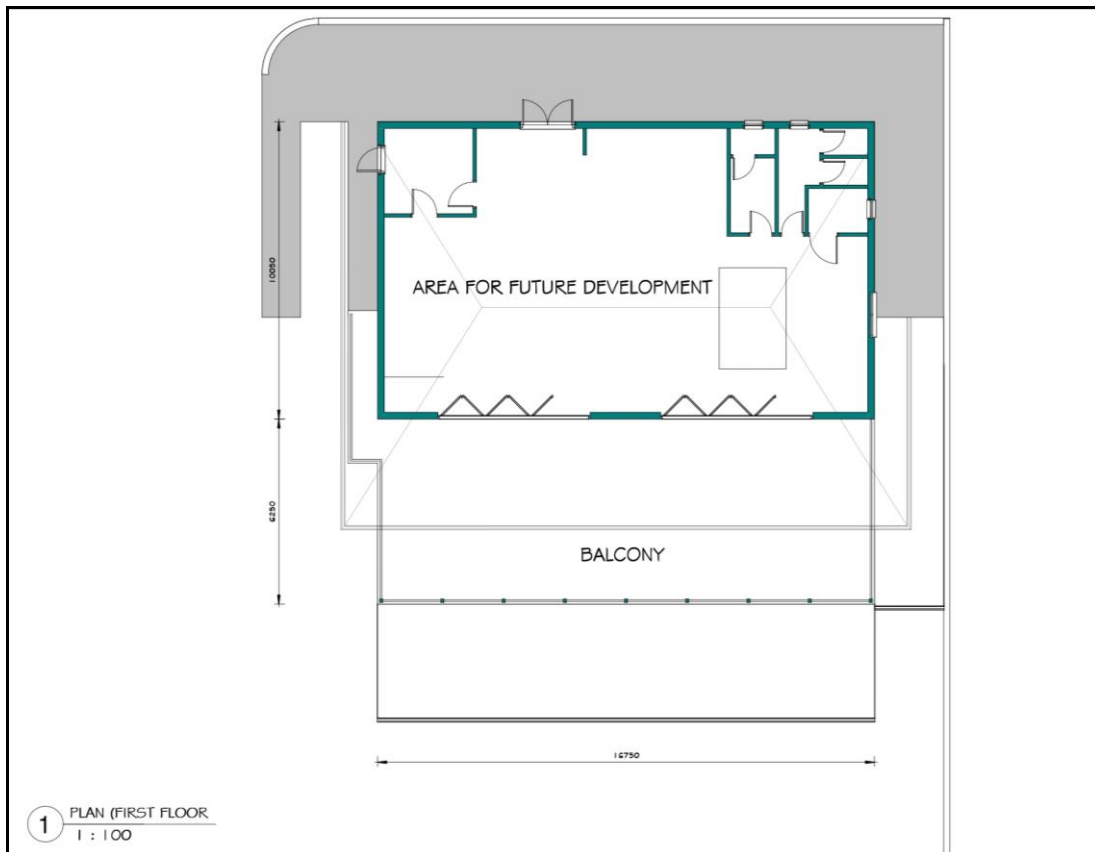
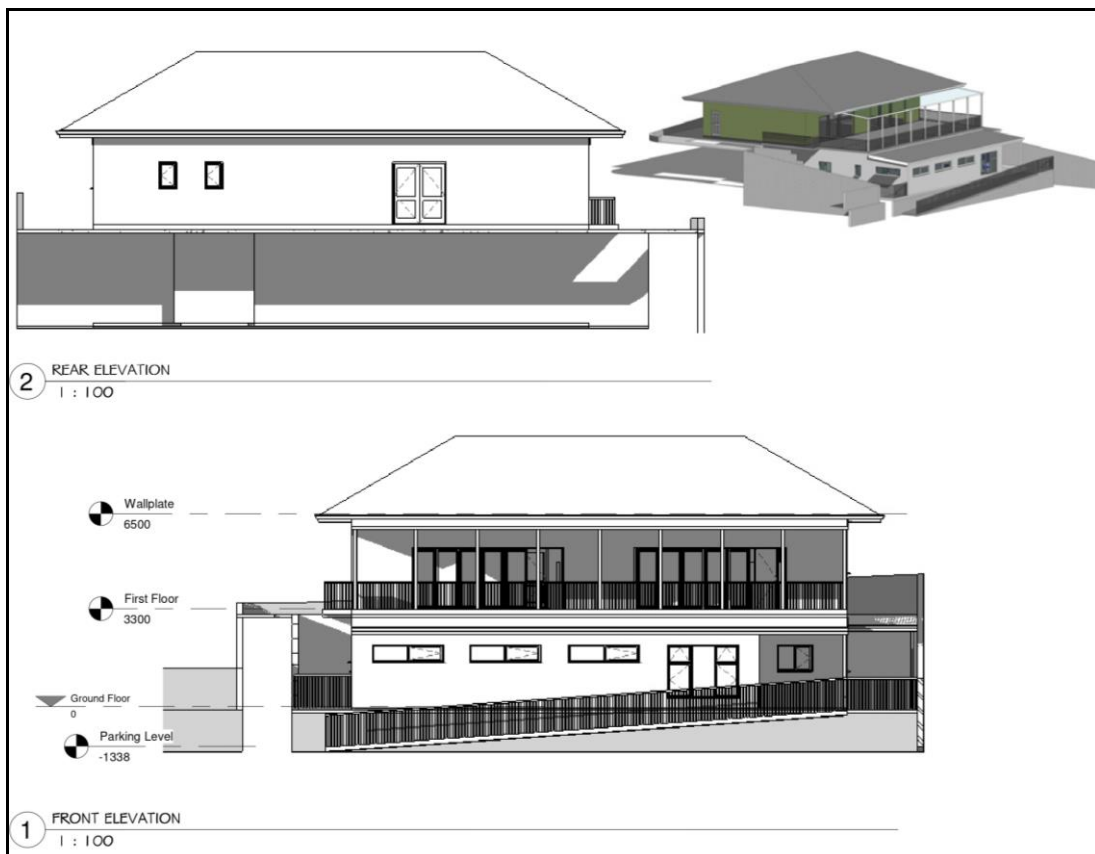


Diagram 8: Proposed Elevation Plans



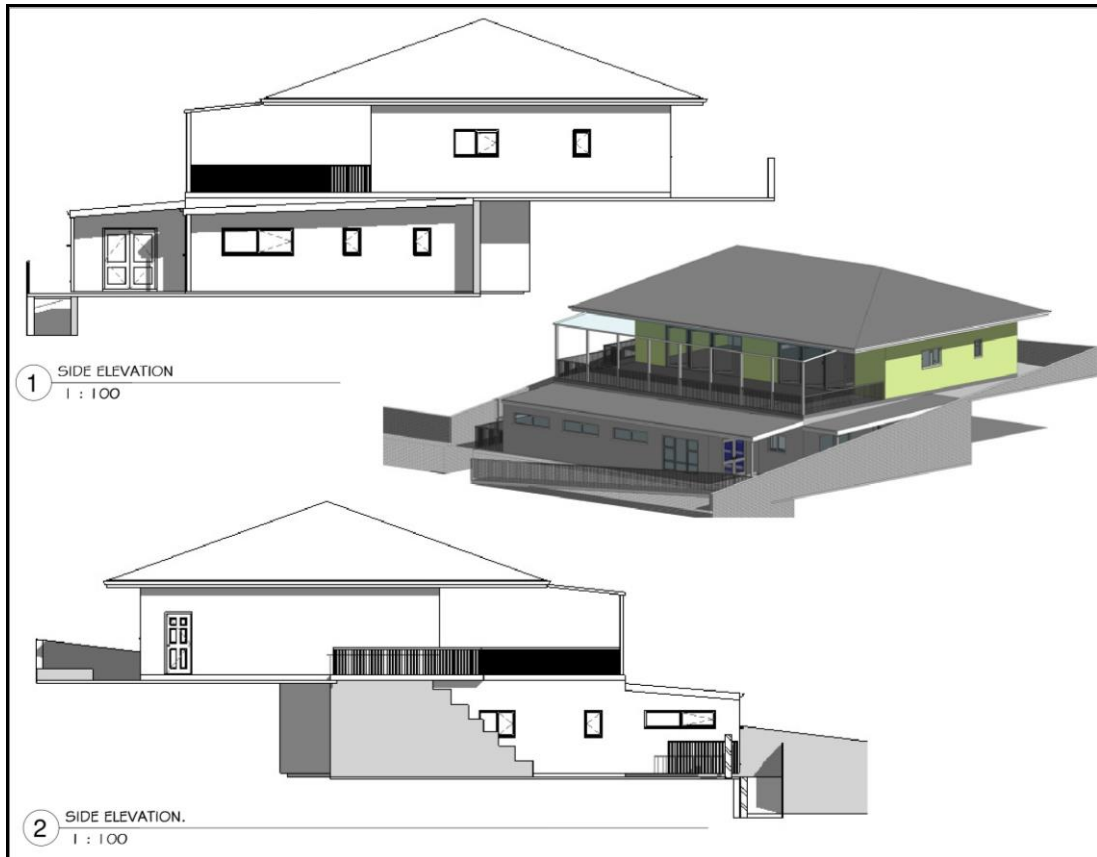


Diagram 9: Signage Schematic



STAKEHOLDER FEEDBACK & REPRESENTATIONS

There were no objections received from stakeholders. However, there were comments made by the *St. Helena Fire & Rescue Service* and *Environmental Health* as detailed below. Also, there was a representation received by a member of the public as outlined below.

St. Helena Fire & Rescue Service

The SHF&RS will need to have sight of the building plans for the installation of passive & active firefighting/prevention media, (if not already installed).

Environmental Health

There is no objection to change for the premises to accommodate a shop. The application does not indicate if it is a hardware shop or food shop. However the applicant/ owners should be made aware that if any food whether “enclosed “or “open” is sold from this shop then an application should be made to Environmental Health for a food business registration and annual licence before operation. The premises must also comply with applicable provisions in the Food Safety legislation.

Representation from member of the public

I would proffer the following points:

1. Whilst the existing building sits within the Intermediate Zone, it is very close to heritage assets and also very close to the Coastal Zone, offering significant views of both. It also falls in the area of the Business Park identified under Section 22 of the current LDCP, which was intended for Clean Business Uses - Class B1.
2. The existing Class A3 - Restaurants and Cafes was permitted at the time due to the fact that the development could be directly attributed to Tourism Development, thus permissible under Section 8, noting how close it is to heritage assets and the coastline.
3. I fully acknowledge that the intended use for the upper deck remains consistent with the original intent of the development permission originally granted, and I therefore support this aspect of the proposed development application.
4. The proposed change of use in respect of the ground floor to Class A1 – Shops, is however I feel not within the spirit of either the current LDCP or original intent of the development permission previously granted, namely to “promote and encourage tourism”, but merely serves to create further

competition within an already saturated market. As such, I do not support this particular aspect of the development application.

5. Having recently seen the attached signage schematic, I wish to further add ...that it is my understanding the Planning Office has produced a guidance note regarding signage, in particular where signage is to be used by businesses in close proximity or within heritage areas. As I recall, this guidance note actually used the signage put up at the Business Park by ESH as an example of what may be considered permissible in such situations. Having looked at the attached, I believe that this does not comply with either Schedule 2 Part A of the Land Development Control Ordinance in respect of its impact on the visual amenity of this heritage area, nor the guidance notes which relate to this.

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 IZ1 a), b)
- Employment Premises Policy EP1
- Road and Transport Policies: RT7
- Built Heritage Policies BH1c)
- Advertisement Policy Appendix 8

OFFICER'S ASSESSMENT

Extension

In considering the covered area and enclosure, the structural modifications will be minimal and fit for purpose for the new use of the property. There is no increase in footprint with exception to the covered area on the western elevation. Materials used to construct the verandah enclosure will be timber structure, fibre cement board and IBR sheeting, resulting in a design that is coherent within itself and will not appear as an afterthought, sharing a similar rendered appearance to that of the building.

Signage

The proposed advertisements will replace the existing signage at both locations that was previously permitted. The Advertisements Policy aims are to clarify that an advertisement can be an abomination, cluttering the landscape, defiling building and detracting from a character of a pleasant place. The following tests to ensure this is not the case apply:

- i) Are there more advertisements than necessary?

- ii) Are the advertisements larger or more prominent than they need to be?
- iii) Does the advertisement respect the architecture of buildings to which it is attached?
- iv) Will the advertisements be sited remotely from building.

In assessing the proposed signage, the building contains two principle elevations that is readily visible from the main road, north and west facing. All business premises including shops, cafes and the like are permitted to have one advertisement on the principle elevation of the building or one attached to each principle elevation if there is more than one. The design of the ground floor sign will be similar in size to that of the previous, where the sign will span the length of the extension at approximately 13.75m with a height of 0.5m. Whilst guidance suggests that a sign should not be wider than 1.2m and have a height of no more than 0.4m, it does attach to and align with the extent of the extension. The second sign measures 1.2m x 1m and provides the company's logo. This sign partially complies with the guidance in terms of its width and will align with the existing window sills. Overall, the design of the advertisements are scaled proportionally and will not be overbearing on their respective elevations. Whilst there is some deviation to the Advertisement Policy, the visual harm is not considered to adversely impact the setting of the conservation area.

Use

With regards to the proposed change of use, the location of the development is within the Ladder Hill area, where there is an opportunity for this type of development to serve, but not limited to, the Ladder Hill and Lower Half Tree Hollow population. Currently the nearest shop is located almost a kilometre away being A&D's Minimart, this will provide a social benefit for those without a private vehicle as the development would be within closer proximity to these residential areas. Furthermore the development is within a prime location along bus routes and has parking spaces available immediately to the north. It was argued that this type of development is not within the spirit of the LDCP in comparison to its previous use and associated uses, south of the site, in regards of providing a tourism element. Given that this development is a tourism supporting service and as the building is within close proximity to Jacobs Ladder and Ladder Hill Fort, tourism elements can be added, therefore this use is considered acceptable.

Overall, the extension and signage is considered acceptable as its appearance will not adversely impact the amenity or setting of the conservation area. The use is also considered acceptable given the social and economic benefits this development will bring.