

2016

RUPERT'S VALLEY DEVELOPMENT PLAN

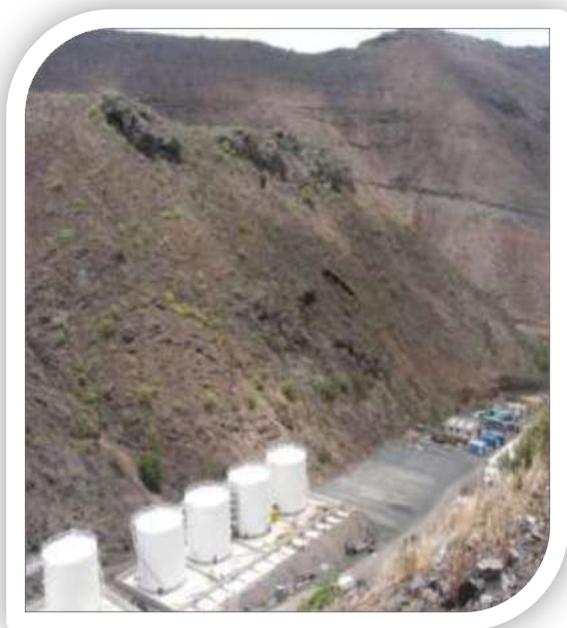


PLANNING & BUILDING DIVISION, ENRD
ST HELENA GOVERNMENT



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Foreword

Rupert's Valley Development Plan is a Statutory Plan prepared pursuant to s13 of the Land Planning and Development Control Ordinance, 2013. This planning document shall apply to the land area of Rupert's Valley as covered by the Key Diagram.

The Plan comprises this Written Statement and the Key Diagram. Unless otherwise stated, the Plan, once adopted, supersedes the Adopted Land Development Control Plan 2012 (LDCP).

Reasoned Statement

The production of the Plan follows the decision in December 2013 by The Governor in Council to grant Development Permission for construction of a new wharf in Rupert's Bay. The Plan is prepared in order to help facilitate sea access, to plan for the accommodation and infrastructure necessary for success of a new port facility and to update planning policies to guide new development. Rupert's Wharf shall become the main point of sea access for freight to serve the Island of St Helena beyond July 2016, following decommissioning of the RMS St Helena and its replacement by a freight-led service. The LDCP adopted in 2012 envisaged that a development brief would be completed in respect of Rupert's Valley as soon as possible after it becomes clear whether the Airport Project will deliver a permanent wharf at Rupert's Bay. For the purposes of that policy, this Development Plan takes the place of the intended development brief.

The Plan provides guidance as to where new development should take place and the siting, design, access and servicing criteria that shall apply to new development proposals.

The policies and land use proposals seek to regulate new development in the public interest and to protect significant public investment in new infrastructure.

Legal Status

When a Development Plan has been adopted by decision of the Governor in Council it shall be the duty of all public officers to formulate any project of public development in accordance with the policies of the Development Plan unless there are material planning considerations which they believe justify a departure from the plan.

The Next Step

The Governor in Council may accept this Finalised Plan in its current form or make further alterations. Additional consultation may also be undertaken. When the Development Plan is approved by The Governor in Council, a copy shall be deposited at Essex House and the Public Library and the Plan shall be further publicised. A notice of the deposit of a Development Plan shall be published in the Gazette and the Plan shall come into effect on the date of such publication.

Martin Hannah MRTPI
Head of Planning & Development Control.

1. Introduction

The production of the Rupert's Development Plan is regulated by the Land Planning and Development Control (Development Plan) Regulations 2013. The Consultative Draft Plan published late 2013 outlined prospective development parcels and proposed land use policies relating to land in Rupert's Valley.

The Plan also proposes policies and recommendations that seek to regulate and guide the development of land in the public interest, to ensure that adequate land is set aside for port and marine operations and container storage and also make provision for the delivery of public service infrastructure and commercially led storage and distribution space.

The Draft Plan has now been revised to take account of the representations received and also modifications made necessary as a result of design and planning decisions made following publication of the Draft Plan and new information.

The Authority wishes to thank the former Chief Planning Officer, David Taylor for his work and also all contributors for their comments and participation in plan preparation.

2. The Airport Development Permission and Amendments and Future of Sea Access

As anticipated in the Consultative Draft Plan, a request for amendment 2013/92 to earlier development consent was submitted by Air Access Directorate to obtain approval for the new wharf, sea rescue building and Rupert's fuel pipeline and related infrastructure, to be delivered as part of the wider Airport Project.

This application was subsequently approved by the Governor in Council on 17th December 2013, subject to conditions. Basil Read has now commenced work on the new wharf and work on the new jetty should be complete in late 2015. The drawings submitted by Air Access in October 2013 depicted only general arrangements and there has been further design evolution since development permission was approved. The final details of the sea rescue building were approved in December 2014 under delegated authority. Full Development Permission or the approval of Governor in Council under the Airport Ordinance may yet be needed to address some outstanding issues.

Under the Airport Development Permission granted by The Governor in Council and the contract awarded to the Airport Contractor Basil Read, the existing Bulk Fuel Farm at the Beach Site will be decommissioned. A replacement Bulk Fuel Farm is under construction adjacent to the Access Road and this installation is due to be commissioned under a rolling programme during 2015. Basil Read temporarily occupies Crown Land and property under the airport contract and Airport Development Ordinance. The airport related construction is managed under a design and build contract. Further amendments to the development permission and reference design may yet be sought to accommodate design changes. The contractor is expected to demobilise and vacate the premises in Rupert's Valley under a phased demobilisation programme.

The new jetty affords an opportunity to plan for a modern port and freight handling site and improved service infrastructure in Rupert's Valley to provide better port and cargo handling arrangements to serve the Island. Land not required for port facilities or container marshalling space may be made available to commercial users including marine services, storage and distribution and industry.

A 14 km Access Road has been constructed that now links the airport site at Prosperous Bay Plain to Rupert's Valley via Deadwood. Subject to final design approval and grant of permissions, improvements to the existing road serving Rupert's Valley will link to this Access Road and the programmed R2 road improvements to upgrade Field Road and Side Path.

3. Consultation Process

Confirmation of funding for the new Rupert's wharf was given by Department for International Development (DFID) in September 2013. A Development Plan Working Group and later on a Steering Group was established to review the issues to be considered and be planned for.

The Draft Plan was published in November 2013 and the Land Development Control Authority (LDCA) considered it at its meeting on 6th November 2013. It approved the Key Diagram and the policies proposed for each zone subject to Amendments.

The Authority Members considered that public access to the beach area should be maintained, supported reservation of land to facilitate provision of a new waste water plant and considered also that the road specification serving the Valley should be designed and built to suit heavy traffic.

The SHG Environment and Natural Resources Committee also considered the Draft Plan, including the recommendations of the LDCA, at its meeting on 14th November. The Committee approved the Draft Plan, including the LDCA recommended amendments, for the draft to go forward for public consultation. Public Consultation followed and the Draft Plan was advertised in the Press and on the SHG website during the Consultation period.

In addition all main traders on the island, the Chamber of Commerce, ESH, SHNT, Argos, Air Access Office, Halcrow, the Museum, Connect St Helena, Sure, the SHG UK Office, the Citizenship Commission, the Tourism Association, Chief of Police, all relevant SHG Departments and DFID were contacted.

Meetings were requested by the Chamber of Commerce and Solomon's and these were held during January 2014. Public meetings were held in Longwood, Jamestown and Rupert's on 13th, 15th and 16th January 2014 respectively.

During the consultation period representations on the Draft Plan were received from the contributors below:

Gregory Cairns-Wicks,
Vince Thompson,
Sure South Atlantic Ltd,
Enterprise St Helena,
Stuart Moors,
George Stevens,
The Heritage Society,
Trevor Thomas on behalf of the Fishermen's Association,
The Chamber of Commerce,
Cathy Hopkins,
Argos,
SHG Access Office with the Project Management Unit (Halcrow),
Julia Benjamin,
Solomon's.

The representations received from the contributors and the considered response of the Chief Planning Officer is further detailed in Schedule 6.

Development Planning Regulations introduced under the 2013 Ordinance provides that the Draft Plan be placed on deposit for public consultation for not less than 8 weeks. This expired in January 2014 and since then the representations received have been considered carefully and other information pertinent to Plan preparation has also been considered, including design decisions taken by Air Access Directorate with the consent of Governor in Council.

The Finalised Plan, once adopted is a Development Management tool but it cannot provide answers to every problem. Some of the practical constraints to development are intractable, the competing demands made upon limited land resource in the valley are quite difficult to reconcile.

This Finalised Plan seeks to further refine the approach taken by the Draft Plan and take into account the representations received during the initial Consultation period and also reflect planning and design decisions that have already been adopted. This version also advocates updated policies, design guidance and standards to help direct development. These are now set out in the Schedules.

The Plan endeavours to set out how the Valley should be developed in the public interest to promote better logistical management of port operations, container storage, storage and distribution of cargo and the delivery of infrastructure necessary to enable development to be delivered in a planned, coherent manner. Priority is given to the designation of a Port Area given the importance of freight handling.

Once adopted, the Finalised Plan will be used to assist policy makers, planning and other public officials to make decisions and direct where and what kind of new development can take place.

Difficult and realistic choices need be made but the opportunity to create a modern port facility and improved logistics and storage capacity can bring enormous benefits to St Helena and Islanders and this opportunity should not be lost.

4. Status of the Development Plan

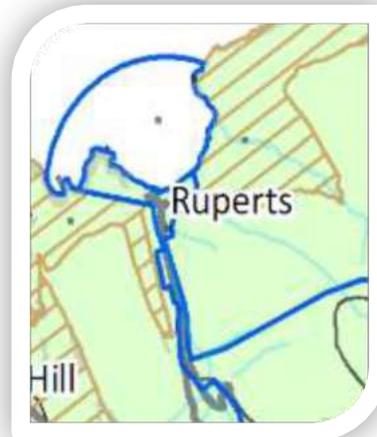
Under the current Ordinance the Land Development Control Authority and Planning Officers are placed under a general duty to determine applications for development permission and to exercise their other powers and functions in accordance with the Adopted Development Plan.

The Rupert's Development Plan, when adopted, will also be a Development Plan within the meaning of Part V of the Land Planning and Development Control Ordinance, 2013 and the Land Planning and Development Control (Development Plans) Regulations, 2013.

Currently, under the adopted Island-wide Land Development Control Plan April 2012, Rupert's Valley falls within the Coastal Zone and the Primary Policy for the Intermediate Zone CZ1 applies to new development proposals. The Policy and related implementation policies presumes in favour of tourism, recreation and residential development subject to a range of siting and design criteria but it does not favour commercial development. Commercial, employment and storage and distribution development is not normally supported in the Coastal Zone unless tourism related. This is, however, contradicted by LDCP Policies EP1, EP3 and EP4; the later policy at least recognised that a change to the planning status of the valley would inevitably follow a decision about the permanent wharf, notwithstanding Coastal Zone designation. Much of the valley also falls under the Airport Development Area and has already undergone considerable development with the consent of Governor in Council, including construction of new fuel infrastructure and Access Road.

The area around Rupert's Lines is designated a Heritage Conservation Area under the former Plan. Although Rupert's Lines has been conserved during wharf operations the character of the area has changed by virtue of the airport development operations and occupation of land by the Airport Contractor and further significant change is inevitable following commission of the new wharf.

Some of the LDCP policies still remain relevant to the Rupert's Area but the zoned approach followed by the Land Development Control Plan 2012: Intermediate, Green Heartland and coastal is not adopted for the purposes of this Plan.



Adopted Land Development Control Plan 2012

Following the 2012 adoption of the current LDCP, the Governor in Council granted Development Permission in December 2013 (2013/92) for a permanent wharf and related infrastructure at Rupert's Valley, amending the airport development permission and reference design.

The strategic decision to invest in the future of sea access and permanent wharf facilities at Rupert's shifts freight handling and container storage away from its historic home in Jamestown to Rupert's Valley.

Investment in new road infrastructure linking Rupert's Valley with the airport site, construction of the replacement Bulk Fuel Installation and Airport Contractor's temporary occupation of land has further changed the character of the valley in a manner so that it has already become very commercial in character.

The way Rupert's Valley will be used from 2016 and the anticipated pattern of development can no longer sustain designation under the former Coastal Zone Policy and an amended policy response is proposed not just to reflect this reality but also to set out clear standards to guide future development proposals, reserve land to safeguard future port and related operations and make optimum use of new infrastructure investment.

An amended approach is proposed which identifies land: that should be safeguarded for port development purposes and land suitable for commercial take up and future development. LDCP Policies no longer relevant to Rupert's Development Area have been omitted and some new policies are advocated to help guide development management decisions by the Authority.

The Rupert's Development Plan, once adopted by Governor in Council, shall modify the LDCP where this is clearly stated. The most significant modification proposed is to redesignate land by taking it out of the Coastal Zone. The Intermediate Zone Policies of the LDCP also favour residential and tourism development but militate against development likely to have an adverse impact upon the amenity of existing residential development. The application of Intermediate Zone policies accordingly should not be adopted for the future planning and development of Rupert's Valley Development Plan Area.

Instead new policies have been conceived and designed to facilitate a new sea port, infrastructure, container storage and associated marine related and commercial development. The replacement plan makes no provision for land uses that are unsuited to be placed alongside 24 hour container handling and distribution operations and fuel infrastructure.

Section 14 of the 2013 Land Development Control Ordinance provides that where there is conflict between two Development Plans applying to the same area, the later plan shall be deemed to have modified the earlier plan unless there is express provision to the contrary.

Where LDCP policies remain relevant to Rupert's Valley and where no alteration to the Primary or implementation policies is desirable this Plan shall adopt them to assist development management decision making and pursue a consistent approach to island land use planning. Where the LDCP is not expressly modified by this Development Plan the policies and standards established under the LDCP including the appendices will continue to apply.

5. Key Plan Assumptions

- Shipping Procurement

The RMS St Helena currently visits the island on a three week cycle. Future shipping arrangements are not yet finalised, however, the tendering process to appoint a shipping company is now underway and discussions with prospective partners has taken place.

A number of these prospective bidders for the shipping contract have already visited the Island for inspection and dialogue with Government Officers. The assumptions used by the shipping procurement documents published by SHG and information gleaned through dialogue with prospective shipping companies has therefore been adopted for planning purposes.

The procurement documentation states that the minimum frequency of service, considered acceptable, is once every 6 weeks.

Shipping companies have been advised that the wharf will be able to receive and depart vessels 24 hours a day, 7 days per week, subject to weather conditions.



- Freight Volume

The St Helena Government expects that most of the cargo arriving on island from 2016 will continue to be transhipped via the UK or Southern Africa on containerised shipping with some increase in the use of 40 foot and non standard shipping containers also likely.

The Finalised Plan makes provision for the handling of up to 200 twenty foot equivalent containers (TEU) per visit based on annual freight volumes of 26,500 tonnes. This assumption is founded on the “Island’s Requirements” document prepared for shipping contract procurement. Adequate land should be allocated to allow 200 containers to be unloaded and transported efficiently from ship to marshalling space and then transloaded to warehouse space to be stripped.

Additional lay down areas for the same number of empty containers ready for backloading must also be identified. Although there is no requirement to site empty shipping containers close to the wharf the requirement for secure port operations, efficient container handling, the need to load and unload quickly to avoid demurrage charges and the limitations of island road infrastructure determine that the short term or transit container logistics should be close as possible to the new Wharf. A larger port area is proposed to accommodate the short-term container handling requirements.

- Wharf Design

The new wharf design is designed primarily for containerised freight handling, with capability to handle cargo ships of approximately 100 metres Length Over All (LOA). The wharf will not have sufficient space for the lay up of many containers or break bulk cargo, nor for the long term lay up of fishing or leisure boats as vehicles must be able to manoeuvre and turn without obstruction.

Due to rockfall risk highlighted by the April 2014 report and also the need to maintain the access road free and clear of obstruction there is limited scope to use any part of this road for boat lay-up and maintenance purposes. There is also limited turning facility on the road or wharf for larger vehicles and care will be needed to avoid obstruction that would impede traffic flow.



- Road Infrastructure

The road serving Rupert's valley has been degraded by heavy traffic serving airport and wharf construction. It will be repaired and upgraded under the Airport Contract, however, the final design, alignment and specification of the road is not yet finalised.

The Airport Contract presently specifies a Cape Seal finished surface along most of its length with the short section from Rupert's Lines to the wharf will be rigid built made up of reinforced concrete. The Capeseal road finish provides an excellent wearing coat to the road. It is durable, flexible and resilient to heat but it is not as well suited to heavy trafficked road surfaces. It is also not generally specified for industrial type settings where large vehicles will be required to make tight manoeuvres and the maintenance costs can also be high compared to rigid roads. Upgrading of the entire main access road to reinforced concrete finish would be desirable as heavy traffic use is anticipated but this is not currently specified under the airport contract and enhancement would cost more.

Road access to Rupert's Valley is to be upgraded by the completion of the Access Road during the second half of 2015 and the upgrading of Rupert's Road under the Airport Contract and, Field Road and Side Path under the R2 project. The Field Road improvements should be programmed carefully to coordinate with adoption and handover of the new Access Road to ensure that Rupert's Valley remains accessible.

- Fuel Landing

Fuel transshipment is to be handled via tankers moored offshore using floating hoses. The new Bulk Fuel facility south of the Power station has storage capacity of approximately 6,000,000 litres in above ground tanks.

The proposed fuel pipelines were to be routed from the new wharf to the replacement bulk fuel installation above the power station. The pipeline would be laid in a protected sleeve and underground from the Wharf via the access road, continuing underground alongside the re-aligned and upgraded road and crossing the valley to the old Fisheries offices where it shall be laid overland in an alignment east of existing housing development to supply the eight new fuel tanks located in the Mid Valley. The fuel delivery arrangements are under review and may yet be amended.

- Hazard Mitigation and Public safety



The installation of underground and above ground fuel infrastructure presents particular challenges for future land use planning as notwithstanding the infrastructure is new and designed and constructed to modern requirements the pipelines and bulk fuel storage are potentially hazardous.

It is normal and prudent planning practice internationally to adopt standards that impose controls upon new development in proximity to potentially hazardous installations where new development would increase exposure to hazard. There are eighteen existing dwellings in Rupert's Valley and resident population estimated to be 33 persons. The residences have already experienced a great deal of disruption during the airport development phase as the main point of arrival for Basil Read plant and materials.

Following completion of the airport project some residents have expressed the wish to see some land allocated for additional residential development but given the demand for scarce land, the proximity of fuel and pipeline infrastructure, container handling and anticipated hours of operation associated with port use, Rupert's Valley is not an area that easily lends itself to further housing development.

The Health and Safety Executive (HSE) in the UK publishes information on land use planning and hazardous installations and the agency can provide assistance to UK Overseas Territories on the siting of hazardous installations and advise upon the implications for planning decisions using a risk assessment methodology (planning advice for developments near hazardous installations) - known as PADHI. The advice of the agency should ideally be obtained in advance of granting development permission for new development close to the new bulk fuel store.

The desire of some parts of the community to provide housing for future growth and accommodate local needs is understandable but this cannot easily be reconciled with the need to offer an acceptable standard of residential amenity and also maintain public safety in the event of an emergency.

Housing opportunities located elsewhere on Island can provide for housing needs without making express provision for more new housing in Rupert's Valley as this would introduce sensitive development into an area subject to traffic movements and noise, potential 24 hour working conditions, disturbance from container handling and the risks associated with a potentially hazardous installation. Accordingly the Finalised Plan adopts a different approach to the Draft Plan and omits reference to new housing, community and tourism development.

Much of the island is subject to risk from erosion, land instability, rockfall risk and slope failure due to natural geology. The risk to people, buildings and other infrastructure is increased where inadequate regard is given to the risk factors particularly as new development can be the trigger event resulting in instability and failure. Unfortunately there is not the same volume of rockfall data for Rupert's Valley as exists for Jamestown, however, some useful individual studies have been undertaken including the Fairhurst Engineering Study in 2008 and the more recent Halcrow 2014 assessment of risk to the new Wharf approaches although no previous study including the Airport Environmental Assessment has assessed the whole area covered by this Plan.

The Rupert's Valley floor will be subject to pressures for new development but there is inadequate information available to the Authority at this time on potential flood risk, rockfall risk or the appropriate setbacks from fuel infrastructure to make informed planning decisions. Risk factors will also vary for different projects and locations. A straightforward policy is proposed placing the onus back on individual developers and applicants to demonstrate that their development proposals (i) are not at risk due to potential hazard and (ii) will not have injurious effect upon neighbouring land.

Land adjacent to the new Bulk Fuel Installation appears very well suited to container stacking and commercial development including warehouses and general industry. As no PADHI assessment has yet been carried out on the new Bulk Fuel infrastructure further investigation and the expert advice of the UK Health and Safety Executive and the new Fuel Operator is recommended in advance of development of this part of the Mid Valley.

Developers will be expected to support proposals with adequate information to allow risk to be assessed by the Authority and advise upon appropriate siting and design in mitigation.

- Customs, Immigration and Biosecurity

The new port will require Customs, Immigration and Biosecurity facilities. Most visitors to the Island are expected to arrive by air from 2016, however, some visitors will continue to arrive by sea via Jamestown and will continue to be welcomed there. Customs and immigration administration will accordingly also remain at Jamestown.

Although visiting cruise ships will likely be too large to come alongside the new wharf, smaller vessels may prefer to use the new port particularly when conditions are unsuited to disembarkation by tender at Jamestown. The cargo vessel that will serve the island from 2016 may also offer some limited space to paying passengers. The new wharf at Rupert's Bay incorporates landing steps for passenger access.

The old Fisheries building and adjacent land (currently occupied by the Airport Contractor) has been identified under this Plan as a candidate building to allow these requirements to be satisfied in the short term.

- Commercial and Leisure Boat Use

The existing slipway used by the NP Glory 4 is to be retained. The Shears jetty has been modified to incorporate a new slipway to allow the launch and recovery of sea rescue craft. The Finalised Plan also assumes that commercial fishing craft will continue to be able to use either the temporary jetty, new wharf or the Shears Jetty.

Yacht and marine leisure-based activities will likely remain at Jamestown and whilst yachts and other leisure craft may use the boat launch and recovery facilities at Rupert's Bay, no swing moorings are currently proposed. Although the new port infrastructure will be accessible to all boat users for launching and recovery of boats, under administration of the Harbour Master, boat lay up space is limited and container stacking is expected to take up much of the land available. It is envisaged that Jamestown Wharf will likely continue to be available to boat users including fishing craft although if both the existing Sennebogen cranes were to be resited from Jamestown Wharf to Rupert's Quayside there would be difficulty in launching or recovery of boats at Jamestown unless there is investment committed to a replacement boat lift facility or a slipway. Government considers that the continued use of Jamestown Wharf by fishermen and leisure craft should be accommodated and need not prejudice ambitions either to promote Rupert's as a commercial port or the future development of leisure or tourism in Jamestown – and is committed to providing the means to launch and recover marine craft at Jamestown. One crane will likely remain at Jamestown to serve the operational needs of fishermen and other boat users.

The Finalised Plan assumes that commercial fishing on St Helena may expand over time if opportunities for deep sea fishing are exploited. The sector is small at present but the existing Argos facility has adequate capacity to cope with growth. If Rupert's were to become the centre of an expanded fishing operation this would present some particular challenges as there is limited land available next to the water to allow marine craft to be laid up, serviced or repaired over extended periods. Initially, this is unlikely to be a significant problem but large numbers of commercial fishing vessels would likely require further significant investment in moorings, harbour facilities and marine services. Recreational fishing and diving, as tourism pursuits is to remain at Jamestown for the foreseeable future.

- Public Access and Port Security

Neither St Helena nor Ascension Island are International Ship and Port Security Code (ISPS) certified ports at the current time.¹ The Shipping procurement documentation states that the security arrangements for the port on St Helena will aim to meet internationally recognised ISPS standards.

The Port Facility Security Officer (PFSO) has advised that to become ISPS certified the port area will first require to undergo and satisfy an ISPS audit inspection and achieve compliance with various qualifying criteria. The security arrangements concerned a number of respondents to the public consultation because this might impact upon public access.



Existing vehicular access to Shears and Rupert's Beach. Vehicular approach narrowed by heritage walls

Although Government has expressed a desire to meet ISPS standards it has also given undertakings to maintain public access to the foreshore wherever practicable.

Rupert's Beach is the only readily accessible swimming beach on the island and represents a recreational amenity valued by the public which is desirable to maintain and enhance as far as practicable. The foreshore area has a number of picnic tables, seating and a barbeque area and it is local custom to use the foreshore for swimming and social gathering. Access to the beach is sometimes restricted during fuel deliveries and further restrictions have been imposed during airport construction operations and this is accepted by the community.

The Finalised Plan assumes that public (pedestrian) access to the foreshore will continue albeit with security measures and operational restrictions likely when ships are visiting the new Wharf or fuel deliveries are underway. If space permits some local parking provision adjacent to Rupert's Lines next to the toilet block may be desirable to facilitate public access to the beach area through the hole in the wall.

¹ Department for Transport

If further restrictions on access to the Wharf appear necessary for public safety, operational reasons or to satisfy International Security Standards Government has given a commitment that the measures adopted will be balanced by the leisure and social needs of the island community.

- Sea Rescue

Provision has been made for a new sea rescue building at Rupert's Valley in a new purpose designed building to be sited East of the existing Argos building. The larger facility is proposed to accommodate the Red Bay 11 Sea Rescue Vessel currently based at Jamestown Wharf and two new Atlantic 85 RIBs. The new building is to be delivered under the airport contract. Development Permission has been granted and operations have commenced.

Due to the location of the new building, the craft will be deployed using trailers pulled by a vehicle and launched from the Shears jetty via a new slipway.

The final design of the sea rescue building was approved in January 2015 under powers delegated to the Land Development Control Authority. The building will also be sited adjacent to land required for waste water treatment. Some co-ordination of design effort is necessary to service the new building and also provide infrastructure necessary to service the adjacent Argos building and wider area.



**Dedicated new sea rescue service will be accommodated in a purpose designed and built facility.
The Island's Red Bay Storm Force 11 (Right)**

6. Built and Archeological Heritage

St Helena is an island steeped in history and effort and investment is required to conserve the Island's Heritage. A legacy of historic buildings and sites is still one of St Helena's main assets and with the right stewardship these historic assets are important to the development of tourism and the international reputation of the island. Environmental Assessment Submissions associated with airport construction have highlighted important Built Heritage and archeological considerations affecting Rupert's Valley.

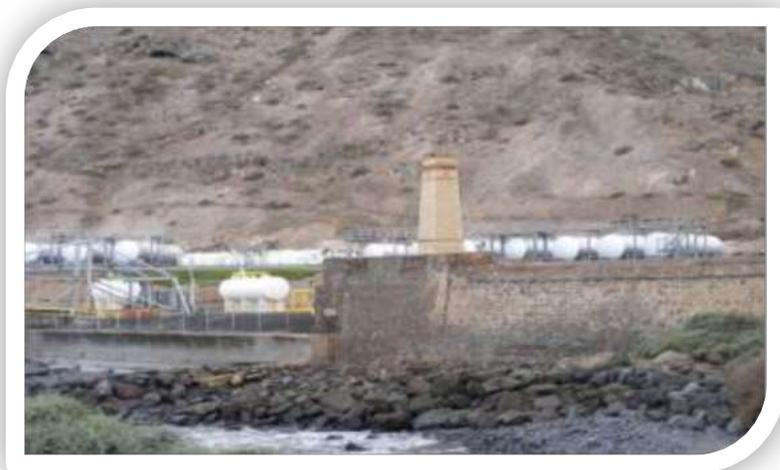
Future development should endeavour to conserve the remaining Built Heritage including buildings and other structures and also prevent damage or disruption to sites of archaeological interest.

Inevitably any development on significant scale in close proximity to historic or archeological assets may impact upon those assets. The construction of the Wharf access road and large sea rescue building for example will impact upon the setting of historic Rupert's Lines. The construction of new fuel infrastructure, large buildings for warehousing and the stacking of containers will also impact upon the setting of the historic defences and some of the listed buildings located in the Valley.

The Plan recognises that some impact is inevitable and to facilitate port operations, road upgrading and alignment it may not always be possible to conserve the historic environment intact but there should nevertheless be a presumption against avoidable loss or alteration of Listed Buildings and encroachment onto Historic sites.

Support should be given to archaeological and built heritage conservation but where loss or disruption is unavoidable to deliver essential infrastructure this must be justified and a careful record of the asset should be maintained. This principle is consistent with the approach adopted by the LDCP.

The St Helena National Trust currently undertakes this important recording work and the assistance and advice of the Trust is normally obtained before any decisions are taken accepting the principle of demolition or alteration of an historic asset.



Rupert's Lines and Early C20th Desalination Chimney

The National Trust also publishes online a draft Historic Environment Record (HER). The comprehensive study also advocated a separate system of Listed Building Control which has not been taken up by St Helena Government. The adopted LDCP advocated that assets Listed by the Historic Environment Record be used for planning purposes probably as a separate Development Plan to guide decision making. The HER includes 23 separate entries in Rupert's Valley including buildings and other sites including the recorded graveyards.

Although the HER also was never adopted by Governor in Council a List of important historic buildings afforded statutory protection still based on the 1974 Crallen report was incorporated into Appendix 7 of the Adopted Land Development Control Plan 2012.

Existing LDCP Policies seek to protect the Listed Buildings from development that would involve detrimental impact upon the historic or architectural character, including its setting. With the exception of the Liberated African's depot, now used as offices, the old gaol building and Rupert's Lines, including the remnants of an old desalination plant, the Listed Buildings in Rupert's Valley are dwellings. Hay Town House is a particularly prominent building and home to a former Governor.

The other dwellings are of historic interest by virtue of forming a planned settlement dating from 1856 as a means of relieving overcrowding in Jamestown.

The two historic graveyards known as the Upper and Lower Graveyards are not currently Listed for protection by the Adopted Development Plan. During the mid C19th approximately 8,000 Liberated African slaves died on St Helena. Some were buried in Lemon Valley, but most were inhumed in the two graveyards located in Rupert's Valley. The burial of such a large number of liberated Africans in Rupert's Valley poses a significant constraint to future development.

Although considered to be of international archaeological significance the sheer number of remains involved mitigates against comprehensive archeological fieldwork and re-interment. The two known graveyard sites in Rupert's valley are a record of great suffering and mark an important though bleak period of Island History that it would not be appropriate to expunge to make way for development.

The recorded graveyard sites should be marked, protected and insofar as possible remain free from development or disturbance. The Development Plan presumes against development affecting the two recorded sites. Nevertheless in the past, during the course of construction in Rupert's Valley, there have been occasional finds of skeletal remains outside the recorded burial sites and archaeologists advise that further discoveries of unrecorded remains cannot be ruled out.

Consideration has been given to separate Listing of the Lower and Upper burial grounds. This has been rejected because the precise boundaries of the graveyards are unknown and because part of the Upper Graveyard has already been partially developed. This Plan, however, seeks to protect existing archaeological sites through Planning Policy 8.

Where possible avoidance of any disturbance of human skeletal remains is adopted as the preferred option. Otherwise, the strategy should be to keep disturbance to a minimum. The Plan presumes against



SHG GIS data. The land parcels coloured dark green with references 10158, 10141 and 10957 denote the indicative boundaries of two known burial grounds based on historic map data and following archeological assessment by investigative team led by A Pearson. Unrecorded burial sites also present a significant constraint to development.

disturbance of human remains and adopts minimum standards for site assessment, evaluation and mitigation. Where disturbance of human skeletal remains is unavoidable to facilitate planned development and it is not possible to leave skeletal remains in situ, the remains must be handled in a sensitive and respectful manner and following archeological assessment should be reinterred.

Thoughtful pre-planning, responsible behaviour by the developer and early involvement of specialist archaeological assistance will mitigate the constraint impact posed by the historic graves.

7. Natural Heritage

Policy NH1 of the Land Development Control Plan presumes against development which affects natural heritage. For the purposes of the Rupert's Plan this principle is reaffirmed and the Policy has continuing effect unless outweighed by Policy 2.

8. Drainage and Services

The increased development activity at Rupert's should be serviced appropriately with modern separated drainage systems and other services. Schedule 3 establishes new standards for development.

Foul Water

Consistent with the Adopted LDCP this Plan advocates separation of foul and surface water drainage. Care should also be taken to prevent surface run-off from entering a foul treatment system.

A new foul water treatment works is proposed to serve the valley to accept foul discharge from existing and new development. Designs are under preparation by Connect St Helena Ltd to procure the installation of new plant on land adjacent to the proposed sea rescue building and East of the Argos building. Treated discharge will be routed to the sea on the seaward side of the new jetty and breakwater to improve water quality of Rupert's Bay.

The existing 18 dwellings² in Rupert's, as well as all business premises at present have foul drains connected to individual septic tanks discharging to soak-a-ways in the ground except the premises occupied by Argos which discharges via its septic tank via a pipeline direct to the sea.

Development permission will be granted for a waste water treatment system for Rupert's Valley and there shall be a presumption against new septic tanks to serve future development. The use of individual septic tanks that discharge into a watercourse without infiltration is not an acceptable practice as pathogens can still enter the water environment. The Draft Plan advocated that the treatment works should be sited on land now to be developed for the Sea Rescue building as this is the lowest point of the valley

If space permits it remains desirable to invest in waste water treatment on land close to the foreshore. Waste Water Treatment could pick up other septic tank outfalls and if appropriately sized could process the large quantities of waste from Argos. This would materially improve the quality of the water in Rupert's Bay.

Storm Water

Although generally dry throughout most of the year the floor of the valley is a catchment to a number of tributaries that drain the slopes of Rupert's Hill and Bunker's Hill. Because there is some vulnerability to flash floods during severe weather events care must be taken to manage surface water flows as increased development of the valley floor and rerouting and culverting of watercourses can create problems.

Currently the storm water is routed to a Run at the bottom of the valley which has already undergone some alteration.³ The run eventually discharges into a concrete trapezoidal channel and eventually to sea via an outfall on the beach. Before any meaningful development takes place in the Mid Valley some assessment of vulnerability to flood risk should be undertaken to advise upon appropriate siting and design of buildings, drainage design and risk mitigation, if required.

Surface water drainage should be designed to discharge by gravity and surface water flows from roofs and pavings serving new development should be designed to adopt principles of SUDS (sustainable urban drainage systems) to provide attenuation (control) and treatment and to reduce risk of over burdening drainage systems and watercourses.

Improved surface water management should be aligned with road design and construction and pipework should be adequately sized to accept run-off from proposed development in addition to the road surface.

² SHG Statistics Office: 2008 Census Return

³ St Helena Airport Environmental Statement – Volume 4: Appendix 15.1

Development applications must also be supported with sufficient information including finished ground and floor levels, site levels and adequate design information detailing drainage arrangements to serve buildings and existing and proposed roads and paved surfaces.

New Plot ratio, site coverage and adjusted car parking standards are proposed to deter over-development and to ensure that new built development makes adequate provision for vehicular car parking, service areas, vehicle manoeuvring and space for vehicles and containers.

Attenuation can be incorporated under the paved areas and large areas of new roof and paving systems should be designed to drain without adverse impact on the public road or to adjoining land. Source control measures and rain water recycling should be implemented by developers where it is practicable to do so.

Consistent with the Adopted LDCP the Authority will expect applicants to make provision for attenuation and treatment to reduce and prevent pluvial run-off entering onto the public road, adjoining land or overburdening existing drainage systems.



The meandering path of the run is evident on the upper right corner of the picture. The watercourse flows to an engineered trapezoidal channel sited on the Eastern side of the access road.

Water

Supply of drinking water in Rupert's is limited by the present network capacity. Connect St Helena Ltd has advised that there is little scope to service new housing development without significant investment in upgrade of their network. The Company advises that storage and distribution and commercial uses with low water consumption can be served but caution against industrial uses or premises with high water usage.

The bulk fuel infrastructure is equipped with automatic fire suppression equipment requiring storage of very large volumes of water. The wharf will also require a "first response" water supply in support of fire rescue to assist response to the outbreak of fire at the shoreside or aboard a ship. The practical supply arrangements including requirement for additional tanks and pipework should be agreed between the airport contractor and Connect St Helena Ltd.

Power

The island's diesel fuelled power station is already located in Rupert's Valley. Connect St Helena Ltd has advised that electric power can be supplied to development in Rupert's. Some reconfiguration of the overhead network and investment in at least one new substation will be required.

Developers should liaise directly with Connect St Helena Ltd to discuss their power requirements and to assist electrical distribution planning for the Valley.

Connect has also advised Government that the current BFI (beach site) is very well suited to pioneering renewable energy generation in the form of an Ocean Thermal Energy Conversion (OTEC). Reservation of the land to support a young technology is not supported by this Plan as cargo and conventional fuel handling must take priority at this time. Connect has also indicated that the company would like to acquire additional land for energy storage purposes related to renewable energy generation.

9. Functional requirements of the Port

In order for Rupert's to function as a freight port, to serve the needs of the Island, there will be the need for adequately sized container marshalling area to cope with the anticipated six week shipping cycle and the means to move containers quickly and safely between the wharf and the designated marshalling area. In October 2014 the DFID infrastructure advisor recommended that (based on the assumptions under the shipping procurement documents) approximately two acres will likely be required as a minimum.

Port efficiency depends upon adequate space to handle incoming goods; also the availability of plant designed to transport heavy and non-standard containers safely; modern buildings, service areas and road infrastructure designed to serve the port function.

Following the decision to alter early reference designs and resite the jetty to its new position the land occupied by the Argos buildings and site of the sea rescue building may have been the logical site to locate container operations, as close as possible to the wharf and access road, but the Argos building is occupied under long term lease and is important to the development of commercial fishing.

The Draft Plan proposed siting of Container handling on the Eastern side of the valley on land occupied by the Diesel Fuel depot adjacent to Rupert's Lines. This land and the site of the petrol Fuel Depot will be released upon commissioning of the replacement Bulk Fuel installation in Mid valley. Construction of a container yard will first require the existing fuel tanks and redundant pipework to be degassed and removed. Basil Read has been contracted to undertake this work.

The site of the diesel fuel store is inadequate on its own to satisfy the Port's requirement for container space. The Draft Plan has therefore been amended to incorporate additional land to the South to ensure there is sufficient container handling space in addition to other facilities required.

Road and infrastructure design is already well in hand with Air Access Directorate, Airport Contractor and Connect St Helena taking the lead on this. Rupert's Valley will eventually be served by much improved road infrastructure to enable port and commercial development and assist movement of goods around the Island.

The extent of commercial warehousing needed in Rupert's Valley will be market driven and also be dependent on volume of cargo and frequency of ships calling. Discussions with some importers and traders indicate continuing interest in the siting of warehousing operations in Rupert's. Customs advise that current unsafe working practices on Jamestown Wharf must change and advise the Authority that containers should not be stripped in the marshalling area but should be moved out of the marshalling area onto warehouses to be stripped to allow containers to be returned for backloading.

The provision of modern warehousing and logistics creates an opportunity to store more merchandise in a climate controlled environment, reduce spoilage and enhance the quality and availability of produce in retail stores with very real commercial and customer benefits.

Crown Estates is a major landowner and upon demobilisation of Basil Read will be in a position to offer either land disposal or lease to enable private sector development. Through Enterprise St Helena, Government may build some floor space for leaseback, if there is adequate demand, however, private investors are invited to express interest in available land now if development proposals are consistent with this plan.

10. Programming and Risk

There are a number of factors outside of direct planning control that will influence programming and implementation.

Delivery of a prepared container yard depends upon a number of factors. The entire Valley floor is currently designated Airport Development Area and most Crown Land and buildings are occupied temporarily by the airport contractor.

The contractor's contractual handover date was originally 24 February 2016 but if this programme has slipped.

The final design of the fuel infrastructure; also the decommissioning and removal or consolidation of redundant tanks and pipelines are matters that were approved by Council in March 2016. New fuel infrastructure including flexible hose deployment pipelines, pumping station and interface tanks are now required that will encroach upon land reserved by the Consultative Draft Plan for container marshalling and customs operations. This reduces the effective port operating area requiring reconsideration of marshalling arrangements.

The upgrading of the Rupert's Road and completion of the Wharf Access Road are not due to be complete until October 2016. Work on the important R2 road project, linking Rupert's Valley with Jamestown also realistically cannot start until the Haul Road is complete and adopted by SHG and therefore accessible to the community.

The planned R2 road improvements are likely to take 9 months to undertake; accordingly while the Wharf and local access road may be operational by October 2016 the connecting road infrastructure also will not be ready to coincide with timetable anticipated for the new shipping service.

As the port infrastructure cannot be ready in time for commencement of the new shipping service in July 2016 transitional arrangements will be necessary.

Most prospective development opportunity in Rupert's Valley is potentially archaeologically constrained and investigation, recovery and re-interment of any remains may further delay implementation.

11. Key Diagram

The Key Diagram Maps and Land Use Policies are intended to guide the Authority and assist determination of applications for development permission.

Schedule 3 also states which LDCP policies remain relevant to Rupert's Valley Plan Area. Scale electronic versions are available upon request to the Authority.

Development that does not accord with the Key Diagram Maps and the Development Management Policies will not generally be supported by the Authority.

Zone 1: Rupert's Port Area and Port Facilities

This zone will include the port administrative functions, container transit yard, sea rescue building and boat lay-up. It is likely that port control, customs, immigration and bio-security will be housed temporarily in the former Fisheries building unless alternative premises or modular accommodation can be provided.

Parts of the access road leading to the Wharf and the container marshalling area should be perimeter secured. Outside these areas provision for public car parking should be considered adjacent to Rupert's Lines close to the existing toilet block, if space permits.

Zone 2: Land South of Old Slave Depot

Land to the South of Argos building and Fisheries offices is allocated for B1 storage and distribution floor space and marine services. The land is also suited to transit (short-term) container storage. Development proposals consistent with this zoning policy will be supported by the Authority providing development proposals also accord with the other Plan Policies and Design Standards.

Zone 3: Land South of St Michael's Church

The land South of St Michael's Church is currently occupied by Basil Read as a temporary fuel store. When the fuel tanks are removed the land could potentially be a site for re-interment of human remains already in storage and other remains that may yet be recovered. It could be an appropriate setting for a memorial garden and for re-interment in whichever form this takes and it would also provide a buffer between the existing housing development and commercial land uses to the South. A re-interment options appraisal is underway at present by the National Trust and this work should be allowed to conclude and report.

Commercial land is at a premium in the valley. If the land is not taken up for re-interment it is suited to commercial development and for the purposes of this Plan it is allocated for B1 uses. Development proposals consistent with this zoning policy will be supported by the Authority providing development proposals also accord with the other Plan Policies and Design Standards.

Zone 4: Petrol Bulk Fuel Store

The land currently occupied by Solomon's is also suited to commercial development. Reuse of land for storage, distribution (B1) and General Industry (B2) and other business uses will be supported by the Authority providing development proposals also accord with the other Plan Policies and Design Standards.

Zone 5: Land North of Replacement Bulk Fuel Installation

Flood risk investigation and rockfall hazard assessment is advisable before take up of this land for redevelopment. Subject to these assessments and following consultation with the appointed fuel operator this site is suited to General Industry B2 and Storage B1 and applications for this type of development will be supported by the Authority providing development proposals also accord with the other Plan Policies and Design Standards.

Zone 6: Land South of Bulk Fuel Installation

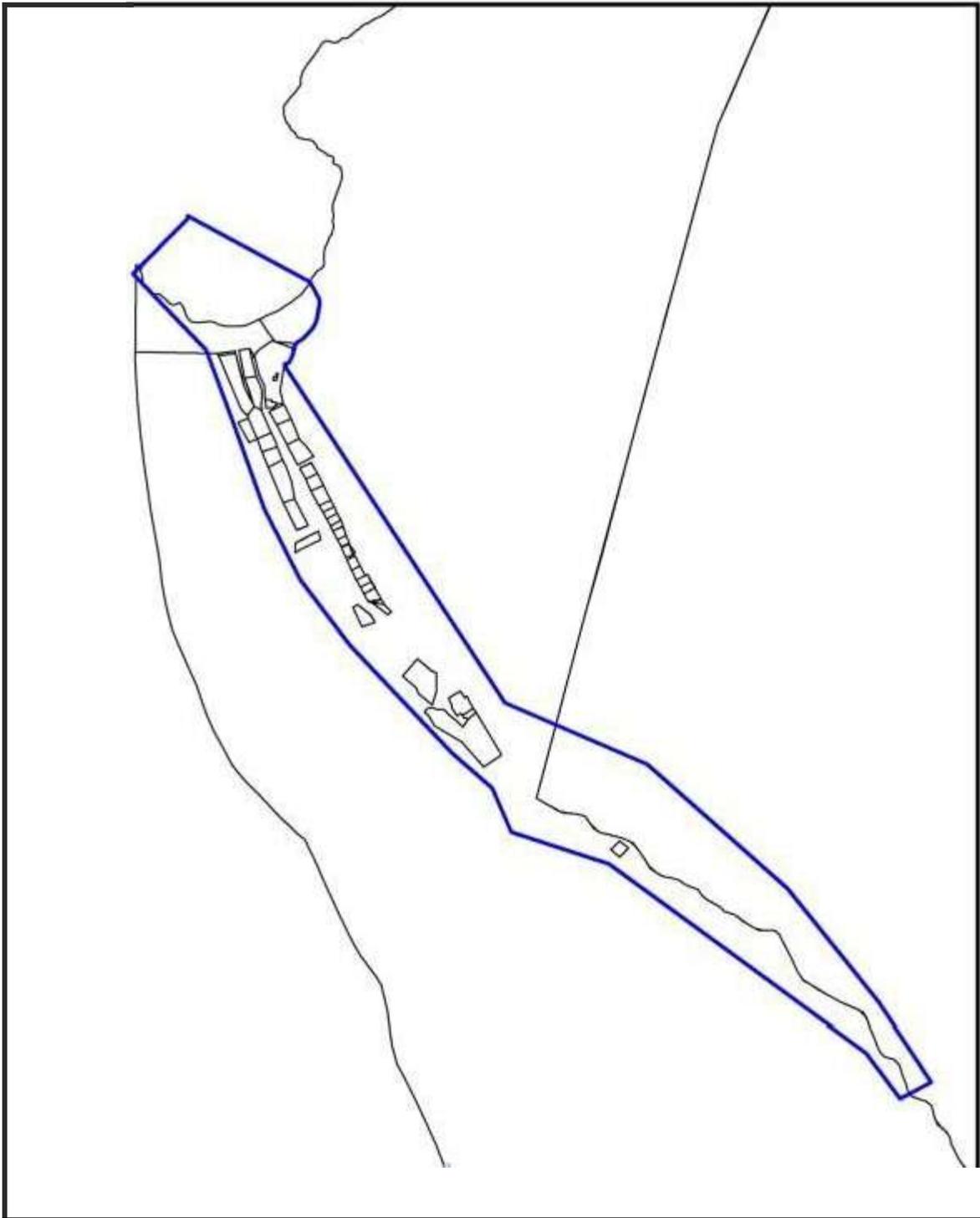
Land currently in use as a lay down area and concrete batching plant appears to be suited to commercial development including general industry and storage including long term storage for port use. Flood risk investigation and rockfall hazard assessment is advisable before take up of this land for redevelopment.

Subject to these assessments and following consultation with the appointed fuel operator this site is considered suited to General Industry B2 and Storage B1 and applications for this type of development will be supported by the Authority providing development proposals also accord with the other Plan Policies and the Design Standards. The land is also potentially very well suited to container lay-down as it is adequate sized, and prepared to accommodate a large number of containers, albeit the land is located 1800 metres from the new Wharf..



Land South of replacement Bulk Fuel Installation suited to industry and storage and distribution land uses including long term container lay down

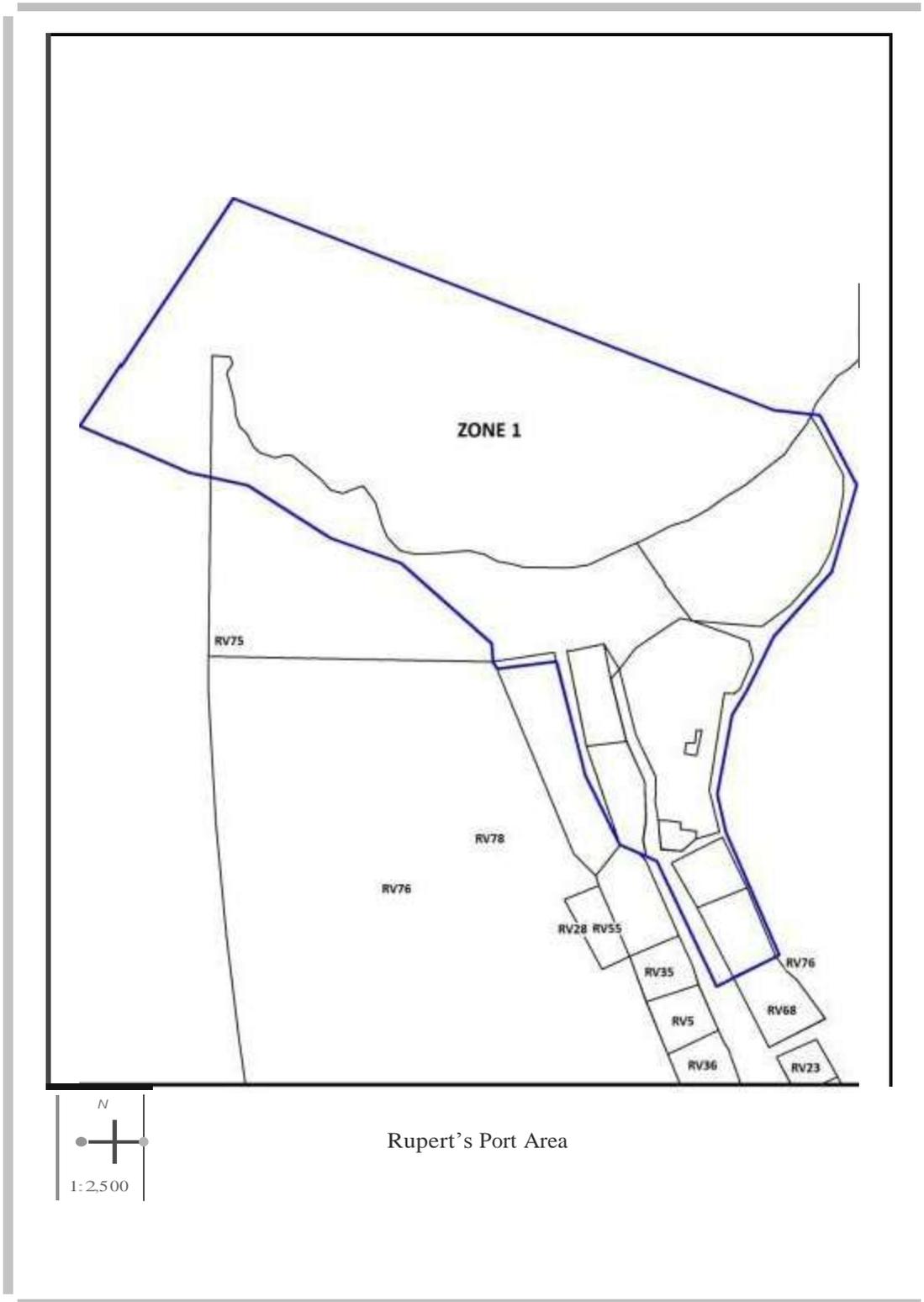
SCHEDULE 1: KEY DIAGRAM MAP

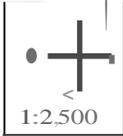
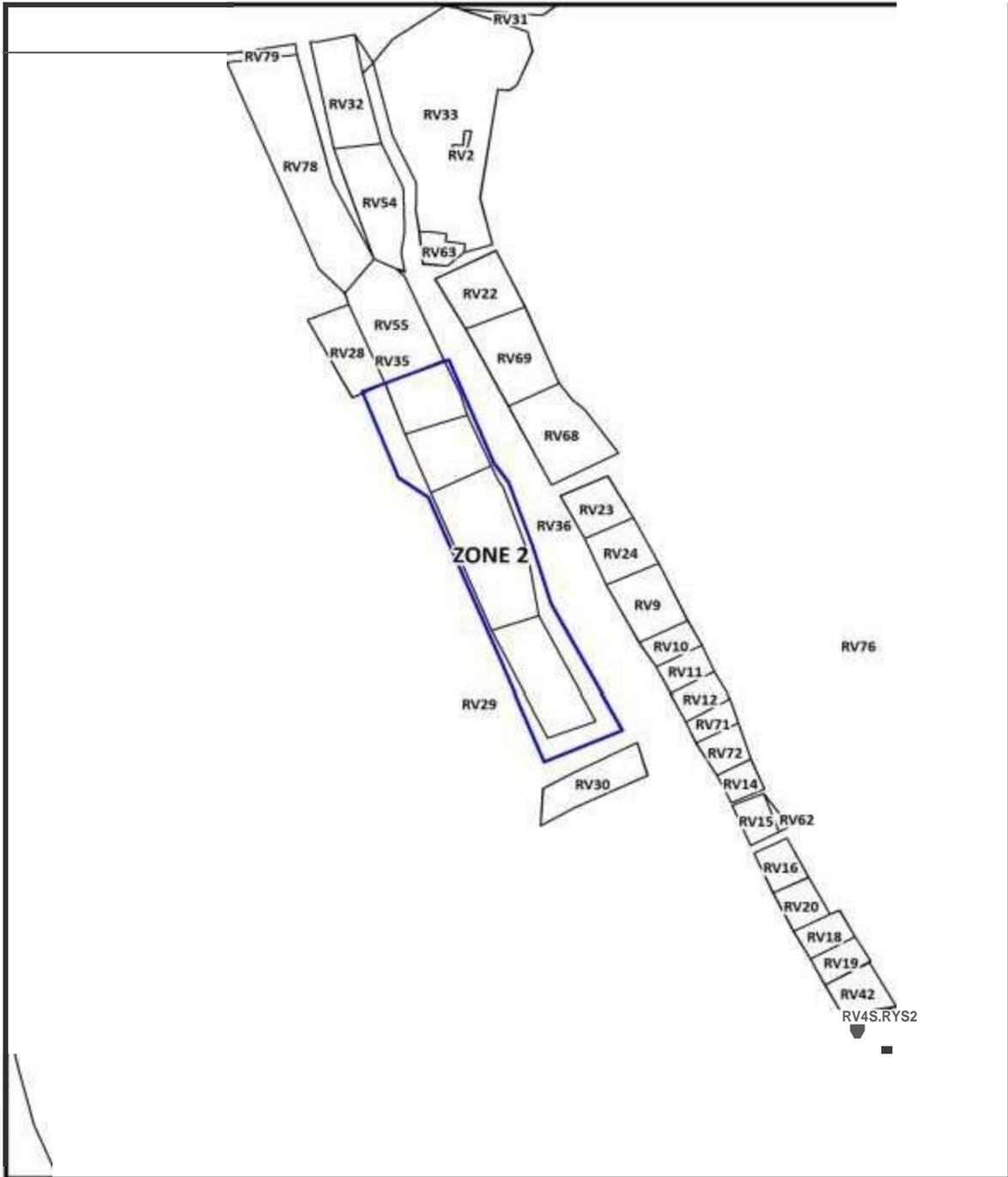


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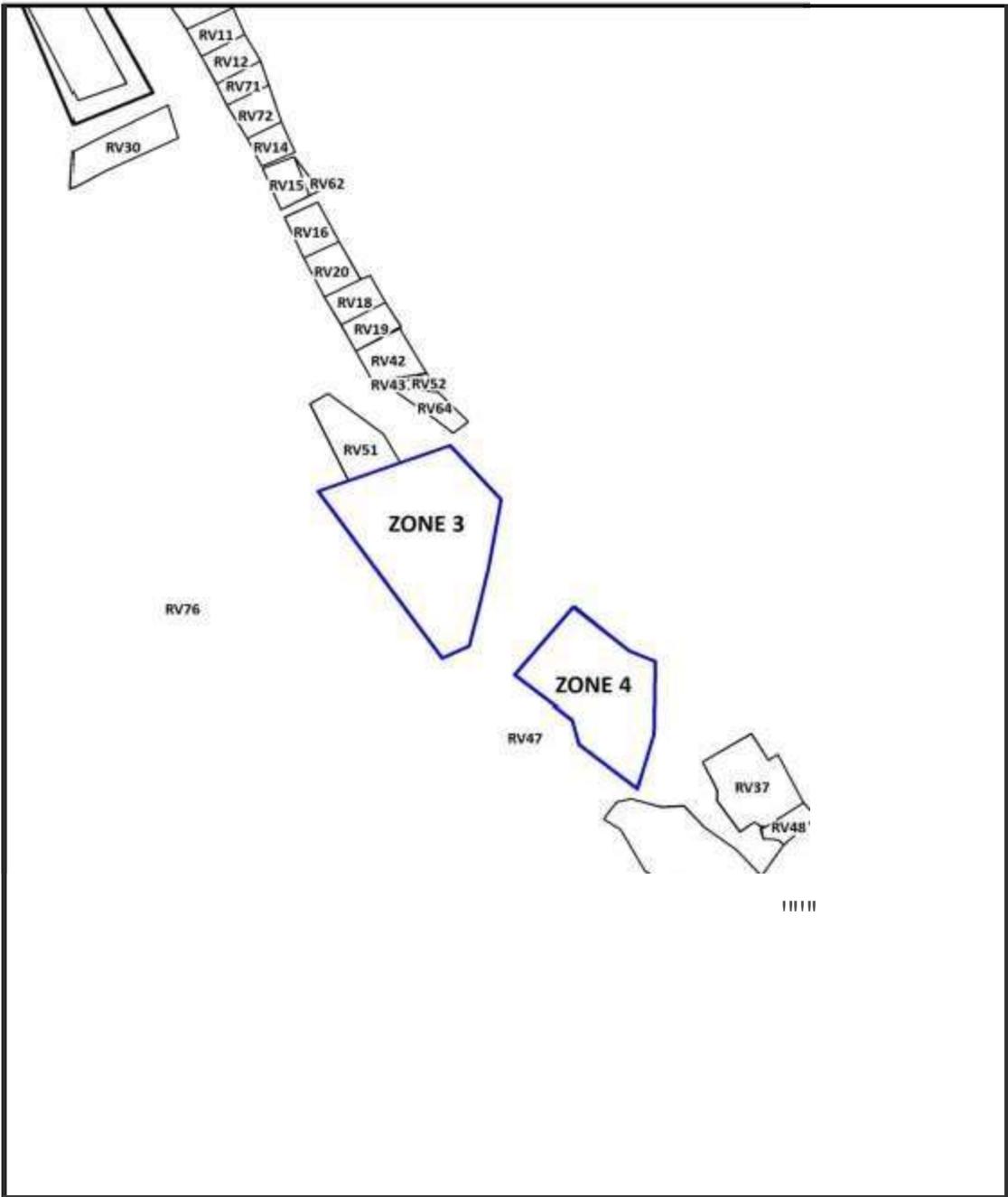
Rupert's Development Plan; Key Diagram Map

SCHEDULE 2:KEY DIAGRAM MAP INSERTS



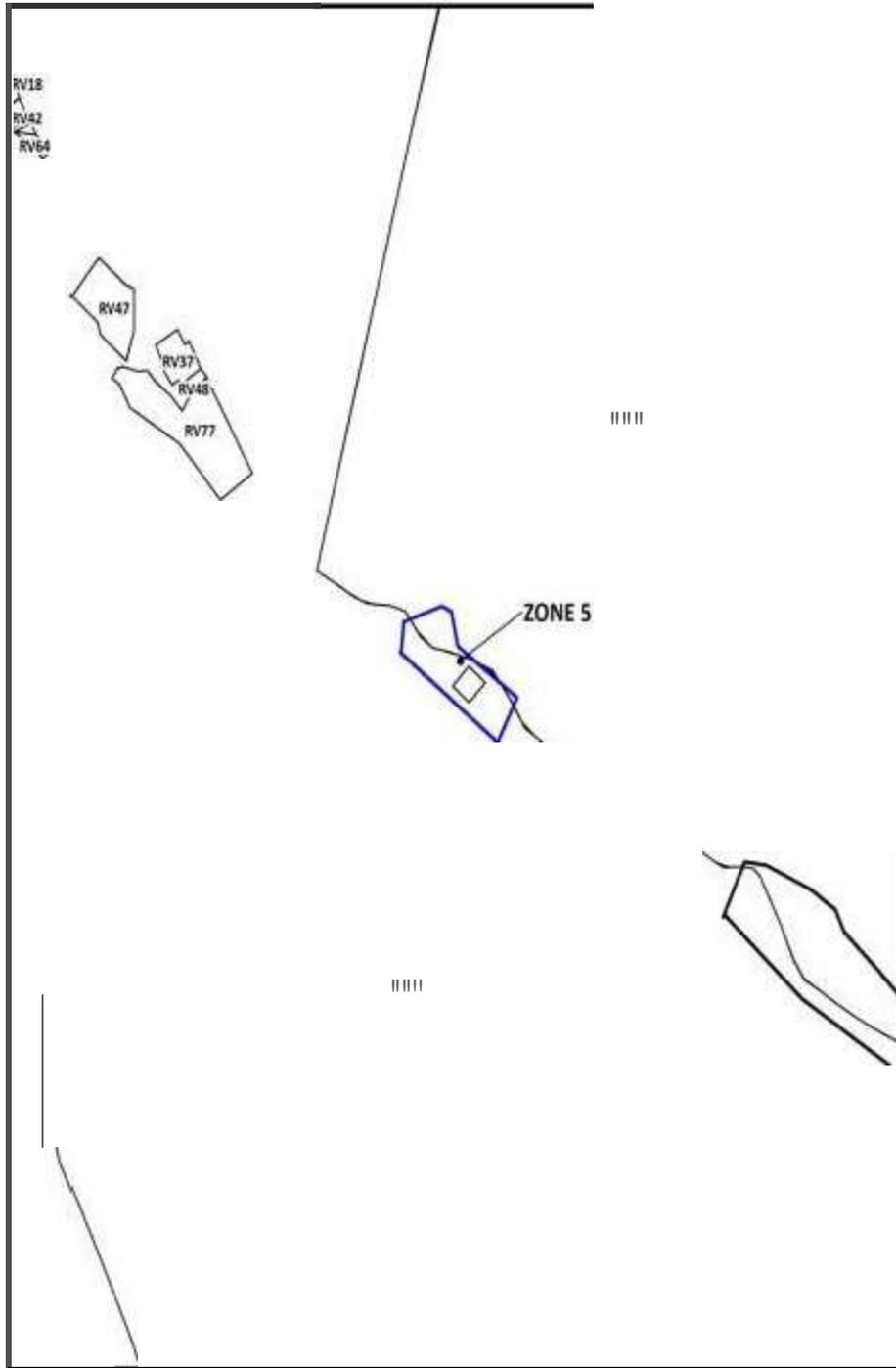


Lower Valley Warehouse Park

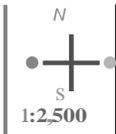
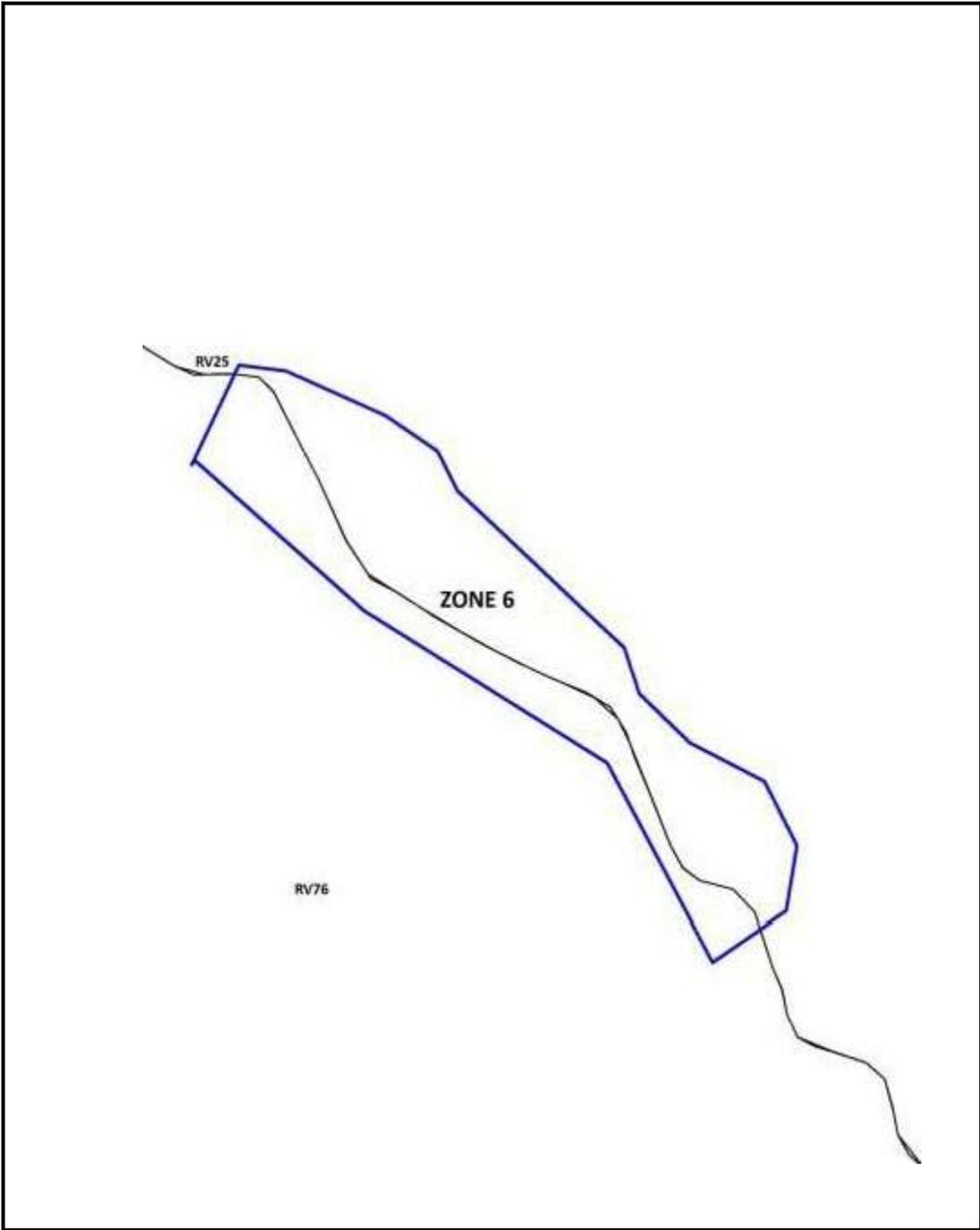


Zone 3 and Zone 4- land south of St Michaels





Zone 5 – Land North of Replacement Bulk Fuel Farm



Land South Of Replacement Bulk Fuel Farm

12. SCHEDULE 3

Land Use Policies for Rupert’s Development Area

Policy 1 - Rupert’s Development Area

The land parcels listed in the Key Diagram Maps will be included within the Rupert’s Development Area and, unless otherwise stated under Policy 3, the policies of the adopted Land Development Control Plan 2012 shall not apply. Scale versions of the Key Diagram are available upon request to Planning and Building Division or GIS

Reasoned Justification:

To define the extent of land now regulated under the Rupert’s Development Plan as required under section 13 of the Land Development Control Ordinance 2013.

Policy 2 - Designated Port

RUPERT’S PORT AREA

The land parcels identified in the table and Key Diagram (and any recorded subdivision of the parcels) are included within the Rupert’s Port Area and from adoption of this plan will be allocated for port related activities including fuel handling, container marshalling, boat lay up space, customs and biosecurity accommodation and the sea rescue building and ancillary facilities including road infrastructure and vehicular parking. There shall be a presumption in support of new development proposals for port related activities, subject to formal assessment of the proposals under s18 and 23 of the Land Planning and Development Control Ordinance, 2013 and compliance with any siting, design, technical and environmental standards adopted by the Authority. Other forms of development will not be supported.

JT170074	RV0031	RV0033
RV0075	RV0032	RV0063
RV0069	RV0054	RV0022
RV0057		
RV0078	RV0079	

Reasoned Justification:

The revised boundary of the Port Area is necessary to reserve adequate land to support a functioning port to serve the Island. The container park should have good accessibility to the point of access to the quayside. Requirements for a container park include good security, 24-hour working conditions and upgraded infrastructure with adequate capacity. Interface with residential uses should also be minimized.

Options available for an appropriately sited and sized container park are constrained by land availability, physical and heritage constraints to development, specification of the access road and competing pressures for other uses. The land identified on the Key Diagram is necessary to provide an appropriately sized functioning port area.

3 - Continuing Application of Adopted Policy approved under the Land Development Control Plan 2012

Land Development Control Policies AP1, E4, E5, W1, W2, W3, SD1, SD3, SD5, SD6, SD7, SD8, SW1, NH1, NH2, NH3, SW2, SW3, SW4, RT1, RT2, RT3, RT5, RT7, TX1, TX2, TX3, TX4, TX5, EP1, EP6, ES1, BH1, BH2, BH3, BH4 BH6, and Appendices 3,5,7,8 and 9 shall continually apply to the Rupert's Development Area unless compliance with these policies is determined to conflict with the development of a designated port area supported by Policies 1 and 2 or superseded by the design standards adopted in schedule 6.

Reasoned Justification:

To maintain consistency of planning approach across island, however, to avoid conflict between Rupert's Development Plan and the Adopted Land Development Control Plan 2012 and to ensure the Primacy of Policies 1 and 2.

Policy 4 - Prioritisation given to reuse of previously developed land

There will be a preference given to new development to be located on previously developed land within the Rupert's Development Area.

Reasoned justification:

To prioritise and encourage the redevelopment of previously developed land and use of existing buildings, and efficient use of service infrastructure before consideration is given to the development of previously undeveloped land.

Policy 5 - Reservation of land for road and service improvements

A verge not less than 2.00m wide must be provided adjacent to the carriageway on both sides where this is practicable. These verges, or service strips, will be included either as adoptable public highway to remain vested with the Crown or may be held privately but subject to rights of easement.

Utilities apparatus should, where practicable, be located within the Service Strip adjacent to the carriageway. The building of walls and fences and the planting of trees or shrubs on the service strip will not be permitted on service strips or other corridors where easements in favour of Connect St Helena will be registered.

Service providers may excavate their services at any time but remain responsible for reinstatement of land. No private drain or inspection cover should run longitudinally within any adopted area or service verge. There will be a presumption against development that is determined by the Land Development Control Authority likely to impede implementation of upgraded road and service infrastructure to serve the Rupert's Valley between the junction with Field Road and the new wharf.

Reasoned Justification:

To safeguard and reserve a service corridor necessary to facilitate improved access to the Rupert's Port and to regulate development of land that might impede delivery of essential shared infrastructure necessary for the proper planning of the area.

Policy 6 - Implementation and Phasing

All developers shall be responsible for ensuring that development is implemented and phased to protect existing and proposed service routes, services and provide new services necessary to enable development; make adequate provision for future service requirements and make satisfactory provision for the reinstatement of land.

Operations must be appropriately phased and implemented to avoid disruption to essential building and infrastructure operations necessary for the delivery of port related operations and other land necessary to the successful implementation of the Development Plan.

The Authority may attach planning conditions to regulate implementation, phasing or operation of development. Development that fails to comply with this policy will not be supported by the Authority.

Reasoned Justification:

To protect existing service and road infrastructure make provision for future servicing requirements, to prioritise port related operations, regulate phased implementation of development and to ensure reinstatement of land.

Policy 7 - Drainage of Highway and Private Land

Rain water falling on to highway areas must be collected into an approved surface water drainage system, and not be allowed to discharge onto private areas. Conversely, private areas (forecourts, parking bays etc) must not discharge on to highway areas, but shall be collected within private drainage systems, and subsequently discharge into a private or public sewer.

Reasoned justification:

To ensure co-ordinated drainage design and safe disposal of surface water and to accord with SHG Roads Policy.

Policy 8 - Junction spacing and visibility requirements

The Authority in Consultation with the Head of Roads will adopt safe and practical standards on junction spacing, junction standards and visibility requirements following completion of the roads design by the airport contractor and upon advice of the Highways Authority concerning any vehicle speed limits and appropriate standards to be applied.

No boundary walls, fences, landscape planting or other obstructions should be placed or erected within any area designated a visibility play or service verge. Perimeter gates should open away from the Adopted Highway.

Reasoned justification:

In the interests of Highway Safety.

Policy 9 - Land Use Proposals

The land under zone 2 identified on the Key Diagram will be allocated for class B1 use, marine services, and port related land uses. There shall be a presumption in favour of new development proposals for storage and distribution, marine services and port related activities subject to formal assessment by the Land Development Control Authority and compliance with any siting, design and servicing standards adopted by the Authority. Development that does not accord with this policy will not be supported.

Reasoned Justification:

In the interests of proper planning and development of land and to provide opportunities for lay down space and warehouse floor space that can be used by shippers and other port users.

Policy 10 - Land Use Proposals

The land under Zone 3 on the Key Diagram or a part of it is reserved as a burial ground for re-interment of human skeletal remains. Take up of this opportunity will depend upon the outcome of a consultation and the recommendations of a working group led by Saint Helena National Trust. If the land is not taken up for this purpose the land should be will be reserved for Class B1 use. In this event there shall be a presumption in favour of new development proposals for storage and distribution warehouses subject to formal assessment by the Land Development Control Authority and compliance with any siting, design and servicing standards adopted by the Authority. Development that does not accord with this policy will not be supported.

Reasoned Justification:

In the interests of proper planning and development of land and to provide opportunities for lay down space and warehouse floor space in the event the land is not required by the National Trust to reinter human remains disturbed as a result of construction operations.

Policy 11 - Land Use Proposals

The land under zone 4, 5 and 6 identified on the Key Diagram will be allocated for B1 or B2 use. For the first 12 months of operation of Rupert's Sea Port Zone 6 will be reserved as a transitional container marshalling area. There shall be a presumption in favour of new development proposals for B1 or B2 use subject to formal assessment by the Land Development Control Authority and compliance with any siting, design and servicing standards adopted by the Authority, including any hazard assessment determined necessary to safeguard the replacement Bulk Fuel Installation and to protect the public. Development that does not accord with this policy will not be supported.

Reasoned Justification:

In the interests of proper planning and development of land and to provide opportunities for lay down space and warehouse and industrial floor space and hard standing. Land reserved in Zone 6 is reserved as a transitional container marshalling yard as there remains some uncertainty about land take up and programming of decommissioning and replacement fuel infrastructure in the lower valley and also availability of vacant possession to land and buildings sited in the Rupert's Port Area.

Policy 12 - Presumption against Development

Development including change of use to Class A2, A3, A4, A5, C1, C2, C3, D1 and D2 or any sui generis use class determined likely to increase resident population or public assembly, but excluding alteration or extension to buildings already deemed approved by the Land Planning and Development Control (General Development) Order 2013, will not be permitted in the Rupert's Development Area.

Reasoned Justification:

In order to segregate development involving sensitive uses from activities likely to present a potential hazard or otherwise be detrimental to residential amenity and wellbeing.

Policy 13 - Preservation of Archaeology

There shall be a presumption against development of the two recorded burial grounds known as the upper and lower graveyards.

No development involving the disturbance or re-interment of unrecorded human skeletal remains will be permitted without the consent of The Governor in Council. Applications for development permission determined by the Authority likely to involve disturbance of human skeletal remains will require to be supported by a reasoned written justification for the proposal, a method statement prepared by a competent person setting out proposals for archaeological investigation, preservation or recording of any remains and associated artefacts and also a programme for re-interment of the remains. Planning Conditions may be attached to ensure full compliance with this Policy.

Reasoned Justification:

To protect the Island's cultural heritage, to ensure that recorded burial grounds are respected and adequate precautions are adopted to ensure that unrecorded remains are identified, handled and reinterred respectfully under archaeological supervision. Land has been reserved for re-interment of human remains in Rupert's Valley pending the outcome of public consultation by the National Trust.

Policy 14 - Application of SUDS principles to manage surface water flows.

Surface water discharge from hard standings and roofs shall be drained via a designed scheme following principles of Sustainable Urban Drainage and implemented to reduce surface water in order to mitigate risk of flooding or causing nuisance to neighbouring land.

Where several development proposals are likely to drain into the same catchment a co-ordinated approach to SUDS provision should be followed. Where the designed scheme is not to be adopted by Connect or Highways, the developer should indicate how the scheme will be maintained in the long term.

Uncontrolled surface water discharges directly to ground from development will not generally be permitted. Where exceptions to this principle are accepted by the Authority this should occur only where the ground conditions are suitable to receive and absorb such discharges without creating (i) any adverse effect on the land stability of the site or buildings or cumulatively on land in the vicinity of the discharge point(s) or (ii) any adverse impact upon road infrastructure or to neighbouring land.

Development should be designed and implemented to reduce flow rates to achieve discharge levels equivalent to the position prior to development.

Reasoned Justification:

To promote reuse of surface water and to ensure that surface water flows are controlled and routed away from development, to reduce risk of land slip and slope failure and to promote improved surface water management, control pollution and to prevent flooding.

Policy 15 - Alignment and Design of Service Infrastructure

Fuel pipelines and other utilities shall be sited in service strips or corridors and adequately protected against loadings and impact, including risk of rock fall. Where vehicular traffic or risk of rock fall could damage pipelines or utilities, provision shall be made to protect such pipelines or utilities (by means of reinforced sleeves, guards, restraint systems or other suitable means). Drains designed and intended for storm water or foul effluent control (or both) should not be used to house fuel pipelines.

At positions where buried pipelines pass under roadways or paving, and at other points at which heavy loads might be experienced, the pipelines shall be protected from uneven ground settlement. The alignment and siting of service corridors shall be communicated to the Building Inspector, Connect St Helena Ltd, Environmental Management Division, and Chief Fire Officer.

All SHG agencies including Connect St Helena responsible for design procurement should make provision for a service corridor of minimum 2 metres either side of the access road carriageway to facilitate laying and rerouting of services. Ductwork should be laid at regular intervals under the road to assist delivery of utilities to all stakeholders.

Reasoned Justification:

To reduce risk of hazard risk, safeguard provision of utilities and to protect the public and environment.

Policy 16 - Land Stability and Risk Mitigation

The Authority will seek to reduce risks:

- (i) to the use and development of land subject to rock fall, erosion or instability; and
- (ii) to the use and development of any other land that may be affected as a result of such erosion or instability;

Buildings and infrastructure shall where practicable be sited to mitigate risk from hazard due to land instability, slope failure and rock fall. Excavation and regrading of land will be permitted only where the developer can demonstrate no adverse impact upon the stability of land or increased rock fall risk to the development and other land that may be at risk by virtue of implementation of the development.

Developers will be expected to support applications for development permission with sufficient information to allow the Land Development Control Authority to determine risk and properly consider measures proposed to reduce risk.

Where proposed development is determined likely to have adverse impact upon the stability of land the developer shall ensure that buildings and excavations are designed and sited appropriately to protect the public and building users and slopes and retaining structures are designed and constructed to provide adequate lateral support to land and achieve acceptable visual appearance.

Reasoned Justification:

To reduce risk of land slip and slope failure and to exercise planning control over design and visual appearance of retaining structures.

Policy 17 - Vehicular Parking and Servicing

All development shall be adequately served by vehicular car parking, manoeuvring and service space proportionate to its proposed use. Development compliant with the car parking standards and plot ratios and other standards published in Schedule 5 shall be deemed to satisfy the Policy. The Land Development Control Authority shall undertake periodic review of design standards and publicise revised standards as simplified planning guidance prior to adoption by the Authority.

Reasoned Justification:

This policy supports the Plan's Development Strategy by ensuring that an appropriate standard of vehicle parking, maneuvering and service space is provided for different forms of development. Provision is made for periodic review and updated standards in the form of supplementary guidance.

Policy 18 - Services

All development shall be adequately serviced by connection to a foul sewer, storm water sewer, electricity, supply, supply of potable water and a means of safe vehicular and pedestrian access.

No development shall be permitted that is determined likely to have an adverse impact upon existing or proposed road or service infrastructure, impose constraint upon adjoining land allocated for development or where the siting of development may increase hazard to the public or to building occupiers.

Development applications must be supported with sufficient information including finished ground and floor levels, site levels and adequate design information detailing all arrangements to serve buildings including existing and proposed roads and paved surfaces.

Developers intending to realign or alter services should clearly state this on development application submissions.

Reasoned Justification:

To safeguard public service infrastructure and to set minimum standards for service provision and to protect the public

13 SCHEDULE 4 – Recommendations

Recommendation 1 - Stacking Yard

The stacking yard should be designed and constructed in accordance with British Ports Association Heavy Duty Pavement Design Manual.

Reasoned justification:

As a short term measure a stacking yard at the beach site will be surfaced using compacted hardcore. This is a temporary arrangement but unlikely to withstand the loadings and traffic typical of container storage and reach stacker traffic for very long without significant ongoing maintenance and recurrent expense.

The container park should ideally be paved to avoid potential land and water contamination from leakage of oils, fuels and other dust emissions from vehicular traffic and container handling on site and resist the vehicle loadings imposed by weight of vehicles and stacked shipping containers. If zone 6 is used as a container yard it would appear already well suited to this purpose.

Recommendation 2 - Road Construction

The road construction serving Rupert's Valley connecting the new quayside with the Haul Road and Field Road should be specified as a heavy traffic area and be of concrete wearing coat construction over sub base in accordance with TRL Overseas Territories Road Notes.

Reasoned Justification:

A concrete wearing coat is desirable to minimise disruption to the efficient operation of the port and recurrent expense or road maintenance

Recommendation 3 - Traffic Management

The Rupert's access road and port terminal approaches should be kept free of obstructions at all times. The use of vehicles and equipment should be strictly controlled, particularly in hazardous zones.

Routes to and from landing places and parking areas should be clearly indicated. Barriers or fencing should be provided, where necessary, to regulate access, maintain safe operations and reduce risk to the public.

Reasoned Justification:

Restrictions on vehicular parking and traffic management are essential to the efficient operation of a port and also fundamental to operational resilience and emergency evacuation and response.

Recommendation 4 - Public Parking

If space permits public car parking should be provided to facilitate access to the beach via the existing pedestrian pend access. Additional vehicular parking and enhanced landscaping should be provided on land between the access road and existing housing to serve the wider area.

Reasoned Justification:

To provide adequate car parking to serve the commercial port and the wider community and to provide enhanced screening to segregate existing housing development from commercial activity.

Recommendation 5 - Removal of Permitted Development Rights

It is recommended that the Land Planning and Development Control (General Development) Order 2013 be amended so that it shall not apply to the Rupert's Development Area.

Reasoned Justification:

The Order grants various Permitted Development Rights that confer deemed development permission to various categories of development. Enhanced control over proposed development is advisable to avoid unforeseen adverse impact upon road and service infrastructure (including fuel infrastructure).

Recommendation 6 - Co-ordinated drainage design and implementation

It is recommended that the designers of the Rupert's Access Road make provision for foul and storm water drainage connections to serve the highway and also adjoining development land to the West and submit these designs for verification by the Government Chief Engineer, Roads Manager and Connect St Helena Ltd.

Reasoned Justification:

The development road and other service infrastructure serving the Wharf and Valley should not be designed in isolation. A preliminary drainage design has been prepared by Connect St Helena Ltd that upon implementation shall provide foul water mains drainage to serve Lower Rupert's Valley. It is important that the road designers and design verifiers liaise with Connect St Helena Ltd and Highways Authority to ensure coordinated delivery of roads, foul and storm water drainage or there is risk that road and fuel infrastructure will be implemented to satisfy the contractual requirements of the airport project but may not also enable future development.

The Planning Service has already highlighted to PMU (Halcrow) the deficiencies of the existing engineered storm water channel running parallel with Rupert's Access Road. The invert of the channel currently appears too shallow to accept storm water run-off from development land to the West of the road most of which is owned by Saint Helena Government.

The constraint can be overcome by design before construction is implemented. Sewer tails, manholes and under road ducting should be provided at agreed locations and design levels to ensure that foul and surface water and other service connections are provided so that the objectives of the Airport Project can be realised without detriment to the wider Development Strategy and ambition to unlock the full development potential of land in Lower Rupert's Valley in support of the significant investment in the new Wharf.

The road design and construction falls under Air Access Directorate and PMU control and does not fall under planning and building or roads division oversight, nevertheless failure to respond to this recommendation would be highly detrimental to the uptake and development of Crown Land and implementation of the Development Plan.

14 SCHEDULE 5 – DESIGN STANDARDS

Car Parking Provision

Standard stall width: 2.5 metres wide minimum standard for car parking,
Standard stall length 5.0m minimum standard for car parking
Stall length for parallel parking 5.4m minimum.
Parking aisle should be 6m minimum for 90 degree parking stalls.

Provision should be rounded to the nearest whole number after calculation.

Business, Storage and Distribution - B1 All development

0.75 space per 100 sq.m gross external area⁴.

General Industry - B2 All development

0.5 space per 100 sq.m of gross external area.

Service Vehicle Provision

For all new development vehicles should be capable of entering and exiting yards in forward gear and shall **not** reverse or maneuver onto the access road.

In addition to private car parking provision commercial development involving B1 or B2 floor space shall provide a minimum of one parking space and turning provision for one large service vehicle.

A stall width of 10.5 m x 3.5 m minimum standard should be clearly depicted on planning drawings.

Queuing space and loading/unloading – All development

Entire queuing space should be within premises of development. The queue should not spill over onto access road or impact the traffic flow along the service road.

Plot Ratios

Plot ratio is a tool to help control the bulk and mass of buildings. It expresses the amount of floor space in relation (proportionally) to the site area, and is determined as follows:

$$\text{Plot Ratio} = \frac{\text{Gross External Area of the Building (s)}}{\text{Site Area}}$$

⁴ For the purposes of calculation Royal Institute of Chartered Surveyors (RICS) Code of Measuring Practice definition of Gross External Area is adopted. This is the area of a building measured externally at each floor level, including perimeter wall thickness and external projections.

The Authority will apply plot ratio calculations to both new buildings and extensions to existing buildings.

For warehouse development a plot ratio in excess of 0.75 will normally be held to be over-development.

For other forms of commercial development a plot ratio in excess of 1 will be held to be over-development.

Site Coverage:

Site Coverage is the area of all the buildings or structures measured along the outermost external walls expressed as a percentage of the net site area. It is an indication of how much the site has been built on.

The Authority will apply site coverage calculations to proposed new buildings and extensions to existing buildings.

For warehouse development site coverage in excess of 35% will normally be held to be over-development

For other forms of commercial development site coverage in excess of 50% will be held to be over development.

Container Storage:

Development involving new storage and distribution space must have adequate yard space to lay down, unload and backload containers.

1 container stall for every 150sqm gross external area shall be provided.

For the purposes of this design guidance a container stall is a standard twenty foot equivalent unit and the slot width shall measure 6.1m long x 2.65m wide to allow for stacking.

Cleansing

Commercial development shall provide designated space for the storage and collection of solid waste with a minimum of 7.5 m² for development up to 300m² gross floor area. Above 300m² gross floor area waste storage shall increase to 10m².

This area should be clearly depicted on drawing submissions.

SCHEDULE 6: STATEMENT ON COMMUNITY INVOLVEMENT



**St Helena
Government**

Mr R Buckley
Chairman
Land Development Control Authority

31 March 2015

Dear Chairman,

**Rupert's Development Plan
Statement on Community Involvement**

The production of the Rupert's Development Plan is regulated by the Land Planning and Development Control (Development Plan) Regulations 2013.

The Draft Plan published in November 2013 outlined prospective development parcels and proposed land use policies relating to land in Rupert's Valley. The Plan also proposed policies to regulate the development of land in the public interest, to ensure that adequate land is set aside for sea access, port operations and container storage and make provision for the delivery of infrastructure and commercial floor space.

The Draft Plan has now been adjusted to take account of representations received

Consultation Process

The Draft Plan was advertised in the Press and on the SHG website during the Consultation period. The Chamber of Commerce, ESH, SHNT, Argos, Air Access Office, Halcrow, the Museum, Connect St Helena, Sure, the SHG UK Office, the Citizenship Commission, the Tourism Association, Chief of Police, all relevant SHG Departments and DFID were contacted by Mr David Taylor and invited to participate in Plan preparation through consultation.

Meetings were requested by the Chamber of Commerce and Solomon's and these were held on 6th and 15th January respectively. Public meetings were held in Longwood, Jamestown and Rupert's on 13th, 15th and 16th January 2014 respectively.

As anticipated in the Draft Plan an application for development permission 2013/92 was submitted by Air Access Directorate to obtain approval for the new wharf and road link. This was approved by ExCo on 17th December 2013, subject to conditions. Basil Read has now commenced work on the new wharf.

The drawings submitted by Air Access in October 2013 depicted only general arrangements and there has been further design evolution since development permission was approved by Governor in Council in December last year including final designs for the siting and design of the sea rescue building. Final proposals for road realignment have not yet been obtained. Full development permission and the approval of Governor in Council may be needed to address some outstanding points.

During the consultation period representations on the Draft Plan were received from:

Gregory Cairns-Wicks, Vince Thompson, Sure South Atlantic Ltd, Enterprise St Helena, Stuart Moors, George Stevens, The Heritage Society, Trevor Thomas on behalf of the Fishermen's Association, The Chamber of Commerce, Cathy Hopkins, Argos, SHG Access Office with the Project Management Unit (Halcrow), Julia Benjamin and Solomon's. The representations received from the contributors and my response as Chief Planning Officer is further detailed below.

The Next Stage

Any recommendations or changes that the Authority would wish to make should also now be submitted to Governor in Council within four weeks. Governor in Council may accept the Plan in its current form, accept or reject the recommendations of the Authority or make further alterations. I also recommend that the Plan be presented to the Environment and Natural Resources Committee and Chairperson's Assembly.

When the Development Plan is approved as adopted by Governor in Council a copy shall be deposited at Essex House and the Public Library and the Plan shall be further publicised.

Once adopted the Rupert's Development Plan shall supersede aspects of the Land Development Control Plan.

I wish to thank my predecessor Mr David Taylor for his efforts and time invested in public engagement, much of this commitment given outside of normal business hours, and also all the contributors for their comments and participation in plan preparation.

The Consultation process has been invaluable and the Plan has been modified to reflect careful consideration in response to the representations received.

Yours faithfully,

Martin Hannah MRTPI
Head of Planning and Development Control
Government of St Helena

Representation Summary

Gregory Cairns-Wicks made representations to the effect

- (i) that as the only current trader with warehouse space in Rupert's he would like to have been on the working group;
- (ii) that he doubts longevity of the Basil Read temporary wharf;
- (iii) that there should be absolute certainty over future recreational access to the beach;
- (iv) that whilst the road through Rupert's needs to be constructed to adequate standards, use of zone C for warehousing should not be tied to it;
- (v) that objection to warehouse loading doors facing houses should not also preclude new road entrances from the road;
- (vi) that landscaping is required to screen warehouses and the road from the houses;
- (vii) that the ossuary should be developed where it is permitted and not changed to the old gaol site; and
- (viii) Basil Read should be required to take greater care to eliminate dust nuisance during construction.

Chief Planning Officer response:

All comments received during the consultation phase were taken into account in plan preparation. Unfortunately it is not always practicable to involve all potential stakeholders in working or steering groups given the organisational difficulty this can cause nor is it always desirable to co-opt one individual or a company onto a working group because of a special interest in land.

It is more important to follow a process, consult, invite contributions from interested stakeholders and consider carefully the responses received before settlement upon a strategy. This process has been followed. The need for storage and distribution space at Rupert's Valley is certainly recognised by Government.

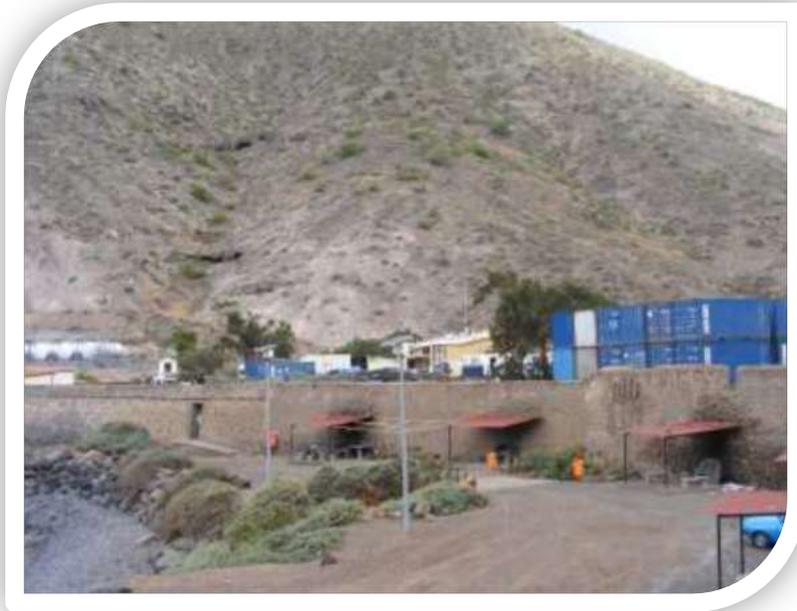
The design and construction of the Wharf and breakwater and other design elements under the Airport Project is outside of the remit of the Development Plan. Development Permission for the wharf was approved by Governor in Council following assessment of designs and amended environmental impact assessment submitted by Air Access.

The Environmental Impact Assessment included detailed modelling to demonstrate the efficacy of the final design to create calm water on the leeward side of the breakwater and therefore defend the new access road, wharf and other infrastructure from the threat posed by heavy seas. The structure has been designed by Consulting Engineers and verified by engineers acting for Saint Helena Government.

A number of contributors including Mr Cairns –Wicks have expressed the view that public access to Rupert's Beach should be maintained. In fact this is one of the main threats to have emerged from the public consultation process.

Given Rupert's enduring appeal as a bathing beach and a place to picnic and gather the concern that has been expressed is understandable, however, the decision to construct harbour facilities

and replacement fuel infrastructure at Rupert's and commence construction of the breakwater and Wharf will intensify the way that Rupert's Bay is used in future, require some restrictions upon public access during loading/unloading operations and lead to development pressures and activities likely to change the character of the valley further.



The existing picnic area above the foreshore at Rupert's Beach. The "hole in the wall" pend access is on the left of picture

It is envisaged that the area immediately surrounding the wharf will be port related and much of the remaining land adjacent to the sea must be reserved for stacking space for container and boat lay-up and marine operations.

It will be challenging to reconcile completely the competing demands of operational port security and at the same time offer unfettered public access to the beach and waterfront at all times.

Customs and port operations have indicated that the entire wharf area and container marshalling area should be made secure to maintain operational security and to abide by ISPS requirements. The restricted cordon may have to be extended further when the Wharf area is in use by visiting ships to include the beach area.

The Port Facility Security Officer (PFSO) has advised that modern ports should comply with The International Ship and Port Facility Security (ISPS) Code. At this point it is not possible to say with certainty that the new Wharf will satisfy the ISPS Standard but it is probably reasonable to assume that most reputable shipping companies and their insurers will expect the new port facilities to try to meet this standard and the procurement documents issued to prospective shipping companies also assume that this will be the case.

The ISPS Code places significant security responsibilities on port stakeholders and governments presiding over ports of call. Governments have the responsibility of ensuring that port facilities within their jurisdiction are in compliance with ISPS Code regulations. Although the security environment and threats to vessels and passengers visiting the island is not as heightened as in

other parts of the World the ISPS Code is standardised and could make demands that may seem excessive to a small Island community like St Helena.

Access to the beach at Rupert's is currently restricted during ship-shore fuel delivery for safety reasons therefore the precedent limiting public access at certain times is already established. Some restriction on use of any port area is to be expected to maintain operational security and for safety reasons.

Some compromise will be necessary to realise a workable arrangement that facilitates modern port operations and security and maintains public (pedestrian) thoroughfare to the beach. In light of the factors above the Draft Policy for the Port Area including the beach has been adjusted. It omits the absolute requirement to maintain public access to the beach at all times since this is a matter that will be addressed under other Legislation and does not fall under planning control.

I recommend against an obligation to provide for pedestrian access via a storm water channel and drainage culvert because this route is not suited for this purpose. An alternative and sensible means of access to the beach is possible without exhorting the public to use a storm drain. There is an existing means of pedestrian access via an existing pend under the Rupert's defences, next to the public toilet building, and this would appear far better suited to public access and easier to secure when this is deemed operationally necessary by HM Customs. Some reconfiguration of the space here would permit some public car parking next to the beach and pend access if space permits.

The Final Plan has been adjusted accordingly to allocate more land for lay-up space, marine services, boat storage and public car parking. Provision for public access is maintained but if operational requirements dictate access can be restricted using barriers and a pass system. The precise arrangements should be left to the Harbourmaster and security officials.

Land had been reserved to facilitate construction of underground sewerage treatment works by Connect to accept and treat foul water discharge from existing and proposed development. This has been complicated by the siting and size of the sea rescue building but waste water treatment is still needed to facilitate development on any scale and is also desirable to improve water quality in Rupert's Bay.

Road Infrastructure

The road construction serving Rupert's valley should be designed and built to be adequate to cope with anticipated usage. Current usage by the Airport Contractor is not an issue for this Plan, although all construction should be carried out in accordance with the management plan appended to the Environmental Statement and approved by The Governor in Council.



The access route to new wharf. Part of Rupert's Line Defences is on left of picture

SHG Engineering advisors Halcrow have advised that the wharf and access road will be constructed in concrete and suitable for HGV and Stacker traffic but only over a relatively short extent - serving only the immediate wharf and extending as far to the entrance point at the existing Bulk Fuel Installation (beach site) at Rupert's defences though extension as far as the power station is under consideration.

The contract specifies a Cape Seal make up and this raises potential future maintenance issues for a heavily used road.

The proposed road make up along Rupert's valley is inadequate to cope with the loadings of stacker vehicle used at James Wharf. Unloaded this vehicle weighs 75 tonnes and the axle load is considerably more when the vehicle lifts a full container. The Stacker vehicle should be used only on the dock, dock access leg or marshalling area.

Although the St Helena Roads Road Traffic Regulations currently prohibits vehicles in excess of 14 tonnes travelling on any public road vehicles that exceed this limit currently use the Rupert's access road, haul road and field road and this is expected to continue.

In light of public comment including the Head of Roads specific (but non-binding) recommendations are now made relating to make up of the road, and protection of underground fuel lines.

The upgrading of road and drainage infrastructure is desirable to accept new development in significant scale. The construction of large warehouse space will also generate significant storm water run-off from hard standings, car parking and roof surfaces. The invert level of the run sited to the east of the access road may currently be too high to accept this run-off and a new storm pipe should be laid to facilitate new development following the route of redundant fuel line on the West side of the development road..

6. Vince Thompson made two combined representations, referring to both the wharf and the Draft Plan. He is primarily concerned with detailed layout of the wharf and container park to work better than Jamestown wharf for collection of cargo and recommends a feasibility study to establish workable capacity.

He emphasises that the principal use in the area must be cargo handling and other uses are to be regarded as secondary including, if necessary, limiting the warehouse development. Flexibility needs to be stated in the policies until the area needed for cargo is clear. He also expresses concern at the gradient of Field Road for laden vehicles.



Container handling at Jamestown Wharf

Chief Planning Officer Response:

The detailed layout of the wharf and container park is not the function of a Development Plan but the Plan does seek to identify and allocate land to serve the future shipping needs of the Island. The contributor does raise a valid concern about the capacity of the land reserved for the Container Park and container operations.

The Draft Plan allocated only the beachside Bulk Fuel farm as the container marshalling area. This land area measures 1 acre and is of uneven topography. There is a Listed chimney structure sited in the middle of the site that if retained would further impede efficient manoeuvring and stacking. It is also now clear that some shore side fuel storage capacity is required reducing the land area available for container marshalling.

A marshalling area of 4050 square metres of regular shape and efficiently organised and stacked two-high (as at present) can accommodate in the region of 100 TWE container boxes. The site currently identified for container storage is not well suited to efficient container marshalling, stripping and stuffing. Due to the limitations of the site and competing demands for space I share the contributor's concern that the beach site identified in the Draft Plan is not adequate to deal with the island's future cargo handling requirements and the allocation is in any event now supplanted by recent planning decisions taken by The Governor in Council.

Additional land should be reserved to ensure there is adequate capacity to cope with demand for space. The detailed layout plan for a port area, in particular cargo and container handling should be led by an operational and logistics plan and based on an understanding of how the island will be serviced by visiting ships after 2016. A full application for development permission should be submitted when a preferred shipping company is appointed; key facts are established allowing preparation of a scale layout.

St Helena Government has forecast that freight tonnage may rise to 35,000 tonnes by 2028. This would equate to 2,500 twenty foot equivalent units per annum based on a nominal container weight of 14 tonnes. The Environmental Assessment and preliminary designs projected that average calls per annum may be reduced to 15 and this would result in container demand of approximately 166 TEU per call. The Environmental Assessment also assumed that most cargo would arrive by container which although true, some cargo is also shipped as break bulk, so the container projections may be slightly high.



The Airport Contractor stores approximately 100 twenty foot containers behind Rupert's Lines and additional 100 containers on land South of the Argos Building. An equivalent number may be delivered to island every five weeks from mid-2016

Since submission of the Environmental Statement in 2013 the tendering process for future cargo maritime service has concluded. It is now anticipated that a container ship may actually deliver cargo on a frequency of 10 -12 deliveries per annum, the number of TEUs involved would rise to 208 using the same assumptions adopted by the preliminary design but the tender documentation indicates that 26,550 tonnes would be imported by 2020. At nominal weight of 14 tonnes the number of containers would be 158 TEU.

The design of the quay structure main berth is capable of accepting a vessel of approximately 100m, draft of 5.5m and beam width of 17m. A vessel with these dimensions would be around 5,500 DWT, therefore appropriately sized to handle this cargo.

This is still a significantly higher figure than the cargo handled by Jamestown Wharf at present; but if the projected rise in cargo demand is realised this should also give a sense of the logistical difficulty in handling, storing and back handling such a large number of shipping containers. The tender document projects only as far as 2020, however, land set aside for a port operation requires a far longer time horizon.

For this reason I propose that land be set aside to meet demand for container space and break bulk adequate to handle the arrival of 200 TEU containers and back load equivalent number of empty containers.

Sure S Atlantic states that they will need to plan their network when plans are finalised. They also pointed out that they had submitted proposals to SHG Customs in April 2012 for improved communication to Rupert's, without response.

Chief Planning Officer response:

Sure will be kept apprised of any changes to the Development Plan.

ESH request (i) that the freight requirements are balanced against other economic drivers including tourism; (ii) that the draft Plan should extend further up the valley to ensure consistency; (iii) that usage of the wharf for non-freight handling should be acknowledged including boat repairs; (iv) that proposals for additional use of the Argos cold stores should be deleted because Argos is a private operation; (v) that the beach should be available permanently for recreation except in emergencies; (vi) that no area should be sterilised in anticipation of OTEC until there is greater clarity over it.; (vii) that the hotel proposed by ESH was produced by experienced architects with some consultation over it so the negative reference to it should be deleted; (viii) that the area of Zone A may be too large in the future bearing in mind possible changes in freight handling and customs procedures; (ix) that Zone B could be better used for cargo operations, releasing part of Zone A for alternative uses including catering; (x) that the part of Zone C on the east side of the road would be better used with Zone D for boat repairs; and (xi) that other elements of the draft Plan are broadly supported.

Chief Planning Officer Response:

The Plan boundaries have now been adjusted to incorporate the land around the replacement fuel store. Given the significant investment in new wharf and breakwater and other infrastructure to facilitate sea access and efficient port operations the freight handling requirements are central to land use planning.

Rupert's is unlikely to offer significant tourist potential although the history of the valley and its connection with the liberation of the African slaves and the burial of many who did not survive is important.

Rupert's will be a functioning commercial port and play host to the container handling operation. It offers potential also for maritime services, support to fisheries and the means to launch and recover small marine craft, short term lay-up for boat repair and servicing.

If implemented thoughtfully the transfer of marine services from Jamestown could release land and buildings at Jamestown Wharf with better tourism and leisure potential.

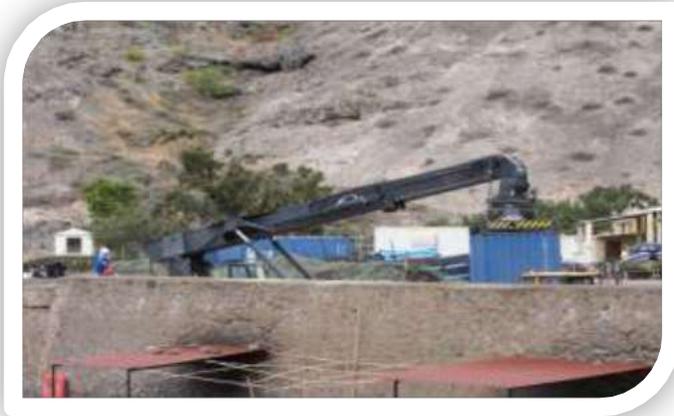
The Development Plan should seek to identify development potential and also constraints to development in the upper valley.

Customs and port operations have indicated that the entire wharf and beach area should be made secure during ship unloading and fuel deliveries. Customs have further advised that modern ports should comply with the International Ship and Port Facility Security (ISPS) Code.

Under section 29 of the Harbours Ordinance the Governor may, by order, publish in the Gazette and declare any area of the coast and waters of St Helena to be a Harbour. The associated regulations provide for controls over land and water by the Harbour Master and Chief of Police. The management and security of the Wharf operation is a matter for these agencies to consider and regulate under different Legislation.

Presently there are no proposals to allocate the Argos Processing sheds for any other use, under exception of the land area required to facilitate realigned road access.

It will be challenging, perhaps impossible, to reconcile completely the competing demands of operational port security and at the same time offer unfettered public access to the foreshore at all times but the Head of Customs and Port Operations has indicated that access to the beach will be preserved. Access to the beach at Rupert's is currently restricted during construction phase and during ship-shore fuel delivery for safety reasons therefore the precedent limiting public access at certain times is already established.



The beach site behind Rupert's Lines – Large numbers of containers must be transported from the new Wharf to the container marshalling area. Much of the land previously earmarked for container storage is now required for fuel management.

The only remaining land close to the Wharf and available for container marshalling simply cannot be reserved for OTEC energy plant as the technology is still embryonic. The decision to site the Wharf and breakwater at Rupert's and need for container yard and fuel storage has likely sterilised the potential re use of the Diesel Fuel farm.

The Final Plan shall contain no references to prospective hotel buildings at Rupert's. ESH has now publicly announced its intention to focus SHG attention on Jamestown and one hotel site in Jamestown has obtained development permission. There is also development permission for large hotel and tourism development on Island at Blue Hill. Other small scale privately-led initiatives are on the horizon.

Far from being too large for a marshalling area, uncertainties regarding sea access and likely freight traffic highlight that there may be inadequate space available to accommodate future Island requirements. The land identified as Zone B in the Draft Plan will now be the site of the new sea rescue service building. Connect has also identified this site as the optimal location for a new waste water treatment facility. Unfortunately there will be limited residual land available for container handling in this area.

A larger Port Area should be allocated for port operations including scope to provide lay up space for fisheries and marine services as the new slipway and lifting capacity at the new wharf will create demand for this space. The precise configuration should be decided and managed by a detailed design process under the guidance of the end user. An application for development permission should be made for any building operations or change of use proposed.

Stuart Moors, stated that he was writing personally rather than on behalf of the Chamber of Commerce, (i) is concerned at that the cost, risk and difficulty of moving boats to Zone D for repair which, if the work cannot be accommodated on the wharf itself, should remain at Jamestown; (ii) is concerned that the public, fishing, repairing, emergency and trading accesses needed to Zone A will conflict with the concept of making it secure; and (iv) is concerned that listed structures, such as the Fisheries office building, should not be regarded as sacrosanct just because they are old.

Chief Planning Officer response:

The concern of the fishing sector, articulated by the individual contributor is understandable. The land previously identified as lay-up area is sited some distance from the slipway and new wharf. It is hoped that by enlarging the designated port area that adequate land can be set aside within this zone to accommodate demands for lay up space to allow marine craft to be serviced and repaired. The practical arrangements should be decided by the Harbourmaster.

If both Jamestown Cranes were moved to Rupert's Wharf launching and recovery of marine craft at Jamestown Wharf would be difficult unless there is a replacement boat lift facility or slipway. I agree that consideration should be given to the future of Jamestown Wharf and also that some future provision should be made for boat recovery and launching in Jamestown. If a crane is left in Jamestown this would be complement initiatives to change the emphasis of Jamestown Wharf towards tourism and leisure including access to the water. Unless there is some means to retain a boatlift capability at the old Wharf provision has to be made for boat lay-up on the Rupert's Wharf. Again I feel that the practicalities of this arrangement, however flawed, should be made by persons experienced in port management operations. I am unconvinced there is any need to relocate both the Jamestown cranes to Rupert's Port Area and if the smaller crane is left to serve Jamestown Wharf, which now appears highly likely some of the concerns expressed can be assuaged. Purchase of a mobile crane has been mooted recently. This may obviate the need to move either Sennebogen cranes based at Jamestown but cranes used for construction and general lifting functions are not well suited to port use.

Existing built heritage policies protect the historic environment and seek to safeguard the island's built heritage. Wherever practicable development at Rupert's will be expected to pay regard to Listed Buildings including Rupert's Lines, Desalination chimney and liberated African reception building. Proposals to alter or remove any Listed Building shall be assessed against existing planning policies unless superseded by this Plan. Where demolition is the only option current policy requires that an historic record is collated by the National Trust.

George Stevens supports installation of a slipway at James Bay (following the design by Coode Blizzard) plus lifeboat housing because (i) fishing and recreational uses can continue there, utilising the wharf space vacated by moving container handling to Rupert's and removal of the lightering ropes to permit recreational use of the water; (ii) the long haul of boats on trailers from HTH to Rupert's will be off-putting and dangerous; (iii) the Dive Club is already at James Bay; and (iv) James Bay is more convenient for call-out staff with faster emergency response.

Chief Planning Officer Response:

Fishing and leisure craft and at least one crane are expected to remain at James Bay.

The Final Draft has been adjusted to reserve land for port operations including for container storage, marine services, boat storage and maintenance. The practical arrangements should be decided by a Harbourmaster.

The decision to site the rescue boat service and accommodation at Rupert's has been taken by Government and it will not be revisited. Although some contributors have questioned this approach the Final Plan has to reflect this reality.

The Heritage Society (i) states that the heritage expressed in the historic buildings and houses should not be underestimated and suggests putting a shop/bar/café in the Fisheries office building; (ii) suggests expansion of the southern part of Zone E to include the church and its surroundings; and (iii) is ambivalent about the site for the Ossuary with concerns that the existing site might become just a road-side feature if Munden's Lane is in the future made up as a road but also aware that the old Gaol is "right in the industrial part of the valley".

Chief Planning Officer Response:

The Listed building has been leased by Crown Estates to Fisheries.

Although there is development permission for an Ossuary this permission is unlikely to be implemented. The interment of the skeletal remains of Liberated Africans is an unresolved issue and the National Trust has been appointed as lead agency to explore and consult upon possible options.

The Planning Service would support allocation of land adjacent to St Michael's church as a burial ground to make provision for re-interment of skeletal remains. If this option is not taken up the land is determined to be more suited to commercial development rather than housing.

Existing Built Heritage Policies protect the historic environment and seek to safeguard the Island's built heritage. Wherever practicable, development at Rupert's will be expected to respect Listed Buildings including Rupert's Lines, Desalination chimney and liberated African reception building.

Proposals to alter or remove any Listed Building shall be assessed against existing policies unless superseded by this Plan. Where demolition cannot be avoided current policy requires that an historic record is collated by the National Trust but where practicable Listed Buildings and monuments are important to Islanders and tourism and should be protected against unnecessary alteration or destruction.

Trevor Thomas wrote to the Chamber of Commerce on behalf of the Fishermen's Association with his views, which are endorsed by the Chamber. He is concerned that hoisting and transporting boats for repair from the wharf to Zone D is impracticable, particularly with larger boats arriving on the island, and inevitably costly, that the area of Zone D is inadequate for the purpose, that boat repairs should therefore remain at Jamestown including retention of one of the Sennebogen cranes at Jamestown; that Jamestown will be more suitable because of (a) removal of the present conflict of container handling and boat repairs, (b) the already existing workshop and stores at Jamestown plus proximity of shops in the town and (c) the tourist attraction of active boat repair work as in Cape Town waterfront. He is also concerned about the safety of rescue boat operation from Rupert's, irrespective of the new wharf, because of the surge effect particularly of northerly swells.

Chief Planning Officer Response:

The Final Draft has been adjusted to reserve a significant area of land for port operations including container storage, marine services, boat storage and maintenance. The practical arrangements should be decided by a detailed design prepared under the guidance of the end user but there would appear to be capacity to lift and repair boats on the wharf side between ship visits and other lay up space will be available.

A decision has been taken to resite the rescue boat service and accommodation on land adjacent to the Argos building. The decision was taken under the Airport Ordinance for reasons of aerodrome certification. Although some contributors have questioned this approach the Final Plan reflects this reality.

St Helena Chamber of Commerce considers (i) that it is premature to consider approval of the draft Plan because of the information gaps regarding future logistics, with consequent uncertainty over land use requirements; (ii) that it totally opposes the Zone D designation because boat repairs should not transfer from Jamestown and they endorse the representations made on behalf of the Fishermen's Association; (iii) that no facts are given for assuming that cruise ship passengers will be able to land safely at Rupert's and, if they do, points out that many such visitors prefer to explore on foot and questions where they will be safely marshalled for transportation and where there would be space for souvenir stalls etc.; (iv) that any new housing area needs measures to avoid rock fall risk particularly from the western slope; (vii) that the old gaol is not appropriate for the ossuary because of proximity to the power station and other likely heavy commercial activity; (v) that it is essential that the roads within the valley are constructed to a standard able to carry heavy plant and loaded containers; (vi) that the estimate of additional 50 population equivalent is probably too low bearing in mind the extent of new activity and development over and above cargo operations; (vii) that appropriate telecommunications are essential and notes that Sure were not included in the working group; (viii) that Zone C does not appear large enough if all warehousing and wholesaling is to transfer from Jamestown; and (ix) that SOLAS and international port security DTI compliance will be necessary (whereas flexibility over the Port Security Facility Plan for Jamestown was appropriate because it is a long established port) and therefore DTI should be consulted before the Zones are finalised.

Chief Planning Officer Response:

It is difficult to balance the need to plan carefully and methodically and also respond to demands for early guidance and certainty. There is considerable pressure within Government to advance a Development Plan for Rupert's when, as the contributor highlights, there are many imponderables. Basil Read must also demobilise and vacate property before building work or reconfiguration of the space can be commenced.

I have made no assumptions regarding the movement of fishing craft or boat repairs to Rupert's Bay. I consider the concern expressed by the Chamber relates to the possibility of movement of both cranes and the loss of boat launching facilities at Jamestown. This is not advocated by the Development Plan and Government has already acknowledged that some lifting capacity should remain at Jamestown.

A new jetty and breakwater at Rupert's provides sheltered facilities to arriving passengers but Rupert's is a freight orientated port and cruise ship passengers will continue to be received at Jamestown, except in very rough conditions. When this happens it is likely that immigration processing could be undertaken offshore and arriving passengers could be transported by vehicle to Jamestown.

The precise arrangements regarding arrivals are a matter for Customs and Immigration to decide upon but land and buildings should be reserved for reception facilities. The road design process is contractor led in accordance with the airport contract. Any enhancement to the road specification would involve a contract variation and additional cost a rigid built road would be more durable and involve less reactive maintenance and cost over the long term. This is now being explored.

Adjustments to the Development Plan have been made to provide a useable port operations area and land has been reserved for warehouses, marine services and light manufacture. The land allocations though are constrained by a number of factors that are outside planning control. I have commented elsewhere about the application of ISPS to the Rupert's Port. I agree that dialogue with the UK Department of Transport is required and while the outcome of these discussions may influence operational, security and access decisions this unlikely to alter the approach adopted by this amended Plan.

Cathy Hopkins considers that the new oil pipeline should be realigned to a safer distance from housing and she does not accept the argument that less frequent usage than at present mitigates the risk.

Chief Planning Officer Response:

The fuel pipelines fall under the airport contract. Operations undertaken with the consent of the Governor in Council do not fall under direct planning control. The LDCA has exercised little control over the siting or alignment of the pipelines as the alignment has been approved under the Airport Ordinance. As with the replacement BFI I would expect any new facilities including new pipelines to be constructed in accordance with modern standards and best practice to mitigate risk to the public although when fuel infrastructure is involved risk cannot be mitigated entirely.

The Draft Plan now omits all reference to new residential development at Rupert's because of concern about the potential dangers posed by above ground fuel pipelines and proximity to the fuel storage and other uses potentially detrimental to residential amenity and safety.

Argos (Peter Thomson) responded jointly about the wharf development application and the Draft Plan. He is (i) pleased to see the proposed landing steps with opportunities for less mobile persons than can use Jamestown steps, for access to recreational boats and as a result wishes also to see "finger jetties" for mooring of recreational craft that do not interfere with commercial traffic; (ii) supports retention of the Basil Read slipway both for roll-on-roll-off and possible launching of small craft; (iii) is unhappy that construction of the slipway on the Shears as a rubble mound may restrict use by fishing vessels and questions whether the BR existing wharf cannot be adapted more cheaply; (iv) is unhappy with all three rescue crafts being located at Rupert's, leaving James Bay without provision and risk of all three being destroyed in a fire; (v) supports other elements of the Draft Plan.



The Shears jetty is currently used by fishing vessels for offloading. The jetty will be modified for future use by sea rescue craft.

Chief Planning Officer Response:

There are no plans yet to provide swing moorings or new jetties for recreational craft mooring.

Provision is made for the manoeuvring of large ships and slipway access for sea rescue craft.

PMU Engineers Halcrow has reassured Planning and Building Division that the Shears slipway extension design and construction will permit continuing use by fishing vessel and alternative provision for landing at the temporary wharf or new wharf is also available. This matter was adequately regulated by condition 5 under development permission 2013/92. This condition has now been discharged by Governor in Council under planning reference 2015/135.

Air Access Office and the PMU (Halcrow) consider that (i) the draft Plan overly emphasises the wharf as the driver behind preparation of the Plan and therefore is fundamentally flawed through failing to consider the wider principles and priorities of development of the Rupert's Valley - there should be a wider vision and assessment of the opportunity costs of the choices for the long term, with island-wide consultation on them; (ii) that the proposal to form the ossuary in the old gaol is not to save costs (and will actually be more costly) but follows expert advice from Dr Andrew Pearson with the intent to return the slave remains to as near as possible their original location - likely to have originally been a graveyard site, with room for a memorial garden or memorial – and to avoid disturbing an otherwise undisturbed area; (iii) considers that statements in respect of proposed road specification (and tying Zone development to it) are confusing, questions who is setting the road specification and whether it will be detailed in the Plan; (iv) points out that a fire-fighting water reservoir is likely to be needed in the area of Zone F, which needs to be acknowledged as it could limit the available area; (v) questions how access will be maintained to the Bird-down area; (vi) asks where cargo handling equipment will be parked when not in use; (vii) asks what is proposed for the desalination plant chimney; (viii) points out that further warehousing could be developed along the western side up to the existing house; (ix) asks what will happen to the beach toilet; and (x) points out risk of relocating Adrian Duncan's workshop to zone F because of potential high risk and only one means of exit.

Chief Planning Officer Response:

The need for a functioning port cargo handling operation under a new shipping arrangement has always driven the need for this Development Plan.

Unusually for a Development Plan regulating future land use and development management decision making, so much of what will happen at Rupert's Valley over the next year rests with Air Access Directorate, the designers and Airport Contractor Basil Read. SHG is the largest single landowner, however, most of the land and buildings managed by Crown Estates are currently occupied by Basil Read and vacant possession cannot be obtained until the contracted handover date.

Implementation does require close and coordinated working between various SHG Directorates and the priority is to ensure that all stakeholders understand the significance of design and siting decisions that are taken and are always mindful that decisions made unilaterally have the potential to hinder improved port operations.

Adequate land must be reserved for port management well into the future; not just the next few years. Although the marshalling space available is important; the road design and construction serving the valley should be robust enough to withstand port traffic. Adequate provision should be made for storm water management and waste water treatment to facilitate the future development of land.

Land that is not required for port operations including container marshalling can be released for development by the private sector or perhaps Enterprise St Helena to provide warehouse space and perhaps for other purposes.

I also recognise the genuine concern of boat owners and fishermen who require reassurance that Wharf infrastructure is being designed with all stakeholders in mind and that public access will be respected where this is practicable.

While there is still so much design uncertainty about final levels, road design and makeup, siting of buildings, service alignment including fuel infrastructure spatial planning and detailed layout design is made extremely difficult.

Julia Benjamin notes the draft designation of her land as part of Zone E (housing) and states that she would now prefer it be designated for commercial uses, aligning with those described for Zone C.

Chief Planning Officer Response:

No residential land is to be expressly allocated at Rupert's under the Final Development Plan. The land area subject to this representation has now been reserved for inclusion within the Port Area. No development of private warehouse space will be supported on this site at least until the final shipping arrangements become clear and the port is established and operating successfully.

In order not to disadvantage the landowner a compensatory excambion arrangement would be justified in order not to disadvantage the landowner.

Solomon & Company (St Helena) Plc

Late submission by Solomon and Co expresses concern about the space available for container storage observing that allocated area does not improve upon the current facility at Jamestown. Further work should be undertaken to assess space requirement for cargo reception and processing to ensure that Rupert's performs adequately. Similarly the company wishes to be assured that operational flow and practical requirements have been properly considered and planned for. The access road serving Rupert's valley is a key concern for the contributor. Improvements along this road connecting the port operation with Jamestown are important.

The contributor cautions that as the fuel management contract has yet to be awarded there are uncertainties in relation to fuel handling and delivery. The Development Plan should take account of the key milestones in the fuel management contract to sustain fuel management operations.

The contributor is opposed to the use of the old gaol as an ossuary or place of interment on the basis it is not a fitting place of dignity and reflection.

Chief Planning Officer Response:

The contributor does raise a valid concern about the capacity of the land reserved for the Container Park and container operations.

The Draft Plan allocated only the Bulk Fuel farm as the container marshalling area and this draft allocation has been supplanted by later planning decisions by The Governor in Council in response to evolving design.



The land reserved for port operations is subject to competing pressures, private ownership and leasehold interests.

Due to the limitations of the site I share the contributor's concern that there is inadequate immediately available land to deal with the island's future cargo handling requirements.

Additional land should be reserved, cleared and prepared in readiness to ensure there is adequate capacity to cope with demand for space. The detailed layout plan for a port area, in particular cargo and container handling should be led by an operational and logistics plan and a clear design brief based on an understanding of how the island will be serviced by visiting ships after July 2016.

If additional land for container stacking yard space is reserved that seems necessary this will impact upon the residual land available for the development of warehousing space. While empty and idle containers can be stored anywhere excessive handling and transportation should be avoided.

The roads serving Rupert's Valley will be upgraded within the limits imposed by resource available to Government.

There is development permission for an Ossuary at a location close to Field road although this permission now is unlikely to be implemented. The re-interment of the remains of liberated Africans is an unresolved issue and the National Trust has now been appointed to take the lead on this and advise upon possible options. A Consultation process has been undertaken to assess viable options.

The Planning Service would support allocation of land adjacent to St Michael's church as a prospective burial ground to make provision for re-interment but the matter has been delegated by Government to the National Trust and not to the Development Planning process to bring forward proposals. Some coordination of effort will therefore be required to avoid possible conflict with the provisions of the Development Plan.

Connect St Helena Ltd has requested that the current BFI (beach site) be reserved for renewable energy generation in the form of an Ocean Thermal Energy Conversion (OTEC).

Connect advised that Rupert's is the likely optimum location for the plant which uses differences in ocean temperature to generate electricity. The by-product of this process is fresh water. Volcanic islands are ideal for this technology.

Chief Planning Officer Response:

The development of OTEC technology worldwide is at an early stage and has yet to be taken up on a commercial scale anywhere.

Its application and usefulness to St Helena is some way off and most of the land occupied by the Diesel fuel store is to continue to be used for fuel handling.

Reservation of the land to support a young untested technology is not supported by this Plan as cargo handling must take priority at this time.

