

Memorandum for Executive Council

SUBJECT

Development Application – Internal Refurbishment of Ex-Police Headquarters for the Relocation of Judicial Services

Memorandum by the Chief Secretary

ADVICE SOUGHT

1. **Executive Council is asked to consider and advise whether Full Development Permission should be granted, with Conditions, for Internal Refurbishment of the Ex Police Headquarters for the relocation of Judicial Services as recommended by the Land Development Control Authority (LDCA).**

BACKGROUND & CONSIDERATIONS

2. At the Land Development Control Authority meeting held on 6 November 2019, it was recommended that Full Development Permission be granted for the Internal Refurbishment of Ex Police Headquarters for the relocation of Judicial Services, subject to conditions as set out in Section C of the 6 November Report in Annex A and the Decision Letter in Annex B.
3. In accordance with the directions issued by the Governor in Council to the Chief Planning Officer on 14 April 2014 under Section 23(1) of the Land Planning and Development Control (LPDC) Ordinance, 2013, the Chief Planning Officer is required to refer to the Governor-in-Council all applications for Development Permission for projects which are included in the current or proposed capital programme projects as clarified in paragraph 6 and 7 of the April 2014 letter.
4. A copy of the directions is attached at Annex C for easy reference.
5. **Section 17** of the LPDC Ordinance reads:

A grant of development permission may be of either of the following types

- (a) Outline Development Permission, the effect of which is to give **Approval in Principle** to the proposed development which is the subject of an application, but not to permit (except to the extent, if any, allowed by conditions attached to the permission) commencement of development to take place, or

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(b) full development permission, the effect of which is to permit the development, subject of the terms and conditions of the grant of full development permission.

6. The relevant Primary Policy and clauses from the Land Development Control Plan (LDCP) against which the proposed development application is being assessed is the Built Heritage Policy BH1.al natural habitats and conserving.

7. RATIONALE BEHIND THE PROPOSAL

7.1 The proposal is to bring the former Police Headquarters building back into use for the Judicial Services. The building has been vacant for around two years since the Police Headquarters was relocated to Coleman House. This a Grade 1 Listed Building in the Jamestown Conservation Area. This is part of a large complex of public buildings, that includes the Courts and the Castle. These buildings provide an important backdrop to the historic built heritage and environment of the Island. Leaving the building vacant detracts from the historic character and therefore bringing it back into viable use is important to ensure that it remains a valuable asset to the built heritage rather than become a liability through lack of repair and maintenance.

7.2 The reuse of the building for the Judicial Services, that also currently occupy the adjoining building in this complex, is therefore welcomed. The refurbishment of the building for the new use is within the Capital Programme and funding is available for these refurbishments. The proposed works are mainly internal, for which development permission is required due to heritage listing.

7.3 The Sustainable Economic Development Plan (SEDP) for St Helena sets out the strategic vision for the island to 'achieve development which is economically, environmentally and socially sustainable by increasing standards of living and quality of life; not relying on aid payments from the UK in the longer term; whilst affording to maintain the island's infrastructure; achieve more money coming into St Helena than going out and sustain and improve St Helena's natural resources for this generation and the next.

7.4 To achieve this vision, the SEDP sets a goal to 'sustain and improve our natural capital' by 'maintaining and enhancing St Helena's exceptional environment, landscape, heritage and cultural qualities for this generation and the next.' Protecting and promoting the built heritage of the Island falls within the

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vision of the SEDP and bringing this building back into use is welcomed.

7.5 In addition, the improved judicial services facilities that are planned for the space will help ensure St Helenians receive appropriate protections when interacting with the legal system. This is consistent with the 10 Year Plan goal 'Altogether Safer by protecting and empowering all vulnerable people.'

8. BACKGROUND OF THE DEVELOPMENT APPLICATION AND REPORTS

8.1 Prior to the submission of the development application, the applicant discussed the proposal with the Planning Officer. The proposals are mainly internal refurbishment works to provide more usable space for the new occupants and provide improved facilities.

8.2 The refurbishment works proposed are only for the first phase of the project, however the second phase of the project is planned for next year; that includes improved disabled access and more disabled friendly facilities. The applicant was advised to include all the proposals in a single application. However, due to the urgency of the works and need to ensure the works are completed and budget utilised, the design work for the second phase would delay the project. The proposal for the first phase has been of concern because it fails to fully deal with accessibility around the building for a person who may have manoeuvrability issues, as this building is for public use, particularly with persons on jury services and a person with a disability may not be able to participate as juror. This had been a particular issue when the development application was discussed at the Land Development Control Authority meetings.

9. DETAILS OF THE DEVELOPMENT

9.1 The works proposed are all internal and will not affect the external appearance, but will ensure continued use and a secured future of an historic important building. The refurbishment works are to the north western part of the building requiring the removal of all existing stud partitions, as well as the block wall which separates the store room and office. This will provide an open plan design office space compared to the original and also provide a smaller waiting room at the main entrance, as well as a reception area and large open office space.

9.2 The proposed works in the middle section of the building is to remove the existing stud partition wall to create an office for the

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Judicial Services Manager. A filing area will be situated in the corridor leading to the eastern part of the building. The works to the eastern section of the building consists of removing the stud partition walls and creating a larger jury room, bailiffs office, wheelchair friendly toilet and server room.

10. REPRESENTATION

10.1 No representation has been received in respect of the development application

11. CONCLUSION

11.1 The proposed development is to improve the functionality of the building for the new user, the Judicial Services. These are all internal works and are usually permitted development, however as this is a Grade I Listed Building, development permission is required before the proposed works are undertaken. The development complies with Built Heritage policies as it does not negatively impact the character or historic aspect of the buildings and thus can be supported.

11.2 The development application report was considered at three LDCA meetings and also included a site visit to assess the proposed refurbishment works and accessibility on site. The main issue raised by LDCA at its meetings has been the non-compliance of the proposed work for disability requirement. Whilst Phase two of the future refurbishment works will improve the accessibility and use of the building for people with a disability, there is no guarantee that these future works will happen as these are dependent on further capital funding being made available.

11.3 The LDCA still has strong reservations in respect of the future use of the building which fails to provide acceptable accessibility for a disabled person. This is an old building that has very narrow corridors and rooms at a number of different levels that are accessed by steps. There would be little scope to improve accessibility around this building due to the number of physical constraints. However, ensuring that the building is usable, the refurbishment works are necessary to provide an improved internal environment and more functional office space for the future. It is also important that there is improvement in the facilities for all users and that these are accessible. In order to get an agreement and a positive decision from the LDCA, there is a condition on the development permission restricting the use of the building for 12 months only unless the proposed Phase 2 works are approved and completed. This has been discussed with the applicant and they are in agreement with the inclusion of the

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condition in order to progress with the Phase 1 works as set out in the development application. It is recommended to the Governor-in-Council to grant development permission for the refurbishment work to this Grade 1 Listed Building subject to number of conditions. The report to 6 November LDCA meeting is attached as Annex B to this Memorandum. The report to the LDCA meetings in September and October are attached as Annexes D and E to this Memorandum.

11.4 In view of the process that has been followed to ensure the development proposal is considered in light of all the available information, the LDCA recommends to the Governor-in-Council to Grant Full Development Permission with a number of conditions, as set out Section C of the LDCA report for 6 November 2019, attached as Annex B to this Memorandum. It should be noted that this development within the Jamestown Conservation Area and the building is Grade 1 Listed and is supported by strategic vision of the SEDP.

FINANCIAL IMPLICATIONS

12. Executive Council acts as the Planning Authority in this case.

ECONOMIC IMPLICATIONS

13. The delivery and implementation of the development will promote growth in the construction sector and will contribute toward economic growth and prosperity.

14. Direct benefits associated with restoration of the space and relocation of the judicial services section this project fall into three general categories: protecting St Helenians as they interact with the legal system; preserving the sanctity of the legal system and increasing efficiency and effectiveness of judicial services operations. While it is difficult to monetise these benefits, this does not mean they are insignificant. Among other outcomes, these factors contribute toward increased confidence from investors that St Helena is fully committed to following the British legal system and associated protections

15. The refurbishment project will ensure that an historic building will be brought back into viable use that will ensure its future and contribute to the economic well-being of the Island through jobs in the construction sector.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

16. The development and delivery of the Capital Programme for the refurbishment of this building is consistent with the Investment policy. The following principles apply

1. Make St Helena a desirable and competitive destination to do business by removing barriers to investment.
2. Support an economy which is accessible to all potential investors and promote investments across the economy.
3. Support the locally based private sector to compete in an open

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economy but, where possible, avoid being overly protective.

4. Promote fair, consistent and transparent decision making.

PUBLIC / SOCIAL IMPACT

17. Ensuring that the historic building is brought back into use also creates a positive social impact for the Island and the development makes a positive contribution to wider visual enhancement in the landscape.

ENVIRONMENTAL IMPACT

18. Ensuring that historic buildings/built heritage assets are refurbished makes a positive contribution to the environment and creates confidence for future investment.

PREVIOUS CONSULTATION / COMMITTEE INPUT

19. The development application was advertised for a period of 14 days to seek comments from the community and stakeholders on the development proposal.

20. Key Stakeholders have responded and their views have been considered by LDCA.

PUBLIC REACTION

21. There was no representation received from the general public to the consultation.

22. This could possibly generate public and media interest once the refurbishment works are completed and the building open and in use.

PUBLICITY

23. The decision will be covered in the media briefing following the ExCo meeting.

SUPPORT TO STRATEGIC OBJECTIVES

24. This paper supports the Effective Infrastructure goal and Strategic Objective 1.1 – ‘Ensure effective investment in physical infrastructure’. It also supports the Altogether Safer goal and Strategic Objective 4.1 Develop and safe environment.

LINK TO SUSTAINABLE ECONOMIC DEVELOPMENT PLAN GOALS

25. Goal 6 of the SEDP is to sustain and improve our Natural Capital. Goal 7 of the SEDP is to improve public infrastructure, to provide an environment that promotes investment.

SOB

OPEN /CLOSED AGENDA ITEM

26. Recommended for the Open Agenda.

Corporate Support
Corporate Services

19th November 2019

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