

## Planning Officer's Report – LDCA MARCH 2020

<b>APPLICATION</b>	<b>2018/31</b> – Permanent Siting of 20ft Container for Storage Purposes
<b>PERMISSION SOUGHT</b>	Permission in <b>Full</b>
<b>REGISTERED</b>	6 <sup>th</sup> March 2018
<b>APPLICANT</b>	Police Directorate
<b>PARCEL</b>	PB0025
<b>LAND OWNER</b>	Crown Estates
<b>LOCALITY</b>	Firing Range, Cox's Battery
<b>ZONE</b>	Coastal Zone
<b>CONSERVATION AREA</b>	East Coast Scenic Reserve
<b>CURRENT USE</b>	Firing Range
<b>PUBLICITY</b>	The application was advertised as follows: <ul style="list-style-type: none"><li>▪ 8<sup>th</sup> – 23<sup>rd</sup> March 2018</li><li>▪ Revised Drawings 17<sup>th</sup> October – 31<sup>st</sup> October 2019</li><li>▪ A site notice displayed in accordance with Regulations.</li></ul>
<b>REPRESENTATIONS</b>	Two Received
<b>DECISION ROUTE</b>	<del>Delegated</del> / <b>LDCA</b> / <del>EXCO</del>

### **A. CONSULTATION FEEDBACK (8<sup>th</sup> – 23<sup>rd</sup> March 2018)**

1. Sewage & Water Division	No Objection
2. Energy Division	No Objection
3. Fire & Rescue	No Response
4. Roads Section	No Objection
5. Property Division	No Response
6. Environmental Management	No Objection - Comments
7. Public Health	No Response
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	The Applicant
10. Aerodrome Safe Guarding	No Response

11. Enterprise St Helena (ESH)	No Objection
12. National Trust	No Objection - Comment
13. Heritage Society	Objection – Comment

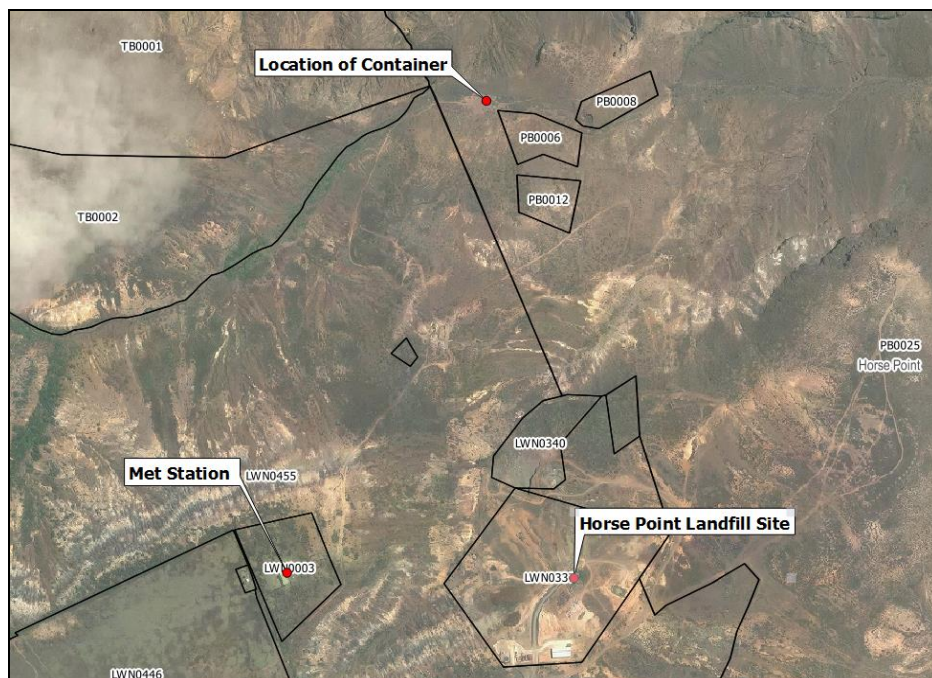
## B. PLANNING OFFICER'S APPRAISAL

### PLANNING HISTORY

Development permission was granted for a Police Rifle Range on 23<sup>rd</sup> March 2011, application referenced 2011/19. The site is located within the Coastal Zone as well as the Barn & Stone Top Conservation Area. The site is in operation as a Rifle Range since 2011 following development permission been granted. The development consent subject to number of condition, including one restricting the erection of any permanent structure(s) on the site.

A development application was submitted in 2017, reference 2017/61, requesting to site a twenty foot container permanently at the site to store various items relating to fire arms training. In view of the condition included on the development permission, reference 2011/19, the applicant was advised that only temporary permission would be considered and it was recommended to the LDCA that temporary permission be granted for a period of six months on to enable the applicant to consider a longer-term solution. This was approved by the LDCA at its meeting in September 2017 for a period of six months. Although the temporary permission has lapsed the container has remainder on site since the current development application has been considered.

**Diagram 1: Location Plan**



## THE PROPOSAL

As the temporary permission has lapsed, the applicant has submitted a full development application to site the container permanently in this location. No changes to the location of the container was proposed and was to remain in situ. The only difference from the previous application was the colour of the container, which was painted brown as per the conditions. However the colour is not ideal and would have probably been best sticking with grey.

**Diagram 3: Current Location of the Container**



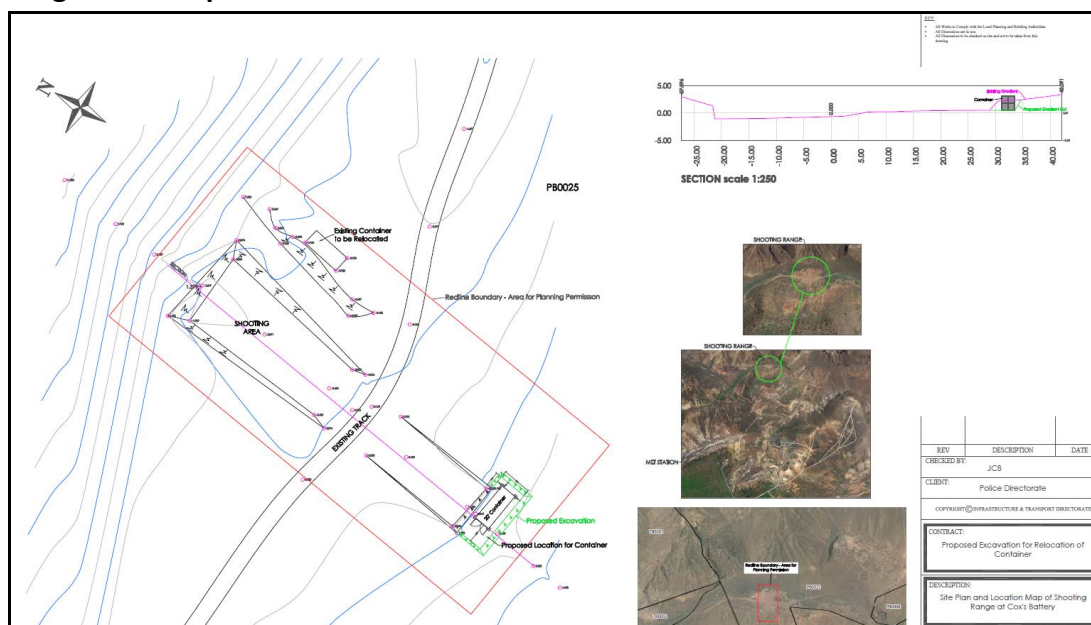
**Diagram 4: View from Flag Staff (Entrance to the Barn Post-box Walk)**





As can be seen from diagram three, there is no hiding the fact a container is situated directly in plain sight and is visible in the landscape. Based upon a number of concerns on the original application in 2017, as well as representations made on the current application, it was decided that a site visit be conducted with relevant stakeholders to further understand the rationale for the container, as well as any possible solutions for an alternative location. The site visit was held on 28<sup>th</sup> March 2018, with the following stakeholders in attendance – Police (Applicant), Environmental Management Division, Planning and National Trust.

**Diagram 5: Proposed Location for the Container**



**Diagram 6: Existing Container (Viewed from East of Site)**



It was explained by the applicant that it is needed to keep the equipment on site, as transporting back and forth would be too time consuming and costly. It is noted that this is usually one day per month and for a few weeks, consecutively when the overseas trainer arrives on island.

Numerous options was discussed on-site in order to minimize the visual impact of the container. The preferred option being to undertake excavation at the shooters end of the firing lane. This would enable the container to be placed length ways, where it would only protrude approximately under one metre above ground level, when viewed from a distance. Excavation entailed will measure approximately 10m in length and a depth of 4.3m. The embankment created will measure 2m vertically.

**Diagram 7: Conceptual of New Location for Container**



## **REPRESENTATIONS**

Representations was received during the first advertisement period from Dr Rebecca Cairns-Wicks and Mr Andrew Pearce, Heritage Society and to the recent advertisement from the Saint Helena National Trust. The representations raises the following concerns:

- permanent siting of a container risks establishing a precedent that others may follow and that Government Directorates to set the standards, which private sector may follow, when planning development within the island's NCAs, recognised for their outstanding landscapes and natural heritage;
- the rationale for the granting of an earlier temporary licence, which is due to expire, was to give the Police Directorate the time to plan for alternatives. And have alternatives been considered, (maintaining off-site storage, storage at the

nearby waste disposal site whose storage building is underutilised, dominates the landscape and which may possibly not have met its original planning conditions (roof colour and landscaping?)

- new build which was designed to fit into the landscape - could be partially buried with soil roof;
- at present the development is low key and the permanent siting of a container does not however support LDCP policies NH1 and NH2;
- permanent container in this position is inappropriate to the setting of the National Park;
- development will be a visual intrusion in a special landscape area as the use is intended for between 12 to 28 days a year, this will mean a permanent scar on the landscape that will not be used for 11 months of the year;
- this is by no means an ideal situation and under normal circumstances positioning of containers in conservation areas and areas of significant natural beauty should be avoided;
- accept that with some adjustments the current range and storage facilities may be permitted and recommendation would be to minimise disturbance of natural landscape, including topsoil and any vegetation;
- would support siting the container at the firing end of the range (so moving it through approximately 90 degrees and in a south easterly direction and provided that measures are taken to mitigate visual impact on landscape;
- watching brief during excavation to safeguard against undue impact on endemic invertebrates and their associated habitat in this area;
- no concerns currently relating to nesting Wirebirds but should any nests be discovered during excavation works or indeed operation of the range, all activity should be halted until nesting is complete.
- the area is a post box walk, national conservation area and habitat containing endemic species has already been heavily defaced and damaged with the construction of a firing range and wish to see the natural and historic environment preserved;
- permanent siting of the container would further damage the area, especially since no attempt has been made to camouflage it.

**Chief Environment Officer:** The CEO has reservation with the approval and on the basis that the container and if sited in an alternative location as discussed on site would minimise visual impact. There were previous objections to this development (application 2017/61) on the basis that the site is within a NCA and the visual impact of the container (in an area where there is no other built development) will be significant. Furthermore the Decision Notice for the original planning application for the Firing Range (2011/19/PB) included the condition that no permanent structures are to be erected on the land and all equipment used in association with rifle shooting

is removed and the area left tidy after each shooting session. It is now understanding the need for a permanently siting for a container and the actual impact this would have on the environment. Following a site visit and the explanation that transporting the equipment for the firing range (1 day per month and an intensive period annually when an overseas trainer comes out to the Island) would be too time consuming and costly. The firing range is needed to ensure officers are trained in the use of firearms, a capability that is now required for airport certification. These requirements had not been known in 2011 when the original application for having the firing range in this location had been submitted.

As number of options for siting the container to minimise visual impact were considered, the preferred option to site the container behind the 50m mark of the firing range that will require a small excavation but will minimise the overall footprint would be supported. There is some concern was expressed with regard to the potential for protected invertebrates to be present in the area, it was suggested and agreed that prior to the excavation works, National Trust's invertebrate team checks the site for the presence of protected invertebrates. A number of lichen species were also present, where feasible these should be moved to an area outside the area to be affected prior to excavation.

A number of spent shot casings were found around the range area. These should have been collected and removed from site after each shooting session and it is recommended that the condition attached to the Decision Notice for application 2011/19/PB noted above be further reinforced.

Concern was also raised about the impact of the firing range (when in use) on wirebirds. It was noted that wirebirds, protected under the Environmental Protection Ordinance (EPO), 2016 were present around the site and 2 were observed during the site visit. It is recommended that the Police liaises with National Trust with regard to environmental best practice on site to ensure the wirebirds are protected. It is further recommended that in the longer term an alternative site is pursued for a firing range and it was recalled that a few years ago there was a development application for an indoor firing range at Francis Plain which could also serve as Police training needs and the recreational rifle clubs. This option should be revisited

## **OFFICERS ASSESSMENT / APPRAISAL**

With regards to this particular development within the National Conservation area, the main aspect to consider is the visual impact. Diagram four demonstrates a good example overlooking Cox's Battery from Flag Staff, where it is obvious that with the naked eye, one will not see the container. Nevertheless when directly using the post-



box walk to Cox's Battery, there is no denying the fact the container will be seen. Secondly, is ensuring any fauna or flora is not impacted negatively upon by the development. From the site visit, it was noted two Wirebirds within the area as well as some lichen species present. As the container will be stationary, appropriate mitigation can be undertaken prior to earthworks and relocation of the container.

In terms of the policies, the development is assessed against NH1, where any permanent siting will be in direct contravention of the policy and previous decision notice, and would set a precedent in future development. In view of the need for such facilities on the Island to meet with international standards for training in firearms for the and security and wellbeing of the Island and its inhabitant, there are material consideration to note in the decision making on development application and this does set a precedence for applications for similar development are considered. It is therefore of the officer's opinion that a further temporary consent is granted for siting of the container on the agreed based upon the new location and as identified in the drawing and photographs, as this will reduce the visual impact of the container with the landscape. An assessment can be made in the next two years to see how this has blended into the landscape recognising the environmental and landscape sensitivity of the proposed development.