

**St Helena
Government**

**Mrs Connie Johnson
Corporate Services
The Castle**

**Ref: 2020/06, 07, 27
Date: 13/05/2020**

Dear Mrs Johnson,

**Land Planning and Development Control Ordinance 2013: Application No. 2020/06; 2020/07
and 2020/27**

The Land Development Control Authority (LDCA) considered the Application 2020/06 on the 6 May 2020 and under Section 23(3) of the Land Planning and Development Control Ordinance, 2013, the LDCA hereby recommend that the Governor-in-Council **FULL DEVELOPMENT PERMISSION** for the following development:

- 1. Retention of Advertisement Sign on Premises in Lower Wharf (JT010026);**
- 2. Change of Use from Class B1 (Storage Warehouse) to Class A1 (Fishmonger) of the Old Customs House, Lower Wharf;**
- 3. Erection of Zulu Rememberance Monument at Jacobs Ladder Viewing Platform, Ladder Hill**

Development Application 2020/06

- 1) Development Permission is granted for the retention of the advertisement sign as erected and shown on the drawings submitted with development application dated 20th January 2020 for period that will expire on 25th September 2021.
Reason: to regularise advertisement sign in accordance with Section 26 of the Land Planning and Development Control Ordinance 2013.
- 2) Development Permission for the Advertisement shall lapse on 25th September 2021 and the advertisement shall then be removed unless written approval is obtained from the Chief Planning Officer on behalf of the Land Development Control Authority.
Reason: To accord with the provisions of the LDCA Policy on Advertisements.
- 3) No damaged shall be caused to the Listed Building or any of its architectural features during removal of the Sign and surface area of the elevation is made good.

Reason: to ensure preservation of the Listed Buildings and accord with LDCP Policies BH1, BH2 and BH3.

Note that the Authority shall reserve the right to use its Power to Require Conformity under Section 38 of the Land Planning and Development Control Ordinance, 2013, should it be deemed necessary.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.

Development Application 2020/07

- 1) This permission will lapse and cease to have effect on the day, 5 years from the date of this Decision Notice, unless the development has commenced by that date.
Reason: required by Section 31(2) of the Land Planning and Development Control Ordinance 2013.
- 2) The development shall be implemented in accordance with the details specified on the Application Form; location plan received on 21st January 2020 and Floor Layout received on 28th April 2020 as stamped and approved by the Planning Officer, on behalf of the Land Development Control Authority, subject to the Condition of this Decision Notice and unless the prior written approval is obtained for an amendment to the approved details under Section 29 of the Land Development Control Ordinance, 2013.
Reason: Standard condition to define the terms of the development and to ensure that the development is implemented in accordance with the approved.
- 3) This Development Permission does not confer approval under the Building Control Ordinance. Please consult with the Building Inspector(s) to find out whether building regulations approval is required, prior to the development commencing.
Reason: to ensure development is carried out in accordance with the Building Control Ordinance 2013.
- 4) The waste water collection tank must be removed daily and not sited at the proposed location during non-working hours.
Reason: to protect the setting of the listed building and proposed Heritage Coast Conservation Area.

- 5) Dust monitoring on site shall be undertaken on a daily basis. In the event that dust is at any time generated that is likely to travel outside of the site and towards neighbouring properties the following mitigation measures shall be taken:
- The erection of dust screens
 - The damping down of materials that have the tendency to be carried by the wind
 - Reducing the speed of site operated machinery
 - In the event of adverse dry and windy weather conditions, site operations should be temporarily restricted or suspended

Reason: To assist the control and limitation of environmental particulate pollution.

- 6) **Construction Practices:** During construction of the development, no obstruction shall be caused on any public road and prior to occupation of the development the developer shall reinstate damage to any public road and other public or private infrastructure arising from implementation of the development permission.

Reason: To ensure safe vehicular access and reinstate damage to public infrastructure arising directly from the approved development in accordance with LDCP IZ1 (g).

- 7) Occupation of the development is not permitted until it is adequately served by a potable water supply, adequate energy supply as well as a waste water system for fish waste and, as approved by the Building Inspectors in consultation with the Chief Planning Officer.

Reason: To accord with LDCP IZ1, SD1, RT7 and W3.

- 8) Any External Lights shall be designed and sited so that they do not emit light at or above the horizontal and the light source shall not be visible beyond the site boundaries.

Reason: to minimize light pollution on the island in accordance with LDCP E8.

Further Advisory:

The sign to be painted should consist of the font style 'Times New Roman' to coincide with the Advertisement's Policy.

Please note that the LDCA, Planning and Building Control Division nor any of its employees warrant the accuracy of the information or accept any liability whatsoever neither for any error or omission nor for any loss or damage arising from interpretation or use of the information supplied by your Designer/Contractor.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.

Development Application 2020/27

- 1) This permission will lapse and cease to have effect on the day, 5 years from the date of this Decision Notice, unless the development has commenced by that date.
Reason: required by Section 31(2) of the Land Planning and Development Control Ordinance 2013.

- 2) The development shall be **implemented in accordance with the details** specified on the Application Form; Site Layout, and Monument Plans received on 17th March 2020, as stamped and approved by the Chief Planning Officer (CPO), on behalf of the Land Development Control Authority (LDCA), unless the prior written approval of the CPO (on behalf of the LDCA) is obtained for an amendment to the approved details under Section 29 of the Land Development Control Ordinance, 2013.
Reason: Standard condition to define the terms of the development and to ensure that the development is implemented in accordance with the approved details.

- 3) Before the construction of the development commences details of the plinths, indicating the dimensions, the material and colour of the plinth finish are provide to and approved in writing by the Chief Planning Officer on behalf of Land Development Control Authority.
Reason: To ensure details of the plinth construction, material and colour of finish are sympathetic to it historic surrounding.

- 4) **Construction Practices:** During installation of the Monument, no obstruction shall be caused on any public road and the developer shall reinstate damage to any public road and other public or private infrastructure arising from implementation of the development permission.
Reason: To ensure safe vehicular access and reinstate damage to public infrastructure arising directly from the approved development in accordance with LDCP IZ1 (g).

- 5) The applicant will be responsible for the ensure that the Monument is kept in good state of repair and is well maintained and if needs to be removed to be located elsewhere the area of the development will be left safe to the satisfaction of the Crown Estate.
Reason: To ensure that area of the monument is well maintained and does not become health and safety issue for the users.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.

Yours Sincerely

Karen Isaac
Secretary to LDCA

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