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Copy No:

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Memorandum for Executive Council

SUBJECT **Development Applications - Two for locations in Jamestown and one in Ladder Hill**

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 three development applications for locations in Jamestown and Ladder Hill as recommended by the Land Development Control Authority (LDCA) as follows:-**

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

BACKGROUND & CONSIDERATIONS 2. This memorandum is presented in respect of three development applications 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 the development on any land covered by water or land within 50 metres of land covered by water as clarified in paragraph 3 and 7 of the April 2014 letter.

3. A copy of the directions is attached at Annex C for easy reference.

4. **Section 17 (a)** reads: 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 (b): full development permission, the effect of which is to permit the development, subject to the terms and

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conditions of the grant of full development permission.

5. It is considered that as the development proposals being presented here are considered to be of little or no strategic significance, a full memorandum for each development application is not required and this single memorandum seeking approval is to ensure compliance with the governance direction.
6. At the Land Development Control Authority meeting held on 6 May 2020, it was recommended that Full Development Permission be granted for three development applications subject to conditions as set out in the Recommendation Section of the reports to LDCA included as Annex A and the Decision Letters in Annex B. The detail of the development applications are set below:
 - a) 2020/06: Retention of Advertisement Sign on Premises in Lower Wharf (JT010026)
 - b) 2020/07: Change of Use from Class B1 (Storage Warehouse) to Class A1 (Fishmonger) of the Old Customs House, Lower Wharf
 - c) 2020/27: Erection of Zulu Remembrance Monument at Jacobs Ladder Viewing Platform, Ladder Hill
7. Each of the development applications were assessed against the relevant Policy of the Land Development Control Plan (LDCP) related to each development proposal. These are set out in each of the reports to the LDCA.
8. **RATIONALE BEHIND THE PROPOSAL**
 - a) There are two development proposals for the Jamestown Wharf. The first is to bring the Old Customs House building back into use as a Fishmongers operation and the second relates to the retention of an advertisement sign to a building providing leisure activity. The third development application is for the erection of monument at an area popular with locals and tourists visiting Jacobs Ladder.
 - b) The Sustainable Economic Development Plan for St Helena sets out the strategic vision for the Island between 2018-2028. It outlines how over the next ten years the Island shall aim 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;

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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'. The goals which help the vision include

- i. 'Improve Land Productivity: Making use of derelict or underused brownfield land and changing use of existing property to provide space for businesses to thrive. Supporting businesses to make the most productive use of land'. This is most relevant to 2020/07.
 - ii. 'Attract Visitors and Increase Tourism: Encouraging the provision of tourist infrastructure required for a variety of visitor needs from hotels, restaurants and attractions serviced by a skilled and customer focused workforce.' This is most relevant to 2020/27.
- c) These developments relate to activities that promote economic and tourism development on the Island and are considered to be of wider benefit in bringing older buildings back into use. This is particularly the case of the Old Customs House building that has been vacant for a number of years and are now in urgent need for repair and restoration and the only way of doing this is to allow suitable alternative uses to operate from this building of heritage and architectural importance. The development of these uses in these locations will promote economic and tourist activity and assist in rejuvenating the area once all the port related operations are located to Rupert's Wharf. The location of the three development sites is set out in Diagram 1.

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Diagram 1



- d) The development of the Zulu Remembrance Monument at the viewing platform at Jacobs Ladder provides an opportunity to utilise a vacant area at the viewing platform to provide a structure that is a good piece of public art as well as providing a structure of historic remembrance of the Island's history. The location has a good number of visitors and will now provide a focus point for historic reflection.

9. DETAILS OF THE DEVELOPMENT

The brief details of three development applications are set out below:

a) Development Application Reference 2020/06

The proposal is a retrospective application to retain the advertisement sign erected on the front of the Grade III listed building that is constructed as a warehouse and advertising the Scuba Diving business operating from the premises. The proposed sign is timber framed 2.0m x 1.0m, with a painted flat surface, located to the left of the main door and over the window. There is no alignment with neither the door nor window or any other building feature. The advertisement sign was erected over 15 months ago, following permission granted to the adjacent premises. This development application (Ref: 2018/63) was not reported to Governor-in-Council for a

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decision. However the Governor-in-Council is being requested to endorse the decision of the LDCA of September 2018 in respect of this development application to regularise the permission granted in respect of the advertisement sign on this building (Land Parcel Ref: JT0100025)

b) The building is located in the Lower Jamestown Wharf area fronting the ocean and is within the Intermediate Zone and in the Heritage Coast Historic Conservation Area, where relevant Intermediate Zone and Built Heritage policies apply. The building is currently used as a dive Centre, and is next to similar scuba diving business 'Sub Tropic Dive Adventures'. Both buildings are similar in their design and appearance, however due to the upward slope of wharf level, the application property looks a little shorter in its height than the adjoining building.

c) The adjacent property was granted permission for the erection of the advertisement sign (2m x 1m) for a period of three years on 25 September 2018. The permission was subject to a condition stating that: 'The sign must be installed as such to be aligned with the architectural feature of the elevation or be placed symmetrically on that elevation'. As the application premises is adjacent to this premises where development permission has previously been granted for the erection of an advertisement sign it is considered that this application should be assessed and considered, having regard to the previous decision of the Authority. The advertisement sign erected at the application premises is of similar dimensions on a building frontage that is identical in all aspects of its design, details, construction and colour scheme, albeit the application premises appears to be slightly shorter in its height.

d) Development Application Reference 2020/07

The application is for the change of use of the Old Customs House, currently vacant, into a use as a Fishmongers operation (Use Class A1). The previous use of the building is as a storage/warehouse (Use Class B1). The Old Customs House is a Grade II listed building on the Lower Wharf frontage. This activity will involve preparation of fish, as well as being a sales establishment. The applicant will provide customers with quality fresh seafood, consisting primarily of offering ground/reef fish varieties and crustaceans. The business will supply both individuals and restaurants. Currently there is not a consumer service offered on-Island, and will not be in direct competition with any other business established to date.

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e) Works to be undertaken to the building will consist of forming two rooms, a waiting area and prep area. This will involve the construction of two stud walls and a single door. The hand basin for washing and fish waste will be connected into a one cubic meter water tank, which will be situated on the outside of the building. In order to connect the line into the tank, a small hole will be created through the existing wall.

f) Development Application Reference 2020/27

The application is to install a Zulu Remembrance Monument at the Jacob's Ladder viewing area to remember the number of Zulu prisoners exiled on the Island between 1907 and 1910 and in particular a number of those who actually died during their captivity on the Island. This area has been developed over the years with erection of an information board and benches to appreciate the grandeur of the Island at the top of the Ladder.

g) The proposed development is the erection of a stone monument with carving of a shield and spear and a brass plaque with appropriate wording. The monument will be mounted on a small concrete base. There will also be a larger plinth, with approximately 300mm with stone edging.

9. REPRESENTATION

a) During the consultation on the development applications, representation was received from the St Helena National Trust and the Heritage Society to the development proposals on the Lower Wharf.

The concerns raised include:

b) 2020/06

- i. information regarding Grade III Listing of the building development is a retrospective application seeking
- ii. permission for the retention of the advertisement sign,
- iii. the application must be forwarded to the Governor-in-Council for final decision,
- iv. sign contravenes the LDCP policy for not being centrally positioned over a door or window and dimensions doesn't comply with policy,
- v. the size and position of the sign on the adjacent building is identical, the development application 2018/63 was approved by the LDCA but not referred to the Governor-in-Council for final decision;

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vi. proposed advertisement signage affects Grade III listed buildings and the visual impact on the historic environment of the Wharf is given due consideration in respect of planning policy and law and that due process is pursued'

c) 2020/07

- i. there should no changes to the fabric of the building and in particular changes to the windows or door;
- ii. lack of information regarding the advertisement and that lettering style should reflect the historic period;
- iii. waste water collection tank outside the building is on highway and this area is part of the setting of the Listed Grade II building and would detract from it;
- iv. proposed use would be better suited for Freight Terminal based upon space and when ship is in port.

10. OFFICERS ASSESSMENT

a) The erection of this advertisement sign is in breach of the Land Planning and Development Control Ordinance as the development has been carried out without the benefit of development permission and the occupier of the premises has submitted the development application since the issue was raised by the Planning Service to ensure that the development is regularised. The advertisement sign has already been erected on the front elevation of the application site for over 15 months and it is considered that development permission be granted for a temporary period only and should expire at the same time as the development permission expires for the adjacent property, on 25 September 2021, development reference 2018/63. The Planning Service will work with the two business occupiers to formulate more acceptable designs for the advertisement signage and the most appropriate position on the elevation which respects the character of the building and the area's historic designation.

b) The proposed development and use of the premises is not materially damaging to the amenity of the area and is consistent with the general use of the wharf activities. Apart from the hole to be created for the drainage, the appearance of the building will remain unaltered. No changes are proposed to the walls, roof and features such as the door and windows. The exterior is clearly in a poor state; allowing development of the building will encourage general maintenance, which has been clearly lacking for a number of years and bring the building back into use, which is a positive outcome. Overall this proposal will

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improve and enhance the building and is therefore in compliance with the Built Heritage Policies of the LDCA; the policies can be supported and the minor alterations respect the heritage and conservation values of the building and the area.

- c) The proposed erection of the Zulu Remembrance Monument provides a recognition of the Island's historic past. The proposed monument on an area that is developed to provide information for the tourist and local communities and to view the grandeur of the Island from the Ladder Hill Complex is an acceptable location. With the erection of the monument, this location can also be an area for reflection and remembrance whilst enjoying the view of the ocean and historic Jamestown.
- d) This development will also provide an additional feature at this viewing platform as an opportunity to understand and appreciate the Island's history and heritage. The proposed development will enhance the area and meets with the wider heritage objectives of the policy.

11. RECOMMENDATION

- a) The LDCA having carefully considered the proposed developments, recommends to the Governor-in-Council to Grant Full Development Permission with a number of conditions in respect of each of the three development applications, as set out in the recommendation section of the LDCA report for 6 May 2020, attached as Annex A to this Memorandum.
- b) The LDCA also request the Governor-in-Council to give approve to the development permission previously granted for the display of the advertisement sign to the building on Land Parcel Ref: JT010025 in order to regularise the development until 25th September 2021.

FINANCIAL IMPLICATIONS

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

ECONOMIC IMPLICATIONS

13. All three applications help to achieve the goals of the SEDP albeit in a small way.
- a) 2020/06: Retention of Advertisement Sign on Premises in Lower Wharf supports marketing of a tourism business, helping to encourage expenditure by tourists. Tourism is an export market and it is important to encourage expenditure as much as possible to get the most benefit from our tourists, and for tourists to experience maximum enjoyment of their holiday.
 - b) 2020/07: Change of Use from Class B1 (Storage Warehouse) to Class A1 (Fishmonger) of the Old Customs House, Lower

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Wharf, supports Fisheries, which is a sector advocated in the SEDP. A new fishmonger contributes to import substitution by providing a new source of local food

- c) 2020/27: Erection of Zulu Remembrance Monument at Jacobs Ladder Viewing Platform, Ladder Hill. This provides tourist infrastructure. Tourism is a sector advocated in the SEDP.

14. The proposal is to improve the environment of the area and introduce new facilities in the Lower Wharf area of Jamestown and at the Jacob's Ladder area that will benefit locals as well as tourists to the Island.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

15. In relation to approving the Fishmonger proposal, this is consistent with the following:
- a) Make St Helena a desirable and competitive destination to do business by removing barriers to investment.
 - b) Support an economy which is accessible to all potential investors and promote investments across the economy.
 - c) Support the locally based private sector to compete in an open economy but, where possible, avoid being overly protective.

PUBLIC/ SOCIAL IMPACT

16. Ensuring that the historic environment of the Island is protected from poor development that distracts from the quality environment and the development makes a positive contribution to wider visual enhancement in the landscape.

ENVIRONMENTAL IMPACT

17. For Application 2020/06 – Advertisement Sign there will be a minor adverse visual impact on the frontage of the building.
18. For Application 2020/07 – Fishmongers there will be some generation of waste for which a temporary management measure is proposed. If granted development permission both the 2020/06 and 2020/07 applications will help to ensure that historic buildings are in productive use which ultimately helps with their conservation.
19. For Application 2020/27 – This will have a visual impact but will also have a positive impact in providing a memorial to a part of our cultural heritage.

PREVIOUS CONSULTATION/ COMMITTEE INPUT

20. The development application was advertised for a period of 14 days to seek comments from the communities and stakeholders on the development proposal.
21. Key Stakeholders have responded and their views have been considered by LDCA.

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PUBLIC REACTION

22. There were two representations received from the St Helena National Trust and the Heritage Society in respect of two of the development applications.
23. This could possibly generate public and media interest once the Old Customs House becomes operational and the Zulu Remembrance Monument is installed.

PUBLICITY

24. The decision will be covered in the ExCo radio briefing following the meeting.

SUPPORT TO STRATEGIC OBJECTIVES

25. This paper supports Strategic Objective 1.1 – ‘Ensure effective investment in physical infrastructure’.

LINK TO SUSTAINABLE ECONOMIC DEVELOPMENT PLAN GOALS

26. Goal 5 of the SEDP is to ‘Improve Land Productivity: Making use of derelict or underused brownfield land and changing use of existing property to provide space for businesses to thrive. Supporting businesses to make the most productive use of land’.
27. Goal 3 of the SEDP is to ‘Attract Visitors and Increase Tourism: Encouraging the provision of tourist infrastructure required for a variety of visitor needs from hotels, restaurants and attractions serviced by a skilled and customer focused workforce.’ This is most relevant to 2020/27.

SOB

OPEN/CLOSED AGENDA ITEM

28. Recommended for the Open Agenda.

Corporate Support
Corporate Services

15th May 2020

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