

Planning Officer's Report - LDCA SPECIAL AUGUST 2020

APPLICATION	2020/41 – Proposed Container Handling Facilities incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking
PERMISSION SOUGHT	Permission in Full
REGISTERED	27 May 2020
APPLICANT	PMU, St Helena Government
PARCEL	Various Land Parcels at these Locations (See Locality)
SIZE	Various Areas of land at these Locations
LAND OWNER	Crown Land
LOCALITY	Lower Rupert Valley
ZONE	Coastal Zone
CONSERVATION AREA	None
CURRENT USE	N/A
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Independent Newspaper on 5 June 2020▪ A site notice displayed in accordance with Regulations.
EXPIRY	19 June 2020
OBJECTION RECEIVED	None
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Water Division	No Objection
2. Sewage Division	No Objection
3. Energy Division	No Objection
4. Fire & Rescue	No Response
5. Roads Section	No Objection
6. Property Division	No Response

7. Heritage	Objection - Comments
8. Environmental Management	No Response
9. Public Health	No Response
10. Agriculture & Natural Resources	No Response
11. St Helena Police Services	No Response
12. Aerodrome Safe Guarding	Not Consulted
13. Enterprise St Helena (ESH)	Response - Support
14. National Trust	Objection - Comments

B. PURPOSE OF THE REPORT

The purpose of the report is to update the Member on the progress of this development application following its decision on the report at the previous meetings and the deliberation by the Governor-in-Council at the Executive Council meeting on 11th August, sitting as Planning Authority.

The Executive Council deferred decision on the development application and Member requested further information from the applicant in order to fully assess the impact of the proposed development. This additional information was requested in respect of the heritage and cultural assets within the application site, the remediation work undertaken to assess the fuel contamination in the area following the recent fuel leak and details on the accessibility to the area of the beach for recreation and leisure for the public. The specifics of the decision requesting further information in respect of the proposed development are set out as following:

- i. A statement confirming the work undertaken to remove the source of the fuel leak, identified soil contamination and checks in the surrounding area;
- ii. A note to explain the arrangements for community access to key locations in the lower valley, in particular the beach and the old building used to treat sick liberated Africans, as well as clearer details on the new footpath to be laid out along the side of the port area; and
- iii. A photographic survey as a new baseline point of reference of the three historic structures within the boundaries of the proposed development: Rupert's Lines wall; the dry stone walled area for break bulk cargo; and the old hospital building.

The applicant has submitted the details requested for the consideration of the planning officer.

C. DETAILS OF THE ADDITIONAL INFORMATION

The details of the additional information submitted by the applicant to comply with request of the Executive Council and their assessment is set out below:

Fuel Leakage Remediation: The statement sets out the exploration and remediation works that have been undertaken over the past three months following the decommissioning of the fuel line. The works undertaken includes borehole excavation to assess the contamination of the soil at number of location in the application site and in all instances zero hazardous readings have been recorded. As a result, the conclusion drawn is that there is no evidence of soil contamination in the area that is likely to cause health hazard. A test was also conducted in the excavation for the deep manhole within the cable landing station compound. Again the Fire and Rescue Service recorded a zero hazardous reading. As part of the remediation measures, installation of a vented sump incorporating a herringbone drain, has been installed at the bottom of the cable landing excavation on the beach-side of Rupert's Lines, adjacent to the doorway. This is installed at the low point of the excavations to ensure that any residual fuel would be collected, and to enable any hazardous gases to vent. This installation facilitates the ability to pump out the contents of the sump if required.

Community access to key site: A detail plan showing the access arrangement and the route of access to the area has been submitted. It indicates the three level of access arrangement based on the operation of the port activities and the alignment of the public footpath

Photographic survey of the cultural and heritage assets: This document contains number photographs of the three main heritage buildings and structures and their brief description in the application site and depicting their current condition. Both the Old Hospital Building (Building Number 1) and the Rupert Line (fortification wall) appear to be sound. The applicant will undertake some remedial works to make good any small areas that require attention. The applicant will also cut back all over grown vegetation around the Old Hospital Building, but no other remedial work is required. The dry stone wall of the walled garden is generally stable, however there are number of areas where it has crumbled due to damage and lack of repair over the years and there is a need to reinstate the wall. The applicant intends to make good the stone wall using sympathetic construction materials and methods. The applicant has indicated that there will be no attachment of the security fence against or to the fortification wall.

D. OFFICER ASSESSMENT

The applicant has provided the necessary information that has been requested of them. As regards to the public access arrangement the submission is just a plan indication area of access for the public. There is no supporting statement to set out how this will be managed during different operational day of port activity. It would

have been helpful to set the plan in some text and how it would be managed from day to day.

Given the short period in which to submit the additional information, it can be considered to be adequate to consider how different level of access will be arranged and managed for public access. Similarly the information for the cultural and heritage assets provides a baseline visual record of the current condition to be able to make comparison in the future if there is any damage caused during construction. With the applicant's intention to undertake remedial work to make good areas of the building and structure that require attention is welcomed, however more details would be required before any work is undertaken. As regards to the remediation works to deal with the fuel leak contamination, the statement is clear in term what assessment of the area has taken place and is able to report that there is little or no contamination issue that cause concern.

Whilst it is considered that the information submitted meets the requirement for the Member to review the proposed development and make a decision, however for the purpose of granting planning permission the details submitted will be subject to conditions should be Member be minded to grant Development Permission.

E. PLANNING POLICIES

The relevant policies of the Land Development Control Plan (LDCP 2012 - 2022) that are applicable in the assessment of the proposed development are:

- Coastal Zone Primary Policy CZ1
- Water Supplies Policy W2
- Sewage, storm and Drainage: Policies SD1(b, c) and SD7
- Road and Transport Policies: RT1(c)(d)RT7
- Social Infrastructure SI.11, SI.12
- Employment Premises EP.1, EP.3 and EP.4
- Built Heritage: Policies BH2 BH3 and BH4

The proposed development is subject to assessment against the above listed LDCP policies and similarly some limited weight can also been given to the Draft Rupert's Valley Development Plan (June 2016 Consultation) document in terms of the various land-uses within the application site.

REPRESENTATION

All representation received have been reported in the reports considered at the previous meeting. Any addition comments received from the drop-in consultation session organised by the applicant will be report verbally at the meeting.

F. CONCLUSION AND RECOMMENDATION

The development application for the port containers facilities at the site in Lower Rupert's Valley has been considered against the relevant development plan policies and the regulations and it is concluded that there is considerable development plan policy support for the proposed development as set in the report. Whilst the proposed development is considered to be not in compliance with the principle objectives of the Coastal Zone policy, however it is considered there is sufficient justification in the number of other development plan policies to support the proposed development. The proposed development will have little or no effect on the historic importance of the area and in particular those areas, buildings and structures identified and considered to be of historic and cultural heritage importance to the Island and its community.

The proposed development and the use of the area is in many ways no different from the current uses and activity in this part of Rupert's Valley in that it is generally commercial, storage and industrial with recreational and leisure use of the beach and coastline. The proposed use is more related to the intensification of the freight operation that will be more intensive in its use for certain times of the month. The development will contribute to the environmental improvement and regeneration of the area which has a very poor physical appearance due to low quality of development in the past and the physical regeneration and enhancement would be welcomed.