

## Open Agenda

Copy No:

No: 15/2021

### Memorandum for Executive Council

**SUBJECT** Development Application – Saint Helena Yacht Club, James Bay

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 Erection of a Notice Board to the Front Elevation of the Saint Helena Yacht Club Building in James's Bay in light of the views expressed and concerns raised by the Land Development Control Authority (LDCA).**

**BACKGROUND & CONSIDERATIONS**

2. This memorandum is presented for the development applications in accordance with the directions issued by the Governor in Council to the Chief Planning Officer on 14<sup>th</sup> 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 of the terms and conditions of the grant of full development permission.

5. The Land Development Control Authority considered the development application for the Erection of a Notice Board to the Front Elevation of the Saint Helena Yacht Club Building in James's Bay at its meeting held on 3<sup>rd</sup> February 2021 with the Chief Planning Officer recommendation that Full Development Permission be granted 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 LDCA having considered the report raised a number of concerns in respect of the proposed development that are set out Section 11 of this

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Memorandum for the consideration of the Governor-in-Council.

### 6. RATIONALE BEHIND THE PROPOSAL

- a) The Saint Helena Yacht Club (SHYC) occupies a very prominent two storey building on James's Bay waterfront and like many of the buildings on the waterfront there are little or no signage indicating the nature of building, its use or information on the nature of activities. Until recently there was no clear signage to indicate the use of the SHYC building and the Club painted its logo on the front elevation as part of its renovation works to the building.
- b) The Club also discovered within the store room of the building an old notice board which it believes was once erected on the front elevation of the building and was taken down about six years ago during renovation of the front elevation. There is no photographic evidence provided or uncovered to support this.
- c) The proposal is to erect the notice board on the wall between the window openings to enable the club to provide information to members, visitors and tourists on its activities and forthcoming events. Unfortunately in respect of this proposal the width of the notice board is slightly wider than the wall area and will have a slight overhang into the window opening to affect the appearance. With the future development of James Bay for leisure, recreation and tourism activities following the transfer of all shipping cargo and freight operations to Rupert's Valley the club activities and facilities would be a very useful use on the seafront and a point of information for visitors and particularly outside normal opening hours.
- d) Sustainable Economic Development Plan for St Helena sets out the strategic vision for the island over 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; 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'.
  - ii. 'Attract Visitors and Increase Tourism: Encouraging the

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provision of tourist infrastructure required for a variety of visitor needs from hotels, restaurants and attractions serviced by a skilled and customer focused workforce.’

- e) The development relates to activities that will promote economic and tourism development on the Island and are considered to be of wider benefit in bringing older buildings back into use. This particular building has had a number of uses over the years from residential to commercial and now for many years in its current use. The role of the club is also very important for the Island and for many visitors, particularly sailing vessels that frequently visit the Island. In the future development of tourism, the club has potentially a very important role and place for dissemination of information and activities on the Island for seafaring visitors. The development of these uses in these locations will promote economic and tourist activity and assist in rejuvenating the area and continue to provide a use and activity from a building that is of heritage and architectural importance.

## 7. DETAILS OF THE DEVELOPMENT

- a) The proposal is to erect a timber framed notice board to the front elevation of the building. The purpose of such a notice board is to be able to publicise and provide information on the Yacht Club activities and forthcoming events to members, visitors and the wider public. At the present time, there is no scope on the front elevation of the building to provide information on the activities and events of the Yacht Club. The notice board is wooden with two glass panels, measuring 1.32m by 1.06m and 0.35m with a triangular headboard. On the headboard is the depiction “ST. HELENA YACHT CLUB”. No further information is available on the origin of the notice board. All drawings and details to support the application are included in ANNEX D to this Memorandum.
- b) This is a Grade II listed two storey building with five vertical bays each with casement sash windows in three bays on the ground and four bays on the first floors. There is a solid wood door entrance in the central bay. There is also a solid wooden door in most western bay. The central bay on the first floor also has a solid wooden door which would have opened onto the balcony, that has also been removed over the years and the Club is looking into replacing this in the future. Between each of the bays there is also a reasonable width of solid wall. The proposal is to erect the notice board on the wall between the first and second bay to the left of the central door.
- c) The dimension of the notice board is slightly excessive to fit in

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any of the spaces between the openings without some over-hang. However, the appropriate place for erecting the notice board needs to be within any of these areas between the bays. The applicant has not indicated the exact position. Having taken measurement of all the bays, they all appear to be of very similar width. Whilst the proposal was to erect it between the windows to the left of the door, however the area between the windows to the right of the door being slightly wider would be more appropriate, should Members be minded to grant development permission.

### 8. REPRESENTATION

- a) Representation has been received from the Heritage Society and the issues raised includes concerns regarding the painting of the Yacht Club logos on the front elevation and questions the policy position and the need for development permission. The representation also considers that the notice board should be assessed against the provision of the advertisement policy. The summary of the representation is:
- i. two painted flags already exceed the permitted advertisement limit and the proposed notice board is also an advertisement by the same definition and is three times the maximum dimension for one advert and two already exist;
  - ii. Paragraph 11 of policy requires consideration of an advertisement towards the architectural detail of the building, proposed notice board exceeds the space between the windows and cannot be considered to comply with the intentions of the policy;
  - iii. Advertisement Policy has been undermined by recent advertisement approvals at the two diving clubs and the confusion created by the CPO declaration on the painted advertisements and the painted finishes of buildings in conservation areas in general;
  - iv. this has thrown into doubt the basis for fair planning decisions particularly in relation to protection of the historic environment through LDCP built heritage policies, those in the Ordinance and in the General Development Order.

### 9. POLICY CONSIDERATION

- a) The proposed development is assessed against the LDCP Policies set out below:
- i. Intermediate Zone: Policy IZ1 a, b and c
  - ii. Built Heritage: Policy BH1
- b) It is considered that the erection of the notice board on a building, particularly in an historic context can be an acceptable feature, particularly for buildings that provide community and/or

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social use to display information on the services delivered and events. In this context it is considered that the general principle of the policy IZ1 is not compromised. However in context to the Built Heritage policy, it is also considered that whilst the erection of the notice board on the front elevation may not be a feature that is part of the original building, however as the use of the building has changed over time and development involving certain new features on buildings become acceptable.

- c) This building was originally in residential use, as a residence of Captain Wade and whether it was built for that purpose it is difficult to know, however in recent years it has had number of uses. Prior to its current use as Yacht Club it was the office of the Island's sea rescue office on one of the floors and Yacht Club on the other floor. With the current use, how the building is being used has changed with the forecourt of the building being used for a sitting out area with tables and chairs. Similarly, the aspirations of the Island to use James Bay for more leisure, recreation and tourism the public realm of this area will change with more community, social and leisure based activities and events that could be more than just 9 to 5 and seven day operation rather than the commercial transport freight operation along the ocean frontage of James Bay.
- d) In the context of the use of the building for wider community and social purposes and with the changing environment of this area for tourism, recreation and leisure based activities once all freight operation has been transferred to Rupert's Bay, there may be a need from businesses to provide more signage on the buildings and information boards. The erection of a notice board to provide information is considered to be the most effective means for doing this. The design and size of the notice board must be appropriate to the building to ensure that there is no adverse visual impact arising from the proposal.

## 10. OFFICERS ASSESSMENT

- a) As outlined above, the Policy is there to ensure consistency in decision making while allowing some flexibility. The application to erect the notice board on the front elevation is in principle acceptable, however the issue is whether the dimensions of the notice board are excessive for the area where the applicant wishes to erect. The notice board was originally erected on the front elevation of the building and re-erecting back is preserving the notice board. The notice board cannot be reduced in size to fit into the wall width.
- b) In principle, it is considered that erection of the notice board on

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this building is acceptable being a use that is within the remit of a community and social function. With the use being located on James Wharf, the Yacht Club is a use that would be considered a beneficial service for the Island's visitors and in promoting economic and tourism activity and operations. The club needs to provide information to visitors to the Island as well the local communities. Unfortunately, the notice board the Club is intending to use is of dimensions that are slightly bigger than the space on the building they wish to erect which means that there will be a slight overhang into the opening..

### 11. LDCA CONSIDERATIONS

- a) In principle, the LDCA raises no objection to the proposal to erect a notice board on the front elevation of the Yacht Club building and accepts that it does not fall within the remit of Advertisement Regulation. The concern expressed is that the notice board should be of much smaller dimensions so that it fits more centrally in the wall between the openings and the notice board on this building should be of a colour that matches with the elevation so that it does not become dominant on the building's frontage. The LDCA recommends to the Governor-in-Council to Full Development Permission is refused due to the impact of the over-sized notice board on the front elevation of this listed building with a number of conditions in respect of this development application.

### 12. RECOMMENDATION

- a) Whilst respecting the views of the LDCA, it is considered that the main issue for discussion is the width dimension of the notice board as it does not fit into the wall area between the openings. Having carefully considered the proposed development and the potential impact on the elevation, that temporary permission could be granted to assess the impact with the condition that the colour is to match that of the front elevation. As set out in the recommendation section of the LDCA report for 3<sup>rd</sup> February 2021, attached as Annex A to this Memorandum.
- b) Having considered the view expressed by the LDCA it is recommended that **temporary development permission for a period of one year is GRANTED** for the erection of the notice board subject to the Conditions in the Decision Letter in Annex B and in particular the notice board is painted in the same colour to the front elevation.

### FINANCIAL IMPLICATIONS

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

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### ECONOMIC IMPLICATIONS

14. The development application helps to achieve the goals of the SEDP albeit in a small way. The Yacht Club is an important information point for seafarers visiting the Island and for the local community. The proposal will help in promoting the activities in the area and in the future could become one of many places of activity that can rejuvenate the seafront.
15. Considering value for money for Executive Council members' time, the Chief Economist suggests granting full planning permission, not on a temporary basis, as a sensible option. This will allow for a notice board, providing key information for the yachting community and the public, to provide longer term benefits.

### CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

16. In approving the 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

17. 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 landscape.

### ENVIRONMENTAL IMPACT

18. The affixing of the notice board onto the frontage of a listed building will have a visual impact, however as the notice board should be able to be removed without damage to the building there should not be any lasting negative impacts on the building itself.

### PREVIOUS CONSULTATION/ COMMITTEE INPUT

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

### PUBLIC REACTION

21. There was representation received from the Heritage Society in respect of the development application.
22. This could possibly generate public and media interest particularly as it is place for meeting and socialising for those actively sailing and boat owners.
23. This would be largely seen as a positive by most members of the public who might be interested to see what's happening at the

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Yacht Club.

### **PUBLICITY**

24. The decision will be mentioned in the Executive Council radio briefing and could also be covered as a community story via the St Helena Ambassador once works commence and are completed.

### **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.’

### **IMPLEMENTATION OF POLICY/ LEGISLATION**

28. N/A

### **OPEN/CLOSED AGENDA ITEM**

29. Recommended for the Open Agenda.

SO'B

Corporate Support  
Corporate Services

*5<sup>th</sup> March 2021*

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