

Planning Officer's Report - LDCA June 2021

APPLICATION	2021/29 – Proposed Siting of the Replica Water Fountain for a Period of Three Months
PERMISSION SOUGHT	Permission in Full
REGISTERED	6 April 2021
APPLICANT	Environment & Natural Resources Committee (I & T Director)
PARCEL	JT0700015
LOCALITY	The Paved Area, The Canister, Jamestown
LAND OWNER	Crown
ZONE	Intermediate
CONSERVATION AREA	NCA
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Sentinel Newspaper on 8 April 2021▪ A site notice displayed in accordance with Regulations.
EXPIRY	22 April 2021
REPRESENTATIONS	None Received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

a) Water Division	Not Consulted
b) Sewage Division	Not Consulted
c) Energy Division	Not Consulted
d) St Helena Fire & Rescue	No Response
e) St Helena Roads Section	No Objection
f) Heritage	Objection - Comment
g) Environmental Management	Not Consulted
h) Public Health	Not Consulted
i) Agriculture & Natural Resources	Not Consulted

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| j) Property Division (Crown Est) | No Objection |
| k) St Helena Police Service | No Objection |
| l) Aerodrome Safe Guarding | Not Consulted |
| m) Sustainable Development | No Objection |
| n) National Trust | No Response |
| o) Sure South Atlantic Ltd | No Objection |

B. DEVELOPMENT DETAILS SUMMARY

The application is to install a replica water fountain on the pavement outside The Canister in Main Street for a period of three months in order to assess whether the siting of this structure is appropriate within the streetscene.

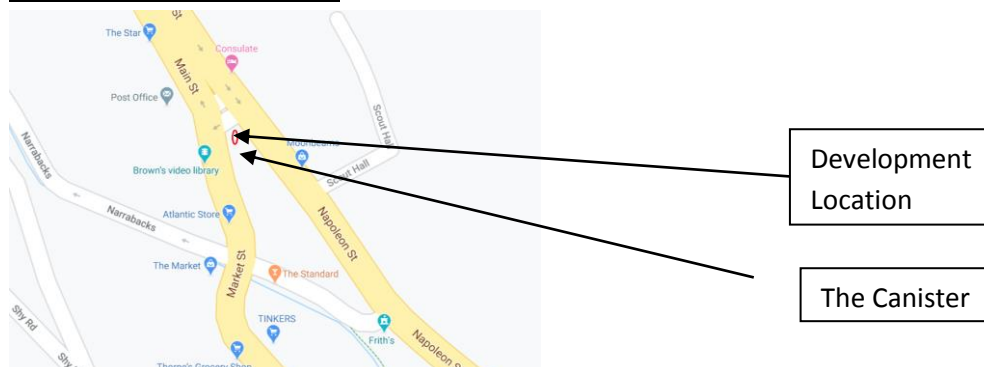
The water fountain is replica of original water fountain that was once a feature in the Main Street. The water fountain was a memorial to those killed in one of the rockfalls on 17th April 1890. The original drinking fountain was erected in the middle of Main Street, between the Consulate Hotel (formerly the Royal Hotel) and what is now the Post Office and was known as the Rockfall Memorial Fountain. But then, the “Rockfall Memorial Fountain” disappeared apparently sometime in the late 1940s, and only the plaque in memory of the “dreadful calamity” remains, now located outside the Public Library in Jamestown.

The replica of the Rockfall Memorial Fountain, is smaller and is without the outside stand and overhead feature and has been reproduced with a view to erecting it in Jamestown. Whilst original fountain was provided drinking water, this replica will not be collected to the water supply.

C. PLANNING OFFICER’S APPRAISAL

Location: The proposed location of the replica fountain is on the newly upgrade pavement area out The Canister in line the door to the Saint Helena Tourist Office building and the door is central to the building. This is also the location where the Christmas tree is erected during the festive season in December. The area is part of the Jamestown conservation area.

Diagram 1: Location Plan



Proposed: The proposed location of the Replica Water Fountain is on the edge of the extended pavement outside the canister Building, where one of the ground-floor unit is occupied by Saint Helena Tourist Office and the other unit by “art-n-craft” souvenir shop. The pavement includes two benches which are placed almost in front of the two bay windows which are generally well used and the pavement area is also an important thoroughfare across the traffic roundabout.

The water fountain is approximately 1.7m in height and 370mm by 370mm base. The base is hexagonal shaped. The water bowl which circular and around 0.8m from the base is of 770mm diameter. The fountain will be mounted on a one meter square plinth of 200mm depth. On the eastern side of the paved area are two protected tree that somewhat restricts free movement. Both roads on either side of this paved area at this junction are narrow. Napoleon Street on the east whilst being two-way is one only a vehicle width wide.

Diagram 2: Detail Siting of the Proposed Development Area

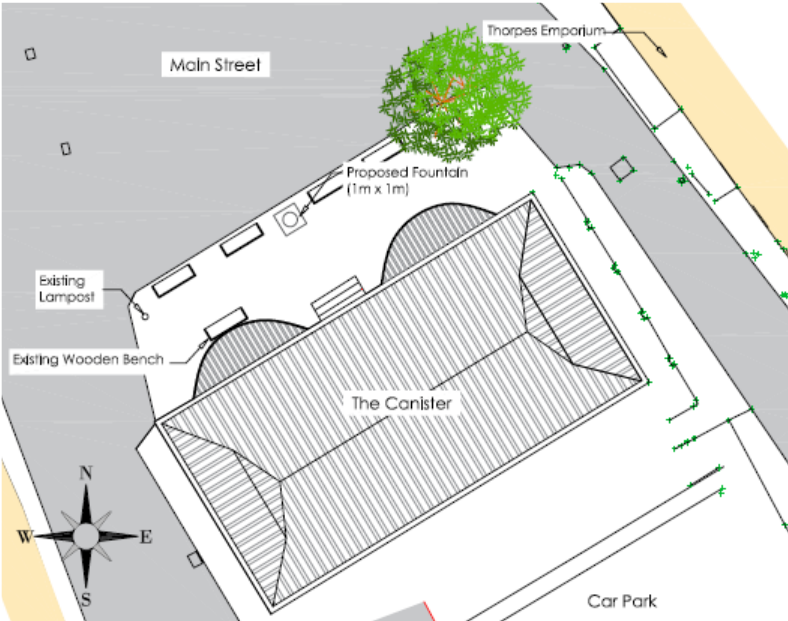


Diagram 3: The Replica Water Fountain



PLANNING BACKGROUND

In March 2020, development application (Ref: 2020/30) was submitted seeking full development permission for the erection of the Memorial Rockfall Fountain in exactly the same position. The development application was reported to the 6th May 2020 meeting of the Authority with the officer recommendation to refuse permission, which the Authority supported. The reason for refusal was failure to comply with objectives of the Built Heritage policy, the development as a “public art” feature fails to be a prominent landmark in the streetscene and development will restrict pedestrian movement along the pavement by obstructing an important thoroughfare that may compromise safety of the pedestrians.

The Applicant decided not to appeal against the Authority’s decision, but has since sought to identify a more suitable location for this Memorial structure. For number of reasons, the applicant has failed to identify and agree a suitable location that stakeholders and communities would support.

The applicant was also advised that it would be unwise to resubmit the same development proposal without additional information and/or justification. Such information may include supporting evidence of an extensive community consultation that shows considerable support for the location of the Memorial Rockfall Fountain in this location. A number of Councillors who are keen to ensure that the Memorial is erected in an acceptable location have sought to seek public opinion through media publicity and advert. Such form of community and public consultation is not a process of best practice for seeking public opinion and support to a development project or proposal and one which does not often gets much participation and response. The response received in this respect is minimal, with just respondents and both do not support the erection of the Memorial Fountain on the proposed location pout the Canister Building. The supporting information provided with this resubmission application cannot unfortunately be considered to be a sufficient justification.

LEGAL AND POLICY FRAMEWORK

The relevant policies of the Land Development Control Plan 2012 – 2022 that are applicable in the assessment of the proposed development are set out below:

Built Heritage Primary Policy BH1. (c), BH2.

- BH1. (c) - Development in Historic Conservation Areas will be permitted only if it enhances and protects the character of the Area by reference to scale, proportion, details and external materials of the proposed development in relation to those of the Historic Conservation Area.
- **BH.2.** The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of the historic asset and its setting.

STAKEHOLDER AND PUBLIC CONSULTATION

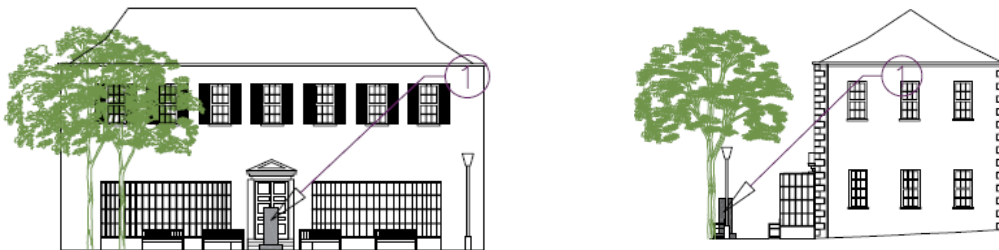
It was considered not to hold a public consultation meeting organised by the Planning Service in respect of this development application due to workload and other commitments. No response has been received from members of the public on the development application consultation. However representation has been received from the Heritage Society which is the same as that received to the previous development application in 2020 with the addition that the CPO should recommend the same reasons for refusal as 2020/30 and the LDCA should refuse this application for those same reasons. The summary of the representation is set out below:

- the area at the Canister is too small and as it is a busy public space in Main Street which is a functioning social area often used for events and it cannot afford to lose space for pedestrians as this part of the town for best part day is quite crowded;
- the development will also obstruct the area in front of the Canister;
- the original was not in front of the Canister as proposed, it was closer to the Stand and it was also a pride of place location at the head of Main Street;
- Main Street is a busy street together with restrictive parking it would cause problems and it is a shame that it cannot be placed where the old fountain used be at the top of the car parks or better still in the middle of the round-about;
- Is an incomplete replica, without a canopy and a lantern, like the original and a fountain must have water spouting out and there is not water connection;
- the proposal for a plinth is shown as octagonal on one drawing and circular on the other and neither will be of sufficient size to accommodate the Canopy should one be obtained;
- position shown right on the edge on the pavement is also a hazard as it will never be possible to walk right around it without stepping onto the road and back up again.
- the fountain be located in the Castle Gardens as this would provide a simple setting with ease of access and will enable the Canopy to be attached with ease, a plaque, plinth or a circular garden could be provided;
- in the Gardens, the memorial will have space to breathe and to tell its story including that of the replica itself in peaceful surroundings;
- it might even be possible to fix it with a water supply but also in the Gardens the basin will be less likely to attract litter.
- alternative place might be in the lawn between the back of the Library and SAMS but there will be other suitable places; .
- development should be placed opposite the Mule Yard on the other side of the Coffee Shop, or indeed (if the church would allow) near to the memorial to Canon Walcott.
- Development could in the North-East garden of St James Church (left-side of the front entrance), through the Bishop of St Helena and the Parish Council

OFFICER ASSESSMENT

As the applicant is now seeking temporary permission only, for a period of three months, in order to assess the local community reaction to the erection of the Memorial structure in front of the Canister, the application can be considered to be a different proposal to the 2020 development application. However, the assessment of the proposed development remains unchanged, albeit temporary. The issue that remains, as an important consideration, is whether this is the best and most appropriate long-term location for this “Public Art Structure” as it will still be in a location behind car parking spaces that are always occupied during the day-light hours when there is also a considerable pedestrian movement and when visitor are more likely to be viewing it.

Diagrams 6 and 7: The Replica Water Fountain and The Canister Building



Erection of a “Public Art” structure needs to be prominent so that it become a landmark feature in the streetscene. In this respect, the location is important that will have a wider unobstructed view and visibility across the public realm. Being hidden behind parked vehicles cannot be considered to be providing an obstructed view across the area and in particular around the southern part of Main Street. It is also considered that with the number of benches placed in the area and the addition of this structure the area could be a health and safety issues, as the gap that currently exists between the benches will be taken up.

Diagram 7: View Across the Area



The proposed replica fountain, whilst recognising that it is only part of the original, must now be considered as public art that should adorn the public realm of Jamestown whilst being of remembrance memorial for the historic event. The proposed location is assessed against Built Heritage Policy of the Land Control Development Plan and there is no other guidance available for assessment. The location on the newly extended pavement at The Canister may be considered to be an appropriate location given that it could be described as being head of the “market place” in historic term that was widest part of the historic market place. The area provides good vantage point for sitting out and is a busy pedestrian access. There are currently two benches that are well used. The Canister building is a public building that is popular with visitors using tourist office in one unit and a souvenir “art-n-craft” in the other units.

The newly extended pavement area outside The Canister is still not considered to be wide enough to provide public art feature. The proposed erection of the public art in this location would there compromise pedestrian movement and the location of the feature should not be on the edge of the pavement. There also two car parking spaces in front the pavement, which are for most part of the day occupied by parked cars and public art feature would therefore obscured by the parked vehicles. The objective of the public art as landscape feature in the streetscene would be hidden from view and therefore the proposed location fails to meet the objectives of the policy.

Some of the issues raised by the representations received are of some relevance particularly in term of the location of the water fountain. It is not appropriate in the assessment of the development application to consider alternative location that may be suitable based on wider public opinion.

The proposed development in terms layout, design, materials, scale, siting and use may be appropriate to the character and appearance of the historic asset and its setting, however it is considered that it fail to conserve or enhance the character of the area and meets with heritage objectives of the policy.

The location of the public art in front of The Canister that is a well-used public thoroughfare and also well used sitting area by visitors and shoppers. The erection of the Rockfall Memorial Fountain would restrict pedestrian movement and safety, even though it may only be a temporary period of three months.