

GOVERNOR-IN-COUNCIL TOP LINES – TUESDAY 10 MAY 2022

Development Application for a proposed construction development of a Workshop, Office, Carpentry Shop and Storeroom, Upper Ruperts Valley (Retrospective Application)

Council advised that full retrospective Development Permission should be granted, with conditions, for the proposed development of a Workshop, Office, Carpentry Shop and Storeroom as recommended by the Land Development Control Authority.

At the Meeting

This paper was presented by the Minister for Environment, Natural Resources and Planning, the Hon Christine Scipio, with the Acting Chief Planning Officer, Mr Shane Williams, also present. Minister Scipio explained that:

- The Development Application had initially been submitted in July 2021; the application was incomplete and the Applicant had already commenced development work
- The Applicant had previously in October 2020 entered into a lease agreement with SHG which enabled use of the land for commercial industrial use for the purpose of operating a steel fabrication business
- Governor-in-Council had initially considered the Development Application at a meeting held on 9 December 2021, when it was deferred pending further clarity around the health and safety aspects of the development, noting that the Fire Service had raised concerns about the proximity of the proposed development to a fuel storage facility
- The International Fire Safety Inspector, Mr Alan Thomas, carried out an assessment of the premises in January 2022 and a Premises Inspection report of the main findings and recommendations were made in respect of this proposed development from a fire safety perspective
- In February 2022, Members carried out a site visit to the proposed development accompanied by Fire and Rescue Representatives and the Acting Chief Planning Officer which enabled them to see the extent of the development so far and to ask any questions regarding the Premises Inspection report
- Following this, it had been suggested by the Minister for Environment, Natural Resources and Planning that the Acting Chief Planning Officer amend the conditions associated with this development to address concerns raised and to ensure that conditions set were realistic to the proposed development
- Four new conditions were added and are summarised as follows: that the Applicant should not commence any further development until percolation test results had been submitted to and approved by the Chief Planning Officer within one month from the date of the decision notice; a suitable fire assembly point away from the site to be agreed by the developer and the St Helena Fire and Rescue Service within one month of the date of the decision notice to the Chief Planning Officer for consideration and approval; no further development works to be undertaken until the developer has consulted with Crown Estates

and the St Helena Fire and Rescue Service for the siting of fire hydrants and water storage tanks sufficient for a fire fighting water supply; and all shipping containers on site are used as 'temporary builders storage' are permitted for a period of 12 months from the date of the decision notice. Once that period of time has lapsed, they should be removed from the site. If not removed, the developer will be required to apply for development permission to enable them to remain on-site.

Governor-in-Council **recommended** that SHG:

- Consider the erection of a reinforced concrete boundary fire wall between the area being developed by the applicant and the fuel storage tanks should the Bulk Fuel Installation become operational at any time
- Consider alternative access to the area being developed by the applicant should the Bulk Fuel Installation become operational at any time
- Monitors, through the Landlord, the development of the area to ensure it is contained within the specific parcels of land
- Considers revoking the need for a gate as previously agreed by the Landlord and the Applicant, as such is not included in the Development Application.

Members agreed that full development permission, with the revised conditions, should be granted. Documentation with full details relating to this application is available online here: <https://www.sainthelena.gov.sh/government/legislative-council/executive-council/>.

Ministers thanked the Acting Chief Planning Officer and acknowledged the support from the St Helena Fire and Rescue Service during the period that the Development Applicant was discussed.

The Minister for Environment, Natural Resources and Planning, the Hon Christine Scipio, raised concerns that Developers are not adhering to conditions as set by the Land Development Control Authority or Governor in Council. Developers are encouraged to contact the team at Planning and Building Control if they require clarity on the conditions imposed.