

Planning Officer's Report - LDCA NOVEMBER 2022

APPLICATION	2022/67 – Proposed Demolition of Existing Toilets and Temporary Siting of Containerised Toilet Block
PERMISSION SOUGHT	Full Permission
REGISTERED	29 September 2022
APPLICANT	Treasury, Infrastructure and Sustainable Development Portfolio
PARCEL	JT010002
LOCALITY	Lower Wharf, Jamestown
LAND OWNER	Crown
ZONE	Intermediate Zone
CONSERVATION AREA	Heritage Coast
CURRENT USE	Condemned Public Toilets
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none"> ▪ Independent Newspaper on 30 September 2022 ▪ A site notice displayed in accordance with Regulations.
EXPIRY	14 October 2022
REPRESENTATIONS	One Received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Sewage & Water Division	No Objection
2. Energy Division	No Response
3. Fire & Rescue	No Response
4. Roads Section	No Objection
5. Property Division	No Response
6. Environmental Management	No Response
7. Public Health	No Response
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	Not Consulted
10. Aerodrome Safe Guarding	Not Consulted

11. Sustainable Development	No Response
12. National Trust	No Objection (Comments)
13. Sure SA Ltd	No Objection
14. Heritage Society	No Response

B. PLANNING OFFICER'S APPRAISAL

LOCALITY & ZONING

The proposed development site is located on the Lower Wharf in Jamestown within the Heritage Coast Conservation Area.

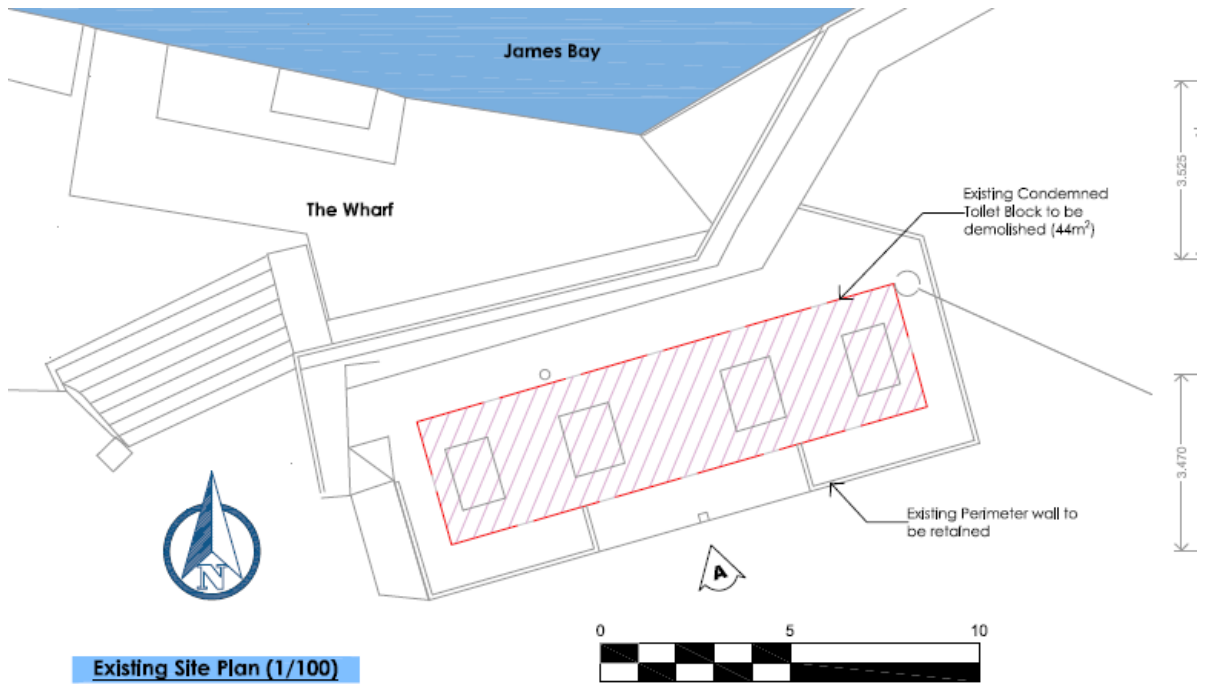
Diagram 1: Location Plan



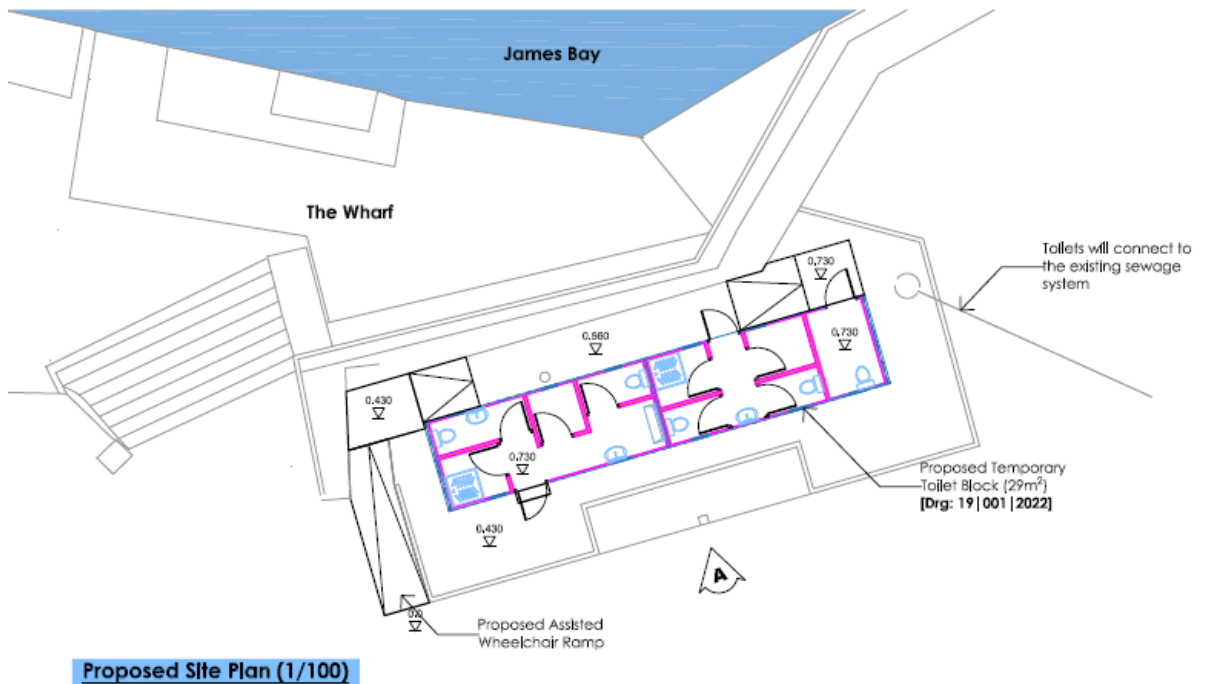
PROPOSED DEVELOPMENT

The proposed development is for the demolition of the existing condemned toilet block and temporary siting of a containerised toilet block. The existing perimeter wall will be retained and painted blue and white (as existing) to improve the appearance. The proposed container will also be blue to match and a mono pitch IBR Roof is proposed. The existing sewerage system will be used for foul water and storm water piped to a storage tank.

Diagram 2: Site Plan

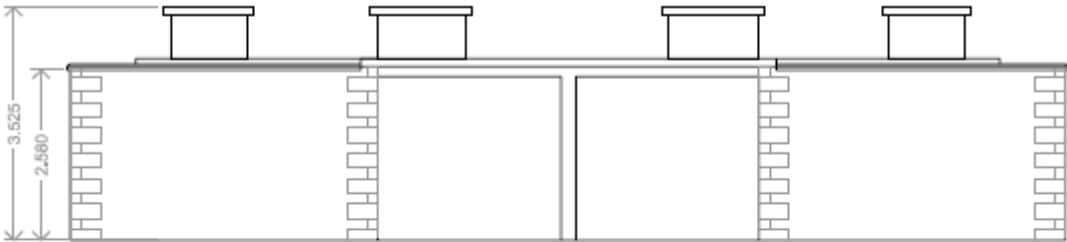


Existing Site Plan (1/100)

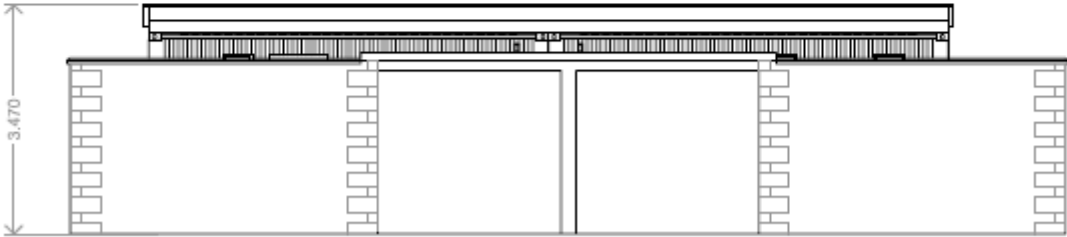


Proposed Site Plan (1/100)

Diagram 3: Elevations



Existing Elevation A (1/75)



Proposed Elevation A (1/75)

Diagram 4: Container Layout & Elevations



REPRESENTATIONS

One objection was received from a member of the public. No objections were received from any statutory body, however the St Helena National Trust made the following comments:

ST HELENA NATIONAL TRUST:

“No objection, but with the caveat that this is a temporary necessity only. SHG must take the responsibility of putting a permanent structure in place, that is not container made but sympathetic to the local architecture and needs of the wharf.”

The following representation was received from a member of the public:

“I object to application 2022 67 Demolition at Wharf for the following reasons.

This is a Historic Conservation Area. The proposal is to demolish a building and replace it with what the applicant describes as a temporary and removable container. The applicant has produced no evidence why the existing building cannot be repaired. Why remove a permanent structure and replace it with something temporary? This is not conducive to protecting the character of the conservation area.

It is concerning that there appears to have been no public involvement in the proposal which will have a direct effect on tourism.

It is also of concern that this application will be decided at Exco and their deliberations are now closed to the public with no minutes produced. As Exco now has a common voice the submission of this application now presupposes that ministers have already agreed its approval. Is this the best way forward for good governance and transparency?

I object for the above reasons and to the planning process used by the applicant.”

OFFICER RESPONSE

A condition has been added to ensure permission for the siting of the container is temporary for up to 3 years.

Under section 23(1) of the Land Development Control Ordinance, Directions have been in place for a number of years which set out criteria for when a planning application should be referred to Governor in Council for consideration. Section 3(c) of the current Direction requires applications within 50m of the sea (except street furniture installations, signage, gates, solar panels, safety equipment, alterations to existing windows and alterations to existing doors) to be referred to Governor in Council. The process ensures the application is considered by the independent Land Development Control Authority (LDCA), taking into account consultation responses

from the public. Governor in Council will then consider that application, including representations of the LDCA and members of the public, before making a decision.

POLICY CONSIDERATION

The proposed development is assessed against the LDCP Policies set out below:

- Built Heritage Policy: BH1, BH2, BH3
- Intermediate Zone Policy: IZ1 (a)(b)(d)(g)
- Sewerage and Storm Drainage Policy: SD1
- Siting and use of Container (LDCP Appendix 6)
- Tourism Policy: T1

OFFICER'S ASSESSMENT

The proposal includes the demolition of the existing toilet block and retention of the existing perimeter wall. The toilet block has been condemned and has no significant historic value being built of concrete slab, blocks and rendered. The loss of this building would therefore not affect any historic structures/assets or their setting in a negative way.

The proposed new toilet block is sited in the same location as the existing building with a comparable footprint and height. The existing perimeter wall will be retained and enhanced which means only the very top of the proposed new toilet block will be visible (as is the case with the current building). Any visual impact would therefore not be significant and the existing character of the area would be protected. The proposal is also temporary which allows a longer-term solution to be developed which could potentially enhance the conservation area further.

Taking this into account, the siting, scale, layout, proportion, details, materials, and use are appropriate to the character and appearance of the area. The proposal would therefore comply with the built heritage policies in the LDCP. The Intermediate Zone policy and Tourism policy also supports tourism-related development of this nature.

The proposal therefore complies with the relevant policies in the LDCP and can therefore be supported.

C. RECOMMENDATION: That the LDCA recommend to Governor in Council that Development Permission be **APPROVED** subject to the following conditions:

1) This permission will lapse and cease to have effect on the day, 5 years from the date of this Decision Notice, unless the development has commenced by that date.

Reason: required by Section 31(2) of the Land Planning and Development Control Ordinance 2013.

2) The development shall be implemented in accordance with the details specified on the Application Form; Location Plan, Site Layout and Elevations received on 27th

September 2022 as stamped and approved by the Planning Officer, on behalf of the Land Development Control Authority, subject to the Condition of this Decision Notice and unless the prior written approval is obtained for an amendment to the approved details under Section 29 of the Land Development Control Ordinance, 2013.

Reason: Standard condition to define the terms of the development and to ensure that the development is implemented in accordance with the approved.

- 3) **Timeframe:** The siting of the container will be permitted for three years from the date the container is sited. The applicant shall inform the Planning Department of the date when the container is sited.

Reason: To ensure the temporary nature of the development is complied with.

- 4) **Construction Practices:** During construction of the development, no obstruction shall be caused on any public road and prior to occupation of the development, the developer shall reinstate damage to any public road and other public or private infrastructure arising from implementation of the development permission.

Reason: To ensure safe vehicular access and reinstate damage to public infrastructure arising directly from the approved development in accordance with LDCP Policy IZ1 (g).

- 5) **Colour:** The container shall be painted blue to match the perimeter wall.

Reason: To ensure the development appears to form a coherent whole in accordance with LDCP Policy IZ1(a).

- 6) The **colour of the roof** shall be slate grey IBR roofing.

Reason: To blend the building into the landscape, in accordance with the Adopted Policy on Colour of Roofing Materials.

- 7) **Roof Water Practices:** No Roof Water or other Surface Water shall be connected to or directed to any foul drain. Roof water shall be piped to storage tanks of minimum capacity 450 litres with overflow piped to an appropriate area.

Reason: To ensure appropriate provision for storm water in accordance with LDCP Policy SD1.

- 8) **Dust:** Monitoring on site shall be undertaken on a daily basis. In the event that dust is at any time generated that is likely to travel outside of the site and towards neighbouring areas, any of the following mitigation measures shall be taken:

- The erection of dust screens
- The damping down of materials that have the tendency to be carried by the wind
- Reducing the speed of site operated machinery
- In the event of adverse dry and windy weather conditions, site operations should be temporarily restricted or suspended

Reason: To assist the control and limitation of environmental particulate pollution.