

Planning Officer's Report - LDCA March 2025

APPLICATION	2025/08 – Replacement Fountain
PERMISSION SOUGHT	Full Permission
REGISTERED	5 February 2025
APPLICANT	Property Division, St Helena Government
PARCEL	JT04007
LOCALITY	Castle Gardens, Jamestown
ZONE	Intermediate
CONSERVATION AREA	Jamestown Historic
CURRENT USE	Site of current fountain in public gardens
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ The Independent Newspaper on 7 February 2025.▪ A site notice displayed in accordance with Regulations.
EXPIRY	21 February 2025
REPRESENTATIONS	One received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Sewage & Water Division (Connect)	No Objection
2. Energy Division (Connect)	No objection - Comment
3. Fire & Rescue	No Objection
4. Roads Section	No Response
5. Property Division	No Response
6. Environmental Management	No Response
7. Public Health (Environmental Health)	No Objection
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	No Objection
10. Aerodrome Safe Guarding	No Objection
11. Economic Development	No Objection
12. National Trust	No Response
13. Telecommunications (Sure SA Ltd)	No Objection
14. Heritage Society	No Objection – Comment
15. Maritime	No Objection - Not Applicable

One objection was received as follows:

“Regarding policy BH4b, the fountain is not a building and therefore it does not require a professional existing condition assessment to be submitted as part of the application, I would suggest that it wrong.

Section 2(1) of the Ordinance says that unless the context otherwise requires, a building includes a structure. I would submit that the fountain is a structure, and it is therefore a building for the purposes of the Ordinance and the LDCP and so requires an assessment. The context being, it is a significant element within the conservation area and LDCP policies exist to protect its character of that area.

As alterations are proposed to the fountain, the policies indicate the best care should be taken to ensure the protection of its historic context. A proper publicly available assessment should therefore be provided to demonstrate it is incapable of repair before any replacement or replica is considered.

The proposed design is ambiguous as it is not clear whether the application is for a replacement, which would be something new, or for a replica, which would be as the existing. Can the application be made clearer as to what is proposed. The submission of a set measured drawings would clarify this.”

B. PLANNING OFFICER’S APPRAISAL

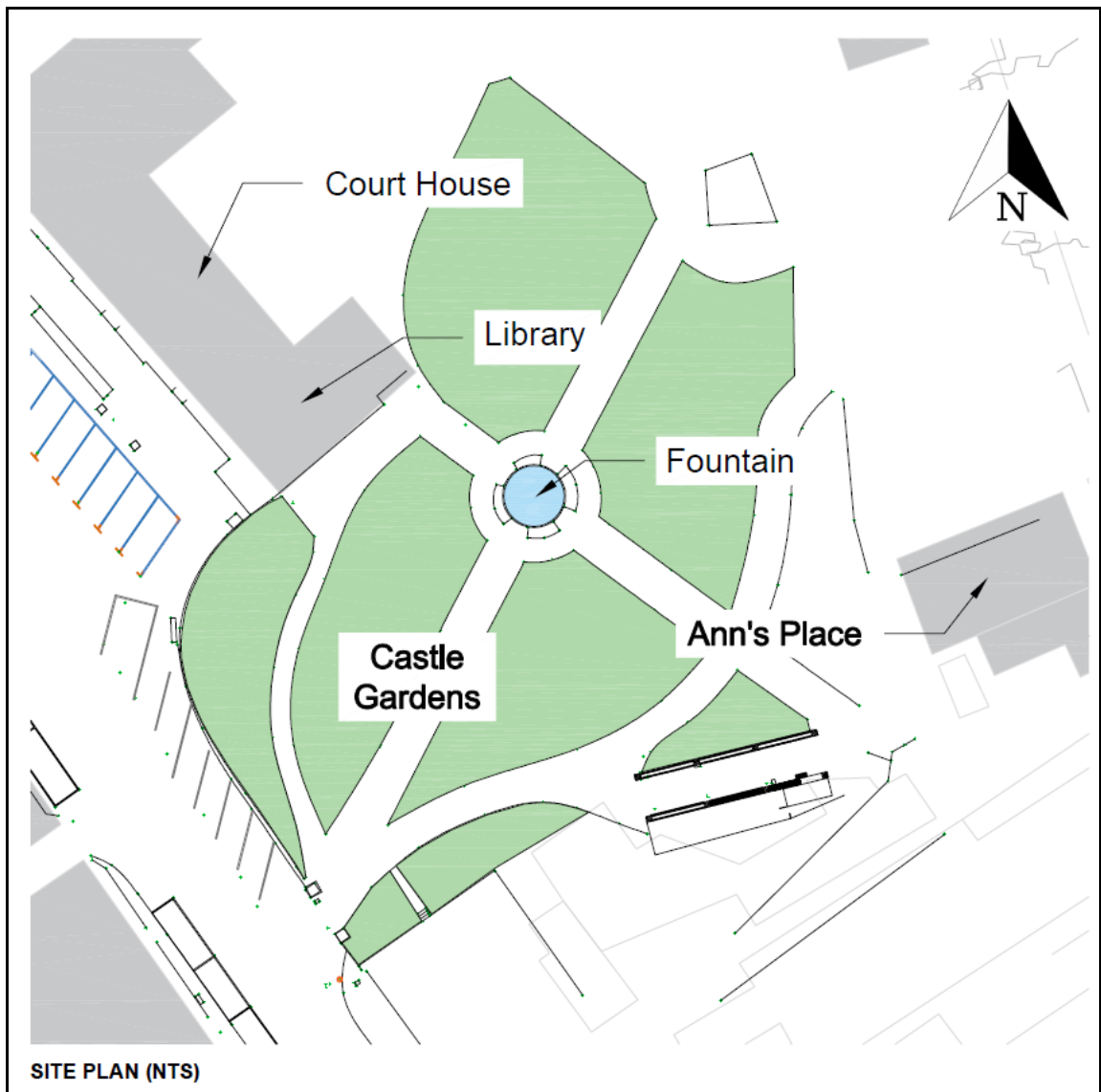
LOCALITY & ZONING

This plot is located within the mixed use area of Lower Jamestown, where it is designated within the Intermediate Zone and falls within the Jamestown Historic conservation area.

Diagram 1: Location Plan



Diagram 2: Site Plan



PROPOSED DEVELOPMENT

The applicant is seeking Planning permission to replace the un-repairable fountain which feeds the fish pond located in the Castle Gardens, a popular public space which also allows vehicle/pedestrian access to commercial and residential properties.

The proposal is for a replacement fountain in similar style to the existing fountain. The proposed fountain is one which has been re-conditioned.

The fountain, in line with the proposed fountain diagram (see Diagram 4), would be 3-tiered with circular bowls and a water spout with an overall height of 1.94m and width of 1.47m. This is similar to the existing fountain (albeit that the spout and top dish section is missing). The fountain could be painted to match that of the existing fountain.

Diagram 3: Existing Fountain (Photograph 1)

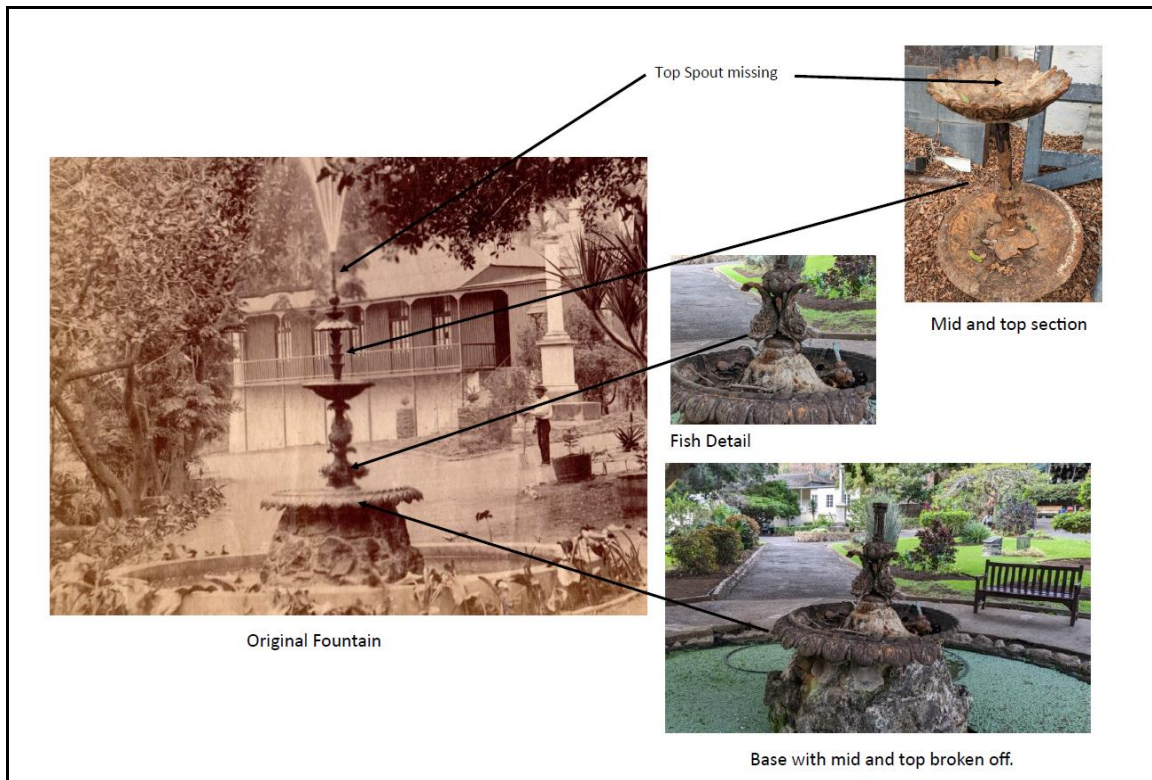


Diagram 4: Proposed Fountain

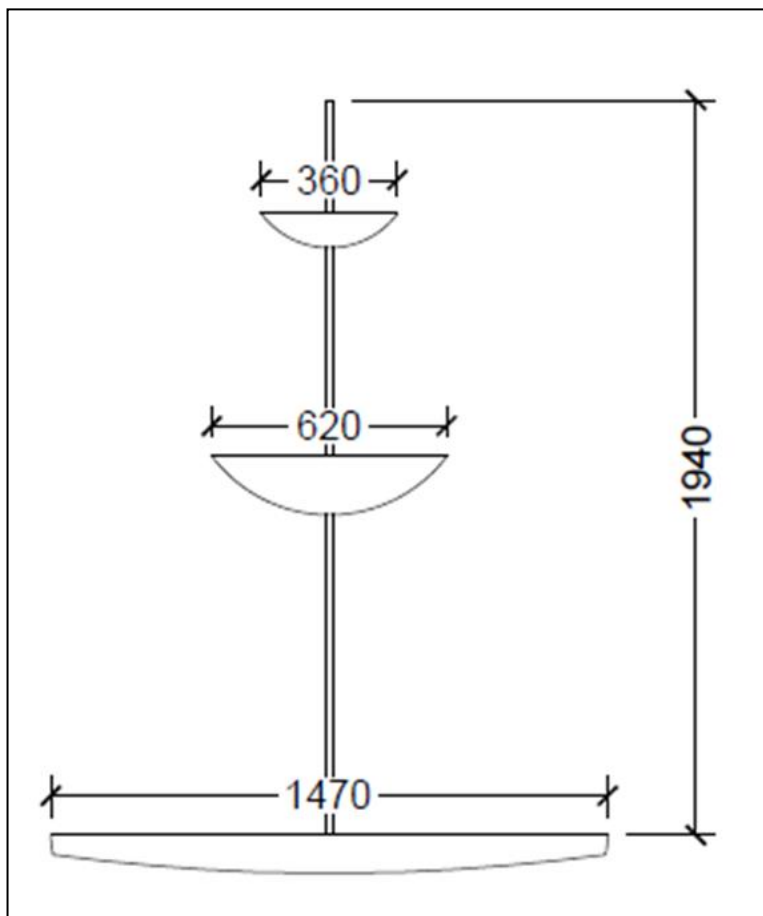


Diagram 5: Similar Fountains (Example Photographs)



STAKEHOLDER FEEDBACK & REPRESENTATIONS

Two stakeholders who provided comments, as detailed below:

Connect (Energy Division)

High Tension underground cable runs through the land. Any excavation to be done after verifying the High Voltage (HV) line route and taking the necessary safety precautions. Connect Linesmen to be informed before commencing any excavation.

Heritage Society

The *Heritage Society* made a comment stating that they have no heritage concerns (and no reason for a development application) provided it matches the existing fountain, as the stated intention.

[Officer Comment: The proposal is for a similar, not matching, fountain such that an application is required for determination]

LEGAL AND POLICY FRAMEWORK

The relevant policies of the Land Development Control Plan (LDCP, 2012) that are applicable in the assessment of the proposed development are set out below:

- Intermediate Zone: Policies IZ1
- Built Heritage: Policies BH1

OFFICER'S ASSESSMENT

The existing fountain forms part of the central feature (which also includes a fish pond) in the Castle Gardens and is located within the Jamestown Historic Conservation Area. The original fountain was erected in 1897. The applicants indicate in their submission that *"Extensive market research has been undertaken over the last six months and there are no fountain designs currently available with the fish detail. We are therefore seeking permission to purchase a fountain and if compatible then using the top two tiers to affix to the existing fish design. The size of the fountain will be similar if not exact to the measurements of the original."*

The applicants previously sought advice from an engineer who indicated that the existing fountain is not repairable having been on site for approximately 128 years. While well-maintained fountains could last longer, this is located in a water environment not far from the sea and in a high dust environment of lower Jamestown; all of which have taken their toll on the fountain. It is hoped that the bottom section of the original fountain can be retained and new sections added but in the event that the pieces received cannot be fitted into the original base, that the whole new fountain feature will be erected to replace the current fountain.

The applicants indicate that it has been difficult to source a direct replacement but that the proposed fountain would either be a combination of old and new or a new fountain entirely. It is reasonable that they do attempt first to see if the new fountain's pieces can be integrated into the existing fountain but if not, that the proposal is for its whole replacement. The impact of either will be that a functional fountain will be provided in the Castle Gardens which has not been possible for some time due to it being unrepairable.

The proposed fountain (as shown in the dimensioned picture) will be of a similar height and appearance as the existing fountain, albeit details of the exact fountain (once a similar replacement has been sourced) will need to be provided through the attachment of a suitably-worded condition.

The *Heritage Society* made a comment stating that they have no heritage concerns (and no reason for a development application) provided it matches the existing fountain, as the stated intention. The current proposal is for a similar fountain; nonetheless, if the applicants can source an exact match, then Development permission would not be required.

To conclude; it is considered that the proposal would be acceptable as it would not result in any harmful impact on the locality of the Castle Gardens nor on the character and setting of the Jamestown Historic Conservation Area in line with Built Heritage Policy BH1 and therefore can be supported.