

Appendix 1:

Adopted Principles of Revision to the 2007 Plan

1. THE NEEDFOR REVISION OF THE LDCP

1.1 The need for revision arises firstly from the need to foster and respond positively to development opportunities that will arise through air access whilst protecting for ever St Helena's unique attributes and attractions; and secondly from the perception that the existing Plan fails to protect the island from inappropriate development while at the same time being unnecessarily restrictive.

1.2 Tourism development is the island's strategy for achieving prosperity and in embracing and facilitating it the revised Plan must do so without the usual destruction of the attraction itself.

1.3 The Plan must also as far as possible meet the domestic housing needs and aspirations of Saints without adding to the incoherent forms of development that have accrued in the past fifteen years or so and, by facilitating and demanding better planned development, remedy the existing damage wherever possible.

1.4 It is universally acknowledged that the piecemeal and incoherent development typified by Half Tree Hollow and Levelwood is unsatisfactory, wastes scarce resources and does not do justice to the island. It reflects in part limited Planning resources and most of it was permitted before the current LDCP came in to effect but it is also the case that development permitted under it is not intrinsically better; there is just less of it so far. It is therefore certain that the greater development pressure which will result from air access, both for tourism facilities and extra housing, will wreck the island unless better direction and more rigorous controls are implemented. It is equally certain that optimum development values will not be realised: positive encouragement must be given to development in the right places and of higher standards; and it is equally certain that the Planning system needs to be better resourced to handle it.

1.5 Failure under the present and previous Plans has arisen because there is a natural reluctance in any small community to make requirements of fellow citizens, expressed both in policy wording and individual planning decisions. Policies designed to regulate the quality of development (rather than the broad principle of location in a particular planning zone) have been ignored through the belief that they add unjustified development costs and there has been a lack of awareness of and guidance towards the principles of coherent planning. The proposed policy revisions, provided they are adhered to in each individual decision and therefore cumulatively, will avoid the same mistakes and at the same time facilitate wider opportunities for development. Development at higher densities than have been the norm – typically 4 dwellings to the acre as a legacy of the past common practice of rearing animals in the garden – will make better use of land and achieve

greater coherence. A target of at least 8 to the acre would be appropriate in many cases.

2. OBJECTIVES OF THE LAND DEVELOPMENT CONTROL PLAN

2.1 The current Plan came into effect in January 2007 having been prepared in 2004 – 2005 with extensive public consultation in which the then Planning Agency acted as a steering group. It is a statutory plan under the terms of the Land Planning and Development Control Ordinance 2008 (prepared under the previous ordinance but of equal effect through transitional powers).

2.2 The Plan is intended to have a ten year life but to be reviewed and updated after five years; “.....however, this could be brought forward if circumstances warrant an earlier review.” (Para 1.3.1). The current renewed intention to provide air access to the island and HMG's conditions attached to that intention, require such review now.

2.3 The current Plan offers ten specific objectives applicable right across the island, as follows:

- a) Provide for the current high demand for housing land in a variety of locations on the island and at varying densities and to allow for further housing following the introduction of air access.
- b) Encourage a wide variety of attractive and well located tourist related facilities to capitalise on the island's attributes
- c) Provide for the location of employment, cultural, recreational and social facilities as close as possible to the residents they serve.
- d) Accommodate the provision of an airport.
- e) Strongly protect the Green Heartland of the island against inappropriate development to retain the island's attraction to residents and visitors alike.
- f) Recognise the scenic and natural value of the Coastal Zone and strongly protect it against sporadic and inappropriate development.
- g) Strongly protect and manage the island's natural and historic man made heritage and encourage its restoration.
- h) Recognise the link between economic benefits and the natural and built heritage.
- i) Encourage the efficient and effective provision of service infrastructure to make the most of available resources.
- j) Protect agricultural land and natural resources from loss through development.

2.4 It is suggested that these objectives, which underpin all of the specific policies, now need to be changed. Their emphasis and breadth need redrafting in order to meet both the National Strategic Objectives and the Plan's own declared vision for St Helena, still perfectly adequate, which is:

**“Sustainable growth in its economy;
improved social living and cultural facilities;
and steadfast protection of its environment”.**

2.5 The following are the suggested new objectives:

1) Whilst protecting absolutely the critical natural habitats and conserving the built heritage:

- a) to enable and facilitate air access to the island.**

- b) to encourage and enable well located tourist related facilities that primarily derive from and respond to the island's natural and historic resources and thereby attract investment
 - c) to provide for and enable appropriate and well located housing development, including for domestic demand
 - d) to provide for and enable appropriately sited business and employment, cultural, recreational and social facilities and appropriate infrastructure.
- 2) Recognise and foster the economic benefits of conserving and managing the natural heritage and built heritage of the island.
 - 3) Protect agricultural land and natural resources from inappropriate development and pollution and to encourage agricultural development.
 - 4) Encourage and facilitate sustainable use of water resources and renewable energy.

2.6 In the **existing** Plan the objectives were to be achieved by designation of three distinct zones of Green Heartland, Coastal Zone and Intermediate Zone. The stated description in the existing Plan of each zone and thus the existing principles behind the relevant policies in the three zones are as follows:

- **The Green Heartland.** *A most attractive area in the centre of the Island, notable for its great scenic beauty, its ecology and concentration of endemic species, as well as for agriculture, forestry, recreation and some semi-natural areas.*
- *Existing policy principle: Development here will be strongly discouraged to preserve its attraction.*
- **The Coastal Zone.** *Spectacular coastal scenery, rugged, remote and often peaceful with many examples of endemic wildlife as well as unique and*
- *Existing policy principle: Again, development here will be discouraged with the exception of appropriate tourist related facilities developed in such a way as to be subordinate and in keeping with their natural surroundings.*
- **The Intermediate Zone.** *An area where most development will be accommodated but in such a way as to preserve the quality of life for residents and visitors alike.*
- *Existing policy principle: Since landscape and scenic beauty is a crucial selling point for St Helena, development in this Intermediate Zone will be planned in a way that would not detract from its surroundings, and should include appropriate landscaping.*

2.7 Despite the above policy principles, in the actual drafting the policies were compromised to include housing in both the Green Heartland and the Coastal Zone (of a particular form based on an American idea of clustered housing). This creates the perception of loopholes and uncertainty; yet it is still set against the emphasis of negativity and constraint which appears to contradict the objective of growth in the economy. All of this needs radical revision to ensure that development really can be encouraged where it is appropriate to do so and that restraint and prevention of development really does mean just that where it matters. Moreover, those policies which define the quality and character of development as it appears on the ground (which in the end is what matters) are relegated to a separate section of the Plan which has tended to cause them to be ignored in planning decisions (para 1.4 above).

They need to be made integral so that they are fundamental to the decisions themselves.

2.8 It is likely, even with augmented planning resources on island, and the need to achieve transparency of decision making, that a relatively simple zoning strategy will remain appropriate as the basis of development control for the foreseeable future although with refinement especially in the Coastal Zone. It is therefore appropriate to review the current zone boundaries and the policies that apply within each zone rather than to consider a completely fresh approach to planning on the island. Careful definition of the zones and the various categories of development will be essential.

3. THE GREEN HEARTLAND

3.1 The ARS Harvard University study “Land Use on St Helena Island – Tools, Analysis, Valuation, Design and Policy” seems to have been somewhat disregarded since it was prepared for DfID in 2005-6 (perhaps because it is written in indigestible American English, in places unintelligible). It nevertheless contains usefully reasoned analyses of landforms, landscapes, services and other criteria, using the GIS tools, with which to assess appropriate boundaries for the planning zones and to guide future land use and development. It concludes that the Green Heartland zone boundary established in the LDCP, with the protection it affords, is broadly right with one exception at Head O'Wain where it advocates extension to exclude development of a critical ridge (although the boundary of the suggested revision does not appear to be accurate and needs reviewing).

3.2 Further, the ARS Harvard study recommends that there should be exclusion of all development in the Green Heartland on land above the height of 550m for the stated reason that this:

“includes the pasture and flax lands that frame the view of the peaks, areas visible from most parts of the island”.

Whilst this principle may be desirable a more refined approach to the no-build boundary is attainable, to take account of both critical views and also natural ecology. The Overseas Territories Environment Protection Programme (OTEP) funded production of the “Protected Area Plan for the Central Peaks 2007-2010” dated May 2008. This is another study which seems to have been little used since it was prepared and it defines a suggested no-build area that encompasses the Diana's Peak, High Hill and Ebony Plain “National Protected Areas” (NPA's) and land linking them across the central ridge and The Depot. More work is needed to come to a definitive boundary of an area where all development should be excluded based on a mixture of both the ARS Harvard and Protected Area Plan criteria; and this now needs to be pursued.

3.3 It should be noted that the NPA's themselves are intended to be protected and managed under the 2003 National Parks Ordinance but that Ordinance has never been brought into force. New policies are therefore needed to protect them under the LDCP and their designation criteria need to be made clear. Similarly, wirebird mitigation sites and similar designations will need specific policies.

3.4 The surviving undeveloped nature of the Green Heartland is one of the island's key defining qualities, a quality that no longer exists on earth except in places that remain remote and indeed perhaps nowhere on earth in such intimate scale and close proximity to semi-desert and the ocean. The scale and landforms and consequent landscapes of the Green Heartland mean that buildings sited within it are in many instances visible from very extensive areas. The visual impact of buildings is therefore disproportionate to the number and the effect is to destroy the undeveloped quality of the landscape. As custodians of the island for future generations we have an absolute duty to not let it be lost because once lost it is lost for ever.

3.5 Analysis of land availability outside the Green Heartland demonstrates there is ample land to meet future domestic housing needs under any realistic assessment (Atkins and ARS Harvard reports). It is therefore proposed that there should be no further residential development anywhere in the Green Heartland once its new boundaries have been refined and defined; and policy GH6 of the existing Plan which permits the clustered housing referred to earlier should be deleted. In any event clustered development based on the American principle is almost impossible to create effectively in the St Helena landscape because of gradients and even then would result in a form of development alien to the island and conspicuous in the landscape.

4. THE COASTAL ZONE

4.1 Existing LDCP policies for the Coastal Zone are almost as restrictive of development as in the Green Heartland but with tourism and recreation based development accepted provided it is sited “with due regard to the need to maintain the attractive views of the coastline from both land and sea” and particularly avoiding building “on or near ridgelines or in elevated positions”. There is still however the essentially negative policy principle (para 2.6 above) and again the housing loophole using the American clustered idea to which the same comments and recommendation apply as in the Green Heartland.

4.2 It is proposed that all of this should be re-cast to avoid the ambiguities and be replaced by principles and policies which expressly encourage development where appropriate and expressly reject it where inappropriate.

4.3 Much of the Coastal Zone possesses landscapes and seascapes of world class quality. The value of protecting them, working with rather than imposing upon them but nevertheless enabling and encouraging high-value development is a goal to be embraced.

4.4 There are opportunities to create exclusive development, in the form of small communities in a secure environment, serviced apartments, hotels and one-off high-end dwellings which will be reflected in high land values; there should also be opportunities to create domestic housing in appropriate areas.

4.5 The practical and physical constraints are not to be under-estimated and will form a significant part of development costs, including the following:

a) Vehicular access – both for construction purposes and subsequent occupancy. Substantial areas of the coastal zone are steep to the point that normal road vehicles are unlikely to cope, with unstable slopes making road construction costly and potentially physically damaging. This will restrict areas available for development. There

may be instances, especially for the one-off houses and small secure communities, where sea access is appropriate.

b) Water supply – the coastal zone is largely arid and in many cases it will be difficult to bring piped water in any quantity from inland. Local boreholes may be practicable subject to surveys and desalination may be an option but to be viable it will require stringent water conservation measures.

c) Sewage disposal – this is not easy in arid areas with little natural soil or vegetation. Primary treatment by mechanical means (RBC's or aeration systems) and disposal to long sea outfalls is likely to be necessary.

d) Energy – mains electricity may not be viable in many locations and strings of power lines will in any case damage the natural landscape. Solar generation and green building technology are likely to be the norm.

e) Design Issues – exemplary design to maximise development opportunities whilst working with the existing physical formations, in order not to damage or subsume the existing landscapes, is critical. The iconic example of a single dwelling in a modern form is Frank Lloyd Wright's Falling Water – 70 years old but as fresh as anything coming off drawing boards today as an example of how to work with nature rather than impose upon it. Design guidance can help - see Section 6 below; but it will not be easy to establish criteria against which to judge, nor to establish a meaningful and qualified adjudication system, either for one-off dwellings or small communities. The present planning system will certainly not achieve it. International competition may be appropriate.

f) Built Heritage – most valleys have the remains of fortifications which, cumulatively, define much of the heritage of the island. Working with these and developing management plans for them rather than subsuming or destroying them will be essential.

g) Habitat Protection – the physical nature of much of the coastal zone means its ecology is fragile. It will be necessary to define strict boundaries of development and avoid sprawl either physically or in terms of subsequent human usage (4 x 4s, motorcycles and the like), if the ecology is not to be damaged and ultimately destroyed. In addition, para.3.3 above applies equally in the Coastal Zone as in the Green Heartland.

h) Existing recreation – it will be necessary to ensure that existing opportunities for the local population and visitors are not constrained. Access for fishing and continuance of access to valley bottoms for the postbox walks and the like are two examples. There is potential for conflict that will need careful resolution.

4.6 In order to achieve the goal of development in the Coastal Zone which meets the above requirements it is proposed to define within the Zone areas of 3 categories to be defined on the LDGP maps as follows:

- i. residential development and leisure / tourism based development
- ii. leisure and tourism facilities strictly related to the demands and opportunities of the natural landscape characteristics only
- iii. no development

4.7 The work of defining these areas will need to be facilitated by GIS data

supplemented and confirmed by field surveys.

4.8 Policies will need to be prepared in respect of each category. They will not preclude innovative design except in category iii). Design standards will be critical in all of the other areas and it will be implicit that they must demonstrate that the quality of the development responds to and reflects the high quality of the setting including existing built heritage.

5. THE INTERMEDIATE ZONE

5.1 In the Intermediate Zone residential development permissions have been granted with scant attention to matters of individual siting, design, amenity or usable vehicular access despite policies to deal with each of them. This has arisen in part because of prior decisions taken outside the planning system to lease or sell individual plots without wider reference and therefore without opportunity to achieve planned or coherent development. As far as Crown land is concerned this process has been stopped to ensure that planning decisions come first; but there is still a legacy of existing decisions in the pipeline plus private disposals.

5.2 The very broad existing policy I.Z.1 states:

“Subject to the requirements of policies in the rest of this Plan, there will be a presumption in favour of development in the Intermediate Zone with the exception of development on land currently or recently in agricultural production or productive forestry.”

This policy needs to be recast to specifically include and state the design and services policies currently referred to as All Development Policies AD1 to AD7 as an integral part, to be used as a check-list against which development proposals will be measured. This is necessary in order to drive up development standards and will apply in the Intermediate Zone no less than in the other two zones.

5.3 In order to make better use of developable land, it will be expected that housing densities / plot ratios will be increased. Subject to achieving and maintaining satisfactory standards of amenity, no policy restriction will limit development densities; but where these are to be high it will be necessary to demonstrate that amenity issues have been addressed through care and innovation in design.

5.4 The specific topic policies, housing, employment, shopping etc in the LDGP will need to be incorporated with specific reference to the Intermediate Zone.

5.5 There are instances of the existing Intermediate Zone boundary, particularly at its interface with the Coastal Zone, having been drawn without regard to the stated aim of rejecting building on exposed ridges. The boundary therefore needs to be examined and revised in detail.

6. DESIGN BRIEFS AND DESIGN GUIDANCE

6.1 Design briefs will be appropriate in the already defined Comprehensive Development Areas (CDA's) and will be appropriate in many other areas especially in the Coastal Zone.

6.2 It may be appropriate to delete the existing timing/phasing requirements in respect of CDA's when the developer is prepared to provide all services. In

such cases Development Agreements under Section 40 of the Land Planning

and Development Control Ordinance 2008 will be mandatory as a precondition to the grant of development permission to ensure that services are in fact provided before the development is first occupied.

6.3 Design Guides in the form of formally adopted Supplementary Planning Guidance, both as prior guidance to intending developers and to inform the drafting of planning conditions, will need to be annexed to the revised LDCP and followed rigorously. Such guidance, to include Conservation Management Plans where appropriate will need to allow for design innovation.

6.4 In any design guidance it will be appropriate to discourage the recent trend of construction of dwellings of deep span which creates the need for extensive site excavation. The creation of bungalows of 40ft to 50ft (12m to 16m) span is inappropriate in landscapes with gradients as steep as those found typically on St Helena and leads to excessive intrusion in the landscape because of the extent of excavation required. Again, the ARS Harvard Study examined this issue and gave suggested alternative ways of building on slopes and further case-study examples will be included in the design guidance.

7. ENVIRONMENTAL IMPACT ASSESSMENT and STRATEGIC ENVIRONMENTAL ASSESSMENT

7.1 Implementation of the (revised) Land Development Control Plan (LDCP) has the potential to have a wide range of environmental impacts both positive and negative. For St Helena environmental factors (environment being defined as everything around us, physical, built, natural and the people and their wellbeing) are vitally important for the sustainable development of the Island and should therefore be considered at all levels of decision making alongside social and economic factors.

7.2 In order to ensure minimum negative environmental impacts and enhance positive environmental benefits of implementation of the LDCP overall, Strategic Environmental Assessment (SEA) that will consider and assess the environmental impacts apparent, should be applied early on in the formulation of the new/ revised policies. The SEA Reports should then form part of the written justification of the revised LDCP. If resources and timescale preclude this, the new and revised policies should be assessed against basic sustainability criteria.

7.3 SEA will not negate the need for Environmental Impact Assessment (EIA) for individual development proposals where this is deemed necessary under the Land Planning and Development Control Ordinance (2008).

8. CONSULTATION PERIODS

8.1 Sections 21(3) and 22(3) of the current Land Planning and Development Control Ordinance impose a 12-week consultation period on revisions to the development Plan and again on any subsequent re-revisions unless Governor - in - Council directs otherwise. A timetable has been drawn up for revision of the Plan policies to include these consultation periods.

9. SUMMARY & CONCLUSION

9.1 This discussion paper will provide the basis for the ongoing review and revision of the LDCP. In summary, the underlying principles of the review, as discussed within the text above, will be:

- 1) Maintain present zoning system of Green Heartland, Intermediate zone and Coastal zone as the basis of planning policies but refine the boundaries.
- 2) Redefine the Green Heartland zone allowing no further housing on the basis that under all predictions there is ample housing land outside it.
- 3) Establish within the Green Heartland zone, a sub-zone where no building at all will be allowed, in order to preserve the undeveloped nature of the peaks for all time.
- 4) Establish within the Coastal zone three sub-zone boundaries with reference to natural landscape features, with policies ranging from all development, through tourism development to no building, with the expectation that there will be development opportunities in this zone whilst still protecting the essential nature of the coastline.
- 5) Include in all policies integral reference to design standards.
- 6) Include design briefs, design guidance and binding formal agreements to ensure that infrastructure is provided by the developer.
- 7) Provide for policies to be the subject of strategic environmental assessment or a sustainability check but with continued requirement for Environmental Impact Assessment in appropriate cases, as provided for in the Land Planning and Development Control Ordinance, 2008.

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