

Planning Officer's Report – LDCA JULY 2020

APPLICATION	2020/33 – Proposed three bedroom, split level dwelling.
PERMISSION SOUGHT	Permission in Full
REGISTERED	31 st March 2020
APPLICANT	Kimberly Thomas
PARCEL	NG0473
SIZE	0.13 acres (546m ²)
LAND OWNER	Crown Estates
LOCALITY	Clay Gut
ZONE	Intermediate
CONSERVATION AREA	None
CURRENT USE	Vacant – Crown Estates
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Sentinel Newspaper on 2nd April 2020▪ A site notice displayed in accordance with Regulations.
EXPIRY	16 th April 2020
REPRESENTATIONS	None Received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

a) Sewage & Water Division	No Objection
b) Energy Division	No Response
c) Fire & Rescue	No Response
d) Roads Section	No Objection
e) Property Division	No Objection (Comments)
f) Environmental Management	No Objection
g) Public Health	No Response
h) Agriculture & Natural resources	No Response
i) St Helena Police Services	Not Consulted
j) Aerodrome Safe Guarding	Not Consulted
k) Enterprise St Helena (ESH)	No Objection

Report Author: P Scipio

Authorised by: I Mohammed (CPO)

Report Date: 08 July 2020

Application 2020/33

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|---------------------|--------------|
| l) National Trust | No Response |
| m) Sure SA Ltd | No Objection |
| n) Heritage Society | No Response |

B. DEVELOPMENT DETAILS SUMMARY

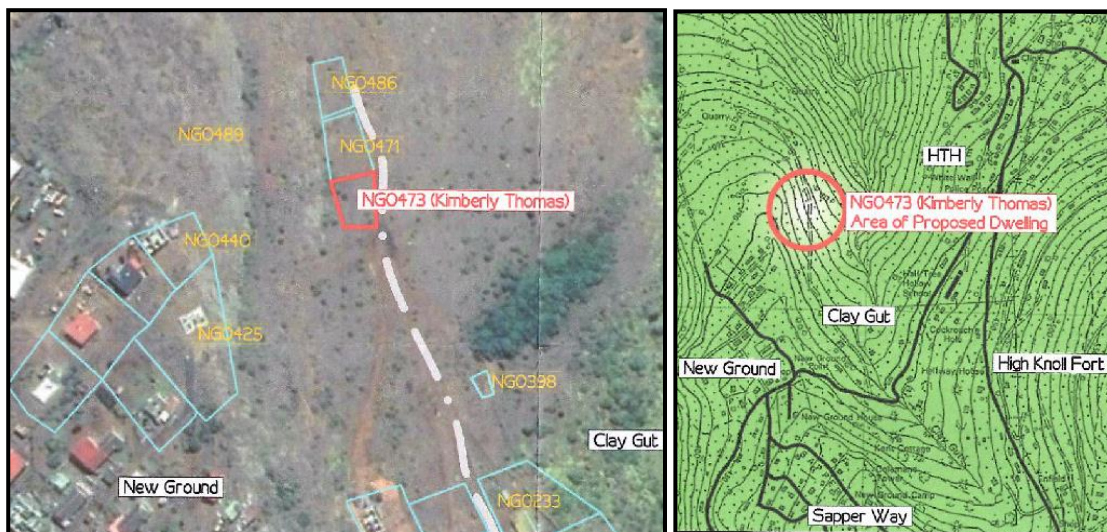
The proposed development is for a split level three bedroom dwelling sitting on a 30° sloped hillside. The development entails site excavation to create two level platforms, parking spaces and an access road on Crown Land. A septic tank and soakaway system on Crown Land is also proposed to cater for two dwellings.

The proposed ground and first floor development will create a total area of 184m².

C. PLANNING OFFICER’S APPRAISAL

Location: The proposed development site is located in the New Ground registration Section within the Intermediate Zone where relevant IZ1 policies apply such as serviceability and impact on neighbouring amenity. There are no Conservation Area restrictions. The site is situated south of two plots that are also currently planning applications that will become joint users of the access road and two joint users of the proposed drainage system.

Diagram 1 & 2: Location Plan



Site: The site, parcel NG0473 is approximately 546m² and sits on the side of the hill sloping west to east. The existing site slope is approximately 30° and therefore, is conducive to a split level design development.

The proposed site excavation allows for a rear embankment height of less than 3000mm thus complying with LDCP 2012-2022 Intermediate Zone Policy IZ1 (f) “the

design and layout do not generally entail excavation nor making up of levels to a depth or height in excess of 3m.”

A section of the excavated soil spill is proposed to be placed on Crown Land to the south east of the development site. Under the consultation response from Crown Estates it was conditioned that permission for soil placement on Crown land will be granted subject to planning approval. This soil spill will need to be compacted at approved stages and retained at its base.

Crown Estates in their consultation response also gave permission subject to planning approval for the erection of a septic tank and soakaway system and access road on Crown Land. The proposed septic tank and soakaway system is designed to cater for both properties adjacent to each other.

While a septic tank and soakaway is proposed for this development, a percolation test is required to determine design and dimensions of either a traditional soakaway or drainage field, this will be conditioned and approved by the chief planning officer.

Diagram 3: Site Plan

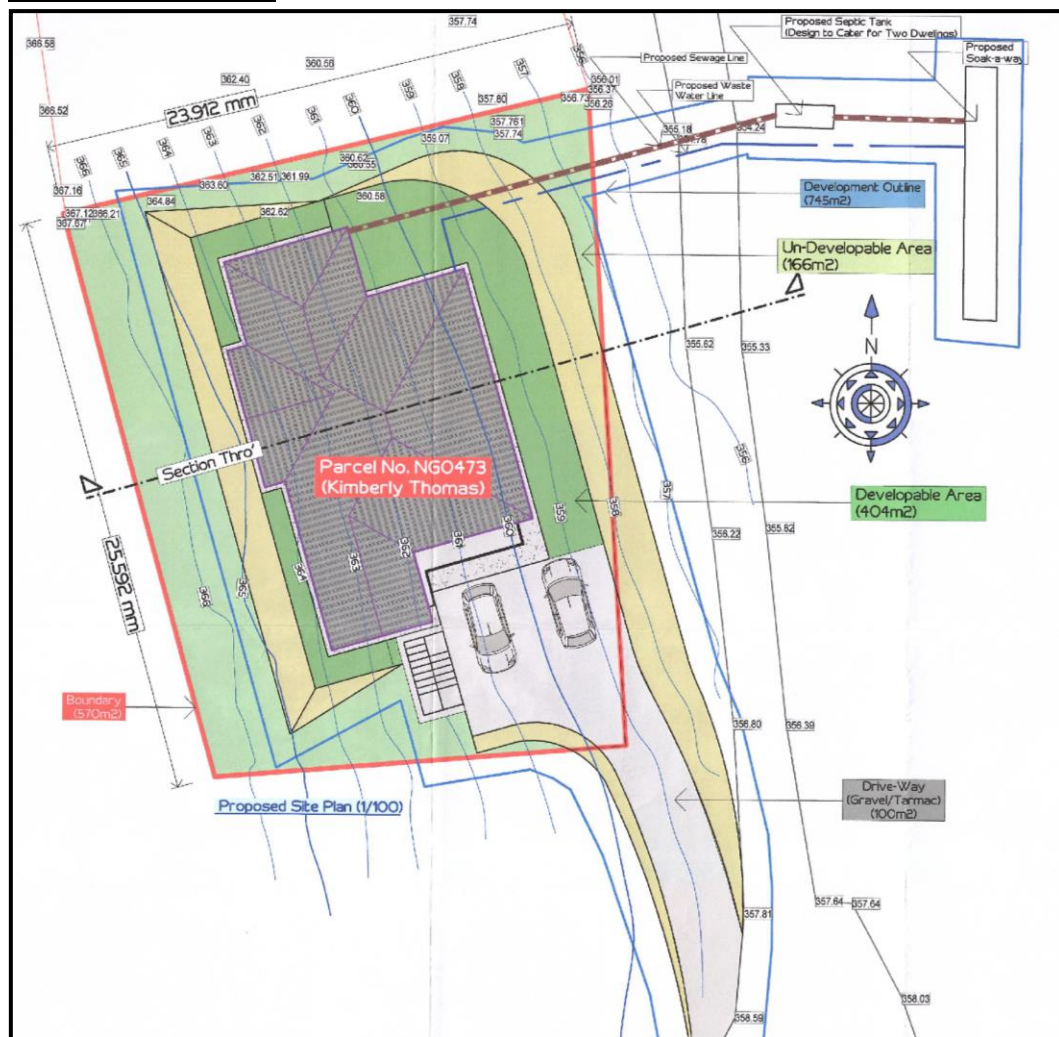
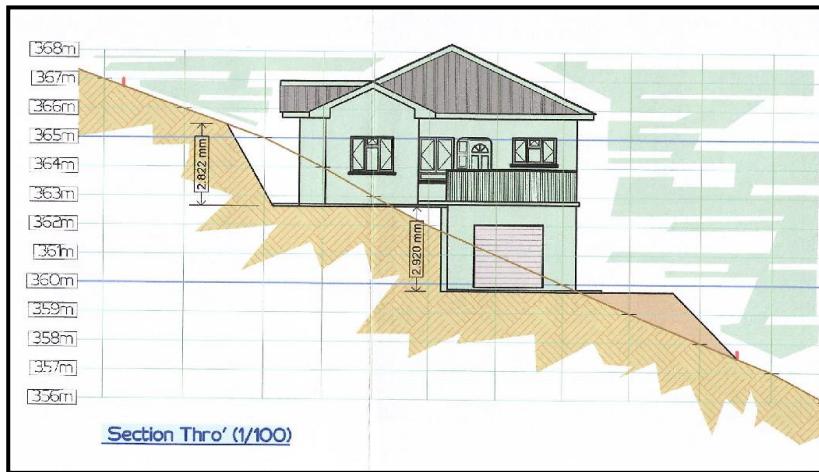


Diagram 4: Site Section



Proposed: The development application is for a three bedroom split level traditional build. The ground floor consist of a single garage, laundry and utility room. The main internal stairs is situated at the rear of the building and thus requires additional excavation into the embankment.

The first floor includes three bedrooms, two bathrooms and an open plan living area with a corner patio. The design layout creates some wasted space with corridors leading to individual rooms.

Externally the building has many features with the wall and roof design allowing the house to portray considerable character.

The main structure consist of traditional sand and cement rendered concrete blockwork (225, 150 & 115mm) on an approved reinforced concrete floor. The roof is inverted box ribbed metal sheeting. Windows and doors are all white aluminium.

The split-level proposal is designed to best suit the sloped land allowing embankment heights to comply with LDCP policies.

Diagram 5: Plan (ground floor)

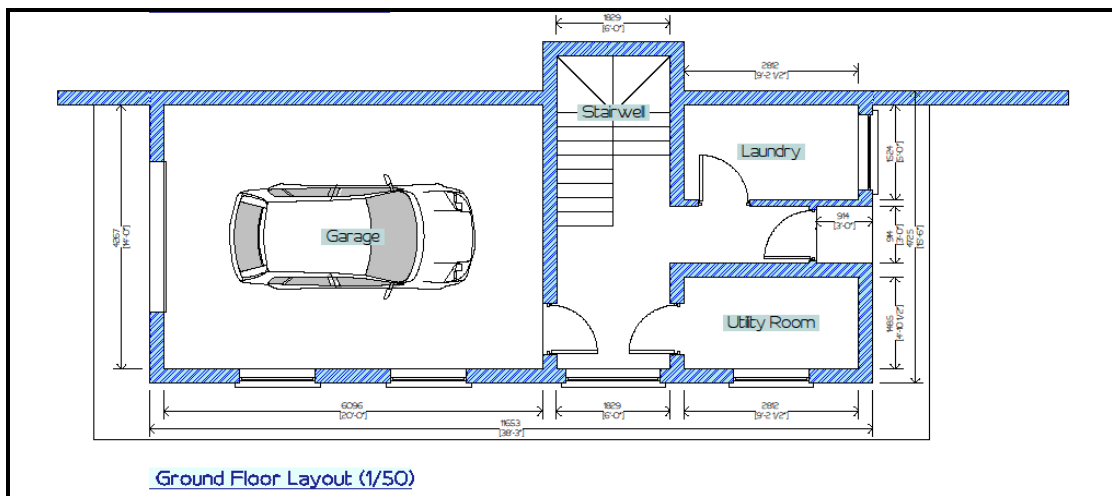


Diagram 6: Plan (first floor)

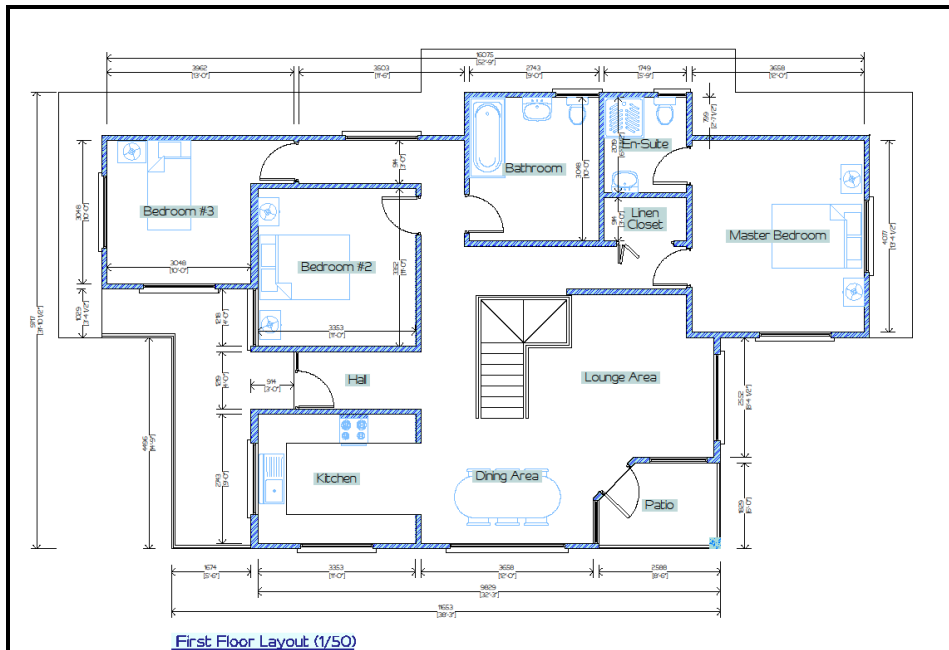


Diagram 7: Elevations



REPRESENTATIONS

No representations were received from any statutory body or members of the public, including immediate neighbours.

POLICY CONSIDERATION

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

- Intermediate Zone: Policies IZ1 (a, b, f, g and h)
- Water; Policy W2
- Sewage, storm and Drainage: Policies SD1 (b, c), SD3, SD.4 and SD7

OFFICER'S ASSESSMENT

The plan layout and roof design of this development allows for considerable character to the exterior. Internally, the design there is some waste space with the corridor leading to individual rooms. This is not a planning issue as this is choice of the applicant.

Split level houses design generally makes good use of the natural hillside slope and allows for lower embankments. While there are still embankments they are not as visible, and the split level design hides the embankment on the lower level. It also improves the view and provide the development with character that fits into the landscape.

Crown Estates in their consultation reply has given permission for the access road and placement of soil spill on Crown Land subject to planning approval. The excavated spill, however, will need to be compacted in stages and a form of retainer put in place, essentially 1m high gabions embedded into the existing hillside. This will need to be conditioned and monitored by building control.

Overall the external wall formation and roof design creates an appearance similar to those of neighbouring properties in terms of siting, scale, proportion, details and external materials thus complying with the housing policy H.9 and IZ1(a) and therefore can be supported.

D. PLANNING OFFICER'S RECOMMENDATION

That Development Permission be **GRANTED** 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) This Development Permission **does not** confer approval under the Building Control Ordinance. Please consult with the Building Inspector(s) to find out whether building regulations approval is required, prior to the development commencing.
Reason: to ensure development is carried out in accordance with the Building Control Ordinance 2013.
- 3) **Site Verification:** All site boundaries, the extent of building(s) footprint and the extent of proposed re-grade of land shall be surveyed, set out and pegged clearly by the developer for verification by the Building Inspectors before

commencement of development and verified again following initial earthworks.

Reason: To comply with the requirements of Policies IZ1 and H9, in the interests of orderly layout siting and design; to establish and ensure accurate setting out; to reduce cut into slope, protect services and to avoid possible encroachment onto adjoining properties.

- 4) The development shall be **implemented in accordance with the details** specified on the Application Form; Site Layout, Floor & Elevation Plans received on 31st March 2020, as stamped and approved by the Chief Planning Officer (CPO), on behalf of the Land Development Control Authority (LDCA), unless the prior written approval of the CPO (on behalf of the LDCA) 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 details.

- 5) **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 IZ1 (g).

- 6) Excavation into slope and infilling to form level platforms or embankments shall be in accordance with the approved plans. Deviation to be agreed with the Chief Planning Officer and Building Inspector. Land made unstable as a result of implementation of development shall be satisfactorily stabilised, consolidated and retained in consultation with the Chief Planning Officer and Building Inspector.

Reason: In the interests of safety to maintain the stability of land and visual amenity and also to accord with LDCP Policy IZ1 (f).

- 7) 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 properties 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.

- 8) All Regraded Land (including fill-faces and cut-faces) to be appropriately vegetated and landscaped, within a year following construction.

Reason: to ensure that the development blends into the natural landscape and that soil be effectively re-used in garden areas in accordance with LDCP IZ1 (h).

- 9) The proposed dwelling shall not be occupied until its Foul Drains (to include both black & grey water) have been completed, approved and connected to an approved communal system or an effective individual Septic Tank and Soakaway System. The system to be appropriately designed based on:

- Percolation test results submitted.
- Standard engineering design principles to be endorsed by the Building Inspectors.
- All parts of the sewerage system, including any septic tank and pipework to be laid underground, apart from access covers and vents unless otherwise agreed with the Chief Planning Officer in collaboration with the Building Inspectors.

Reason: To avoid creating pollution and to accord with LDCP policies SD1 and SD7.

- 10) Occupation of the development is not permitted until it is adequately served by a potable water supply, adequate energy supply as well as a foul drainage system, as approved by the Building Inspectors in consultation with the Chief Planning Officer.

Reason: To accord with LDCP IZ1, SD1, RT7 and W3.

- 11) **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 landscaped areas.

Reason: to conserve rainwater and to avoid overloading the Septic Tank, in accordance with LDCP SD1.

- 12) **Storm water Practices:** Storm water should be managed on site and not allowed onto the public roadway or neighbouring properties.

Reason: To protect public and private amenity and accord with LDCP SD1.

- 13) All **external lights** attached to the building shall be designed and sited such that they do not emit light at or above the horizontal and the light source (lamp, bulb or LED) shall not be visible beyond the site boundaries.

Reason: to avoid light pollution and to protect the dark skies status of the island in accordance with LDCP policy E8.

- 14) The **colour of the roof** shall be dark slate grey or red.

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

- 15) Development shall be such as to protect existing infrastructure:

- i) No excavations shall take place within 3m of any Low Voltage (LV) Pole or Pole Stay anchor and 5m within any High Voltage (HV) Pole;
- ii) No building construction to take place below any LV or HV Lines;
- iii) No excavation or building construction to take place within 3m of the nearest overhead LV Line and 5m of the nearest overhead HV Line;
- iv) Excavation or construction does not pose any restriction for access to HV/LV lines and poles; and

Reason: to ensure safety and to protect the public electricity supply.

Please note that the LDCA, Planning and Building Control Division nor any of its employees warrant the accuracy of the information or accept any liability whatsoever neither for any error or omission nor for any loss or damage arising from interpretation or use of the information supplied by your Designer/Contractor.

Right of Appeal: If you are aggrieved by this decision you may, within 28 days of the date of this Notice, appeal to the Land Development Appeals Tribunal, with payment of a fee of £150, addressed to the Clerk of the Tribunal, using the prescribed form which is available from this office.