



**St Helena
Government**

**Mrs Connie Johnson
Corporate Services
The Castle**

**Ref: 2020/41
Date: 19/08/2020**

Dear Mrs Johnson,

Land Planning and Development Control Ordinance 2013: Application No. 2020/41

The Land Development Control Authority (LDCA) will be considering the Application 2020/41 on the 24th August 2020 having previously considered this development application at previous meetings on 8th July and 5th August and deferred a decision. Under Section 23 of the Land Planning and Development Control Ordinance, 2013, the LDCA has had the opportunity to make comments or representation to the Governor-in-Council. The views of the LDCA will be reported verbally at the meeting following its considerations at 24th August meeting, however the Chief Planning Officer report's recommendation to the LDCA is that it recommends to Governor-in-Council to grant **FULL DEVELOPMENT PERMISSION for the Proposed Container Handling Facilities incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking at Lower Rupert's Valley**, 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 been begun 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; Site Layout, Floor & Elevation Plans (DWG No. D1000/A, D1001/A, D1002/B, D1003/B, D1004, D1004, D1006, D2001/A/Site-Plan, D2001/A/Floor-Plan, D2002/A, D2003, D3000/A, D3001/A, D3002/A, D4001/A, D5000, D5001) received on 27th May 2020 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) 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.
- 4) Notwithstanding the details already submitted, before construction works begin, ground and soil testing must be undertaken to establish whether any of the areas within the development site have been contaminated by the recent fuel leakage and also whether there are other contaminants in the ground from previous uses and if it is established that the land is contaminated then the area should be decontaminated before construction commences, particularly for those areas where buildings will be constructed. A method statement setting out the affected area, level of contamination and the process of decontamination should be submitted to and approved in writing by the Chief Planning Officer on behalf of the Land Development Control Authority.
Reason: To ensure that the contaminated land has been effectively decontaminated before construction takes place and that there will be no health and safety issues for the future occupiers of these *buildings and areas* through any hazardous fumes that may emanate through the ground and into the buildings and the open areas/compounds.
- 5) Notwithstanding the details already submitted, before land excavation works are carried out, a method statement setting out the archaeological assessment of the area must be undertaken by a qualified archaeological professional to establish any potential archaeological impact and in light of any discoveries care must be taken during excavation and details recorded for historical records. A Method Statement will be submitted to and approved in writing by the Chief Planning Officer on behalf of the Land Development Control Authority.
Reason: to ensure that any potential archaeology is not damaged or destroyed and care is taken where deep excavation is undertaken and archaeological discovery or artefacts finds are properly recorded and passed over to the Saint Helena Museum Service for recording and safe-keeping.
- 6) Before the security fencing is erected around the perimeter of the development site and within the site around the compounds details of the fencing in terms of exact alignment of the fencing having regards to the historic structures and buildings, design, material and colour should be submitted to and approved in writing by the Chief Planning Officer on behalf of the Land Development Control Authority. Every effort should be made to ensure that **SECURITY FENCE IS NOT ERECTED AGAINST THE LISTED FORTIFICATION WALL.**

Reason: to ensure the alignment of security fencing around the development does not overly affect dominate and impinge upon the setting of the historic structures and buildings and is in keeping with the general environment of the area.

- 7) Before development commences, details of the diverted footpath through the site and its design and construction to ensure it meets the needs of all users, include those with mobility issues, and improved signage through the area is submitted to and approved in writing by the Chief Planning Officer on behalf of the Land Development Control Authority.

Reason: to ensure that there is improved access for all users and there is legible signage across the area for the Postbox Walks.

- 8) Before hard and soft landscaping is undertaken, details of the landscaping scheme will be submitted to and approved by Chief Planning Officer in writing on behalf of the Land Development Control Authority. The planting scheme will be implemented during the planting season following the completion of the construction and it will be managed and maintained to ensure it is able to establish.

Reason: to ensure the landscaping scheme is to acceptable standard and is carried out in accordance with the agreed plans and is effectively maintained to enable it to become fully established and become a feature in the street scene to enhance the local environment.

- 9) Notwithstanding the detail already submitted, before the development use as port becomes operational, a Port Access Management Plan for the public is prepared setting out the day to day access management of the port operations and control of access for all users and in particularly for the purposes of the recreational, leisure, cultural and community uses in the area how access to these facilities for the general public will be managed and administered on a daily basis when the port facilities are in full operation and for other periods of general use. The Port Access Management Plan is submitted to and approved in writing by the Chief Planning Officer on behalf of the Land Development Control Authority.

Reason: to ensure that due consideration is given to the local community for access to the recreational, leisure, cultural and community facilities in the area to enable them to have access and to .be able to enjoy these facilities in a safe environment.

- 10) Notwithstanding the details already submitted, a full detailed condition survey of the cultural and heritage assets in the application site will be carried and where there is a need for repair, maintenance and restoration works to the external fabric of these assets is required, a detailed specification and method for the construction/reconstruction will be provided and these will be undertaken within 24 months of the Decision Notice or within six month of the construction being

completed, whichever is the earliest. The details of the survey and repair, maintenance and restoration works will be submitted to in writing and approved by the Chief Planning Officer on behalf of the Land Development Control Authority.

Reason: to ensure that there is baseline information on the condition of the cultural and heritage assets and to ensure these are conserved for the benefit of the Island and any potential damage caused during the construction of the development and its future operation is repair and its condition restored.

- 11) **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).
- 12) 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.
- 13) **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 tank of minimum capacity 450 litres with overflow piped to the sea.
Reason: to conserve rainwater and to avoid overloading the Septic Tank, in accordance with LDCP SD1.
- 14) 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.
- 15) The Colour of Roof shall be dark slate grey.
Reason: to blend the building into the landscape, in accordance with the Adopted Policy on Colour of Roofing Materials.

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.

Yours Sincerely

Karen Isaac
Secretary to LDCA

Environment, Natural Resources & Planning Directorate, Scotland and Essex House Offices, St Helena Government,
Island of St Helena, South Atlantic Ocean, STHL 1ZZ
Scotland Office: Telephone: + (290) 24724 Facsimile: + (290) 24603
Essex House: Telephone: (+290) 22270 Facsimile: (+290) 22454 Email: Ismail.mohammed@sainthelena.gov.sh