

Planning Officer's Report - LDCA MAY 2021

APPLICATION	2020/35 – Proposed Development of Trade Winds Ocean Village, Comprehensive Development Area
PERMISSION SOUGHT	Permission in Full
REGISTERED	24 April 2020
APPLICANT	Saint Helena Developments Limited
PARCEL	Various Land Parcels at these Locations (See Locality)
SIZE	Various Areas of land at these Locations
LAND OWNER	Private
LOCALITY	Horse Pasture
ZONE	Coastal Zone
CONSERVATION AREA	None
CURRENT USE	N/A
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Sentinel Newspaper on 30 April 2020▪ Revised EIA – Sentinel Newspaper on 11 March 2021▪ A site notice displayed in accordance with Regulations.
EXPIRY	28 May 2020 and 9 April 2021
OBJECTION RECEIVED	Yes
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Water Division	No Objection
2. Sewage Division	No Objection
3. Energy Division	No Objection
4. Fire & Rescue	No Objection- Comments
5. Roads Section	No Objection - Comments
6. Property Division	No Response

7. Heritage	Objection - Comments
8. Environmental Management	Response - Comments
9. Public Health	No Response
10. Agriculture & Natural Resources	No Response
11. St Helena Police Services	No Objection - Comments
12. Aerodrome Safe Guarding	Not Consulted
13. Enterprise St Helena (ESH)	No Objection - Comment
14. National Trust	Objection - Comments
15. Heritage Society	Objection - Comments

B. PLANNING OFFICER'S APPRAISAL

Location and Orientation: The development application site is located on the North Western side of the Island adjacent to Lemon valley on what is historically known as the "Horse Pasture" site. The site is approximately 1km north of Head O'Wain and is just north of the area allocated for comprehensive development at Burnt Rock.

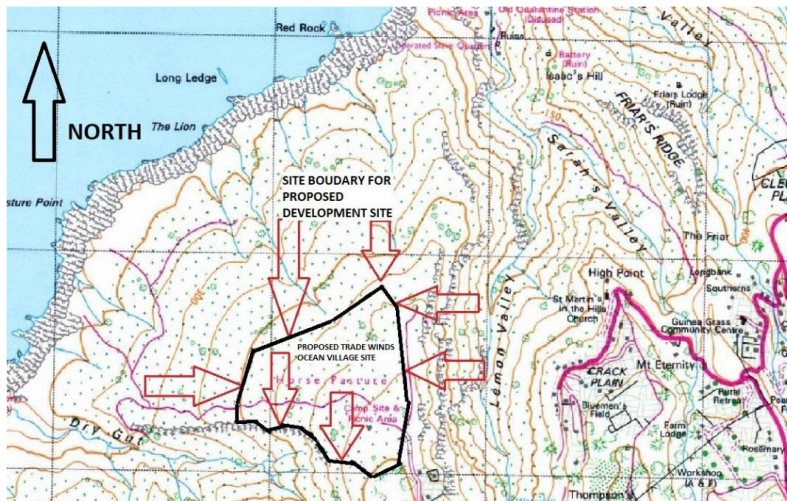
Diagram 1: Location Plan



Site Description:

The application site consists of 105 acres of open land with approximately 5 acres of land that can be described as pasture land. This part of the site is relatively flat and is used for purposes of camping and is identified as recreation and leisure area in the Land Development Control Plan 2012 (LDCP) In the upper part of the site there is a slight slope, but the gradient changes considerably northward and westwards towards the coast and provides an unrestricted view of the ocean in these directions. The site is mostly covered in common "invasive" vegetation, ground conditions are mostly loamy sand on the upper slopes and hard and rocky on the lower areas of the site.

Diagram 2: Application Site



There are number of existing ground tracks and paths that traverse the site which can be incorporated into the internal roads and paths network. The gradients of these track on some sections is considerably steep.

There is single access road to the area that is mainly single track with number of passing bays and with sharp bends and blind spots along this route which is typical of the country roads on the Island.

Diagram 3: Existing Area Aerial View



Currently, part of the site closest to the access road is utilised by the local community for the purposes of leisure and recreation that includes picnics and camping. Particularly at certain times of the year, it is one of the popular areas of camping. Although there are no communal facilities in the area other than few pit-toilets, it provides adventure to live close to nature. During some long week-end breaks it is utilised by local families. It is difficult to say whether the attraction of camping out and in particular visitor to this camping site has diminished in recent years, however

retention of this open space for recreation and leisure is important for the local community to enable continuation of this enjoyment.

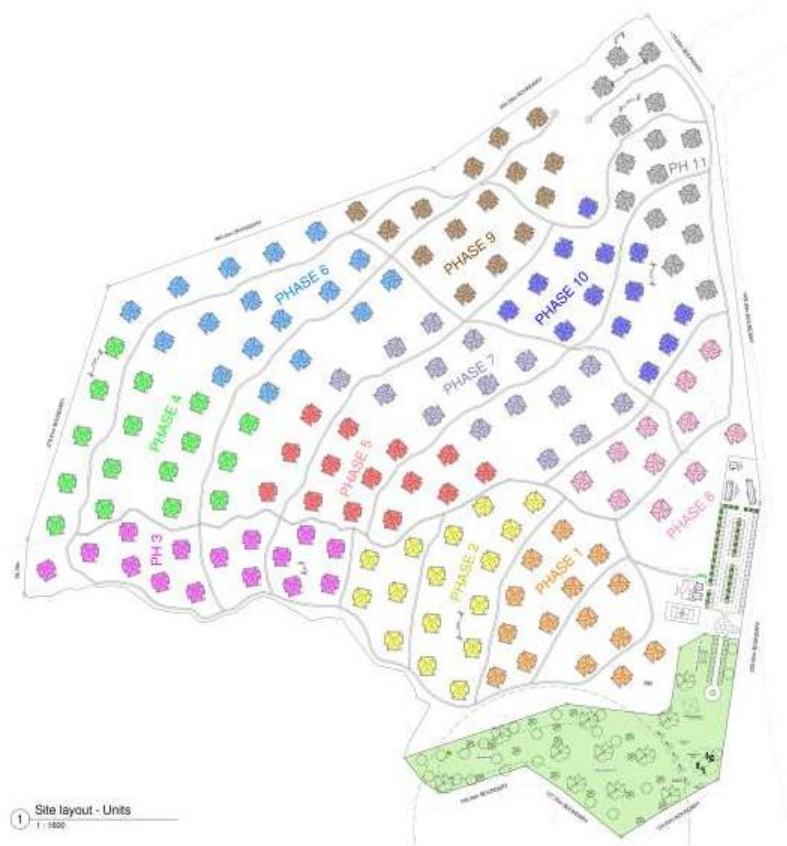
Diagram 4: Development Site with Number of Access Paths



Proposed Development

The proposed development comprises a mix of uses centred around recreation, leisure and tourism industry that has the opportunity to promote economic growth on the Island.

Diagram 5: Proposed Layout of the Development



The development is also promoted as a standalone and self-contained complex with anticipated improvements comprising of the following primary aspects;

- Housing Units – 150 units consisting of six different design types of two, three and four bedroom residential units
- Communal facilities for residents – Including Pool, Club house and tennis court and Residents Parking area
- Service area – including reception, managers house, laundry and back of house
- stores and maintenance and operations facility;
- Saints communal facility – Including camping and picnic sites, BBQ areas, children’s adventure and playground area and ablution facilities;
- Nature walks – the site has existing trails which the developer will improve and add to same to create access to all areas of the site and specific view-points to create the sense of a natural estate living experience;
- Existing Stone wall – The existing stone wall on the lower reaches of the site, although not listed, is in a state of disrepair and it is the developer’s intention to rehabilitate this wall back to its original state through the course of the project.

C. DESIGN PRINCIPLES FOR THE PROPOSED DEVELOPMENT

Overall Design Concept

The principles objective of the proposed development is to cater for a high value tourism facility encouraging international investors to own property on St Helena Island through single or fractional ownership, with the ability to place wholly owned properties into a ‘rental pool’ to be released through the hotel for short term tourist related lets.

Units will be freestanding homes varying in design depending on owner’s preference of size, style and budget. The developer is proposing six designs concept two each for the three different accommodation size, unique to this development, which is expected to satisfy a range of requirements. The development will be managed and maintained within an overall programme to a high standard to ensure best tourism experience for visitors in conjunction with the mandates of St Helena tourism board.

The development is intended to be self-sustainable as far as practically possible in its functionality and operation and will seek to utilise renewable energy and green technologies where possible. The development will not be fenced or partitioned in order to allow a sense of openness in shared common areas.

The construction methodology of the development intends to make use of a well established and proven prefabricated timber building system which will be imported in “kit-form” out of South Africa and assembled on site. The developer has previously constructed a pilot project (show house) in Sapper Way which is in full compliance with the prescribed regulatory requirements on all levels and the system is also

The development aims to provide on-site community facilities and the proposals will include the following;

- a. Dedicated parking area
- b. Ablution and Kitchen wash up facility
- c. Constructed BBQ areas including shaded “Lapa” area at each
- d. Children`s playground area and adventure course including Jungle gym equipment

Residential Development

There are six Submitted designs for the proposed residential buildings and these include two type of layout for the four, three and two bedroom size accommodations. The layout of the development includes open plan kitchen, dining room and lounge, en-suite bathrooms, store room and patio area and the bedrooms are appropriately located. The development also includes two parking spaces for the golf buggies with electric charging pints. The size and details of the accommodation is set out in the table below.

Table 1: Details of the Development Floorspace

TYPE	Bedrooms	Bathrooms	Internal m2	Open Patio m2	Covered Patio m2	GROSS m2
A1	4	4	155.02	36.84	6.81	198.67
A2	4	4	178.44	25.29	50.37	254.10
B	3	3	180	0	105	285.00
C	3	3	152.75	21.56	39.32	213.63
D	2	2	112.25	27.49	48.79	188.53
E	2	2	123.18	14.5	39.32	177.00

The applicant has not indicated how many of each of the development types will be delivered and where across the development as this will be determined by the market and demand of the investors. For the purposes of this development application and based on the development layout, the building plots are spacious and as there are no plot boundary or fences the various footprint of any size of building could be easily accommodated and will overall provide an open feel.

The layout and construction of the building for each developments plot will be subject to detailed plans for each phase of the development, however as the objective of this development is to minimise the need for mass and bulk excavation, as with tradition building construction, it will utilise the slope and the building will be on an elevated position supported on concrete and timber piles. This method of construction will also reduce the potential environmental impact through minimal ground disturbance.

Housing units are planned to be energy efficient primarily utilising a mix of connected mains and Solar systems including focus and taking cognisance of the use of;

- a. LED Lighting
- b. Gas or energy efficient electric cookers
- c. Energy efficient appliances and equipment
- d. If A/C of consideration by the buyer then of energy efficient inverter type.
- e. Day/Night sensor type external light fittings
- f. Solar water heating and external solar path lighting
- g. All external lighting to be low light-pollution design

The entire internal electrical distribution network will be designed to blend in with the development as well as the natural environment. All structures, equipment and switchgear will be low profile, following natural contours. The environmental management plan for the development will form an integral part of the specification and requirements construction work.

With a challenging water supply situation on St Helena, the proposed development is designed to be primarily standalone thus having minimal impact and demand on the municipal availability. However, there are still some detailing and design for the proposed system to consider. The applicant is anticipating that this will incorporate the following;

- Primary supply - Rainwater harvesting into bulk storage
- Secondary supply – Supplementary supply from proposed dam construction on adjacent property
- Secondary (Alternate) supply– Supplementary supply from desalination plant at Lemon valley, subject to relevant approvals and only if needed.

The applicant recognises that the anticipated average annual rainfall is relatively low and in certain months of the year it is estimated that the proposed system may be challenging and therefore this can be compensated through creating sufficient on-site bulk storage. The applicant has calculated potential demand based on the occupancy level of development. Although, a number of scenarios have been presented in the enclosed documents, however there is a shortage of detail provided for the provision of in the operation of the development. There are also no details of the proposed dam or its location as one option and the picture is the same for the desalination plan as another option. Whilst it would have been helpful to have more details of these proposal up front at this stage for the proposed development as the provision is important for the development and use, however this can still be dealt with as a condition requiring full details of how the provision of the water supply will be met before construction of the residential development commences. Any proposal for the construction of a dam or a desalination plant will require a full development application before any such development can be construction and depending on the location of these developments, it would need to meet all requirement for supporting

studies and documents with a development application. For the purpose of assessing this development proposal it is considered that the level of details on the potential demand for water and supply sources through rainwater harvesting for bulk water is helpful and together with the options for other source of supply being considered would meet the requirement of this development.

The development is proposing Biolytix MultiPod - Wastewater Treatment System for the development. Whilst this wastewater treatment system is widely used in Australia and New Zealand and not common in South Africa, however it is one of many bio-digestive sewage system and the applicant consider that given the use of non-mechanical Trickle filter type systems as widely used on Island would be effective. It is considered that subject to further evidence of development using similar system could assist in overcoming any reservation and an appropriately worded condition could be included, however, the development could still propose an alternative system that may become available at a time when the development is constructed, subject to the discharge of the condition.

The main access road within the development utilises the existing access tracks across the site that have been long established. These will be the primary routes and the service (secondary) roads that will need to meet the standard of the Road Design Guide adopted by the Highway Authority. There are also access roads that provide local access to the individual plots. Whilst no detail design of the roads has been provided, nor cross-section to access the gradient, however, it is considered these design details can also be included as a condition. The applicant was informed that these details would be helpful at this stage of the assessment of development, the officer were advised that these design details are being progressed but are not fully completed at this stage due to wider world pandemic situation and it can included as a condition to the decision.

The applicant has provided details off-site highway improvements and upgrade that will be required to improve accessibility to the area to ensure that the road network is able to cope the potential increase in traffic volume arising from the development. The proposal includes number of passing bays along the route, improvement of sight-lines and where possible over coming any blind spots.

D. CONSULTATION AND PUBLICITY

The applicant has engaged with the local communities and stakeholders over number year in the formulation of the development proposal. In January 2020, the applicant publicised and consulted with the local communities. The details of the development and schematic design were published in the local papers. The consultation included presentation to number of stakeholders and with three organised public meetings around the Island, where the residents had the opportunity to view the details of

development and seek clarification. Two of these meetings were reasonably well attended. The outcome of these meetings is captured in the submitted documents.

Following the submission of the development application in April 2020, the development application and Environmental Impact Assessment (EIA) document were advertised in the local paper, however no formal public consultation events were arranged by the Planning Service. The revised EIA was submitted in March 2021 and it was again advertised in the local paper and was subject to 28 days consultation and two public consultation meetings were organised by the Planning Service to encourage public feedback on the development proposal and the EIA.

Stakeholder Response

Comments have been received from number of stakeholders and the issues raised have been summerised below:

Connect Ltd (Water and Sewage)

- issue of water capacity and demand to support the development is raised;
- applicant has also stated in the documents that the development also seeks municipal water supply, but the applicant has not approached the company in this respect; and
- sewage proposed is unfamiliar to them, however there are no issues of concern and the use of “tiger worm” is questioned in respect of bio-security.

Connect Ltd (Electricity)

- no issue of concern as the development will be self-sustainable in terms of its own energy generation; and
- no request on potential future connection.

Sure SH

- no request for any future connections at this stage from the applicant.

Saint Helena National Trust

- EIA and EMP do not recognise full importance of wirebird at Horse Pasture, raised in the previous response to this development and recommendation was that Wirebird Habitat Management Plan, with management actions for species should be in place, to protect the species throughout construction process;
- EMP should have adequate controls in place for wirebirds and development should aim to increase biodiversity rather than just protect what is there;
- EIA fails to acknowledge the drought of 2019 which contributed to low wirebird numbers and it has ignored recent census results by the Trust that shows the area is a good habitat for wirebirds and that the population has been increasing since 2019 (recording 7 birds in 2020 and 8 birds in 2021);

- feral cats will be trapped and relocated, recommend that they are dispatched humanely so that they cannot continue to be threat to wirebirds;
- invertebrate baseline be established in conjunction with the Trust, this has not been established, survey records 4 invertebrate species (one of conservation significance);
- survey provides inadequate baseline of invertebrate species, EIA has not appropriately assessed risk development has on invertebrates - *EPO 2016* lists 285 protected invertebrate species on St Helena and records indicate significant number of species may be present on site, a full invertebrate survey be conducted before construction;
- lack of information about sewerage management, pollution from leakages in sewerage pipes is mentioned as a risk to the environment, EIA mentions that non-mechanical “Biolytic Digester” systems onsite but unable to determine if sewerage will be effectively treated on site;
- disposal at sea is a further risk of pollution to marine environments, not been documented in EIA, would be contrary to IUCN Cat VI (sustainable use only) marine protected area;
- vegetation not adequately managed in EMP, Plant Rescue Plan implemented using GPS locations of plants of importance present on site but no Plant Rescue Plan or list of GPS locations, this work should be completed as soon as possible;
- discrepancy between reports about barn fern, (van Neel report 2020) mentions barn fern likely to be present but (Malan report 2021) did not record barn fern, which is protected by law so further flora survey to determine if species and other species of conservation concern are truly present on site.
- heritage is not adequately managed in the EMP, commend restoration of dry-stone wall and wall and waterhole will have buffer zones to minimise disturbance from construction, but does not specify distance of buffer zone.
- waterhole, included in St Helena HER and should be located and protected as it is linked with Boer prisoners and used by locals - waterhole is in danger of being damaged as it is not very obvious;
- EMP does not have management actions for two ruins noted in the EIA; and
- cultural and social impacts not fully addressed in EIA/EMP, executive summary (Malan Report 2021) information on Social Impact Assessment requirements to be collected; but find no evidence of assessment in the report/EIA/EMP and consideration should be given to cultural and social impact assessment due to changes to camping area and access to traditional fishing grounds.

Heritage Society

- EIA is completely flawed from its baseline it states the site is not in the Coastal Zone when it is and at the public meeting CPO stated principle planning policies governing the development is Coastal Zone policies;

- development will not sit on the sky-line when it will, EIA states there will be NO effect and is complete opposite and CPO stated it will be visible from the sea but the EIA says it is uncertain;
- EIA cannot be taken seriously, trusted or have confidence in development application;
- strongly objects to this application because it does not comply with basic planning policy of the LDCP and no confidence can be held in the EIA;
- application fails to meet requirements for development in LDCP Coastal Zone and Housing Policies CZ.3 (e) and H.3.- “Development permission will be granted for dwellings on land in the Coastal Zone where the proposed development complies wholly with policy for the Coastal Zone CZ.3...”
- site is within a distance of 250m from the shore and only 10% of land is 10m or higher, development protrudes above its surroundings by as much as 180 and does not comply with CZ.3 (e) or with H.3;
- fails to meet requirements for development for Social Infrastructure Policy SI.1 (b) as development does not include adequate provision for social development of the island including provision for people with disabilities and would prejudice or preclude such from development;
- site is used by the public as a designated campsite and has been established for decades and development seeks to reduce the established availability for camping from 73 acres to just 6, a reduction of 92% and cannot be described as an enhancement of existing facilities with creation of playground facilities;
- development will “prejudice/preclude social development” envisaged in SI.1 (b);
- Social Impact Assessment omitted from EIA, camping is part of St Helena culture and heritage and the ‘exclusive’ gated nature of proposal runs counter to culture and likely to have an adverse effect upon environment, Ordinance-section 21(2);
- Economic Impact Assessment - house prices in excess of current housing market, have adverse effect on housing market of the island and lead to local people being priced out of the market and have serious effect on local culture and heritage;
- Horse Pasture is major site for habitat of bees owing to the flora and reduction of this habitat through proposed development could undermine the island policy to produce its own honey;
- layout of the site is uninspiring and with its gatehouse facilities it is more like a caravan park and no attempt to create architecture of a sustainable community;
- proposed buildings are alien to St Helena and no attempt to emulate traditional building or to use local stone;
- project emulates South African scheme with no roots in St Helena;
- proposed buildings are bungalows on stilts, present a front elevation the size of Plantation House, houses are completely out of scale with traditions of the island;
- walking along the site access roads will mean looking up at two storeys of exposed foundations and sewer pipes;

- development will not enhance the island of St Helena
- site is on the saddle of a hill this means the building size and height will be visible on the horizon from High Hill that is three miles away and New Ground, two miles in the opposite direction;
- development will destroy the natural serenity of the Coastal Zone Post Box walks which is contrary to intentions of tourism promotion in the Coastal Zone; and
- entire proposal is ambiguous in its division between residential and tourist houses.

Officers Response

The issues raised by the stakeholder question number of shortfalls in the EIA which are assessed in more details under the EIA assessment of this report. The number of issues highlighted by the stakeholders in respect of the impact on the environment is inevitable as the development is on open green area which is rich in ecology due to its natural state which is mainly undisturbed. Similarly the scale of development on the natural terrain of the Island will also have considerable impact on the landscape both from number of prominent higher points and also from the sea, even though the development is set away from the immediate cliff edge.

The applicant is promoting the development to be self-sustainable, however the volume of development being proposed is likely to place some burden on the existing services and resources on the Island in terms of water provision, energy and disposal of sewage. The important thing is to ensure that the potential impact arising from the development is effectively managed, inclusive of the mitigation that will be put in place during construction for the operation uses for the lifetime of the development.

In terms of the comments from Sure and Connect, these are noted and conveyed to the applicant for consideration in the preparation of the details of design and further assessment of impact of development and provision the consequences of any potential adverse impact from the development is not so

Representation

One written representation has been received in respect of this development from Paul Edney for the initial consultation and to the revised consultation and point raised on both occasions is to promote the use of PV solar panels on the north facing roofs to generate local energy and the more use of electric car and installation of charging points including the public car parks.

Officer Response

The issue raised are already within the development proposal. With the promotion of electric cars in this development and for the future of the Island there is merit in ensuring charging points for electric cars are more readily available in the car parks. This can be conveyed to the applicant for his consideration.

E. ENVIRONMENTAL IMPACT ASSESSMENT

The development application was accompanied by Environmental Impact Assessment report reviewing the potential and perceived impact of the proposed development on the general environment of the area. The report also considers number of mitigation measure that can be put in place during the construction of the development and during the operation of the development to minimise and/or reduce the potential and perceived impact.

The initial EIA document submitted with the development application was considered to be a little short on details and assessment and the applicant was requested to review number of issues raised by the officers and stakeholders. A revised EIA report and Environmental Management Plan was submitted for further consideration. The revised document is now considered to be more comprehensive. Whilst some stakeholders have still raised concerns on the level of information included and details of the current assessment of the environmental conditions, however it is considered that the document is now a reasonably good assessment of the environment and the local ecology both in terms of the number of assessments of the factors and activities undertaken and the qualitative assessments.

The EIA has assessed number of environmental factors and activities in respect of the proposed development during the construction of the development and post construction when the use will be operational. These environmental factors and activities range from surface and groundwater pollution due to release of pollutants, such as chemicals; wastage of water resources; loss of fauna habitat (*Mammals* - Donkeys); loss of fauna habitat (*Birds* -Wirebird and Fairy tern); disturbance of fauna species onsite (mammals, birds and invertebrate); destruction of natural Vegetation; construction activities in the Scrubland vegetation where bryophyte (liverworts and mosses) species may occur; loss/destruction of endemic and native flora species (bayonet grass, purslane, spotted tongue fern, fish bone grass, rock sike rush fine rush and neglected sedge); loss of the ecological function of the natural vegetation areas; disturbance or destruction of cultural, architectural and heritage resources (*Stone Wall*); generation of dust by Vehicles; possible soil erosion at exposed building footprints due to high runoff; construction of structures that cover the soil surface by means of concrete, tar or paving; potential increase in crime due to influx of workers; and increase in traffic volumes to the site. In total 43 environmental factors and activities have been analysed.

For the post construction assessment additional factors and activities include: surface and groundwater pollution due to potential release of wastewater (sewage); wastage of water resources; hydrocarbon spillages from vehicles; habitat fragmentation; possible increase in exotic and invasive vegetation; deterioration of natural vegetation and eventual loss; loss of the ecological function of the natural vegetation areas;

generation of dust by Vehicles; release of vehicle emissions; soil pollution due to incorrect management, storage and disposal of waste (general and hazardous waste); increase in traffic volumes to the site. In total 25 environmental factors and activities have been analysed.

For the construction stage, of the 43 environmental factors and activities assessed, ten were considered to have high adverse impact, twenty-eight of medium adverse impact and five with positive impact. With the various mitigations in place the overall adverse impact is considerably reduced. There is no single factor/activity that has high adverse impact remains high. Similarly of the twenty-eight factors/activities that were considered to be of medium adverse impact only one factor/activity remains with medium adverse impact and that is for Current land use to cease completely until structures are removed. This is off-course inevitable as the current use of the area for the community facility and recreation will not be available for a period of construction, but some element may still remain within the wider area. This is reflected in the assessment score which is reduced to 12 from 15 with mitigation. The two factors/activities previously with high adverse impact and now with medium adverse impact following mitigation relate to “Loss of the ecological function of the natural vegetation areas” and “Construction of structures that cover the soil surface by means of concrete, tar or paving.” This is again to be expected as areas previous with natural vegetation and ecology will be reduced with construction and coving of the area with tarmacadam and paving. The table below shows the potential impact of the construction and the how factors/activities assessed have changed following mitigation measures.

Table 2: Assessment and Outcome of Mitigation during Construction

For the Construction Stage of the Development 43 Factors and/or Activities					
Potential Impact	Number of factors and/or activities	Potential Impact Following Mitigation Measure			
High Adverse Impact	10	High to High	High to Med	High to Low	High to Pos
		0	2	8	0
Medium Adverse Impact	28	Med to High	Med to Med	Med to Low	Med to Pos
		0	1	27	0
Low Adverse Impact	0	Low to High	Low to Med	Low to Low	Low to Pos
		0	0	0	0
Positive Impact	5	Pos to High	Pos to Med	Pos to Low	Pos to Pos
		0	0	0	5

For the operation stage of the development following construction, 25 factors and activities were identified for assessment; four of these were considered to have high adverse impact, sixteen with medium adverse impact, one of low adverse impact and

four with positive impact. Assessment following mitigation has shown there is considerable reduction in the adverse impact with only five factors/activities having medium adverse impact and sixteen with low adverse impact and four having a positive impact. The four factors/activities with medium adverse impact includes loss of the ecological function of the natural vegetation areas, generation of dust by vehicles, release of vehicle emissions, generation of nuisance and noise from vehicles, machinery and maintenance activities and increase in traffic volumes to the site.

Table 3: Assessment and Outcome of Mitigation – Operational stage of Development

For the Operation Stage of the Development 25 Factors and/or Activities					
Potential Impact	Number of factors and/or activities	Potential Impact Following Mitigation Measure			
High Adverse Impact	4	High to High	High to Med	High to Low	High to Pos
		0	4	0	0
Medium Adverse Impact	16	Med to High	Med to Med	Med to Low	Med to Pos
		0	1	15	0
Low Adverse Impact	1	Low to High	Low to Med	Low to Low	Low to Pos
		0	0	1	0
Positive Impact	4	Pos to High	Pos to Med	Pos to Low	Pos to Pos
		0	0	0	4

These are all factors and activities whose adverse impact can be reduced through management of operational activities but cannot be totally overcome where a level of development is permitted. It is considered that with the level mitigation proposed through the Environmental Management Plan, the impact of the proposed development is acceptable, whilst recognising that there are other wider economic and social benefits that can also accrued across the Island that will promote further economic growth and prosperity through training and employment opportunity in other related sectors.

Chief Environment Officer

The Chief Environment Officer (CEO) reviewed the original EIA report and raised number of issues concerning its content, relevance to St Helena regulations, locally based information, baseline information and the form of assessment. The issues raised, together with those of the other stakeholders were conveyed to the applicant and a revised EIA report was submitted in support of the proposed development. The general view of the CEO on the revised EIA report is that some of the issues raised previously have been addressed. The summary of the CEO is set out as follows:

- Scoping Report has been commissioned by third party consultant and it is not clear how this fit into the EIA process as the screening determines which impacts

- are potentially significant and this is a trigger to continue the EIA process and produce an EIA report and the Scoping determines what should be included in the report;
- EIA report is not structured to show a clear process of identification of impacts, establishing a baselines, assessment of impacts, identification of mitigation measures, assessment of impacts after proposed mitigation and monitoring and reporting;
 - report reference the *Land Planning and Development Control Ordinance, 2013* and the *Land Planning and Development Control (Environmental Impact Assessment) Regulations, 2013*, however there are also references to the *2008 Ordinance* and subsequently references to Type A and Type B developments and this is confusing and incorrect;
 - report also references *A Procedural Manual for Environmental Impact Assessment, 2010*, which was written to accompany *2008 Ordinance* and the Screening and Scoping Checklist used are taken from this Manual;
 - identification of environmental issues: checklist used to identify relevant environmental issues has not considered
 - visibility from the sea and coastal areas,
 - potential for excavations, cause scarring and erosion,
 - undermining of rock stability and potential for rockfall and land slides,
 - new access requirements on to and within the site, and
 - mpact on recreational users of the area (campers, picnickers, fishermen);
 - not altogether clear how the checklist was used in the EIA process, the last column 'Significance' references significance in the context of mitigation, as the checklist is usually used to determine whether or not impacts are significant enough to require EIAR report and significance is usually recorded before mitigation;
 - groups of people omitted from Interested and Affected Parties,
 - adjacent landowners should include residents in adjacent and nearby properties particularly those that will be able to see development from their properties, and
 - those affected by the increase in traffic in the area - campers, picnickers and fisherman that currently use the area should be included.
 - *quantified assessment of impacts*: have been identified and there is a clear criteria for the impact assessment and issues are rated before and after mitigation;
 - *statement of data and baseline information used*: provides data and baseline information, however, there are number of shortcomings:
 - wirebirds further information should have been included on the overall significance of the site and the importance of the area as wirebird habitat
 - Island-wide census data and year on year analysis could have been included to show trends and give a more accurate picture;

- section on invertebrates includes an overview of invertebrates found on the Island, however it is not clear what relevance this has to the development area;
- reference is made to the invertebrates found during a survey in December 2020 and the full report, the Biological Survey Report is included as an Appendix;
- section on flora includes information on St Helena flora generally but it is not clear which species are in the development area and the Biological Survey Report does include a list of all of the plant species found in the development area;
- development site is one that has not been previously developed, nor have there been any detailed surveys of this site, a baseline ecological survey was needed to establish what is on the site;
- independent environmental consultant (a botanist) was commissioned to provide supplementary environmental information, description of what was requested is a bit odd for a botanist and from the flora and fauna survey it appears that a walk over of the site was done;
- methodology lacks detail, reference to a desk study is not clear as to how much information was available for this area and from the literature cited there were no references to actual studies done in this area;
- survey methodology is not detailed, there are no maps of the area showing survey points or areas covered and the survey was done over a short period during the dry season;
- reference to seasonal variations is included with the conclusion that only minor variations are likely although there is no explanation as to why this conclusion has been drawn;
- there is a good description of the flora present this is not mapped either generally or in relation to the actual proposed development and the series of photographs should be labelled to show the key features/species depicted, description of fauna (mammals, birds, reptiles, amphibians and invertebrates) is given and the wirebird section should be more developed and would have benefitted from direct dialogue with the SHNT;
- invertebrate assessment is particularly weak as no sampling has been undertaken or reference made to the findings of other surveys with similar habitats and there should be further information on the blushing snail and where it was found;
- heritage section is also weak as further details on the identified features should be included;
- climate section gives general statements and there are no references to rainfall, temperature and wind at the development site;
- biolytic digester is proposed for sewage treatment, however there are no details on how this would work;
- cumulative impacts are considered, however this section is very brief and further impacts could have been identified and discussed;

- *Mitigation Measures:* these are included with baseline information and includes Wirebird Management Guidelines and are acceptable, however SHNT should have been consulted to ensure advice given is consistent for this species;
- under the recommendations for seabirds there are recommendations to minimise the impact of lighting and further references to sensor external light fittings and all lighting to be of low pollution design, this is a good approach to minimise light pollution and impact on biodiversity and it should be noted that development will need to comply with dark skies requirements and the legislation (this is still in draft for. and there are no regulations or guidelines at this time);
- further possible mitigation measures have been identified from the issues identified and the mitigation measures proposed are mostly appropriate and reference to a botanist (flora (plant) expert) for monitoring wirebirds and other fauna (animals) would not be appropriate unless the person is multi-skilled;
- reference to blocking amphibian and reptile access is considered unnecessary in the St Helena context as we only have 1 species of frog and 1 of gecko and this reference to fauna species could be more specific to the fauna species actually here;
- references to institutional set-up could be more specific and references waste to be disposed of at an appropriately licensed facility this should be at HPLS; reference to a burning programme to control vegetated areas and although it is a recognised and an effective control method elsewhere, however this is not usually done here;
- *Monitoring and Reporting Procedures:* these are not included in the EIA report but covered in separate document, Environmental Management Programme (EMPr);
- *Outline of Alternatives:* an outline of the alternative considered is included with reasons for choices, however no alternative sites were considered and the justification for this is acceptable;
- Non-Technical Summary is included as a quick reference for a lay person with Tables 1 and 2: Summary of Construction Impacts and Summary of Operational Impacts, respectively, but this should be clearer, stating what Ext, Dur, Mag/ Pro means and why there are 2 sets of columns; and
- *Indication of Assumptions made and Constraints:* there is a brief reference to the assumptions made, but there is no reference made to constraints and the point stated on gaps in knowledge does not make sense.

The CEO concludes that the EIA report should be of a quality and with a level of detail to enable the environmental impact of proposed development to be adequately assessed by the determining body. Whilst the EIA report does include an identification of environmental issues, an assessment of impacts and proposals for mitigation, however the underlying baseline for some of the issues is considered inadequate. This relates particularly to the ecological baseline which has not been achieved. A full ecological baseline should be

established with species of significance clearly mapped on to the development site plan so that the impact of the proposed development can be clearly assessed.

The CEO recommends that the inadequacies of this EIA report are noted and that these are addressed by way of an addendum to the EIA report rather than a rewrite and resubmission of the entire EIA report. In view of the conclusion of the Chief Environment Officer, the requirement for an addendum to the EIR report assessing the issues raised and in undertaking further survey of the local ecology and with an improved recording of the finding can a condition for granting consent should LDCA and Governor-in-Council are minded to support the proposed development. Furthermore, given the current economic environment and its impact on world travel, it is unlikely that this development will be delivered imminently. The environmental conditions on this application site will continue to evolve given favourable climate and a condition require an addendum report would have been required closer to the point of construction to assess the local environmental conditions.

D. DEVELOPMENT ASSESSMENT

PLANNING POLICY

Land Development Control Plan 2012: The relevant Land Development Control Plan policies that are applicable in respect of this development include the following:

- Coastal Zone Primary Policy CZ.1, Policy CZ.3
- Social Infrastructure SI.1(b), SI.11 and SI.12
- Water Supplies Policy W2
- Sewage, storm and Drainage: Policies SD1(b, c) and SD7
- Road and Transport Policies: RT1(c)(d)RT7
- Employment Premises EP.1, EP.3 and EP.4

The Land Development Control Plan policies identified for the assessment provides direct and indirect support in principle and for details of the proposed development and for this reason the assessment must be for all policies where applicable. The principle policy for the assessment of the proposed development is CZ.1 and CZ.3 which states:-

CZ.1: *There will be a presumption in favour of retaining the natural appearance and ecology of the Coastal Zone and the grant of development permission will therefore be regulated by the following implementation policies with the presumption that all development shall include provision for rainwater collection, storage and re-use, commercial development shall include provision for grey water treatment and re-use, and all development shall include for sustainable treatment of sewage without risk of pollution.*

The emphasis of the principle policy is to retain the natural appearance and ecology of the zone, however it still recognises that development in this zone would be granted in accordance with the other policies that will govern their implementation and delivery to ensure that the principle objectives are implement. In this respect, the

design of the proposed development which minimise the level of excavation required for the development will ensure that least ecology in the development area will be disturbed in comparison with the more traditional construction on the Island that entail considerable, in some case unnecessary level of excavation to create platform for the buildings.

All other elements of sustainable development objectives, as set out in the aspiration of this policy, are being promoted by the development, related water collection and storage and grey-water treatment, energy generation and sewage.

CZ.3: *Outside Coastal Village Areas and National Conservation Areas (and within National Conservation Areas until their Management Plans are available), development permission will be granted in the Coastal Zone for tourism, recreation-related and residential development, provided*

- a) the development is designed to comply with the aims of the primary policy, and*
- b) it does not utilize productive agricultural land except as provided in policy CZ.4 including land which has been in agricultural production in the previous five years, and*
- c) except for development of the first two single dwellings on privately owned parcels (as at 31st December 2011) the total floor area of the residential component of such development does not exceed the total floor area of the tourism related component, and*
- d) where the development is within 250m of the shore, the development shall have a backdrop of land as viewed from the sea and any buildings forming part of the development shall be not more than three stories high and shall be finished externally predominately in local stone;*
- e) where the development is not within 250m of the shore, the development is sited such that it has land at least 10m higher than the development on at least two sides of it within a distance of 250m;*
- f) in all cases where the development includes the construction of buildings, any buildings which are visible from any other building forming part of the development, or visible from any existing building within 250m, shall be laid out and designed in their form, proportion, scale, details, external materials and landscaping such that they demonstrate a coherent form of development with such other building;*
- g) buildings within the development shall not be brought into use in advance of the availability of access and all relevant services including drinking water, foul and storm sewerage, with the presumption that all services will be provided in a sustainable form and without risk of pollution.*

The proposed development site is not within the Coastal Village are and is outside the designated National Conservation Area and development aimed at leisure, recreation

and tourism is acceptable. The policy also supports an element of residential in this zone. The proposed development is aimed at promotion of tourism development that will encourage economic growth and investment on the Island. The residential development is aimed at the tourism industry, however the management and administration of the residential accommodation is probably new concept for the Island, but one that has become very common internationally as contained holiday village development.

The nature and volume of the proposed development and the terrain of the area is not incognisance with the policy due mainly as the policy relates to small form of development, usually consisting of single buildings. The volume of development and the nature of building design is therefore a departure from the policy. Even if the volume proposed development is taken collectively, the development may still be visible from wider location. However, as the policy stipulates that development of a three storey building is acceptable within the zone then it is difficulty see how such a form of development will meet certain section of the policy. Given the terrain of the area and its position in close proximity to the coast on the higher ridge it is likely that some element of the development will be visible from the sea.

The Social Infrastructure policy provides an important consideration in the assessment of the development as set out:

SI.1(b): *Development permission will not be granted for new residential, employment or tourism-related development which does not include adequate provision for the social development of the island including provision for people with disabilities; and development permission will not be granted which would prejudice or preclude such development.*

With the objective of the policy to making facilities more accessible for the wider community and in ensuring that developments do not prejudice or preclude any group, the proposed development will provide improvement in community facilities, in particular access to camping. The provision of new facilities, that currently do not exist in the area, the proposed development will make the enjoyment of camping more accessible to a wider group of people in particular those with any form of impairment. Overall the development meets with the wider objective of this policy in provide facilities that will promote and facilitate the enjoyment of camping. Similarly the provision of new playground facilities/equipment for young people and proposed improved access to other recreational and leisure facilities is a wider benefit.

The applicant has indicated that the implementation of the community facilities will be delivered within Phase one of the development so that the communities are not disadvantaged through loss of this facility.

SI.11 *In relation to primary policy SI.1b, the development design briefs for Comprehensive Development Areas and Coastal Village Areas will include the requirement for inclusion of community facilities and public open space proportionate to the scale of the development and retention of existing established footpaths. Where, exceptionally, paths have to be diverted, the diversion shall be convenient to the users of the footpath.*

The proposed development is not within an area identified as a Comprehensive Development Area in the LDCP, however the development is comprehensive in its form. The development also forms part of the area of around 5 acres identified for leisure use in the LDCP and with the adjoining area is used for camping and picnic. The proposal will relocate the leisure area and increase the available land to around 8 acres. With the addition of the play facilities and the provision of facilities for the community that includes, washing, shower, toilets and BBQ area meets with the objectives of this policy.

There are number of footpaths and access tracks within the 105 acre site and these will see an element of improvement, with them being upgraded for accessibility to motor vehicles, but access on the whole will be unaffected. It is inevitable that few of the path may need to be diverted to enable construction of the building. The development will meet the overall objective of the policy in the delivery of improved community facilities that will provide wider community accessibility and benefits.

SI.12 *Development permission will be granted for tourism-related development and new commercial and community development only where satisfactory provision is made in the design of the development for access and usage by people with disabilities to all publicly accessible buildings.*

The objective of this policy is line with the policy SI.1(b) above and the proposed development is in line with the policy. The various design of the residential buildings are provide accessibility for usage by people with disability with a level access and minimal physical restriction.

Other Policy: The proposed development is meets the requirement of the other policies set out in compliance with the implementation of the development, although some the detailed requirement will be sought as conditions. These details will need to be provided before development commences to ensure the development is fully in compliance with these implementation policies.

E. CONCLUSION AND RECOMMENDATION

The development application for the Trade Winds Ocean Village development presents many challenging issues which have been discussed in details and this also includes the number of issues raised by the stakeholders on the level of detail and lack of detail in the proposed development. The assessment of the EIA report has highlighted emission of local environmental condition, however it is considered that a future addendum to the EIA report providing the additional information and assessment closer when the development will begins should overcome the concerns of the stakeholders. Similarly, the level of detail provided by the applicant on the layout of the development is adequate to make a decision on the proposed development. There will be a need to provide additional level of details in term of the provision of water, adequacy of the sewage system and disposal and discharge of waste water, the construction of the primary, service and access roads within the development site and delivery of each phase of the development. These details all that may be subject to some alteration/amendment when more detailed assessment of the site is undertaken and these will need to be provided before development commences. It is therefore considered that conditions requested approval of these details would be the most appropriate way to deal with this.

In principle, the proposed development is supported by the various LDCP policies that have sent in the report, however the issues that remains is whether the EIA report assessing the impact of the proposed development on the local environment is sufficient. Whilst there are concerns on the insufficient information on the local ecology and the survey information on the site, however the assessment of the potential impact arising from the proposed development on the number of environmental factors and activities is comprehensive for the construction stage of the development and for the operation of the use. There are number of factors that have considerable adverse impact on the local environment, however with the appropriate level of mitigation there is reduction in the adverse impact. Similarly, there are also number of positive outcome from the proposed development and these relate mainly to economic growth and prosperity and social benefits to the community.

It is concluded that there is considerable development plan policy support for the proposed development as set in the report. Whilst it is considered that further details design and construction details, including information contained in the EIA report, however it is considered there is sufficient justification in the number of other development plan policies to support the proposed development. The proposed development will have effect on the ecology of the area because this is a greenfield site which has had little development activity in recent years other than through camping, picnic and trekking across these grounds, as is very much the case for large

parts of Island, except for those areas that have already been developed. And that development application is supported to promote and enable future investment that will encourage economic growth and prosperity particularly in the tourism industry.