

## Planning Officer's Report - LDCA OCTOBER 2023

<b>APPLICATION</b>	<b>2023/40</b> – Proposed Two Storey Dwelling
<b>PERMISSION SOUGHT</b>	Full Permission
<b>REGISTERED</b>	17 August 2023
<b>APPLICANT</b>	Diocese of St Helena, C/o Bishop Dale
<b>PARCEL</b>	HTH0099
<b>LOCALITY</b>	Behind St. Andrews Church, Half Tree Hollow
<b>ZONE</b>	Intermediate
<b>CONSERVATION AREA</b>	None
<b>CURRENT USE</b>	Existing Church Grounds
<b>PUBLICITY</b>	The application was advertised as follows: <ul style="list-style-type: none"><li>▪ Independent Newspaper on 17 August 2023.</li><li>▪ A site notice displayed in accordance with Regulations.</li></ul>
<b>EXPIRY</b>	31 August 2023
<b>REPRESENTATIONS</b>	One
<b>DECISION ROUTE</b>	<del>Delegated</del> / <b>LDCA</b> / <del>EXCO</del>

### A. CONSULTATION FEEDBACK

1. Sewage & Water Division	Comments, Recommendations & Considerations
2. Energy Division	No Objection
3. Fire & Rescue	No Objection
4. Roads Section	No Objection
5. Property Division	No Response
6. Environmental Management	No Response
7. Public Health	No Response
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	Not Consulted
10. Aerodrome Safe Guarding	Not Consulted
11. Sustainable Development	No Response
12. National Trust	No Objection
13. Sure SA Ltd	No Objection

14. Heritage Society

No Response

15. Maritime

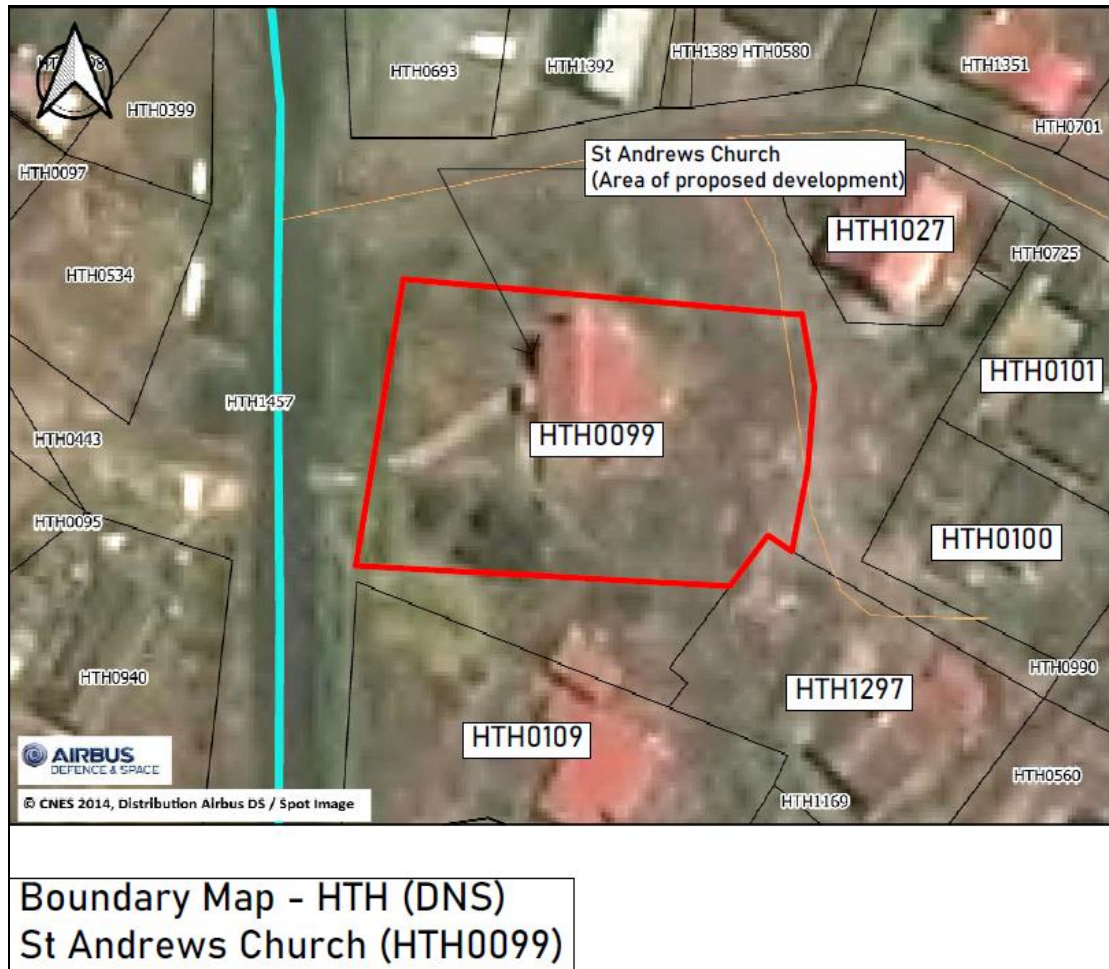
Not Applicable

## B. PLANNING OFFICER'S APPRAISAL

### LOCALITY & ZONING

This plot is located within the residential area of Half Tree Hollow, where it is designated within the Intermediate Zone and has no conservation area restrictions.

### Diagram 1: Location Plan



### PROPOSED DEVELOPMENT

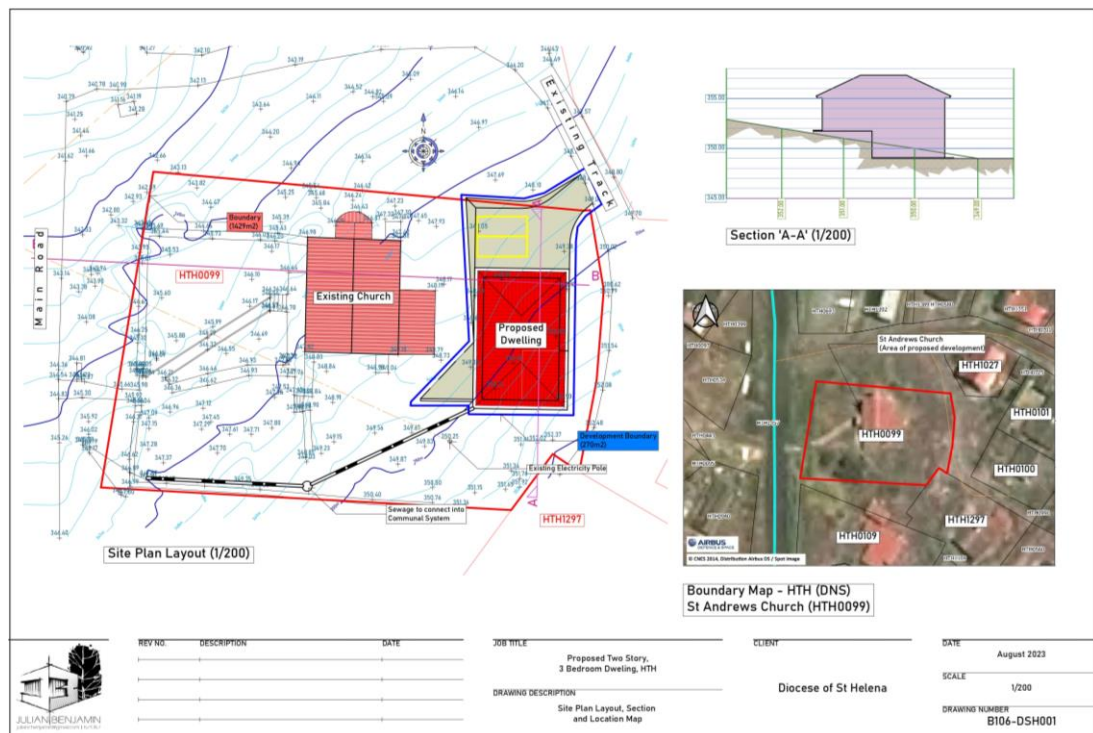
The developer proposes to construct a two-storey dwelling that will serve as the principal family home of the Vicar and also to function as the official meeting place for matters concerning the Diocese of St. Helena, within the dedicated space called the Surgery on the Ground Floor. The proposed dwelling will have a total floor area of 170 meters squared; of which the Ground Floor being 76 meters squared and the First Floor being 94 meters squared. The Ground Floor will consist of; a main entrance with a porch that leads into a relatively large hall, a stairway leading to the

upper floor, an open plan kitchen-dining and lounge area, a Surgery (dedicated meeting room) and adjoining toilet. There is also a second entrance to the North side of the house that leads directly into the kitchen. The First Floor consists of; a generous sized landing area and hall space, a master bedroom with a walk-in closet and ensuite bathroom, two additional bedrooms with in-built closets and a separate family bathroom. There is also a patio area with a balcony situated front and central of the upper floor.

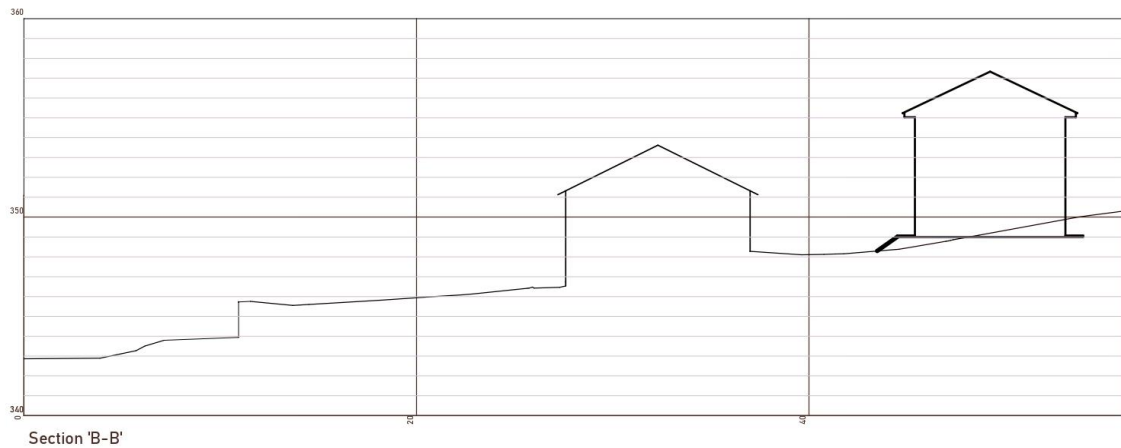
The two-storey building is designed to be situated upon a split-level excavation, to make best use of the natural gradient of the landscape and available space within the property boundary. The proposed development will be constructed using concrete block work and IBR roof sheets in a colour that will complement neighbouring properties. The roof style will be a hip roof. The footprint of the dwelling is of a similar size to that of St. Andrew's Church and is within the property boundary lines and parameter lines of the construction footprint. Some moderate excavation is required for the lower level of the development. Access to the property will be from the north-east side of the dwelling, using an existing communal road within the immediate neighbourhood. There will be sufficient space on the property post-construction, for at least two parking spaces with enough room to manoeuvre.

The house itself is strategically positioned directly behind the church and more towards the south side, so as to; minimise visibility from the main road and not completely overshadow the prominent and longstanding church, which, albeit is not a listed building, possesses similar reverence and gives unique character to the local area.

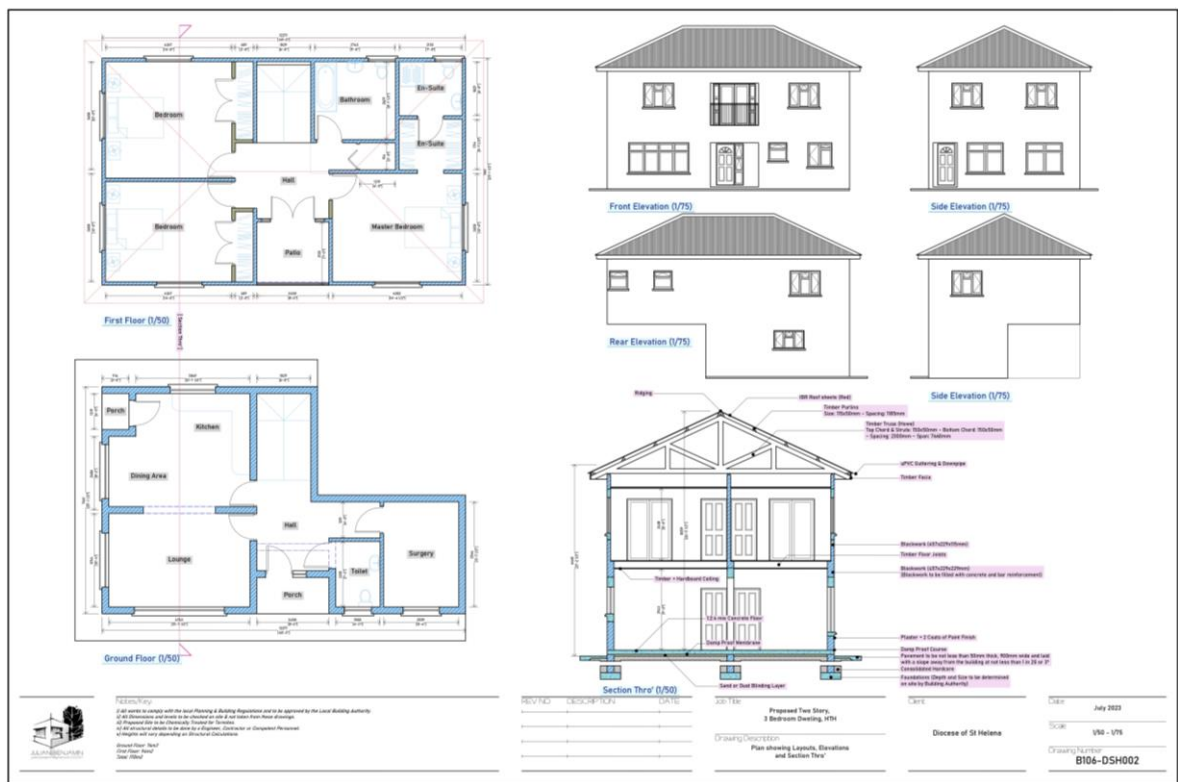
## Diagram 2: Site Plan



### Diagram 3: Cross Section



### Diagram 4: Proposed Floor Layouts



### STAKEHOLDER FEEDBACK & REPRESENTATIONS

Two representations were received; one being from Connect Water & Sewerage and one being a member of the general public.

#### Representation #1 – Connect Water & Sewerage

*“In determining the application for planning permission, consideration needs to be given to the fact that the current public sewerage system is at capacity and any new build which is*

*likely to result in an additional burden upon the public sewer system may not be sustainable and may result in additional issues within the public system, including potential discharges.*

*If permission for planning is granted, there will be a need to take into consideration the current capacity issue until such time as capacity has been increased.*

*Accordingly, if planning is granted it may be appropriate to consider imposing conditions on the planning application, such as:*

- *limiting the number of occupants that may reside at the premises and/or*
- *requiring the applicant to provide alternative ways to deal with waste water which does not rely upon a connection to the public system; or*
- *preventing occupation of any new build (and/or requiring the applicant to give an undertaking not to seek to connect to the public system) until capacity in the public system has been increase and connection to the public system is possible without causing potential over capacity issues in the system and thus can be agreed by the Utility provider.”*

## **Representation #2 – Member of the General Public**

Given the numerous aspects of considerations associated with this Representation pertaining to the proposed development, a Construction Method Statement will be required from the Developer to address and mitigate the concerns raised.

*Representation:*

- *Firstly the area is going to be so congested with dwellings. The housing density in Half Tree Hollow is already too much for the district and really the further development of the proposed development will definitely make the housing density in this small area very congested. The new dwelling is almost bigger than the church and will dominate the area which in my view shows a lack of thought for the neighbours as it smacks of I need some where to build this type of dwelling we will chuck it in this area. Not a lot of thought has been put into its impact on the church itself and for the neighbours.”*

*Officer’s Comments:*

*Undeniably, the housing population in Half Tree Hollow is rather concentrated and this new development will only add to this housing congestion. The applicant chose this site for the proposed development because the Diocese of St. Helena owns the land, which means there is no additional cost in that respect and it also makes use of this vacant land. It is also for convenience of the day-to-day operations and work of the Vicar, to have their residence within close proximity to the church.*

*Representation:*

- *I am not sure about the historical significance of the church but the building proposed will really impact on that site. Firstly that church has been there for a significant number of years and will be dwarfed by this new proposal. It looks like they have no consideration of the church and its surroundings and have just decided we have a space so let put it there. If you look from the main road the church is an old stone*

masonry building and I might add **not many of these exist in Half Tree Hollow**, so the view from the road means the church will be dwarfed by this modern design thus spilling the setting that the church is placed in at present.

*Officer's Comments:*

*St. Andrew's Church is not a listed building, however, it is a longstanding and revered establishment that adds charm to the local community. It is also situated in a prominent place in the heart of Half Tree Hollow, easily visible from the main road. A site visit was conducted and as the proposed development shows that the ground floor will be built on excavated ground at a slightly higher level to that of the church, and as can be seen from Cross Section B-B above, the roof and part of the upper level of the new dwelling, will be visible above the church roof from the main road.*

*It would have been beneficial for the applicant to present to-scale 3D visuals to demonstrate to those concerned, how the development will appear in amongst the immediate neighbourhood from various vantage points.*

*Representation:*

- **Construction phase concerns** – *The construction phase of the proposed building will impact upon the access roads. Firstly the main access from the main road though to Mr Russell Yon's property. This obviously will mean the use of excavators possibly dumpers and of course the large construction lorries which basically are going to ruin the tarred road access, and the road leading of the main access to our three houses. The three neighbours have invested money into this road, however with just our three vehicles the road condition has deteriorated so it stands to reason the construction phase will definitely make the condition really worse. I do not support this development but if it is passed the construction phase will need to be monitored and there has to be some condition where the Church has to reinstate the works disturbed by the construction during, and post construction. The current neighbours usually work together to do maintenance on the existing road therefore it needs to be continued.*

*Officer's Comments:*

*Understandably, with the access road that would be used in the construction phase of this development being one that the neighbours personally funded, this would be a cause for concern for all investors with regards to the probable deterioration of the road.*

**Mitigation:** *If this proposal is approved, Condition 5 applies, as well as an additional informative that ensures the Diocese of St. Helena is liable to reinstate the road to a good state of repair for use by the neighbours in the event that damage is caused during construction phase. It would be advisable for the developer to seek an easement from Crown Estates with regards to the use and future maintenance of this access road.*

*Representation:*

- **Parking** – *obviously during the construction phase as we know from experience the contractors on the island will park in every nook and cranny they can find. Hence this will really impact on the area during the construction phase with vehicles parking all over the place unless it's monitored properly. We know despite some good efforts contractors on the island tend to be a law unto themselves. Additionally after construction where will people park when they come for their time in the surgery? It's*

*very likely they will be parking near the neighbours' homes and in most case block of access ways to the neighbours' homes, currently there is not a lot of space for parking, so with two possible cars with the ministers living in the building and possible traffic from parishioners where are they going to park?*

*Officer's Comments:*

*With regards to parking during the construction phase, there will need to be an instruction and/ or condition put in place to control where contractors park their personal vehicles. As for larger contractual vehicles such as; lorries, excavators, dumpers and such like, that are necessary for the construction work, there would also need to be a condition that stipulates that they can only be parked onsite for the time that these vehicles and machinery are required and then removed immediately. The vehicles must not obstruct the neighbours for any prolonged periods and in particular during out of work hours and/or non-work days when the site is unattended. This can be incorporated into Construction Management Plan by the developer.*

*To address the concern for when visitors come for meetings at the Surgery, as can be seen from the Site Plan, there is a dedicated parking area to the North side of the dwelling that has enough space for at least two vehicles, possibly three, to fit comfortably. This allows for the resident's vehicle and any visitors to the Surgery.*

*Representation:*

- ***Parking continued*** - *With the new development where would parishioners feel they can park particularly during times when services are underway. With the possibility of the new flats where would some church goers feel they can take their cars? There is an over flow of cars on the main road, and I might add a hazard in most cases, with so many cars parked during church services. I hope this does not mean that they feel they can park in areas around the flats thus overloading access roads to our homes, and of course creating more wear and tear on the access roads because the church has a dwelling in that area.*

*Officer's Comments:*

*Currently, parishioners tend to park along the main road during church service and any spill over vehicles may possibly use A&D's parking area, which, albeit neither is ideal, it is likely that this parking behaviour will continue and this new development will not pose as an invitation to come into the private access road.*

*Representation:*

- *Increased traffic particularly during the construction phase will also add safety issues as quite a few people use the roads to walk to A&D's shop as well as using the access to get to their homes therefore a limit needs to be put on the times they can do the works particularly with heavy plant during afternoons after 4 and on week days. It is particularly annoying to see excavation activities going on a Sunday and Saturday and after 4pm basically this is poor consideration for the neighbours in the area.*

*Officer's Comments:*



*Health & Safety is always a consideration at the forefront of planning and construction and it is agreed that measures will have to be put in place to mitigate these concerns from all stakeholders.*

**Mitigation:** *it may be suggested that a condition is implemented that stipulates the precise times of the day and what days of the week that construction works are allowed to take place for this development project. This can be incorporated into Construction Management Plan by the developer.*

*Representation:*

- **Excavation Phase** – *as you know Half Tree Hollow is a very rocky area and it was notable that a neighbour's house was affected by excavators hammering into rock which resulted in the front perimeter wall of the neighbour's property cracking and had to have a concrete pier constructed to prevent any further damage. How will this in depth excavation impact upon our homes due to there being significant reef how will the vibrations from the works affect the neighbouring homes?*

*Officer's Comments:*

*Admittedly, it is an unknown of how construction works will affect the surrounding natural and built environment in any case and in particular with this development being in relatively close quarters.*

**Mitigation:** *it may be suggested that a condition is applied that holds the developer accountable for any potential damage to neighbouring properties in the immediate area, that has been a direct result of the construction works pertaining to this development. This can be incorporated into Construction Management Plan by the developer.*

*Representation:*

- **Sound/noise levels** - *Obviously the noise levels will be atrocious therefore if possible if the development is passed that the neighbours are given consideration whereby there are planned breaks for the excavation phase particularly when the excavator's are hammering on the rock base. Also the dust levels are going to be high what measures are being taken to suppress the dust from the excavations as well as the noise levels?*

*Officer's Comments:*

**Mitigation:** *As with the mitigation that addresses concerns for increased traffic and health and safety during construction phase, this condition can also apply to this concern of sound and noise levels, whereby it stipulates the precise times of the day and what days of the week that construction works are allowed to take place for this development project. This can be incorporated into Construction Management Plan by the developer.*

*Representation:*

- **Privacy Issues** - *I feel also we accept the fact that we do compromise when we construct our houses in Half Tree Hollow in terms of privacy, and it's something we live with but the new development the front porch, or seating area looks into our houses" particularly Mr Yon's House, my house and Miss Marilyn Johnson's house. Obviously we are neighbours who take each other's privacy into account however we are not*



aware of who will be visiting these premises their back grounds and with the surgery who else will be visiting the flats, and what backgrounds they have.

*Officer's Comments:*

*With reference to "the front porch, or seating area" raised in this concern, there seems to be a misunderstanding of the direction in which this part of the dwelling is facing. The patio and balcony area on the upper floor will face in the opposite direction of the neighbouring properties and directly overlooks St. Andrew's Church in a westerly direction.*

*Representation:*

- **Drainage** – the new dwelling will be connected to the communal system as shown on the plan. We all know the current communal drainage system is currently overwhelmed because of the development in Half Tree Hollow and adding this property is going to exacerbate the problem currently being experienced in the district.

*Officer's Comments:*

*As with the representation submitted from Connect Water & Sewerage pertaining to this same issue, the recommendations and considerations as given by Connect addresses these concerns and will be applied as a condition to this development.*

## **LEGAL AND POLICY FRAMEWORK**

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)
- Housing Policy
- Water: Policy W2
- Sewage, storm and Drainage: Policies SD1 (b, c), SD3, SD.4 and SD7
- Road and Transport Policies: RT1 (c and d), RT3 and RT7

## **OFFICER'S ASSESSMENT**

The proposed development site sits within a densely populated area of Half Tree Hollow, with neighbouring properties in relative close proximity. Having said this, there is no issue of overlooking into neighbouring properties, as the development orients towards St. Andrew's Church in a westerly direction.

A site visit confirmed that space on the proposed development site is quite limited and in close quarters with neighbours, so excavation and all development works would have to be done with utmost efficiency and consideration for all aspects of the surrounding environment.

The Representation made by Connect Water & Sewerage regarding the embargo on Half Tree Hollow, due to the area being full to capacity on these lines, will have to be

carefully considered. Either; an alternative method of dealing with the sewage will have to be investigated, such as an independent treatment plant, or, the applicant agrees to wait (not occupy the dwelling) until such time that the capacity for the area has been increased by Connect.

The Representation made by the member of public addresses many potential issues with this development, which has been addressed underneath each of the points as outlined above with suggested conditions.

The overall development is considered to be coherent within itself, where the design and appearance of the building is well-proportioned and some consideration has been given to the positioning of the dwelling, in an effort to minimise the visual impact within the setting of St. Andrew's Church. The two-storey building deviates from the general design and scale of surrounding residential dwellings, however, it shares a very similar footprint to that of the Church, for which its purpose directly relates. The design appears to be directly concerned with the purpose and functionality of the development and therefore it can be considered to be 'fit for purpose'. The general layout is quite generous in size and could be condensed to reduce the overall scale of the dwelling, hence, appearing less dominant within the landscape. However, the development proposal submitted as-is can be supported in principal, as the scale is considered acceptable and does not adversely affect the amenity of the area.