

**Planning Officer's Report - LDCA November 2019**

<b>APPLICATION</b>	<b>2019/70</b> – Comprehensive Development Residential service plots, Government Landlord Housing, Green Space, Retail park, Road and Car Parking
<b>PERMISSION SOUGHT</b>	Permission <b>HYBRID (PART OUTLINE, PART FULL)</b>
<b>REGISTERED</b>	05 September 2019
<b>APPLICANT</b>	Crown Estate
<b>PARCEL</b>	LWN0179, 0479, 0480, 0481 and 0482
<b>SIZE</b>	90.73 acres (367,171.28m <sup>2</sup> )
<b>ACTUAL SITE SIZE</b>	11.0 Acres (44,420 m <sup>2</sup> ).
<b>LOCALITY</b>	Bottom Woods West Comprehensive Development Area, Longwood North
<b>LAND OWNER</b>	Crown Land
<b>ZONE</b>	Intermediate
<b>CONSERVATION AREA</b>	None
<b>CURRENT USE</b>	Vacant/Grazing
<b>PUBLICITY</b>	The application was advertised as follows: <ul style="list-style-type: none"><li>▪ Independent Newspaper - 06 September 2019</li><li>▪ Independent Newspaper - 13 September 2019</li><li>▪ A site notice displayed in accordance with Regulations.</li></ul>
<b>EXPIRY</b>	27 September 2019
<b>REPRESENTATIONS</b>	One received from Mr A Pearce
<b>DECISION ROUTE</b>	<del>Delegated</del> / <b>LDCA / EXCO</b>
<b>SITE VISIT</b>	Preliminary site visit prior to the Application being made and formal site visit on submission of the Application

## A. CONSULTATION FEEDBACK

a) Water Division	No Objection
b) Sewage Division	No Objection
c) Energy Division	No Objection
d) St Helena Fire & Rescue	No Objection
e) St Helena Roads Section	No Objection
f) Heritage	No Response
g) Environmental Management	No Objection –
h) Public Health	No Response
i) Agriculture & Natural Resources	No Objection
j) Property Division (Crown Est)	Applicants
k) St Helena Police Services	Not Consulted
l) Aerodrome Safe Guarding	Not Consulted
m) Enterprise St Helena (ESH)	No Objection
n) National Trust	No Consulted

## B. DEVELOPMENT DETAILS SUMMARY (approximate / rounded figures)

the application site is detailed there is no detail for the amount of land that will be built

The proposed development application covers number of plot areas, some that extend beyond the development application site. The total development application site is 11.0 acres (44,420sqm). For the purpose of this development application, whilst layout of upon for each plot. The LDCP policy advises that density of the development should be 20 houses per hectares. The density proposed is around 11 houses per hectares.

## C. REFERRAL TO GOVERNOR-IN-COUNCIL

**This Application to be Referred to Governor-in-Council (in accordance with Directive dated 17 April 2014): 1** – The development of a site (or a group of two or more sites in the same vicinity) which exceed (or exceed in aggregate) five acres in area.

The Governor-in-Council further directs by way of clarification, that paragraph 6 and 7 are intended to include (without prejudice to their generality) all of the following current or proposed capital programme projects name those known as:

**CDA (Housing Development)** – To develop new GLH units, service plots and homes for sale.

## D. PLANNING OFFICER'S APPRAISAL

This is hybrid planning application seeking full planning permission for the new access road to the development, number of internal roads and development of number of residential parcels aimed at Government Landlord Housing, general layout of the development area and outline planning permission for the total forty residential plots (general market housing), retail park, open space and general amenity area. The applicant was encourage to submit a hybrid planning application in respect of this development proposal as it would be appropriate to deal with number of important detailed development issues which would be firmed at the early stage of the development process, such the access road to the site, the internal estate lay-out and in particular the location of the retail-park, amenity space, however the development of the individual housing plots, the retail development and the amenity open space to be shown as outline. The table below sets out the details of the proposed development and the area covered by each use.

**Diagram 1: Location Plan**



**Table: The land-use distribution proposed for the development:**

<b>Use</b>	<b>Area (sqm)</b>
Market Value Plots Homes	13,027
Affordable Homes Plots	5,299
Government Landlord Housing Plots	4,865
Retail Park	5,260
Green Space	3,964
Communal Play Area	576
Terrace	299
Road Surface	5,792
Miscellaneous:	5,338

### **Location**

The application development area lies to the south of the Haul Road opposite the Bottom Woods Nature Conservation Area identified as important for wirebird conservation that lies north of the Haul Road. To the east of the site the Bottom Woods East CDA. To the south and east of the site is mix of residential and green land and to the west is mainly arable land and green area. The proposed development will be set away from the Haul Road with a land buffer of approximately ten meters that runs along the whole length of the Haul Road frontage. The access road to the development area running parallel south of the buffer.

The Bottom Woods West CDA is one of a number of comprehensive development areas that have been identified and allocated in the Land Development Control Plan as major housing area to meet the future housing needs of the Island and the proposal for this areas has been in the formulation stage for some time. The objective being to deliver housing in a more planned and comprehensive way with the appropriate services and facilities for the individual plots and for the area.



development site with neighbouring development. The access points utilise the existing formal and informal access routes across the site that appear to have established over the years. This is set out in the Diagram 3 below.

**Diagram 3: Road Access into the Development**



The roads have been designed to a good standard to help improve access and traffic management. The standard road width throughout the proposed development is 5.5 meters. The pavements in some areas are 3 meters wide. This will allow for the services to be installed within them to help keep the various services organised and tidy and easily accessible for maintenance and future development. There will therefore be adequate space for pedestrians safely whilst ensuring that appropriate street furniture can also be provided.

The site layout has been designed so that all plots will have relatively easy vehicular and pedestrian access. The layout has also had regards to the existing services, which could not be moved, the existing access roads and the private land surrounding the CDA. There is a reasonable slope of the land, the layout is designed to ensure that minimal excavation works is required to enable development.

The residential development of the proposal is to deliver forty residential units This includes a mixture of market housing, starter homes, social housing and specialist housing and has been designed that so that it can be in phased. The distribution of the housing tenure includes six parcels available for GLH development, ten parcels available for affordable housing and the remaining twenty four parcels will be for market value



Phase 1 will provide 13 plots, Phase 2 will provide 13 plots, Phase 3 will provide 6 plots and Phase 4 will provide 8 plots. This would then ensure that the future development of this site accords with the services that will be delivered in the area.

**Diagram 4: Development Layout**



**Policy Consideration**

The proposed development application is assessed against the Principle and Strategy of the Land Development Control Plan and in respect of the policies that apply and these include the following:

Principle 1 (3): to provide for and enable appropriate and well-located housing development, including for domestic demand

Intermediate Zone Policies: IZ1, IZ3, IZ4 and IZ6

Water Policies: W2, W3 and W4

Sewage and Storm Drainage Policies: SD1, SD2 and SD7

Solid Waste Policies: SW3 and SW4

Road and Transport Policies: RT1, RT1, RT2, RT3 and RT4

Social Infrastructure Policies: SI1(b), SI11

Housing Policies: H1, H2, H4 and H5

Employment Premises Policy: EP1

## **REPRESENTATION**

Representation in respect of this application has been received Mr Pearce. He raises issues with regards to position of the access road that requires right turn across new road that will have fast moving traffic. He states that there is policy that states that there would be a proliferation of side road of this main road. Whilst the Haul Road is designed to provide improved transport access the Island from the airport, however there will be new development along this strategic road that will require access. Whilst the new development will increase vehicular movement along this road and within the vicinity of this development, however the new road and design of this junction would not considered to raise any major traffic issues.

The two storey development of plots 6 and 7 is considered to be out of place in the context of this rural setting and the development of the retail store is not appropriate use for the CDA. In the main, most of the development across this will be single storey, however, the applicant has introduced two storey development for two plots of GLH more provide a point of interest in the landscape. There are no design visual amenity issues across the site and the proposed two storey appears to be acceptable in this location. The development of a retail use within this site to ensure a more sustainable development and a local retail store is considered to be an acceptable use in a residential development. There are already existing residential use in the adjoining area to this site. A retail use would complement the residential neighbourhood and create local jobs.

## **OFFICER ASSESSMENT**

The development proposal as set out in this application accords with the principles of the policy objectives in the LDCP. The Comprehensive Development Area were allocated to provide a comprehensive approach for the development and delivery of future housing, ensuring that the services and infrastructure is delivered to meet the needs of the area. The application is in compliance with the various LDCP policies against which the development has been assessed. Fundamentally, the Principle 1(3) is important in that the allocation and delivery of the housing development as set in the Housing Policy accords with this and the site assessment and development layout makes the best use of the land and its gradient. There is already considerable residential development along east and south of the sites that has been built over number of years and some it is very recent. The main access to the site from the Haul Road is well positioned in relation to other existing and proposed junctions.

The design details for the road for the main access road and the internal roads and access point to secondary links to existing routs will provide good accessibility around the development. The retail park and the openspace close to the café site, with a

terraced are will also provide recreational and social space local residents, shoppers and other visitors. The phasing of the development is more of a management of the future development, however what is most important is that the road network is provided with all utilities and services are underground to enable future development to proceed as plots are released and developed.

The main reason for insisting on a hybrid development application in respect of this development was to ensure that details of development layout, the access road and movement within the development are set out clearly at the initial stage as this was considered to be important in meeting the development principles. The outline permission would enable the details of the future development of each plot to deal with the layout of the house in terms of its footprint and design.

The details submitted with development, including a Design and Access Statement set out how this development will proceed and overall the design and layout of the development meets with principle set out in LDCP.

Prior to submitting this development application, application was made for a Screening Opinion in accordance with the Environmental Impact Assessment Regulations. In view of the environmental conditions and the nature of the site, whilst it is in close proximity to the Bottom Woods NCA, considered to be important for wirebird conservation, view was taken that from the evidence available and the screening undertaken that EIA would not be required. In light of the EIA that was submitted for the New Prison development application, it is considered that the decision made is acceptable.

**E. It is advised that the Land Development Control Authority Recommends to Governor-in-Council to Grant Development Permission for this Hybrid Planning Application, 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) The **FULL Development Permission** for the access road, the internal road layout and layout of the development plots and the development of Plots 6, 7, 8 and 22 will in accordance with drawing no. 03/002/2019, 03/006/2019, 03/007/2019, 03/009/2019, 03/010/2019, 03/011/2019, 04/001/2019, 05/001/2019, 07/001/2019, 08/001/2019, 08/001/2019 and 08/002/2019 as stamped and

dated by the Chief Planning Officer on behalf of the Land Development Control Authority subject to the Condition of this Decision Notice and unless the prior written approval of 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.

- 3) The **OUTLINE Development Permission** shall be **implemented in accordance with the details** specified on the Application Form; Development Site Layout Drawing Nos 03/002/2019, 03/006/2019 and 03/007/2019 as stamped and approved by the Chief Planning Officer, on behalf of the Land Development Control Authority, subject to the Condition of this Decision Notice and unless the prior written approval of 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.

- 4) Application for Full Development Permission will be made and consent obtained before any development subject of the **OUTLINE DEVELOPMENT PERMISSION** is commenced and the application should set out details of design and layout of the development.

**Reason:** to ensure development is carried out in accordance with the approved OUT Development Permission.

- 5) 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.

- 6) **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 Building Inspector(s) 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.

- 7) During **Construction** of the development, no obstruction shall be caused on any public road and to reinstate damage to any public road and other public or private infrastructure/structure 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 Planning Policy IZ 1(g).
- 8) Excavation into slope and infilling to form level platforms or embankments shall be in accordance with the approved plans and engineering design principles. 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 or 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).
- 9) Any excavation associated with any new, altered or extended building shall not be within three metres of a low-voltage (less than 1000v a.c) electricity conductor pole or overhead line conductors or a pole stay-anchor, or five metres in the case of a high-voltage (exceeding 1000v a.c) electricity conductor pole or overhead line conductors or a pole stay-anchor.  
No part of any new, altered or extended building shall be under any overhead electricity line or electricity cable.  
**Reason:** to ensure public safety and to protect the public electricity supply as directed by Connect St Helena Ltd.
- 10) 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).
- 11) 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 effective **Septic Tank and Soakaway System**. The system to be appropriately designed based on:
1. Standard engineering design principles to be endorsed by the Building Inspectors.
  2. 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.

3. The Septic Tank shall have a minimum internal capacity of 2700 litres (2.7m<sup>3</sup>).
4. The design, sizing and functionality of the soak-away as per the percolation test results submitted remain the professional responsibility of your Designer and Contractor to ensure operational and installation compliance and suitability.

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

- 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 connected to an approved sewerage system.

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

- 13) 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 Policy SD1.**

- 14) **Stormwater** should be managed on site and not allowed onto the public roadway or neighbouring areas.

**Reason:** To protect public and private amenity and accord with Development Plan **Policy SD1.**

- 15) Notwithstanding Condition 4, the **Driveway** to the new dwelling from the existing roadway (as indicated on the Site Layout Plan), to be appropriately formed (in accordance with the Island's Roads Policy) and surfaced (preferably with a permeable surface material) sufficient for use by normal passenger cars and emergency vehicles.

**Reason:** to ensure that the dwelling has adequate access in accordance with LDCP Policy RT1 (d).

- 16) Any **External Lights** shall be designed and sited so that they do not emit light at or above the horizontal and the light source shall not be visible beyond the site boundaries.

**Reason:** to protect the Dark Skies status of St Helena in accordance with **LDCP Policy E8.**

17) 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.

**Further Advisory:**

- i. Please ensure to select modest wall-colours (such as earthy tones, etc.) and natural external finishing (such as stone, wood) that will blend in with the natural and/or surrounding built environment.
  
- ii. Application required for electricity from Connect St Helena Ltd

**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.**