



**St Helena
Government**

**Mrs Connie Johnson
Clerk of Councils
Corporate Support
The Castle**

**Ref: 2018/70
Date: 06/09/2019**

Dear Miss Legg,

Land Planning and Development Control Ordinance 2013: Application No. 2018/70

**RECOMMENDATIONS and COMMENTS BY THE LAND DEVELOPMENT CONTROL
AUTHORITY TO GOVERNOR-IN-COUNCIL**

pursuant to Section 23(3) of the Land Planning and Development Control Ordinance, 2013

The Land Development Control Authority (LDCA) considered Application No 2018/77 on the 9th of September 2019 and under Section 23(3) of the Land Planning and Development Control Ordinance, 2013, the LDCA hereby recommend that the Governor-in-Council **GRANT HYBRID DEVELOPMENT PERMISSION (Part FULL PERMISSION and Part OUTLINE PERMISSION)** for Comprehensive Development Residential service plots, Government Landlord Housing, Green Space, Retail park, Road and Cap Parking 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 (2.7m³).
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.

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

Yours sincerely

A handwritten signature in black ink that reads "Karen". The signature is written in a cursive style with a long, sweeping underline.

Karen Isaac

Secretary on behalf of the Land Development Control Authority

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