

## Planning Officer's Report - LDCA September 2019

<b>APPLICATION</b>	<b>2018/77</b> – Proposed New HM Prison and Custody Building
<b>PERMISSION SOUGHT</b>	Permission in <b>Outline</b>
<b>REGISTERED</b>	07 August 2018
<b>APPLICANT</b>	Prison Project Board
<b>PARCEL</b>	LWNO446
<b>SIZE</b>	94.0 acres
<b>ACTUAL SITE SIZE</b>	10.85 acres
<b>LOCALITY</b>	Bottom Woods, Longwood North
<b>LAND OWNER</b>	Crown Land
<b>ZONE</b>	<b>Coastal Zone/NCA</b>
<b>CONSERVATION AREA</b>	Important Wirebird Area
<b>CURRENT USE</b>	Grazing
<b>PUBLICITY</b>	<p>The application was advertised as follows:</p> <ul style="list-style-type: none"><li>▪ Independent Newspaper on 09 August 2018</li><li>▪ Sentinel Newspaper on 10 August 2018</li><li>▪ Site notice displayed in accordance with Regulations.</li><li>▪ Independent Newspaper on 22 February 2019 (EIA).</li><li>▪ Site notice displayed in accordance with Regulations (EIA).</li><li>▪ Independent Newspaper on 19 July 2019 (Revised EIA).</li><li>▪ Site notice displayed in accordance with Regulations (Revised EIA).</li></ul>
<b>EXPIRY</b>	<p>24 August 2018 22 March 2019 (EIA) 16 August 2019 (Revised EIA)</p>
<b>DECISION ROUTE</b>	<del>Delegated</del> / <b>LDCA / EXCO</b>

*Report Author: I Mohammed  
Report Date: 4 September 2019  
Application: 2018/77*

**SITE VISIT**

Preliminary discussions with Applicant during 2017/18 (prior to submission of the application)

**CONSULTATION FEEDBACK**

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

**REPRESENTATIONS**

One received from Mr A Pearce

One received from Mr A Pearce (Revised EIA – Aug 2019)

**A. SITE LOCATION AND DESCRIPTION**

The development site lies approximately 280m north of the Haul Road that provide a link between the Airport and Rupert's Wharf. The access to the area of proposed development will be via new approximately 400m access road on the western boundary, see Diagram 1 (Site Location) and Diagram 2 (Site Layout with Access Road).

The application site is approximately 10.85 acres and is part of a larger greenfield site that is approximately 94.0 acres and is currently used for agricultural grazing. The actual enclosed area of the development, considered to be the built development is approximately 5.20 acres and this is 5.5% of the total greenfield site.

The site had been identified for wirebird conservation mitigation to offset the environmental impact for the development associated with the airport. There was a requirement to prepare a conservation management plan for the future conservation and management of this site. Unfortunately, this has not been prepared, however the site has continued to be self-managed and used for agricultural grazing.

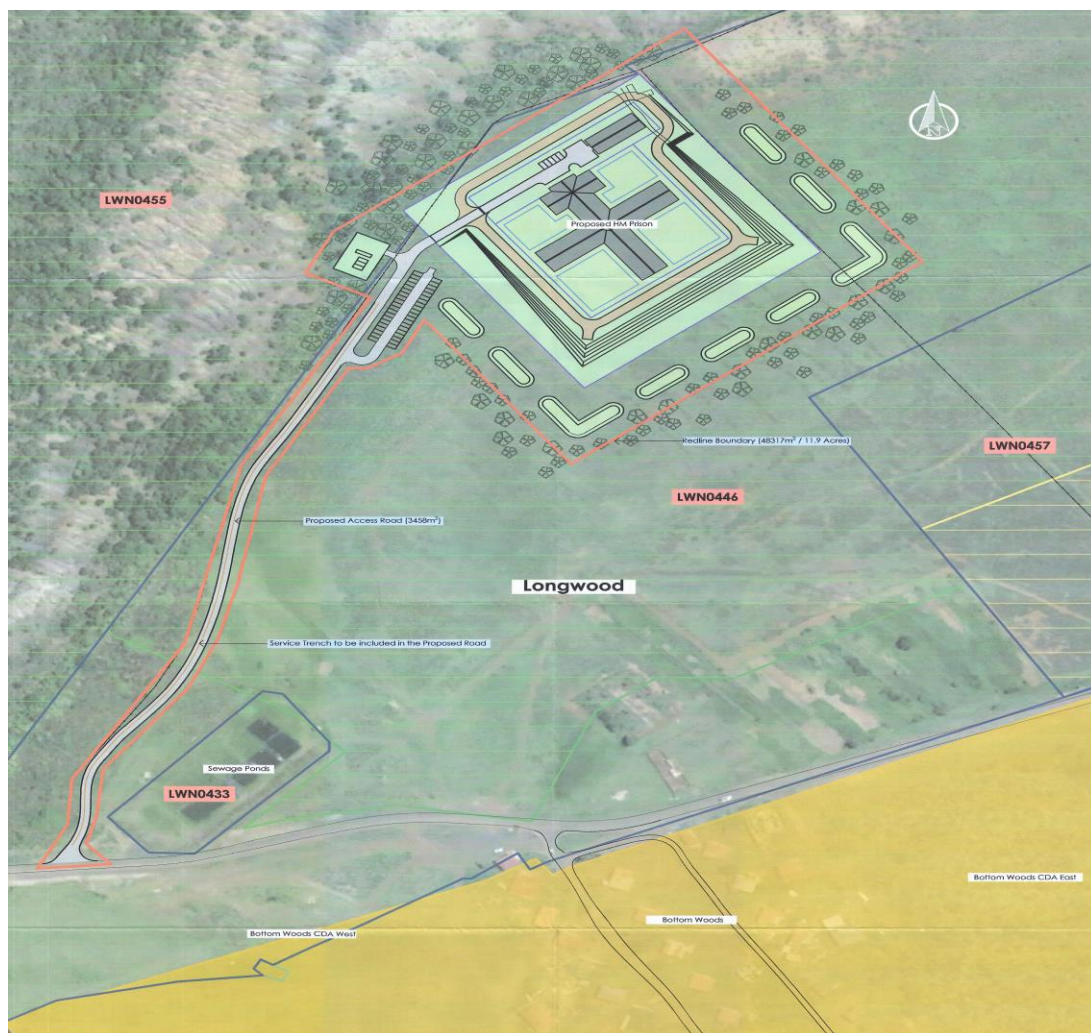
**Diagram 1: Site Location**



The area to the north, east and south-eastern side of Haul Road is rugged terrain beyond which is the civic amenity site and the Millennium Forest, The area direct south of Haul Road in line with development site is mix of open space, grassland, agricultural and residential and area to the west is mainly agricultural. The open space to the west of the existing residential area is allocated as Bottoms Wood Comprehensive Development Area to be developed for around 50 residential units and a supermarket. The residential properties are considerable distance from the proposed development site to have any significant impact on the amenities of the residential properties and other uses.

Although the application is seeking outline permission, however there is considerable details related to the layout and design including the access road and car-parking provided with application. The main prison development is within an area enclosed security wall and fence and with earth mounding around the external perimeter on three sides. There is car-parking outside the secured area for visitors and secured internal parking for the prison use.

**Diagram 2: Site layout and Access Road**



## **B. THE NEED FOR NEW PRISON**

The existing Prison and Police Custody Suite located in Jamestown St Helena has been identified as not fit for purpose, including for the future, following visits and advice from the FCO Prison Adviser. The current conditions and facilities at the Prison are substandard.

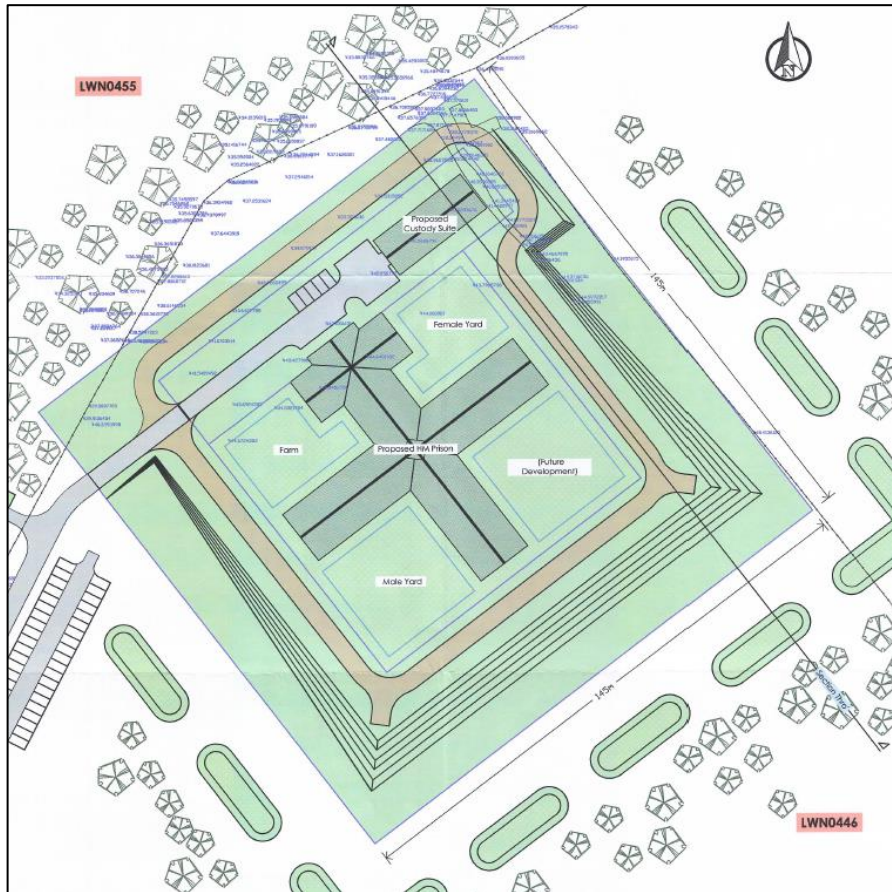
St Helena Government has noted the concerns raised in the FCO Adviser's 2010 report that conditions within the prison may not withstand a challenge under Article 3 of the Human Rights Act 1998 and also recognises that a new purpose-built building would provide better facilities for prisoners.

The Prison population is rising and is likely to continue to rise. The current building and environment does not lend itself to further development without considerable



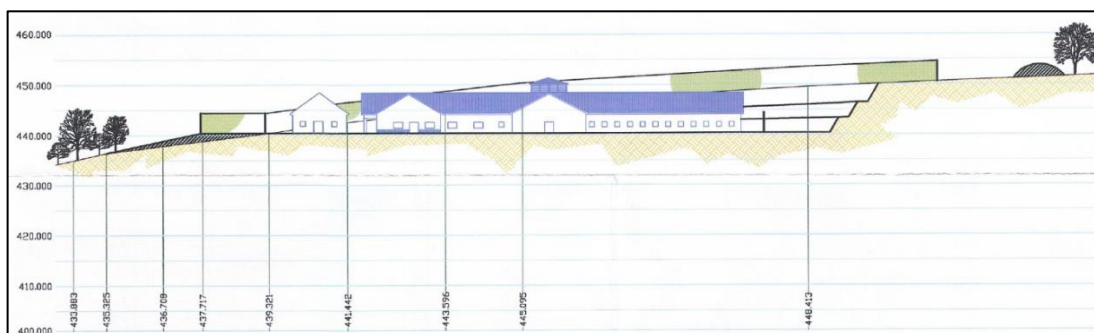
financial implication. Therefore a project to lead a full relocation of the Prison has been initiated.

**Diagram 3: Layout of the proposed development**

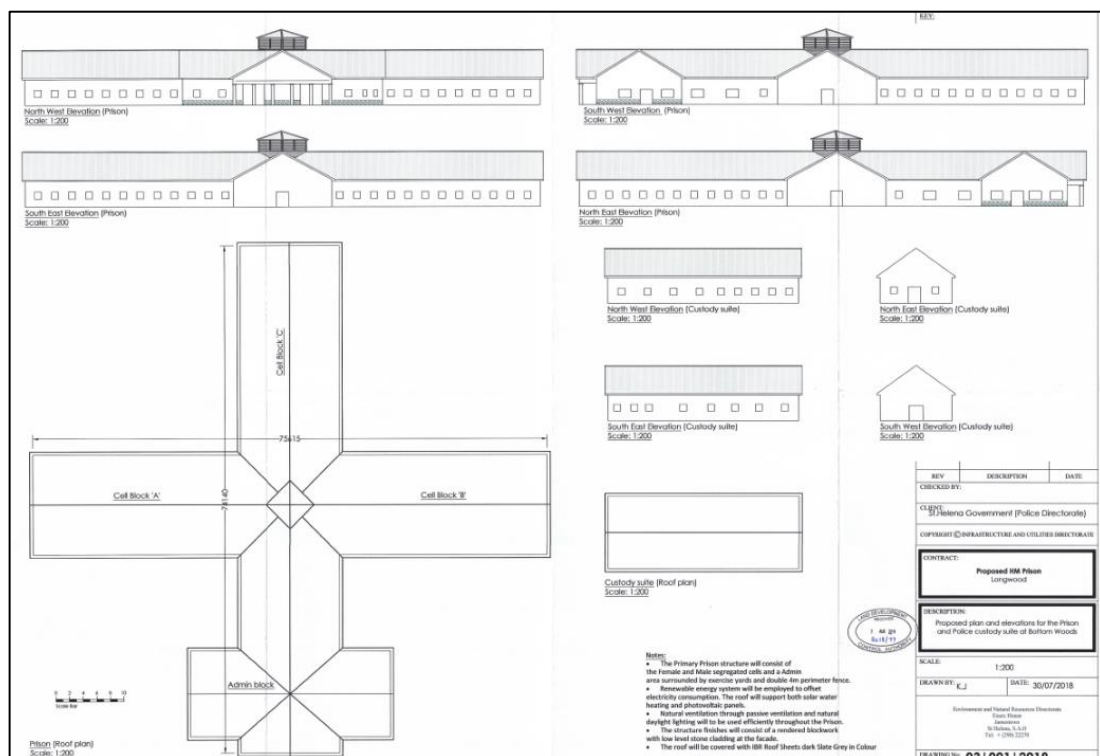


The proposed development is to provide a new prison centred around 26-single occupancy cells, in a single-storey block configured in a cross shape, together with associated rooms to provide: education, rehabilitation, training, medical room, sports, healthcare, worship, kitchen, recycling, storage, visiting, administration works, horticulture and security.

**Diagram 4: Section Detail**



**Diagram 5: Elevations**



**Diagram 6: 3D Conceptual**



### C. REFERRAL TO GOVERNOR-IN-COUNCIL

**This Application to be Referred to Governor-in-Council (in accordance with Directive dated 17 April 2014): 7(b)** The custody of persons sentenced or ordered by a court to be imprisoned or otherwise detained, whether for a fixed period or indefinitely or

otherwise for purposes connected with the administration of justice or emergency services.

This Outline Application will therefore involve a Recommendation from the Land Development Control authority to Governor-in-Council.

**D. LEGAL FRAMEWORK**

1) In accordance with Section 23(1) of the LPDC Ordinance, 2013, the Governor-in-Council DIRECTS the **Chief Planning Officer to refer to the Governor-in-Council** all Applications for Development Permission which proposes (Point 7) the development of buildings or sites, which are (or are proposed to be) used for (b) **the custody of persons sentenced or ordered by the court to be imprisoned or otherwise detained, whether for a fixed period of indefinitely or otherwise for purposes connected with the administration of justice or emergency services**

2) **Section 17 (a)** reads: Outline Development Permission, the effect of which is to give **Approval in Principle** to the proposed development which is the subject of an application, but not to permit (except to the extent, if any, allowed by conditions attached to the permission) commencement of development to take place.

**E. POLICY FRAMEWORK**

**CZ1: Primary Policy:** 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.

**SI1: Primary Policy:** Development permission will be granted for all development reasonably needed for the social development of the Island and such development shall be designed to be sustainable in all services including collection, storage and re- use of rainwater and storage, treatment and re-use of grey water;

**ES1: Primary Policy:** Development permission will be granted for infrastructure necessary for the effective provision of emergency services appropriate to the island's development needs, including ambulance, fire and rescue; and for **effective policing, vehicle testing, customs and immigration control.**

**NH.3:** Where proposed development is likely to have an adverse effect (either

individually or in combination with other developments) on St Helena's native species and habitats including the Wirebird, permission will be granted only when the benefits of the development outweigh the impacts that it is likely to have on the national and international importance of that species or habitat. The proposals must include measures to ensure that any adverse effect is mitigated or compensated and this will be subject to monitoring to ensure that the measures are carried out effectively.

#### **F. SUMMARY ON THE BACKGROUND OF THE DEVELOPMENT APPLICATION AND REPORTS**

The development application was originally submitted without an Environmental Impact Assessment (EIA) as it was considered that there was likely to be little or no environmental impact arising from development, although the development site is within an important wirebird area. The applicant requested a Scoping Opinion in respect of the proposed development. The Scoping Opinion undertaken by the Planning Service concluded that if there is any impact on the surrounding area as a consequence of this development it is considered to be negligible and that it would not warrant a full EIA. For the purpose of the development application, the applicant set in their statement the view of the Planning Service, stating the conclusion reached by the planning officers.

The development application report was considered by the LDCA at their meeting in September 2018 and their decision was to recommend to the Governor in Council to grant development permission subject to number of conditions.

The concern raised by the representation received to the development application questioning the conclusion made by the planning officers in respect of the proposed development in this location and there being no requirement for an EIA in support of the application and also included issues regarding the procedures, particularly consultation period for making representation that should have been 28 days and not 14 days.

In view of the concern raised, the applicant was advised to submit an EIA in support of this development application. An EIA was submitted in February 2019 and this was advertised and subject to consultation. No representation was received in respect of EIA. Following the close of consultation period, the development application was reported to LDCA meeting in March 2019. Following discussion in the consideration of the report, LDCA deferred their decision on the development application in order to review the EIA.



In view of the discussions at the meeting, it was considered that the EIA did not fully address the impact of the proposed development and that independent EIA was required. A revised EIA was commissioned by the applicant and the revised EIA submitted in support of the development application on 9<sup>th</sup> July 2019 and in accordance with procedures, the 28 day consultation was advertised and closed on 16<sup>th</sup> August 2019. A single representation has been received and this analysed in the later part of the report.

For clarification, this a valid application. The applicant had written to the Planning Service with a view to withdrawing the development application and in due course to submit a new development application with a revised EIA in respect of the proposed development. The applicant was advised by the Chief Planning Officer that it was not necessary to withdraw the development application whilst the revised EIA was being prepared as the only issue was the revised EIA that fully addressed the impact of the proposed development. The applicant requested that application be held as pending until the revised EIA has been submitted in support of the proposed development.

#### **G. THE ENVIRONMENTAL IMPACT ASSESSMENT OF THE PROPOSED DEVELOPMENT**

The revised EIA submitted to accompany this development application has been prepared in accordance with guidance. It has considered the impact of the proposed development during the construction stage of the project and the operation of the use as Prison. The Assessment considered the potential impact of the proposed development on ecology, noise, air quality, water and hydrology, light pollution, landscape, invasive non-native species and cultural heritage. Cumulative impacts with other developments were also considered. The author of the report highlights that baseline data and modelling were not available for most of the impact categories resulting in low confidence in many of the predictions of impact severity.

The conclusion of EIA is that the most significant potential impact of the development would be the permanent loss of wirebird habitat for the development site within a protected area. It also concludes that the site is currently unsuitable for wirebirds due to low grazing pressure and the consequent growth of tall vegetation and the construction of the prison would make it permanently unsuitable. However, the impact of this development could be compensated for by the implementation of a management plan across the Bottom Woods IWA that required appropriate habitat management resulting in overall benefit to the wirebird population. This will require an expert input as well as a long-term commitment and funding mechanism to be established.

The mitigation set out in the EIA that would also be required to prevent significant noise, hydrology, light and landscape impacts. Full list of recommended mitigation actions is provided in the EIA document and these should be included as conditions on the development consent to ensure they are carried out effectively. The EIA concludes that if all the proposed mitigation is implementing then the residual impacts predicted are to be negligible or minor in scale.

The EIA also advises that even with the appropriate mitigations in place, if development permission is granted for the prison it should not set a precedent for development on poorly managed parts of other NCAs. It also recommends that Management Plans for all NCAs should be prepared as a matter of urgency to provide a comprehensive vision and action plan for the sites and to move away from the existing piecemeal protection through individual EIAs and isolated initiatives.

The report highlight that there will be environmental impact arising during the construction stage and in the operation of the development for number of receptors. The impact during the construction stage is temporary, whilst the operational is permanent and long-term. During the construction stage the major impact in respect of noise and vibration and the visual impact on the landscape. However through the mitigation measures identified the impact can be reduced to moderate. As regards to operational use, the major impact is on ecology with loss of the wirebird habitat and disturbance from traffic. Similarly through mitigation the impact can be reduced to moderate with an effective management of the Bottom woods IWA outside of the prison site through the clearance of non-natives scrub and the use of a management agreement to secure an appropriate grazing regime. This should be achieved through the preparation of a Site Management Plan that covers an area at least equal to the development site and preferably the remaining extent of the IWA and is adequately resourced in the long-term. To achieve this, an appropriate condition should be included on the development consent requiring a Conservation Management Plan for the Bottoms Wood IWA with a requirement to actively manage the site, with appropriate level of funding, before and during construction and for at least five years post completion of all construction to assist with the regeneration of the site for wirebird.

#### **The Chief Environmental Officer Comments**

The Chief Environmental Officers (CEO) has considered the revised EIA and has made the following comments relating to the content of the report:

As the Screening and Scoping process had been previously determined that the development would not have significant impacts on the environment and hence an

EIA report would not be required, there was no Scoping Opinion to guide the author of the EIA report as to which environmental issues should be included. The EIA report did however broadly include all topic areas in the environmental checklist for screening and scoping and for each topic area, the relevant environmental issues were identified and assessed for both the construction and operational phases.

The EIA report complies with the requirements of Regulation 2 of the Land Planning and Development Control (Environmental Impact Assessment) Regulations, 2013 and the quality and level of detail of the EIA report is sufficient to allow the environmental impact of the development to be adequately assessed by decision makers.

The EIA report notes that baseline data and or modelling was not available for most of the environmental issues assessed, which led to low confidence in many of the predictions of impact severity. The assessments were based on qualitative judgements. However as noted above it is concluded that the quality and level of detail of the EIA report is sufficient to allow the environmental impact of the development to be adequately assessed by decision making.

The CEO concludes the EIA report to be adequate to allow the environmental impact of the proposed Prison development to be assessed. For all environmental issues assessed the impact classification after mitigation is mostly negligible or minor, whilst the noise and vibration and landscape impacts during the construction phase are classified as moderate after mitigation, however, this will only be temporary for the duration of the construction works. The mitigation measures identified are considered appropriate and should be translated into planning conditions in line with Regulation 3(3) in the Land Planning and Development Control (Environmental Impact Assessment) Regulations, 2013.

This EIA report has been submitted for the Outline Planning stage and should the site conditions or the design of the development changes significantly at the Full Planning stage a further EIA Report should not be required. However the applicant should formulate an Environmental Management Plan that will detail how the mitigation measures will be implemented.

#### **H. REPRESENTATION**

There were number of representations received to the development application advertised in August 2018, the consultation on EIA in February 2019 and to the Revised EIA consultation in July/August 2019. These are summarised below with the Officer assessment;

August 2018 Consultation

**Agriculture & Natural Resources:** Current Grazing License has lapsed and ANRD have agreed mitigation proposals once construction is complete

**Energy Division:** Application required for electricity

**St Helena Fire & Rescue:** Need to see completed plans for installation of fire detection and protection systems.

**St Helena Roads Section:** Road needs to be developed and drainage installed

**Environmental Management:** This site chosen for the proposed Prison was one of 3 sites assessed through an Initial Environmental Assessment, which concluded that whilst the site presented some environmental issues, these issues could be addressed and mitigated through careful micro-siting and during the detailed design process. An Environmental Screening was done for the proposed development and determined that there would be no significant environmental impacts and hence an Environmental Impact Assessment (EIA) would not be required. The environmental issues apparent were possible impact on wirebirds and the loss of a part of the Bottom Woods Important Wirebird Area (IWA); interference with the current agricultural use of the land and the usual construction impacts.

Whilst the site is within the Bottom Woods IWA, the site has deteriorated significantly and is therefore considered to have limited value as wirebird habitat. The impact of the proposed Prison development on the wirebird population will therefore not be significant. There is also an opportunity during the detailed design phase to incorporate mitigation measures for the loss of part of the Bottom Woods IWA.

The development also proposes to use green renewable technologies including solar

**National Trust:** The development site is an area used by Wirebirds. The designation of the Bottom Woods area as an Important Wirebird Area was based on historic high use of the site by Wirebirds. In particular, the entire paddock was one of the locations hosting the greatest density of nesting pairs when numbers of Wirebirds was at an all-time low. This indicates a former preference by the bird of this site when vegetation is appropriately managed. Since this assessment, Wirebird numbers are at an all-time high (at least since records began), and this location has deteriorated significantly in terms of suitability for nesting.



Wirebirds have a strong preference for nesting on sites where vegetation is low enough to provide them with almost entirely clear sight lines of 50-100m in all directions when they are standing on the ground. They are capable of defending nests from the intrusion of livestock and have been observed 'mobbing' or flying at the heads of cattle to divert them from nests.

They are a highly mobile species and are known to travel widely across the island. They are not at present known to maintain and defend the same breeding territory from one year to the next, and we are currently uncertain as to whether individuals even demonstrate a regional preference in the selection of breeding sites. They appear to be relatively unconcerned with a moderate degree of human disturbance and appear comfortable in and around human developments. Indeed recent reports of nesting activity around and possibly even on the runway have been confirmed.

The site is currently poorly managed with invasive vegetation and woody weeds of various kinds dominating the landscape. Effort was put in some years ago to improve the conditions of the area for Wirebirds – in particular when the site was selected to serve as mitigation for the airport. These efforts have not been maintained and the Wirebirds have largely moved on to other areas. Our observations indicate that currently the birds use the site for foraging but are not favouring it for nesting activity.

The view is that as it is currently, there is little value for the wirebird on this particular site and that there are plenty of alternative sites available in the area that are more suitable. It is not considered that a point has been reached where Wirebird numbers are unable to increase due to a scarcity of suitable habitat.

In considering this proposal, the Trust has consulted with its partners the RSPB and have visited the site with a senior staff of the RSPB during the visit to St Helena, and two further RSPB staff specialising in landscape management (with a focus on birds) and project management. The Trust has also been consulted fully by ENRD and members of ENRC and have been provided with all of the necessary information to make an informed decision and provide carefully considered advice. The Trust's officer responsible for the conservation of the Wirebird have been included at every stage and their advice in the development of our opinion on the matter and are content that the opinion of the team has also been considered in recommendations provided by ENRD.

The Trust's only concern is regarding the precedent that could be set for the use of such sites and the removal of protections previously agreed and that both the Important Wirebird Area and Nature Conservation Area designations must be taken seriously and should in the great majority of cases rule out development. The Trust

concludes that on balance that in this case consultation with the environmental community has been sufficient, and when genuine concerns over proposed sites have been raised, these have been heeded and in more than one instance plans have been altered to accommodate these concerns. The draft prison plans that have viewed would likely create more available nesting habitat for the Wirebird and furthermore, if mitigation could be included through the control of weeds in the surrounding area, this could greatly aid in restoring this site to its previous prominence for the nesting of this species.

**Representation from Mr Andy Pearce:** The development application is not in accordance with proper process and that there is no Environmental Impact Assessment (EIA) as required by LDCP policy NH4. Which states that "Development proposals which affect Wetlands of International Importance, Important Bird Areas (IBAs) and Internationally Important Wirebird Sites will be subject to Environmental Impact Assessment, irrespective of the scale of the development, before the

The application was advertised as fourteen day consultation period which was insufficient for this application and should have been for 28 days in accordance with Regulation 3 of the Ordinance indicates that this application, "contemplated by section 19" of the Ordinance, being "a development which may have significant effects on the environment" should have been advertised for 28 days not the 14 given, irrespective of the submission of an EIA.

Section 19. (1) says, "An application for development permission under section 18, in respect of development which may have significant effects on the environment, must be accompanied by a report (hereinafter referred to as an "EIA report") assessing the environmental impacts of the proposed development."

The Chief Environmental Officer conducted a 'screening opinion' and decided an EIA was not required by claiming there were only two breeding pairs of wirebirds on the site. There was no written information about a screening opinion in the application to publically verify one had been made.

Questions as to who decides on whether an EIA is required following advice from the Chief Environmental Officer. There is no evidence of that either. Irrespective of advice NH4 states an EIA is required. Therefore there was no need for a screening opinion.

Land Planning and Development Control Ordinance 2013, Section 15 says, "When a Development Plan has been adopted by decision of the Governor in Council it is the duty of - (b) the Authority and the Planning Officers to determine applications for development permission, and to exercise their other powers and functions, in accordance with the Development Plan."

Wirebird counts should be available for public scrutiny through the EIA. For instance there is evidence the count of two breeding pairs is wrong. In addition there are many other issues to include in an EIA such as visual effects from certain view-points but that can be determined by a scoping opinion. There is no record of a scoping opinion either.

**Officer Comment:** Responses have been received from number of stakeholders in respect of the development application and there does not appear to be any objections to the proposed development from the environment and conservation stakeholder. The comments provided by the stakeholder in their responses is helpful in progressing this application and in seeking to use the opportunity provided by this development to promote and enhance conservation of this site through the development of conservation management plan and in ensuring a level of responsibility in its delivery and future management.

The concerns raised by the respondent is in the mainly objecting to the development in respect to the officer assessment on the need for full EIA. The officer's view on the Screen Opinion was that there was only a negligible impact arising from the proposed development and concluded that full EIA was not required. However, in view of the concern expressed the respondent, the applicant prepared an EIA for the consideration of the Planning Service.

#### February 2019 Consultation

A response received from the National Trust that states that:

The EIA report makes no mention of the legal responsibility under the airport Environment Statement for SHG to maintain part of this area as Wirebird habitat and it is due to lack of responsibility that the site is not suitable for Wirebirds currently. The EIA should inform the planning authority and SHG that there is a two-fold requirement for on-going management that should be addressed through recommended mitigation measures and it may also be useful for the Planning Authority to consider future implications if recommendations surrounding this development are similarly ignored.

The report could be more explicit on the specific measures to take to return the site to suitable habitat and then manage it. This would include a combination of invasive species management, mowing, and grazing along with pest and predator control – particularly in advance of the Wirebird Breeding Season (December – March) and should be maintained for a minimum of 5 years at the developers cost.

Due to the small footprint of the development it does not see a need to replace a land area but should rather focus on maintenance of the surrounding area. Construction

should take account of the Wirebird Breeding Season and work halted should Wirebirds nest on-site during construction. Mention should be made of road-kill which has been particularly high on the Haul Road despite speed limits and signs. Similarly, there could be further detail on landscaping and the potential impact of floodlights – both on the wildlife and the setting more generally.

#### July/August 2019 Consultation

One response to the latest consultation was received from Mr Andy Pearce: The respondent has questioned the authority of author and the EIA and the validity of the development application process and the consultation on the EIA. The respondent has no valid planning argument in the correspondence other than to challenge professionalism of the author of the EIA and the planning officers and the previous discussion and reports.

**Officer Response:** There are no specific procedural and content issues raised on the EIA in terms of the various receptor that have been assessed, the impact of these receptors and the mitigation identified to overcome the impact of the proposed development or the any valid planning and/or environmental argument on the impact of the proposed development.

The other main issue raised appears to be whether the development application is a valid application as the respondent considers the development application was withdrawn by the applicant and therefore a new development application should have been made. This issue has been discussed in full detail earlier in Section F of the report.

Whilst the previous discussions and reports are of relevance to a point, however in the administration of this development application all of the previous concerns raised have been addressed with a revised EIA being requested from the applicant and submitted to assess the impact of the development. The EIA was advertised and 28 days consultation period has been given for originations and public to respond.

In conclusion whilst there is some impact of the proposed development on the Important Wirebird Conservation Area, at least with the loss of small part of the larger site to the development, however the impact is minimal. The revised EIA has been able assess the impact and consider mitigation measures that would benefit future conservation of the remaining site.

#### **I. SUMMARY AND CONCLUSION**

The Board has considered this development application on a number of occasions and there has been much discussion on the proposal and the content of the supporting document. In view of the revised EIA submitted to the development application, it has been possible to full assess the environmental of the proposal on the immediate area



and to consider the mitigation measures identified to overcome any adverse impact arising from the development during the construction stage and in the future operation of the use. The development provides an opportunity to put in place number of measures to promote and manage the future nature conservation of the area that will encourage the wirebird to return and nest in the area.

The grant development permission would be subject to planning condition requiring the applicant to prepare a Conservation Management Plan for the Important Wirebird Conservation area setting out proposals for promoting and encouraging. The management plan should include funding proposals to manage and deliver the plan. Whilst the conservation of the area should commence immediately following the grant of development permission, however the funding package to manage conservation must be for at least five years post completion of the construction.

In view of the process that has been followed to ensure that development proposal is considered in light of all the available information in respect of this development application, the Planning Officer recommendation to the Board is that it supports the development application and recommend to the Governor-in-Council to Grant Development Permission with a number of conditions.

#### **J. PLANNING OFFICER'S RECOMMENDATION**

**For this reason, it is advised that the Land Development Control Authority Recommends to Governor-in-Council Grant of Development Permission for this Outline Planning Application, subject to the following Conditions:**

1) **Permission:** This **Outline Permission** will lapse and cease to have effect on the day, 1 year from the date of this Decision Notice unless an Application for Full Development Permission has been submitted by that date – extension may be requested with written approval from the CPO on behalf of the Authority.

**Reason:** required by Section 31(1) of the Land Planning and Development Control Ordinance 2013.

2) The Application for **Full Development Permission** referred to in Condition (1) above shall include:

- a) Details with regards to Site Preparation and Excavation, including Access from the Main Road, services and drainage systems;
- b) Final Building Designs, service installations, Exterior Finishing (Materials and Colour Schemes) as well as Landscaping Details and security fencing and lighting;
- c) Complete Infrastructure Service Supply Drawings (Water, Sewage Handling, Storm-water Management (roofs and hard surfaces) as well as Electricity Supply);

d) Details regarding Management of existing on-site Electricity Infrastructure and possible realignment thereof to ensure continued short-term (i.e. during potential realignment) as well as long-term service provision to the area as a whole.

e) Conservation Management Plan for the Important Wirebird Conservation Area with an appropriate level of funding for a period of at least five years post construction of the development.

**Reason:** to ensure Appropriate, Sustainable and Sensitive Implementation of the site in accordance with LDCP Policies relating to the Coastal Zone and the Important Wirebird Conservation Area management to overcome the impact of the disturbance caused by the development.

**Note:** Conditions relating to aspects such as Construction Management Plan and Mitigation Works will be set as part of the Final Development Permission if and where considered necessary.

**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.