



**St Helena
Government**

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

**Ref: 2019/89
Date: 06/01/2020**

Dear Miss Legg,

Land Planning and Development Control Ordinance 2013: Application No. 2019/89

**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 2019/89 on the 4th December 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 FULL DEVELOPMENT PERMISSION** for Construction of access Road at Breakneck Valley and Donkey Plain 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 development shall be **implemented in accordance with the details** specified on the Application Form; Site Layout and Plan dated 8th October 2019, as stamped and approved by the Chief Planning Officer (CPO), on behalf of the Land Development Control Authority (LDCA), unless the prior written approval of the CPO (on behalf of the LDCA) 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) Before any construction work commences on site detail construction method for the new road will be provided and approved by the Chief Planning on behalf of the Land Development Control Authority in order to assess the suitability of the access road for the suitability of the vehicles that be using it.

Reason: To ensure that road is constructed to an acceptable and safe standard for purpose set out in the development application.

- 4) Before any construction work commences, the applicant will undertake a “walk over” along the route with a specialist nature conversation professional to assess the impact on any endemic invertebrate that may be affected and set out mitigation measure that will be taken to overcome any adverse impact and this will be submitted to and approved by the Chief Planning Officer on behalf of the Land Development Control Authority.

Reason: To ensure all possible effort is made to protect the endemic invertebrates and reduce the adverse impact on the natural and historic environment..

- 5) Before any work is undertaken within 150m of the fortification wall at the bottom of the Breakneck Valley, detailed road alignment assessment must be undertaken to align the road to minimise the impact on the of the fortification wall and the details to be provided to approved by the Chief Planning Officer on behalf of the Land Development Control Authority.

Reason: To ensure to all possible effort is made to protect the fortification wall to align the road with a minimum impact on the historic features.

- 6) During construction, particularly where there will be considerable excavation work necessary, archaeological assessment of the area will be made to establish any potential archaeological impact, advice should be taken from qualified archaeological professional and details recorded for historic records.

Reason: To ensure that any potential archaeology in area is not damaged or destroyed and care is taken where deep excavation is being undertaken.

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



Karen Isaac

Secretary on behalf of the Land Development Control Authority

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