

Open Agenda

Copy No:

No: 3/2020

Memorandum for Executive Council

SUBJECT Development Application - Proposed Construction of Access Road at Breakneck Valley and Donkey Plain

Memorandum by the Chief Secretary

ADVICE SOUGHT

- 1. Executive Council is asked to consider and advise whether Full Development Permission should be granted, with Conditions, for the Proposed Construction of an Access Road at Breakneck Valley and Donkey Plain as recommended by the Land Development Control Authority (LDCA).**

BACKGROUND & CONSIDERATIONS

- At the Land Development Control Authority meeting held on 4 December 2019, it was recommended that FULL Development Permission be granted for the construction of a road at Breakneck Valley and Donkey Plain, subject to Conditions as set out in Section E of the report in Annex A and the Decision Letter in Annex B.
- In accordance with the directions issued by the Governor in Council to the Chief Planning Officer on 14 April 2014 under Section 23(1) of the Land Planning and Development Control (LPDC) Ordinance, 2013, the Chief Planning Officer is required to refer to the Governor-in-Council all applications for Development Permission which proposes the development of any land covered by water or land within 50 metres of land covered by water site.
- A copy of the directions is attached at Annex C for easy reference.
- Section 17 (a)** of the LPDC Ordinance reads:

A grant of development permission may be of either of the following types: –

- 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

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

Open Agenda

conditions attached to the permission) commencement of development to take place, or

- Full Development Permission, the effect of which is to permit the development, subject of the terms and conditions of the grant of Full Development Permission.

6. The following are the relevant Primary Policy clauses from the Land Development Control Plan (LDCP) against which the proposed development application is assessed and these include the following:

- **Coastal Zone:** Primary Policy CZ1 :
- **Road and Transport:** Policies RT1 RT.4

7. RATIONALE BEHIND THE PROPOSAL

- a) The applicant operates a quarry in the Donkey Plain and Breakneck Valley area and is seeking to construct a private Access Road from the site to the shoreline to transport the materials excavated from the quarry at Hickshall Point. It will be for the sole use of the operator. The quarry provides vital material for the construction industry on the Island. Currently the excavated materials are transported in large lorries by road and have to travel through the town. The new road would provide an easily accessible route to transport material via the sea.
- b) Part of the application site is within the Coastal Zone, however there are on other heritage or conservation designations affecting the development.
- c) The Sustainable Economic Development Plan (SEDP) for St Helena sets out the strategic vision for the Island to 'achieve development which is economically, environmentally and socially sustainable by increasing standards of living and quality of life; not relying on aid payments from the UK in the longer term; whilst affording to maintain Island's infrastructure; achieve more money coming into St Helena than going out and sustain and improves Helena's natural resources for this generation and the next.'
- d) To achieve this vision, the SEDP sets a goal to improve infrastructure by 'Using tax revenue and other funding streams for investments to improve health, education, water, electricity, transport, risk management and other infrastructure'.
- e) The development and investment in the local economy is an improvement to the economic prosperity of the Island. The development of infrastructure development falls within the vision of the SEDP and 10 Year Plan and the

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

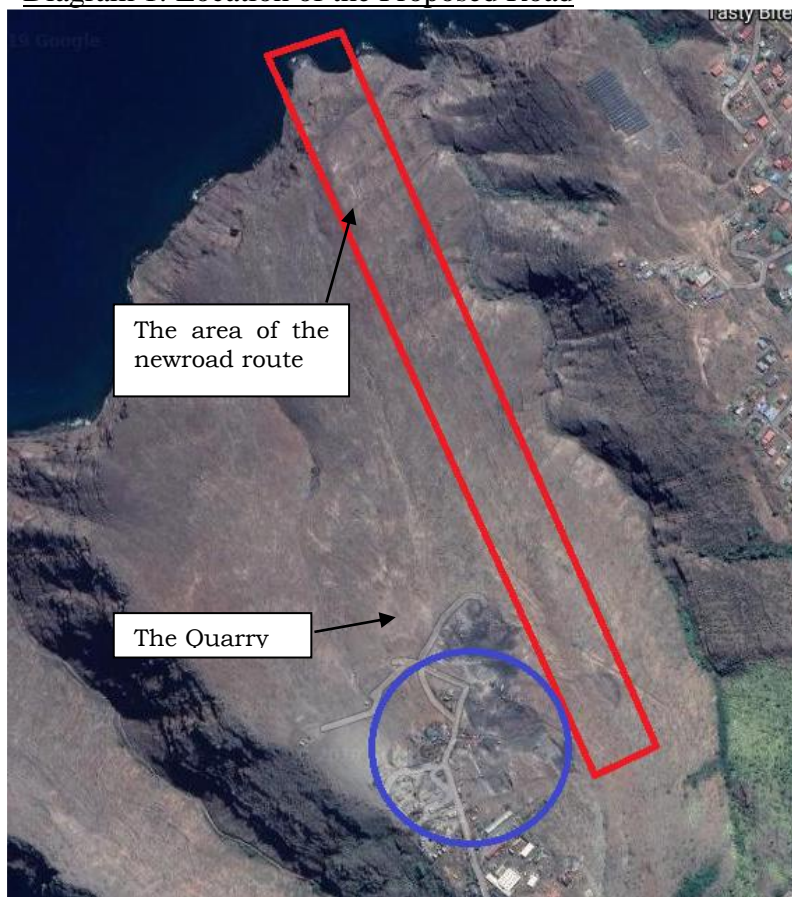
Open Agenda

on-going programme for encouraging future invest in thconstruction sector will create employment opportunities and development of skill for the local people.

8. BACKGROUND OF THE DEVELOPMENT APPLICATION AND REPORTS

- a) Prior to the submission of the development application, there was discussion with the applicant in respect of the proposal seeking advice on the document required in support of the development. In accordance with the Land Planning and Development Control Ordinance 2013, the applicant requested a Screening Opinion in respect of the proposed development.
- b) The Screening Opinion undertaken in this respect concluded that whilst there is some environmental impact arising from the proposed construction of a road in this unspoilt natural environment, the nature of the proposed construction does not require an Environmental Impact Assessment.

Diagram 1: Location of the Proposed Road



c) This view was supported by the Chief Environment

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

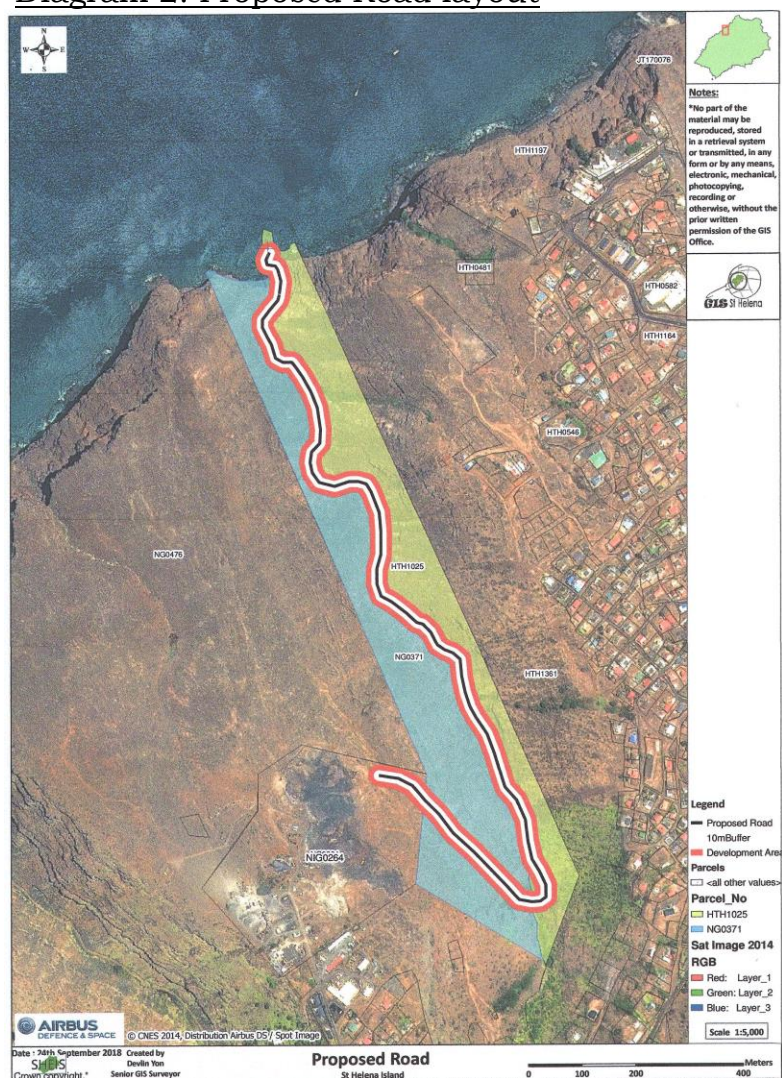
Open Agenda

Officer and Stakeholders who were consulted on the Screening Opinion. It was requested that the applicant prepare a Construction Method Statement in support of the development application setting out how the construction will be managed and in particular how some of the environment receptors such as noise, dust and scarring will be managed during construction.

9. DETAILS OF THE DEVELOPMENT

- a) The location and the area to be covered by the new road is through Breakneck Valley from Donkey Plain, where the applicant operates a quarry, as shown in the plan. Part of the area is an access track created through its use by walkers over the years. However, in more recent years the area is now less used by walkers, so much of the original track may now be well over grown.

Diagram 2: Proposed Road layout



This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

Open Agenda

- a) The applicant is intending to create an Access Road that is usable by heavy goods vehicles. The construction is very much like a number of unconstructed access roads around the Island. The material used for the construction will be mostly materials excavated from the quarry that will be compressed and rolled so it will provide natural drainage. To allow for accessibility and gradient, there will be some rock blasting to create a route usable by large vehicles.

10. REPRESENTATION

Representations have been received from the Heritage Society and Saint Helena National Trust (SHNT) in respect of the proposed development, stating the lack of detail provided on the road design, the impact on the section of fortification wall at the bottom of the valley, impact on potential archaeology in this established, 18th century route, the impact of the natural (endemic invertebrates) and historic (fortification wall) environment of this area and the need for an Environmental Impact Assessment in respect of the proposed development. The representations request further consideration be to the road alignment as it approaches Breakneck shoreline to avoid disturbing the wall altogether and that suitable mitigation be put in place to avoid disturbance to endemic invertebrates or Samphire.

11. OFFICER ASSESSMENT

- a) There will be an impact on the natural environment arising from the proposed development, as much of this area has been undisturbed from development or land excavation work. In the past, the area has been very popular with fishermen accessing the shoreline and is reasonably accessible to walkers, however in recent years this activity has decreased considerably allowing for the nature to take greater hold on the area and with that the natural environment has probably flourished. When the proposal was first considered, the potential route was walked over by the officers and their observation was reflected in their assessment on the impact and the conclusion of the screening opinion.
- b) With regards to the fortification wall, which needs to be breached in order to access the shoreline at the bottom of the valley, the applicant has indicated that they are prepared to review the exact alignment once the construction reaches that point to see how the wall can be avoided. Through an appropriate worded condition the impact of the access around the wall can be reviewed

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

Open Agenda

- during construction.
- c) It is the unfortunate consequences of the development process that there is the likelihood of the potential adverse impact on the natural environment and in particular the endemic invertebrates, however through mitigation the potential impact can be reduced. Similarly, with an appropriately worded Condition the applicant can be required to provide more detailed assessment of the areas along the route of development where endemic invertebrates could potentially be found and all effort is made to ensure that these are relocated or the alignment of road can be reassessed to avoid where there is concentration.

12. CONCLUSION

- a) It has been difficult to make clear judgement on the proposed construction of the road from the level of information provided with the application on the route alignment and design details of the new road, however as it is generally a private formalised access track that would be suitable for lorries to access the shoreline from the quarry area with the material and not a primary or secondary public road that needs to be built to a high specification design standards, the details provided are sufficient to assess the proposal in this location.
- b) There will be some adverse impact on the natural and historic environment of the area from the new road, however it is difficult to quantify exactly what the impact will be on the local archaeology and ecology. Through the inclusion of a Condition requiring more details on the exact alignment as the construction is progressed the impact can be managed and measures put in place to reduce the impact. Similarly, the alignment details of the road at the point of fortification wall can be assessed for its potential impact.
- c) The development application report was considered by the LDCA at their meeting in December 2019 and it was agreed to recommend to the Governor-in-Council to grant Full Development Permission, subject to a number of Conditions. The report to LDCA is attached as Annex B to this Memorandum.
- d) In view of the process that has been followed to ensure the development proposal is considered in light of all the available information, the LDCA recommends to the Governor-in-Council to Grant Full Development Permission with a number of conditions, as set out in Section E of the LDCA report for 5 December 2019,

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

Open Agenda

attached as Annex C to this Memorandum. It should be noted that this development falls within the Coastal Zone and where presumption will be in favour of retaining the natural appearance and ecology of the area, the proposed development of an access road constructed to keep the appearance of an informal access track is considered to be in the spirit of the policy objective whilst ensuring accessibility for transport of quarried material to the shoreline and can be supported in terms of siting, layout and details and supports and the delivery of a number of goals within the SEDP and therefore can be allowed.

FINANCIAL IMPLICATIONS

13. Executive Council acts as the Planning Authority in considering this Memorandum.

ECONOMIC IMPLICATIONS

14. The delivery and implementation of the development will promote growth in the construction sector and will contribute toward economic growth and prosperity. The construction sector faced some downturn after the Airport Project came to a close, and therefore this will be a boost to the sector, improving employment and reducing those claiming Income Related Benefits and Unemployment Allowance. The development will also stimulate collection Government Revenues to some extent through the sale of plots, stamp duty and import duties related to house building.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

15. N/A

PUBLIC / SOCIAL IMPACT

16. A negligible public/social impact is anticipated.

ENVIRONMENTAL IMPACT

17. There is some adverse impact on the nature and heritage environment arising from this proposed development as much of this area has not been disturbed by development or land excavation work, however it is not considered to be significant when balanced with the potential environmental benefits likely with the removal of heavy goods vehicles from the main Jamestown area that transports material. Through mitigation the potential impact can be reduced to make the

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.

Open Agenda

proposed acceptable. Similarly, with an appropriately worded Condition the applicant can be required to provide a more detailed assessment of the areas along the route of development where endemic invertebrates could potentially be found.

PREVIOUS CONSULTATION / COMMITTEE INPUT

18. None.

PUBLIC REACTION

19. The development application was subject to public consultation as required by the Ordinance. There were representations received has and these have been assessed in Section 10 of this report.

PUBLICITY

20. The decision will be covered in the media briefing following the Executive Council Meeting.

SUPPORT TO STRATEGIC OBJECTIVES

21. N/A

LINK TO SUSTAINABLE ECONOMIC DEVELOPMENT PLAN GOALS

22. The development will help to achieve goals 4, 7 and 8 of the Sustainable Economic Development Plan (SEDP). Goal 5 of the SEDP is to Improve Land Productivity, Goal 7 is to improve infrastructure and Goal 8 of the SEDP is to develop, maintain and attract a skilled workforce.

SOB

OPEN /CLOSED AGENDA ITEM

23. Recommended for the Open Agenda.

Corporate Support
Corporate Services

06th January 2020

This document is the property of the St. Helena Government; it is protected by copyright laws and by the Official Secrets Acts.

The unauthorised possession or copying of the document may result in civil or criminal penalties.