



**St Helena
Government**

**Mrs Connie Johnson
Corporate Services
The Castle**

**Ref: 2019/111
Date: 03/03/2020**

Dear Mrs Johnson,

Land Planning and Development Control Ordinance 2013: Application No. 2019/114

The Land Development Control Authority (LDCA) considered Application 2019/114 on the 26 February 2020 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 the Proposed New HM Prison and Custody Building at Bottom Woods** 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) 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.
- 3) **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 the Building Inspectors 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.
- 4) The development shall be **implemented in accordance with the details** specified on the Application Form; Site Layout, Floor & Elevation Plans received on 18th December 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.

- 5) **Construction Practices:** During construction of the development, no obstruction shall be caused on any public road and prior to occupation of the development the developer shall reinstate damage to any public road and other public or private infrastructure 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 LDCP IZ1 (g).

- 6) Excavation into slope and infilling to form level platforms or embankments shall be in accordance with the approved plans. 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).

- 7) Dust monitoring on site shall be undertaken on a daily basis. In the event that dust is at any time generated that is likely to travel outside of the site and towards neighbouring properties the following mitigation measures shall be taken:

- The erection of dust screens
- The damping down of materials that have the tendency to be carried by the wind
- Reducing the speed of site operated machinery
- In the event of adverse dry and windy weather conditions, site operations should be temporarily restricted or suspended

Reason: To assist the control and limitation of environmental particulate pollution.

- 8) 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).

- 9) The proposed dwelling shall not be occupied until its Foul Drains (to include both black & grey water) have been completed, approved and connected to the approved individual Septic Tank and Soakaway System. The system to be appropriately designed based on:
- i) Percolation test results submitted.
 - ii) Standard engineering design principles to be endorsed by the Building Inspectors.
 - iii) 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.
- Reason:** To avoid creating pollution and to accord with LDCP policies SD1 and SD7.
- 10) Occupation of the development is not permitted until it is adequately served by a potable water supply, adequate energy supply as well as a foul drainage system, as approved by the Building Inspectors in consultation with the Chief Planning Officer.
- Reason:** To accord with LDCP IZ1, SD1, RT7 and W3.
- 11) **Roof Water Practices:** 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 SD1.
- 12) **Storm water Practices:** Storm water should be managed on site and not allowed onto the public roadway or neighbouring properties.
- Reason:** To protect public and private amenity and accord with LDCP SD1.
- 13) All **external lights** attached to the building shall be designed and sited such that they do not emit light at or above the horizontal and the light source (lamp, bulb or LED) shall not be visible beyond the site boundaries.
- Reason:** to avoid light pollution and to protect the dark skies status of the island in accordance with LDCP policy E8.
- 14) The **colour of the roof** shall be dark slate grey or red.
- Reason:** to match the existing and blend the building into the landscape, in accordance with the Adopted Policy on Colour of Roofing Materials.
- 15) Development shall be such as to protect existing infrastructure:
- i) No excavations shall take place within 3m of any Low Voltage (LV) Pole or Pole Stay anchor and 5m within any High Voltage (HV) Pole;
 - ii) No building construction to take place below any LV or HV Lines;
 - iii) No excavation or building construction to take place within 3m of the nearest overhead LV Line and 5m of the nearest overhead HV Line;

- iv) Excavation or construction does not pose any restriction for access to HV/LV lines and poles; and

Reason: to ensure safety and to protect the public electricity supply.

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.

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.

Yours Sincerely

Karen Isaac
Secretary to LDCA

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