

## Planning Officer's Report – LDCA NOVEMBER 2020

<b>APPLICATION</b>	<b>2020/66</b> – Demolish Existing Single Garage & Construct a Double Garage
<b>PERMISSION SOUGHT</b>	Permission in <b>Full</b>
<b>REGISTERED</b>	7 <sup>th</sup> September 2020
<b>APPLICANT</b>	Gillian A Francis
<b>PARCEL</b>	TW0010
<b>SIZE</b>	0.79 acres (3191m <sup>2</sup> )
<b>LOCALITY</b>	Wood Vale, Blue Hill
<b>ZONE</b>	Green Heartland
<b>CONSERVATION AREA</b>	None
<b>CURRENT USE</b>	Existing House
<b>PUBLICITY</b>	The application was advertised as follows: <ul style="list-style-type: none"><li>▪ Independent Newspaper on 11<sup>th</sup> September 2020</li><li>▪ A site notice displayed in accordance with Regulations.</li></ul>
<b>EXPIRY</b>	25 <sup>th</sup> September 2020
<b>REPRESENTATIONS</b>	None Received
<b>DECISION ROUTE</b>	<del>Delegated</del> / <b>LDCA / EXCO</b>

### **A. CONSULTATION FEEDBACK**

- |                                    |                        |
|------------------------------------|------------------------|
| 1. Sewage & Water Division         | No Response            |
| 2. Energy Division                 | No Objection           |
| 3. Fire & Rescue                   | No Response            |
| 4. Roads Section                   | No Objection           |
| 5. Property Division               | No Response            |
| 6. Environmental Management        | No Objection - Comment |
| 7. Public Health                   | No Response            |
| 8. Agriculture & Natural Resources | No Response            |
| 9. St Helena Police Services       | Not Consulted          |
| 10. Aerodrome Safe Guarding        | Not Consulted          |

11. Enterprise St Helena (ESH)	No Objection
12. National Trust	No Response
13. Sure SA Ltd	No Objection
14. Heritage Society	No Response

**B. PLANNING OFFICER'S APPRAISAL**

**LOCALITY & ZONING**

The application site is a residential property just south west of the junction leading towards High Hill and the Redgate Bus Shelter. The plot is designated within the Green Heartland Zone and has no Conservation area restrictions.

**Diagram 1: Location Plan**



**THE PROPOSAL**

Currently there is an existing house as well as two garages on the property. The applicant proposes to demolish the existing garage south of the driveway, due to its poor condition as can be seen in diagram 3. Once the old garage has been removed, excavation to create a level platform of approximately 9m x 9m will be undertaken, resulting in an embankment measuring 2.8m. On the level platform, constructed will be a double garage measuring 40m<sup>2</sup>, where it will be constructed out of concrete

blockwork, rendered then painted. The roof will be made from IBR sheeting and of a gable design. The apex height will measure approximately 4.5m. The garage will consist of two roller doors on the north elevation and a single fanlight window on the west elevation. Rainwater run-off will be directed into a water storage tank and overflowed onto the existing garden.

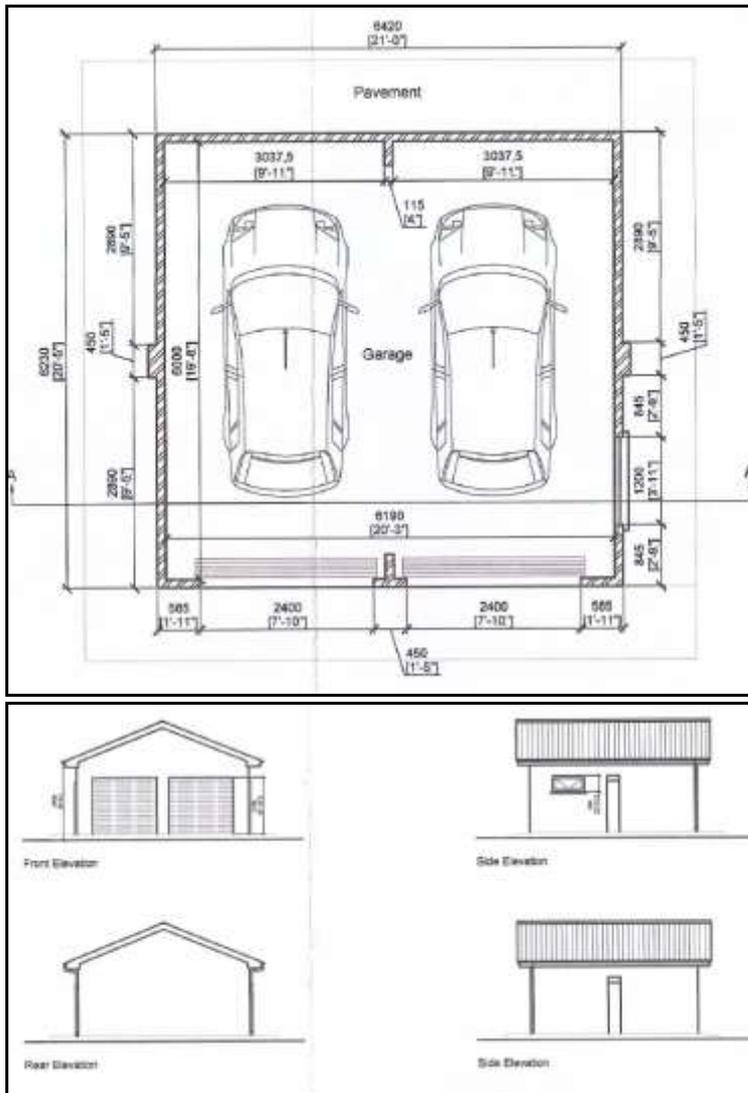
**Diagram 2: Site Plan**



**Diagram 3: Existing Garage to be demolished**



**Diagram 4: Floor Layout & Elevations**



**POLICY CONSIDERATION**

The proposed development is assessed against the LDCP Policies set out below:

- Green Heartland Zone
- Road and Transport: Policies RT7

**OFFICER ASSESSMENT**

The Green Heartland policy GH2 states that ‘No development permission will be granted for development which includes the construction of buildings above the contour line of 550m, except for;

- a) development required for the conservation, interpretation, study and appreciation of the natural ecology of the area (e.g. walk-ways, interpretation centre, etc),
- b) tourism relation development within established forest areas in the form of eco-lodges that will, as an element of the development proposal, remain forested sufficient to conceal the development from any viewpoint within the Diana’s

- Peak National Park or visible in any view towards the National Park from a public road or public place, and
- c) tourism-related development in the area of Broad Bottom below the contour line of 600m that will, as the first principle of its design, detail, and operation (including transport) be an example of international best practice of a sustainable development with the minimum of disturbance to the natural ecology of the area and the principal method of grassland maintenance to remain pasture grazing.'

Furthermore policy GH3 states that; 'Except as provided in policy GH2, permission will not be granted in the Green Heartland for development, which includes the creation of sleeping or catering facilities or new dwellings; save that permission will be granted for the extension of existing buildings and re-use, reconstruction and extension of existing derelict buildings ...'

The proposed development will be situated on 605m contour line, therefore it contravenes the aforementioned policies. However, should the proposed development is considered to be acceptable in this location, then the assessment must be as material considerations to whether development permission should be granted as an exemption to these policies.

As a starting point, the proposed development is located within a previously established parcel of land used for residential purposes, with a dwelling house and number of other out-buildings. The proposed development of a garage is to replace one of the old out-building (structure) that is detrimental to the amenity of the area, due to its condition, material and its position. The proposed development will be positioned within the vicinity of the existing structure, albeit the new building will be larger than the existing, both in terms of floor area and its height. The benefit of the excavation is to provide an improved turning circle for the vehicle to enter and exit the garage. In terms of the design, the building will share characteristics of the existing house as well as neighbouring development, such as the materials to be used along with the gable roof design. With regards to the visual impact, there is an existing treeline on the northern side of the driveway, which will ensure that the building is not visible to any neighbouring development and from other higher view or vantage points. This would be in compliance with the objective of the policy, ensuring that the building is not visible in the landscape.

The current main dwelling house and the two out-buildings, which are already above 550 contour line, had been constructed many years ago before the adoption of the LDCP. The out-building, which will be replaced is in a very poor condition due to its age, construction and material, therefore would not be feasible to repair and restore.

Given the secluded position of the land parcel and the tree coverage on the boundary, the new building will not be visible within the landscape. This meets with the overall principle objective of ensuring that developments are not visible within the landscape. The main house is more visible within the wider landscape of this area, as well as a number of other buildings than the proposed garage building. As a material consideration, there is justification that in this instance to consider favourably the proposed development as it will be well shielded by the trees and other vegetation and is therefore not visible in the landscape.

### **CONSULTATION**

The Environmental Management have raised no objection to the proposed development application and have stated that; although the site is within the Green Heartland, the proposed development is within a residential plot within an existing residential area and consider that the overall impact will therefore be minimal.

### **CONCLUSION**

In conclusion, if Members are minded to approve the development application in view of the justification provided for the material consideration to depart from the Green Heartland Zone policies of the Land Development Control Plan 2012-20, then they are advised that the decision on the approval of development permission rests with the Governor-in-Council for decision. Therefore, in accordance with Section 23(2)(b)(i) of the Land Planning and Development Control Ordinance, as this development permission is a departure from the Land Development Control Plan policies as set out above.

**D. RECOMMENDATION:** The Land Development Control Authority supports the Governor-in-Council to **GRANTED** Development Permission be subject to the following Conditions for the proposed development as set in this report:

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, Floor & Elevation Plans (DWG No. ST47/2020 & ST48/2020 received on 7<sup>th</sup> September 2020 as stamped and approved by the Planning Officer, on behalf of the Land Development Control Authority, subject to the Condition of this Decision Notice and unless the prior

written approval 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.

- 3) All trees and established shrubs must be retained this land parcel. Any future removal of trees or the established shrubs, within 10m (ten metres) of this development will require prior approval in writing from the Chief Planning Officer on behalf of the Land Development Control Authority.

**Reason:** to ensure the development remains screened within the landscape to protect the landscape character of the Green Heartland.

- 4) 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.

- 5) 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.

- 6) **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).

- 7) 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).
- 8) 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.
- 9) **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 to landscaped areas.  
**Reason:** to conserve rainwater and to avoid overloading the Septic Tank, in accordance with LDCP SD1.
- 10) **Stormwater Practices:** Stormwater 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.
- 11) 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.
- 12) The Colour of Roofs shall be dark slate grey.  
**Reason:** to blend the building into the landscape, in accordance with the Adopted Policy on Colour of Roofing Materials.

**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.