

**LAND DEVELOPMENT CONTROL COMMITTEE  
MINUTES OF THE MEETING HELD ON  
11 JULY 2013**

***1. OUTSTANDING APPLICATIONS***

12/0304 Amendment to the setback distance from the line of permanent vegetation for four (4) Villas at Lockrum, (Block 38510B/184, 185, 186, 187, & 194) **Anguilla Partnership Enterprises Ltd.**

***Refused*** for the following reasons:

- i. the villas are proposed to be setback from the line of permanent vegetation only twenty-five (25) feet instead of the required sixty-five (65) feet, which is considered to be the minimum acceptable setback distance by the Land Development Control Committee. The application was first approved in an outline application at 65 feet and then approved in full at fifty (50) feet. To permit a further reduction of 25 feet would be defeating the intended purpose of the policy relating to coastal setback distances;
- ii. the proposal to locate the villas at 25 feet from the line of permanent vegetation increases the risk of the villas receiving damage from the effects of storm surge; and
- iii. the villas being sited at such close proximity to the active part of the beach will make them extremely susceptible and vulnerable during adverse weather conditions. This may very well lead to the request for hard engineering defense mechanisms to be put in place. which could be avoided by adhering to a safe setback distance away from the line of permanent vegetation.

12/0344 Amendment to Subdivision, Shoal Bay (Block 59018B/211 & 140) **Fountain Beach Residences & Resort**

***Approved***

13/0128 Fruit & Vegetable Stall & Storage Shed, George Hill (Block 38713B/70) **Maria Casimir**

***Approved*** with the following conditions:

- i. permission shall be granted for a period of two (2) years effective from the 11<sup>th</sup> July 2013 to 10<sup>th</sup> July 2015. Upon expiration of planning permission, the use of the Fruit & Vegetable Stall & Storage shed must cease and the site restored to its original condition unless otherwise agreed to in writing with the Land Development Control Committee;
- ii. the entrance and exit to and from the site shall be in accordance with the approved plans; and
- iii. the operation of the Fruit & Vegetable Stall must comply with the requirements as set out by the Director of Health Protection within the Environmental Health Unit and shall be carried out in accordance with specifications approved by him and completed to his satisfaction prior to the operation of the building erected on the land in accordance with the terms of this permission.

13/0132 Change of Use from Dwelling House to two(2) Apartment Units, George Hill (Block 48713B/32) **Doreth Gumbs**

*Deferred* for registered access to the parcel.

13/0133 Restaurant/Bar, Sandy Ground (Block 08412B/171) **Christabel Carty**

*Refused* for the following reasons:

- i. there is no registered means of access to the proposed bar which is located on the beach;
- ii. there is no parking provided for this development;
- iii. the location of the bar being on the sandy portion of the beach would adversely affect the free movement of beach users within that area of the beach; and
- iv. the proposed development does not have any portable running water which is necessary for the operation of proper sanitary conveniences. Without this in place, it is very likely that good public health standards will be compromised during the operation of the facility.

13/0135 Back of House Facility, Garage & Generator House, Shoal Bay (Block 59018B/138)

**Fountain Beach Residences & Resort**

*Deferred* for consultation with the Environmental Health Unit within the Department of Health Protection, the Department of the Environment, the Department of Disaster Management and the Ministry of Infrastructure, Communication and Utilities.

13/0137 Spa, Tennis Court & Golf Practice Hole, West End (Block 17810B/67) **Cerulean Holdings Ltd.**

*Deferred* for the following reasons:

- i. discussion with the agent to provide a minimum of 16ft. setback distance from all boundaries; and
- ii. the four parking bays shown on the site plan that abuts the right-of-way to be redesigned to avoid maneuvering onto the right-of-way.

13/0142 Dwelling House, Cannifest (Block 89216B/102) **Welka Thomas**

*Approved*

13/0143 Food Van, The Valley (Block 48814B/253) **Benedict Hodge**

*Refused* for the following reasons:

- i. the site forms part of land allocated for future road development and upgrading works by the Government of Anguilla, the development now proposed will compromise and prejudice these plans;
- ii. the proposal is contrary to (EXMIN 02/406 dated 31<sup>st</sup> October 2002) relating to food vans and other stalls which seeks to control the proliferation of food vehicles and commercial stalls in the interest of public health, safety and amenity;
- iii. the proposed development does not have any running water available for the sanitary convenience of patrons; and
- iv. the proposal to use a portable toilet as the means of sanitary convenience along a major carriageway in the core of the central business district is unsatisfactory and would have an injurious effect on the amenity of the area and also create a strident feature in the street scape.

13/0148 Resort, Rendezvous Bay (28111B/97) **Anguilla development Corporation Ltd.**

*Deferred* for discussion with the agent regarding provision to be made for a registered public access to the beach.

## **2. PLANNING APPLICATIONS RECEIVED SINCE 18 June 2013**

**Please note that the following information clause is attached to the decision notice of all building applications in full that are approved with or without conditions:**

*NB. This permission does not in any way constitute a waiver of the need to obtain building permission for this proposed development and any other necessary Government licenses and or permits that may be required. The applicant is responsible for obtaining all necessary licenses that may be required.*

13/0150 Desalination Plant & Drill Water Well, Little Harbour (Block 38711B/239) **James & Debra Millis**

*Deferred* for consultation with the Department of Fisheries and Marine Resources, the Department of the Environment, the Environmental Health Unit within the Department of Health Protection and the Ministry of Infrastructure, Communication and Utilities.

13/0151 Clothing Store and Dwelling House, Sachasseas (Block 48714B/530) **Ashton Bradley**

*Deferred* for:

- i. the septic tank to be shown on the site plan with a minimum of 6ft. setback distance from the boundary; and
- ii. discussion with the agent regarding the boutique shown on the first floor plan not being in keeping with the residential land use of the area.

13/0152 Apartment, The Farrington (Block 69014B/270) **Albert S Lake**

*Approved* subject to the septic tank being shown on the site plan with a minimum of 6ft. setback distance from the boundary.

13/0153 Dwelling House, Cauls Pond (Block 69016B/22) **Vanessa Bryan**

*Deferred* for:

- i. the footprint of the building on the site plan to correspond with the floor plan; and
- ii. the correct parcel to be shown on the location plan.

13/0154 Extension to Dwelling House, Sandy Hill (99315B/51) **Peter Oliver**

*Approved* subject to:

- i. all roads being shown on the site plan;
- ii. the site plan being drawn correctly to reflect the parcel in its entirety; and
- iii. a proper location map being submitted.

13/0155 Wine Shop, South Hill (Block 28312B/137) **Daniel Passeri**

*Approved* with the following condition:

This permission is granted in **OUTLINE ONLY**. Full planning permission is required before any development commences. An application for full planning permission should be submitted to the Land Development Control Committee and shall detail all matters relating to design and siting of the structures; external appearances of the structures; traffic circulation and parking layout; drainage; treatment and disposal of sewage; and landscaping of site.

13/0156 Food Stall and Bar, South Hill (Block 38512B/67) **Dexter Connor**

*Approved* with the following condition:

The Food Stall shall not be operated until the on site accesses (roads etc.) and parking lots have been paved with concrete, asphalt, gravel or any other hard surface approved by the Chief Engineer of the Department of Infrastructure.

13/0157 Extension to Dwelling House, South Hill (Block 38511B/1) **Hugo Hughes**  
*Approved*

13/0158 Dwelling House, Island Harbour (Block 89418B/17) **Yvonne Lloyd**  
*Approved*

13/0159 Water Sports Mobile Booth Unit, Meads Bay (Block 17910B/39) **Leroy Richardson**  
*Refused* for the following reasons:

- i. the proposal is contrary to the Government's policy relating to mobile/portable and containerised units (approved on January 2011) which seeks to control the proliferation of these units throughout the island individually and combined which can have a negative impact on public health, safety, amenity and the image that Anguilla portrays as a high end tourism destination;
- ii. there is no registered means of access to the proposed mobile/containerised water sports booth which is proposed to be sited on the sandy portion of the beach. This will result in the booth being driven onto and off of the beach on a daily basis. Such a practice is essentially environmentally unacceptable;
- iii. there has been no proper provision made within this proposal to satisfactorily provide for parking of the patrons vehicles who would be using the water sport facility. The reference made in the application to use private existing parking lots without the written consent of the owners is an unacceptable and impractical option;
- iv. the proposed siting for the mobile/containerised water sports booth to be on the sandy portion of the beach would adversely affect the free movement of beach users within that area of the beach;
- v. the proposed development does not have any means of adequately disposing of solid waste and does not have any running water for the sanitary convenience of the patrons to the business ; and
- vi. the nature of the material of the mobile/containerised water sports booth puts it at risk to withstand adverse weather conditions during storms and hurricanes in that the light construction material makes it susceptible to damage from flying objects.

13/0160 Water Sports Mobile Booth Unit, Rendezvous Bay (Block 28210B/13) **Leroy Richardson**  
*Refused* for the following reasons:

- i. the proposal is contrary to the Government's policy relating to mobile/portable and containerised units (approved on January 2011) which seeks to control the proliferation of these units throughout the island individually and combined which can have a negative impact on public health, safety, amenity and the image that Anguilla portrays as a high end tourism destination;
- ii. the nature of the material of the mobile/containerised water sports booth puts it at risk to withstand adverse weather conditions during storms and hurricanes in that the light construction material makes it susceptible to damage from flying objects;

- iii. the proposed development does not have any means of adequately disposing of solid waste and does not have any running water for the sanitary convenience of the patrons to the business;
- iv. in order to locate the booth in the position proposed on the sandy beach will necessitate it being driven onto and off of the beach on a daily basis. Such a practice is essentially environmentally unacceptable; and
- v. the proposed siting for the mobile/containerised water sports booth to be on the sandy portion of the beach would adversely affect the free movement of beach users within that area of the beach.

13/0161 WITHDRAWN

13/0162 Parking Area, The Valley (Block 48813B/80 & 81) **Anguilla Building Construction**  
*Deferred* for consultation with the Department of Agriculture.

13/0163 Gym & Dwelling House, North Side (Block 58916B/416) **Derrick Richardson**  
*Deferred* for:

- i. the application to be advertised on radio by the Department; and
- ii. the applicant to erect a sign on the site giving notice of the application. It should be visible from the public road and the Department notified of the date of placement.

13/0164 Dwelling House, Cove Road (Block 28010B/277) **Sandra Nelson**  
*Approved*

13/0165 Dwelling House, Old Ta (Block 48613B/281) **Joycelyn Reid**  
*Approved* subject to the setback distance of the building being a minimum of 16ft. and taken from the closest point of the building to the road.

13/0166 Dwelling House, Flat Cap (Block 58616B/108) **Francois Petit**  
*Approved* subject to the proposed development being setback a minimum distance of 50ft. from the edge of the cliff and stated on the site plan.

**This application will be approved with the following condition:**

This permission is granted in **OUTLINE ONLY**. Full planning permission is required before any development commences. An application for full planning permission should be submitted to the Land Development Control Committee and shall detail all matters relating to design and siting of the structures; external appearances of the structures; traffic circulation and parking layout; drainage; treatment and disposal of sewage; and landscaping of site.

13/0167 Grant of Easement, Sea Feathers (Block 99415B/1) **Samuel Hodge & Denver Hodge-Benjamin**  
*Approved*

13/0168 Dwelling House, Rendezvous Bay (Block 28211B/234) **Wilbert Fleming**  
*Approved* subject to:

- i. all roads being shown on the site plan; and
- ii. the correct ownership being stated on the application form.

13/0169 Two (2) Dwelling Houses, Lockrum (Block 38510B/189) **Brent Davis**

*Approved* subject to:

- i. a proper location map being submitted;
- ii. all roads being shown on the site plan;
- iii. the second floor plan being submitted; and
- iv. all elevation drawings being correctly labeled.

13/0170 Advertisement Sign, The Forest (Block 78813B/131) **Bijoux**

*Refused* for the following reasons:

- i. the advertisement sign does not conform to the Government of Anguilla's Policy relating to the Signs and Advertisements (EXMIN 01/238, approved on 8<sup>th</sup> November 2001) which seeks to control the proliferation of signs throughout the island; and
- ii. the Land Development Control Committee wishes to limit the proliferation of advertisements displayed throughout the island in order to protect the amenity of the area along the roadside.

13/0171 Advertisement Sign, Blowing Point (Block 38409B/60) **Bijoux**

*Refused* for the following reasons:

- iii. the advertisement sign does not conform to the Government of Anguilla's Policy relating to the Signs and Advertisements (EXMIN 01/238, approved on 8<sup>th</sup> November 2001) which seeks to control the proliferation of signs throughout the island; and
- iv. the Land Development Control Committee wishes to limit the proliferation of advertisements displayed throughout the island in order to protect the amenity of the area along the roadside.

13/0172-0174 Will Be Discussed At The Next Scheduled LDCC Meeting

13/0175 Gazebo for Shade, Sandy Point Beach (Block28309B/169) **Dolphin Discovery Anguilla**

*Deferred* for consultation with the Ministry of Home Affairs, the Department of Environment the Department of Fisheries and Marine Resources and the Department of Lands & Surveys.

13/0176 Office Building and Entertainment Center and Facility for a Dolphinarium, Sandy Point Beach (Block28309B/169) **Dolphin Discovery Anguilla**

*Deferred* for consultation with the Ministry of Home Affairs, the Department of Environment, the Department of Fisheries and Marine Resources and the Department of Lands & Surveys.

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Vincent Proctor  
Secretary

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Aurjul Wilson  
Chair