

**LAND DEVELOPMENT CONTROL COMMITTEE  
MINUTES OF THE MEETING HELD ON  
21 FEBRUARY 2013**

***1. OUTSTANDING APPLICATIONS***

08/0452 Salt Pond, Retail, Museum Manufacturing, Road Bay (Block 08413B/44) **Thomas J. Graham**

***Deferred*** for an Environmental Impact Assessment to be submitted for the proposed development.

11/0285 Amendment to Subdivision, North Side (Block 58715B/447) **Richard Lloyd**  
***Approved***

11/0286 Amendment to Subdivision, Black Garden (Block 58616B/70) **Richard Lloyd**  
***Approved***

12/0303 3.5 Megawatt Solar System, Rendezvous Bay (Block 28111B/99) **Anguilla Development Cooperation**  
***Deferred*** for consultation with the Economic Development Unit.

12/0322 Guest House, Bar & Restaurant, (Block 28310B/389) **Neville Connor**  
***Approved*** with the following conditions:

- i. the business shall not be occupied until the onsite accesses (roads etc.) and parking lots have been paved with concrete, asphalt or any other hard surface approved by the Chief Engineer of the Department of Infrastructure;
- ii. in order to protect and serve as a buffer between the Rendezvous Pond and the built development proposed for the site, replacement vegetation shall be established. This vegetation shall be buttonwood mangrove, sea grape and white cedars which are the same species removed indiscriminately from the edge of the pond.
- iii. all necessary measures shall be taken to prevent the run off of silt, mud and other debris into the pond; and
- iv. all wastewater shall be treated and contained on site.

13/0019 Subdivision, Shoal Bay (Block 89118B/116) **William Hawley**  
***Approved***

13/0021 Advertisement, Stoney Ground (Block 68915B/13) **Cleophus Gumbs**  
***Approved*** with the following conditions:

- i. the Department of Infrastructure shall be notified at least 48 hrs. prior to the date and time on which it is proposed to erect the advertisement. Where 48 hrs. would fall on a Saturday, Sunday or public holiday, the notification should be on the proceeding working day;

- ii. the advertisement must be placed a minimum distance of 10 feet from the edge of the road or 16 feet from the centre of the road, whichever is the greater; and
- iii. the siting, construction and maintenance of the advertisement shall be in accordance with the requirements and to the satisfaction of the Chief Engineer within the Department of Infrastructure and the Director of Disaster Management within the Department of Disaster Management.

13/0022 Change of Use, Long Bay (Block 18011B/262) **Jacob Fleming**  
**Deferred** for a site visit by the Land Development Control Committee.

13/0024 Food Van, The Valley (Block 58814B/63) **Andrea Richardson**  
**Refused** for the following reasons:

- i. the proposal is contrary to the Government of Anguilla Policy (EX MEM 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;
- ii. the site forms part of land allocated for future road development and upgrading works by the Government of Anguilla. The development now proposed will prejudice these plans; and
- iii. the proposal to utilise a portable toilet on a permanent basis on the site which is within the town's centre is undesirable and not in keeping with the image that the island wishes to portray as a high end tourism destination; and
- iv. the proposed development does not have any running water.

13/0028 Bar & Restaurant, South Hill (Block 08512B/83) **Randolph Gumbs**  
**Refused** for the following reasons:

- i. the proposed development would not provide suitable and sufficient accommodation within the curtilage of the site for parking, loading and unloading of vehicles in connection with the use of the site. Such development would thus result in the parking of vehicles on the carriageway, thereby increasing the hazards along this section of the highway;
- ii. satisfactory provision has not been made in the layout plan for proper access which will give easy and safe circulation for vehicles entering and leaving the proposed site;
- iii. the setback distance of the bar and restaurant from the right-of-way is approximately 10ft. instead of the 16ft. required by the Government of Anguilla Setback Policy; and
- iv. the external appearance of the building would be prejudicial to the visual amenities of the area because of its design, materials and external appearance and would be incongruous with the architectural character of the existing buildings in the vicinity and creates a strident feature along the road.

13/0032 Restaurant, Bar & Lounge, Blowing Point (Block 28309B/19 & 169) **Calvert Carty**  
**Refused** for the following reasons:

- i. a large part of the remainder of the parcel is being used as a popular picnicking and recreational area for both locals and tourist and any further commercialisation of the parcel would adversely affect the use for which the land was acquired;
- ii. the approved plans of the Dolphinarum shows that it will also be undertaking activities similar to what is being proposed and would therefore cause an over intensification of the area; and

- iii. the proposal would be injurious to the amenity of the area, thereby restricting and confining the cultural practices and the free movement of people along the beach.

## **2. PLANNING APPLICATIONS RECEIVED SINCE 30<sup>th</sup> January 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.*

13/0033 Advertisement, Sandy Hill (Block 08512B/18) **Ron Webster**

**Approved** subject to the advertisement sign being redesigned to conform with the requirements stipulated in the advertisement policy A8- Directional Advertisement/ signs.

13/0034 Advertisement, West End (Block 28010B/79) **Ron Webster**

**Refused** for the following reasons:

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.

13/0035 Storage Building, Corito (Block 38812B/83) **Patrick Niles**

**Deferred** for:

- i. consultation with the Department of Lands & Surveys;
- ii. the estimated cost of works for the project to be stated on the application form;
- iii. the type of goods proposed to be stored in the building to be stated on the application form;
- iv. the scale to be stated on the site plan;
- v. all rights-of-way to be shown on the site plan;
- vi. the north arrow to be shown on the site plan;
- vii. the septic tank to be shown on the site plan with stated setback distances from the boundary;
- viii. the scale to be shown on the floor plan drawing;
- ix. the elevation drawing to be labeled;
- x. landmarks to be shown on the location map;
- xi. consultation with the Ports Authority via MICU; and
- xii. a lease of crown land application form to be completed and submitted with details of the proposal to the Department of Physical Planning for inclusion in the application.

13/0036 Addition to Dwelling House, North Valley (Block 58715B/130) **Pedro Marlin**

**Approved** with the following condition:

The Apartment unit shall not be occupied until the onsite accesses (roads etc.) and parking lots have been paved with concrete, asphalt or any other hard surface approved by the Chief Engineer of the Department of Infrastructure.

13/0037 Block Wall, Shoal Bay (Block 59018B/140) **Fountain Beach Residences**

**Deferred** for a site plan to be submitted showing the setback and splay of the wall from the road junction.

**Approved** 13/0038 Subdivision, The Farrington (Block 79114B/124) **Willard Victor Sasso**

**Approved**

13/0039 Subdivision, The Farrington (Block 79114B/15) **Cynthia Ruan**  
*Approved* subject to the lot numbers being stated on the subdivision scheme.

13/0040 Dwelling House, Shoal Bay (Block 59017B/201) **Carl Pamler**  
*Approved*

13/0041 CANCELLED

13/0042 Subdivision, North Side (Block 58916B/343) **Albert Brooks**  
*Approved* with the following condition:  
Lot 1 must be amalgamated to parcel 343 of Block 58916B.

13/0043 Subdivision, The Farrington (Block 79013B/143) **Evelyne Ratchel**  
*Approved*

13/0044 Subdivision, North Side (Block 58917B/158) **Neville Roderick Richardson**  
*Approved*

13/0045 Apartment, Sandy Hill (Block 79214B/242) **Mr. & Mrs. Allister Richardson**  
*Approved*

13/0046 Subdivision, Bungalows (Block 28311B/55) **Ina Franklin**  
*Approved* subject to landmarks being shown on the location map.

13/0047 Subdivision, Lockrum (Block 38511B/328) **Dennis Pantophlet**  
*Approved*

13/0048 Subdivision, Meads Bay (Block 17910B/12) **Oliver Mc Donna**  
*Deferred* for the lots 3 and 4 shown on the subdivision scheme to be removed due to them not being able to practically accommodate development.

13/0049 Tower, Rey Hill (Block 78813B/138) **Digicel**  
*Deferred* for:

- i. consultation with the Ministry of Infrastructure, Communication, Utilities & Housing;
- ii. the north arrow to be shown on the site plan;
- iii. the application to be advertised on radio by the Department; and
- iv. the applicant to erect a sign on the site giving notice of the application. It should be appropriately located so as to be visible from the public road and the Department notified of the date of placement.

13/0050 Subdivision, Tackling Estate (Block 58916B/134) **Dallen Connor, Clint Lake & Calvin Samuel.**  
*Approved*

13/0051 Will Be Tabled At The Following Meeting Of The LDCC.

13/0052 Church, West End (Block 17910B/17) **Immanuel Methodist Church**  
*Deferred* for:

- i. the septic tank to be shown on the site plan with stated setback distances from the boundary;
- ii. the correct block number to be stated on the application form; and
- iii. all the old existing structures to be shown on the site plan.

13/0053 Dwelling House, Roaches Hill (Block 38712B/491) **Morrel Findlay**  
*Approved*

13/0054 Fruit Store, The Quarter (68914B/51) **Wilbert Lawrence**  
*Deferred* for:

- i. consultation with the Environmental Health Unit within the Department of Health protection;
- ii. section 6 of the application form to be completed stating the sewage disposal system and the number of parking bays;
- iii. the bathroom to be shown on the floor plan; and
- iv. a minimum of two (2) parking bays to be shown on the site for the patrons of the fruit store.

13/0055-13/0058 Will Be Tabled At The Following Meeting Of the LDCC.

13/0059 Subdivision, West End (Block 17609B/26) **Kenneth Richardson**  
*Deferred* for:

- i. location marks to be shown on the location map;
- ii. the 10ft. right-of-way shown on the subdivision scheme to be increased to a minimum width of 18ft; and
- iii. a grant of easement to be acquired for the existing 16ft. right-of-way that permits access to the proposed 10ft. right-of-way.

13/0060 Subdivision, West End (Block 17709B/45) **Thomas Carty**

*Deferred* for discussion with the agent regarding justification of the subdivision scheme as presented and/or for it to be redesigned.

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 Vincent Proctor  
 Secretary

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 Aurjul Wilson  
 Chair