

Anguilla’s Open Space Policy and Guidelines.

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1.0 Introduction and Objectives

Anguilla has a beautiful environment and the contribution that open space makes to this cannot be overstated. Anguilla needs open space now and in the future to help provide a sustainable, healthy and prosperous country. These policies will ensure that open space is available for people to enjoy now and in the future.

This leaflet is for developers, landowners, businesses and the public. To provide a clear framework and reference document policies are:

- ***Written in this typeface and have the term Policy written directly next to them in the margin.***
- Placed near the appropriate text (justification and or background).

2.0 What this document Covers

This document covers both existing open space and space that is to be provided in new developments. It also deals with the issue of private amenity space for individual properties.

3.0 Background – Why Open Space is Important.

Open space is fundamental to what many of us take for granted – ‘Our Quality of Life’. It provides numerous positive benefits. Open space is a major contribution to the visual character and image of Anguilla. It supports the quality image that is such a crucial factor in attracting tourism and other inward investment. In addition it combats the stresses of life. It can provide for varying needs of play, sport, entertainment, education (both formal and informal), relaxation, and the study of history, ecology and wildlife. Open space can provide a valuable ‘buffer’ between landuses and help combat environmental pollution. It can also provide a valuable haven for nature conservation and wildlife. Open space can vary significantly and as such is important for its varied landscape and features.

One key issue to be recognised is that:
“Once built on open space is likely to be lost to the community for ever”

POLICY *There will be a presumption against any development on existing or identified (approved) open space.*
OP1

4.0 The Planning Background.

The need to provide open space as part of developments has been fundamental to

Anguilla's land development control system since it began in 1990.

5.0 **Current situation.**

This document has been produced to provide clear and straightforward policies and advice. It supersedes the relevant sections of the Draft National Land Use Plan (1996). It enables all, public, developers and officers to see what is required.

6.0 **The Value of open space**

In addition to all the positive benefits already mentioned there is one which developers often overlook – value and profit. By providing both suitable private amenity space around individual properties and an area of open space for the whole development the attractiveness of the scheme increases. This can be measured in terms of, higher rents, land and property values and lower vacancy due to high demand for quality facilities – i.e. less lost revenue.

7.0 **Registration of Open Space**

To ensure the provision of open space for existing and future generations the open space will need to be registered as part of the subdivision. The registration must include a restrictive covenant to specifically state that the land in question can only be used for open space. This open space is for the benefit of the 'estate' (existing and future landowners and occupiers) and not for the direct benefit of the public or Government of Anguilla. A number of options are available for the developer to register the open space and these are set out within ***Policy OP2***

POLICY OP2 At the time of registration of the approved subdivision open space must be registered and include a restrictive covenant limiting the use of the land to open space purposes for the benefit of the estate. The open space can be registered in the name of an individual (executor etc) or in joint tenants or joint tenants in common.

8.0 **When will open space be required?**

Anguilla operates a clear Sub-division system, which enables landowners to apply to create one or more 'lots' on an existing land parcel. Land owners may choose to do this for a variety of reasons:

- To divide land between family members
- To secure financial loans or advances and or land tenure
- To develop only part of their land at a particular time
- To sell part of their land

POLICY OP3 Open space will be required at the subdivision stage of development schemes and private amenity space will be required for built development at the full planning application stage

9.0 How much open space or private amenity space will be required?

The next policies will be applied to calculate how much open space and or private amenity space will be required for developments.

POLICY OP4 Open Space Calculation - Subdivisions **Subdivision applications involving either of the following:**

- a) 20 lots or more or**
- b) Ten acres (or more) in land. The total land area (not just the lots to be taken out for the subdivision or amalgamation) will be used in this policy.**

Open space for the above will be required at a rate of 0.05 acres for every 1 acre or part thereof. Once the open space has been initially provided at the first sub-division no further open space will be required at subsequent subdivisions. Private amenity space in line with Policy OP4 will still be required.

POLICY OP5 Private amenity space calculation – Dwelling houses, villas, apartments etc. **Built development and hard surfacing including:**

- **The dwelling villa etc**
- **Car parking space and or garages**
- **Septic tank, cisterns etc**
- **Generator house, storage buildings etc**
- **Garbage collection area**

shall not cover more than 66% of any site. The remainder of the space will be considered as private amenity space for the benefit of the dwelling, villa etc occupants and their visitors.

10.0 What will not be counted in the calculations.

POLICY OP6 The following types of land will not be 'counted' in the open space and private amenity space calculations:

- **Roads and rights of way – either public or private (new public footpaths can be counted as open space)**
- **Parking spaces**
- **Land used for septic tank and sewage and garbage treatment and collection facilities**
- **Land that will continue to be used for commercial or private agricultural purposes**
- **Similar land uses**

- POLICY OP7** *The following types of land or special features are recognised as being of value in open space terms and they will be counted in the open space calculation (Policy OP10 will also apply):*
- *Caverns and caves etc.*
 - *Existing beach.*
 - *Existing salt-ponds, mangroves, wetlands etc.*
 - *Geological historic and archaeological features.*

11.0 **Location of open space**

The location of open space can seriously affect its value and use by the public.

- POLICY OP8** *Open space to serve the development can be provided in one of the following ways;*
- a) provision within the development*
 - b) provision elsewhere (on another site owned and controlled by the developer)*
- In the case of option b) the distance from the proposed development and its suitability in serving the development will be key factors.*

- POLICY OP9** *The area available for development in its entirety, irrespective of the way in which it may be proposed to be divided up for the purposes of phasing or construction will be considered*

- POLICY OP10** *In all but developments of over 25 acres, open space will ordinarily be required in a single lot, rather than in several small less useful areas.*

12.0 **Enhancing special features**

Anguilla benefits from a significant number of special features such as its beaches, salt ponds, mangroves, historical and archeological sites and sites of cultural, wildlife and, landscape significance. The Government of Anguilla is committed to making the most of these.

- POLICY OP11** *Where a special feature exists, there will be a presumption that, wherever physically practical and environmentally possible, the open space will be provided adjacent to the feature to maximise its quality, use and enjoyment by members of the public.*

The Government of Anguilla recognises the increased value that large areas of open space can provide for example in the creation of a network of larger recreational areas such as nature areas or country parks.

- POLICY OP12** *Planning permission will be given to the 'pooling' of open space by developers i.e. locating their open space adjacent to a neighbours. The*

minimum size requirements for open space will still be required. This will be subject to the travel distances for residents of the development site being satisfactory.

13.0 Access to open space

The value of open space both public and private, as a recreational resource is enhanced by ease of access. Poor access and poor location reduce the benefits and the use of the area particularly for certain groups in the community such as young children, the elderly and disabled people.

POLICY OP13 Access to open space will be required at the earliest stage of development and before the completion of built development on a maximum of 50% of the site.

POLICY OP14 Access to open space must be through a clear designated route and entrance(s) that is well located and minimises pedestrian vehicle conflict.

POLICY OP15 Whilst the open space is mainly aimed at serving the people living and working in the immediate vicinity (i.e. the development site) the site will also be available for wider public use.

14.0 Anguilla's vital natural resources

Anguilla has a wealth of natural resources including unique flora and fauna. The Government of Anguilla recognises the importance of the island's tree stock. It is a vital component of our quality of life.

POLICY OP16 In the allocation of open spaces the protection and effective management of existing trees and the planting of new trees will be encouraged.

Support will be given to open space projects, which encourage biodiversity and nature (flora and fauna) conservation. Advice is available from a variety of sources in Anguilla covering a wide range of topics including:

- location of open space
- layout of open spaces
- play equipment and recreational features
- landscaping
- nature conservation
- interpretation and education and
- sport development
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POLICY OP17 Landowners will be encouraged to develop management plans for their open spaces to enable their sustainable and most beneficial use.

15.0 **Education for all through play and recreation**

The Government of Anguilla recognises the value that stimulating play and recreational facilities has for all ages and the positive contribution that open space can make to this.

**POLICY
OP18**

The Government of Anguilla will support the provision of play, recreational and interpretive features and equipment at open spaces. Every child has a right to play and a safe and easily accessible network of innovative open spaces throughout Anguilla will significantly assist in this. The aim is to cater for all ages and abilities to enable children to develop their physical and social skills through play activities. The value of recreation for adults is also recognised and suitable facilities for them are also encouraged.

16.0 **Contact Details**

Contact Address:

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17.0 **Further Information:**

Physical Planning Department Website: <http://www.gov.ai/planning>