

**LAND DEVELOPMENT CONTROL COMMITTEE
MINUTES FOR THE MEETING HELD ON
08 JULY 2021**

OUTSTANDING APPLICATIONS

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.

20/0011 Extension to Dwelling House (3 Bedrooms and Salon), Stoney Ground (Block 58915B Parcel 171) **John W Hughes**

Approved with the following condition:

The owner/operator is responsible for the removal of all garbage and waste material and shall carry out such works in accordance with specifications approved by the Director of Health Protection within the Department of Health Protection.

20/0030 Amendment from Apartments to Church Hall and One bedroom Unit, Rock Farm (Block 48713B Parcel 138) **Gerard Gumbs**

Approved with the following conditions:

- i. The building shall not be utilised until the on-site 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. They must be constructed and maintained to the satisfaction of the Chief Engineer at the Department of Infrastructure; and
- ii. All surface and wastewater shall be treated and contained on site.

20/0248 Amendment to Duplex, Island Harbour (Block 89418B Parcel 146) **Carrie Webster**
Deferred for consultation with the Department of Lands and Surveys and the Attorney General's Chambers.

20/0390 Extension to Restaurant, George Hill (Block 48713B Parcel 221) **AXA Webster**

Approved with the following conditions:

- i. The development shall not be opened until the on site 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. The owner/operator is responsible for the removal of all garbage and waste material and shall carry out such works in accordance with specifications approved by the Director of Health Protection within the Department of Health Protection;
- iii. All surface and wastewater shall be treated and contained on site; and
- iv. The disposal of all waste water must at all times be operated and maintained to the satisfaction of the Principal Environmental Health Officer of the Environmental Health Unit within the Department of Health Protection.

21/0107 Subdivision, Sandy Hill (Block 99315B Parcel 86) **Molly Mavourneen Hodge**

Approved with the following condition:

Before the subdivision can be registered at the Department of Lands and Surveys, the realigned public road shown on the subdivision scheme must first be developed in accordance with specifications approved by the Chief Engineer of the Department of Infrastructure and must be constructed to his satisfaction.

21/0154 Mini Snackett Bar, South Hill (Block 38512B Parcel 59) **Moriex Huligar**

Refused for the following reasons:

- i. The proposal is contrary to the Government policy relating to food vans and other stalls (approved on 31 December, 2002) which seeks to control the proliferation of food vehicles and commercial stalls in the interest of public health, safety and amenity;
- ii. The proposed development does not have an acceptable sanitary facility or running water catering to patrons; and
- iii. The proposed tent structure for use as a snackett bar would neither compliment nor respect the character of the development in the area and would therefore introduce an unsympathetic and incongruous form, which would detract unduly from the surrounding buildings and the streetscape.

21/0156 Subdivision, Sandy Ground (Block 08413B Parcel 50) **Janice Richardson**

Approved subject to:

- i. the existing house located on lot 2 being setback a minimum distance of 16 feet from the newly created division boundary; and
- ii. the septic tank being shown on the subdivision scheme with stated setback distances from the newly created boundary.

21/0174 Dwelling House & Apartment Unit (1), Little Harbour (Block 38712B Parcel 316)

Charnissa Richardson

Approved

21/0177 Plant Nursery and Garden Lounge, Island Harbour (Block 99419B Parcel 143) **Sonia**

Richardson & Don Bethel

Deferred for:

- i. the right-of-way to be correctly labeled on the site plan; and
- ii. The application to be advertised on one type of public medium by the applicant for a minimum period of two weeks and for an advertisement sign to be placed on the site. The applicant is required to submit to the Land Development Control Committee a copy of the receipt demonstrating that the application is advertised for the minimum period of two weeks and a photograph of the advertisement sign erected on the site.

21/0198 Second Floor Extension to FBO Building, Wallblake (Block 38813B Parcels 190 & 192) **Lloyds Aviation**

Deferred for further consultation with Anguilla Air Sea and Port Authority.

21/0200 Restaurant, West End (Block 17709B Parcel 255) **Troy Richardson & Judy Hughes**

Deferred for:

- i. the building to be setback a minimum distance of 50 feet from the cliff's edge;
- ii. The application to be advertised on one type of public medium by the applicant for a minimum period of two weeks and for an advertisement sign to be placed on the site. The applicant is required to submit to the Land Development Control Committee a copy of the receipt demonstrating that the application is being advertised for the minimum period of two weeks and a photograph of the advertisement sign erected on the site.
- iii. consultation by the Department with the adjacent neighbouring property owner located on parcel 254.

21/0211 Subdivision, North Hill (Block 08413B Parcel 140) **David Carty**

Deferred for:

- i. consultation with the Department of Lands and Surveys; and
- ii. discussion with the Committee on the submitted comments from the agent.

21/0222 Extension to Office (Vertical), The Valley (Block 58814B Parcel 2) **Anguilla Tourist Board**

Refused for the following reasons:

- i. The proposed development is located in an area liable to flood. Any intensification of use or proposal to redevelop this site is contrary to Government's approved policy, originating from the report commissioned by Halcrow Water which highlighted the severity of damage that occurred and frequency of flooding within the area. This study also advocates adopting a cautious approach to zoning within the area;
- ii. The site is located within an area susceptible to severe flooding during periods of heavy rainfall, a more frequent occurrence due to the climate change phenomenon. Therefore, the extension of a second floor development of a Government building in this flood zone is considered unwise and not in keeping with sound planning practices;
- iii. The proposed development is located in Zone 1 of The Valley Aquifer Protection Area where no further development shall be permitted; and
- iv. The proposed extension to this preexisting building contravenes Executive Council's Minute (19/56) Thursday 28 February 2019 which states that ... "The government formally disallows any new developments of government office infrastructure, storage or any development of non-agriculture nature in The Valley Bottom".

The Chief Engineer and the Director, Disaster Management objected to the decision to Refuse the development and opined that the proposed second floor vertical extension, was an appropriate measure to mitigate hazards related to flooding associated with the site. They further opined that although past developments proposed in the Valley Bottom had been refused by the Committee, maintaining consistency in its decision making was not convincing enough of a reason to refuse this particular application.

Meanwhile, the Principal Planning Officer strongly noted that the intensification of the use in an area prone to flooding does not make for good disaster management and land use planning practices. He further stated that Government and its statutory bodies should lead by example and demonstrate the need to respect vulnerable zones. In addition, Government and Statutory

Boards should use its limited funds wisely, to gradually relocate business and operations out of a highly vulnerable zone in the interest of safety, economic loss of businesses and property risk insurance and damage.

PLANNING APPLICATIONS RECEIVED SINCE 11 June 2021

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.

21/0218 Dwelling House, Sile Bay (Block 69016B Parcel 146) **Roger Lewis**
Went To the Meeting of 17 June 2021.

21/0219 Dwelling House, South Hill (Block 38411B Parcel 310) **Alvona Connor**
Approved subject to all elevation drawings being drawn to correlate with the floor plan.

21/0220 Dwelling House, West End (Block 17810B Parcel 10) **Ernest Fleming**
Approved subject to:

- i. the description of the use being stated correctly on the application form; and
- ii. the certificate of ownership on the application being completed.

21/0221 Subdivision, South Hill (Block 38411B Parcel 239/37) **James M. Richardson/Christian Fellowship Church**
Approved with the following conditions:

- i. Lot 239A of Block 38411 must be amalgamated to Parcels 121 and 81 and a restrictive covenant shall be entered on the Land Register; and
- ii. Lot 239A of Block 38411 must be amalgamated to Parcels 121 and 81 and a restrictive covenant shall be entered on the Land Register.

21/0222 Office Space, The Valley (Block 58814B Parcel 2) **Anguilla Tourist Board**
Went To Meeting of 02 July 2021.

21/0223 Office Spaces (4) & Car Rental Spaces, The Farrington (Block 69014B Parcel 276)
Bass Car Rental
Approved subject to the correct parcel number being stated on the application form.

This application will be approved with the following condition:

The building shall not be utilised until the on-site 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. They must be constructed and maintained to the satisfaction of the Chief Engineer at the Department of Infrastructure.

21/0224 Subdivision, West End (Block 17809B Parcel 200) **Lana W. Hoyoung**
Approved

21/0225 Duplex West End (Block 17609B Parcel 45) **Sharice Richardson**
Approved

21/0226 Apartments (2 Units), Sachasses (Block 48714B Parcel 755) **Craig Emmanuel**
Approved subject to the description of the use being correctly stated on the application form.

21/0227 Was Tabled at Meeting Held On 17 June 2021

21/0228 Dwelling House, Tackling (Block 58916B Parcel 153) **Sweenda & Carlisle Adams**
Approved

21/0229 Storage/Garage Addition, The Quarter (Block 79013B Parcel 271) **Ernie Hodge**
Deferred for:

- i. the scale to be stated on the site plan; and
- ii. the septic tank to be shown on the site plan with stated setback distance of a minimum of 16 feet from the boundary.

21/0230 Extension to Dwelling House (Garage & Bedroom), Blowing Point (Block 28310B Parcel 133) **Cassila Bernier**
Approved subject to the right and left elevations being drawn correctly.

21/0231 Boutique Hotel (20 Bedrooms) Rendezvous (Block 28219B Parcel 29) **Richard Passer**
Deferred for consultation with the Department of Natural Resources (Fisheries Unit and Environmental Unit) the Department of Tourism and the Environmental Health Unit within the Department of Health Protection.

21/0232 Food Stall, The Valley (Block 58814B Parcel 68) **Roxanne Benjamine**
Deferred for;

- i. consultation with the Ministry of Lands and Planning, the Environmental Health Unit within the Department of Health Protection, and the Ministry of Education; and
- ii. the certification of ownership on the application form being correctly completed.

21/0233 Dwelling House, Sea Feathers (Block 99315B Parcel 167) **Abigail Gumbs**
Approved subject to the description of the use being correctly stated on the application form.

21/0234 Subdivision, Lower South Hill (Block 28211B Parcel 45) **Hilton Gumbs and Rupert Gumbs**
Approved

21/0235 Pig Pen, The Farrington (Block 69014B Parcel 272) **Cordell Richardson**
Deferred for:

- i. consultation with the Department of Natural Resources (Agricultural Unit), the Environmental Health Unit within the Department of Health Protection; and
- ii. certificate B of the application form to be correctly completed.

21/0236 Grey Cistern and retaining Wall, North Hill (Block 08513B Parcel 317) **Carol and Moran Hall**

Deferred for consultation with the Department of Infrastructure.

21/0237 Dwelling House, The Valley (Block 48814B Parcel 264) **Garry and Marikit Chaderton**

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

21/0238 Duplex, Black Garden (Block 58716B Parcel 383) **Thomas Carty**

Approved subject to the elevation drawings corresponding with the floor plans.

21/0239 Change of Use from Garage to Apartments (2 Units), Cauls Pond (Block 69014B Parcel 96) **Justus Rogers**

Was Tabled at the Meeting of 02 July 2021.

21/0240-0241 Will Be Tabled at the Next Meeting.

21/0242 Duplex, Wattices (Block 69015B Parcel 290) **Joseph Williams**

Approved subject to the north elevation corresponding with the first floor plan.

21/0243-0248 Will Be Tabled at the Next Meeting.

21/0249 Extend Beach Bar, Rendezvous Bay (Block 28110B Parcel 9) **Anguillan Resort Holding Company Ltd. (Aurora Cuisinart)**

Deferred for:

- i. consultation with the Department of Natural Resources (Fisheries Unit and Environmental Unit);
- ii. the village name to be stated on the application form; and
- iii. a site visit by the Land Development Control Committee.

21/0250 Hydroponic Farm and Back of House Facility, Rendezvous Bay (Block 28110B Parcel 9) **BCQS International**

Deferred for:

- i. consultation with the Department of Natural Resources (Agricultural Unit);
- ii. the description of the use being correctly stated on the application form;
- iii. the block and parcel number being stated on the application form; and
- iv. discussion with the agent regarding the back of house facility shown on the site plan and for submission of the plans;

- v. the correct fees to be paid; and
- vi. a site visit by the Land Development Control Committee.

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Vincent Proctor
Secretary

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Lauren Bryan
Chair (Ag)