

**LAND DEVELOPMENT CONTROL COMMITTEE
MINUTES OF THE MEETING HELD ON
03 MAY 2017**

Present were:

Chair
Secretary
Chief Engineer
Director, Lands & Surveys
Director, Disaster Management

Mr. Larry Franklin
Mr. Vincent Proctor
Mr. Bancroft Battick
Mr. Leslie Hodge
Ms. Melissa Meade

Also present were:

Deputy Principal Planning Officer
Senior Planner

Mrs. Sharon Roberts-Hodge
Ms. Silvia Erni

1. ADOPTION OF AGENDA

The agenda was adopted as circulated.

2. APPROVAL OF MINUTES

A motion to accept the minutes as circulated was moved by Ms. Melissa Meade and seconded by Mr. Larry Franklin.

3. MATTERS ARISING OUT OF THE MINUTES

None

4. 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.

16/0164 (3) Apartment Buildings (Phase 1), Island Harbour (Block 89418B Parcels 36 & 121)

Elliot J. Harrigan

Approved subject to:

- i. the description of the use of the buildings stated on all the plans to correspond with the description stated on the application form;
- ii. parcels 36 and 121 being amalgamated; and
- iii. the site plan to reflect the new subdivision approved on 01 September 2016, Application Reference # 16/0206.

16/0314 Subdivision – Amendment, Blowing Point (Block 38410B Parcel 141) **Lyle, Cara & Andy Connor**

Approved on 27 April 2017 Under Delegated Authority

17/0036 Subdivision, Deep Waters (Block 69216B Parcel 111) **Ruth Melanie Steward**
Approved subject to the description of the proposed subdivision being properly written on the application form.

17/0039 Food Van, Pope Hill (Block 58814B Parcel 68) **Patrick Niles**
Deferred for consultation with the Department of Education and the Department of Infrastructure.

17/0040 Apartment (6 Units), South Hill (Block 38410B Parcel 379) **David Mota**
Deferred for:

- i. the number of units to be reduced to a maximum of three (3) units and stated on the application form;
- ii. new floor plan and elevation drawings to be submitted reflecting the three units; and
- iii. a minimum of five (5) practical parking bays to be shown on the site plan.

17/0046 Dwelling House, George Hill (Block 38713B Parcel 195) **Maria Hodge**
Approved

17/0047 In-Vessel Compost Unit & Facility, The Valley (Block 58814B Parcel 2) **Government of Anguilla (OECS-GCCA)**

Approved with the following conditions:

- i. the storage building for the In-Vessel composting unit must be raised to a minimum height of two (2) feet above ground, in order to mitigate against potential contamination of the aquifer;
- ii. the facility must not exceed 250 pounds in capacity of raw material per week for processing purposes; and
- iii. the facility must be equipped with a bio-filter in order to minimize odours from permeating from the composting unit.

The Principal Planning Officer expressed his objection to the decision to approve the application for the following reasons:

- i. the proposal is located over the island's main aquifer and the largest fresh water resource and there is a strong potential that the concentration of large quantities of manure and other waste material stored in the area would contaminate the aquifer;
- ii. the proposed area is a bottom that is prone to flooding and contains a total of fourteen active wells. During adverse weather, the flooding of the bottom and the presence of the wells in the area could result in widespread contaminants reaching the water table without any proper filtration process;
- iii. the proposed development is sited on the island's limited supply of prime, arable land resources and there is a strong need to promote food security to address the risk from climate change. The allocation and safeguarding of prime arable land from activities that could be sited or developed elsewhere is critical to the island's sustainability;
- iv. the proposal is to be sited up-wind of a neighbouring community and would injure the amenity of the area because of the emission of smell and increase in rodents and vectors; and
- v. sufficient information has not been provided to justify the composting facility being sited in The Valley Bottom where there are arable lands as opposed to Corito.

Note: The Committee expressed concerns that due process was not followed by the applicant in regards to the planning process, whereby development commenced before a decision was made on the application.

The Committee also advised the Principal Planning Officer and the Director of Lands and Surveys to write to the Permanent Secretary with responsibility for Environment regarding its dissatisfaction and informing her that permission to use the lands in question is required from the Director of Lands and Surveys.

17/0062 Church and Missionary House, Stoney Ground (Block 58814B Parcel 68 (Lot 3) **Iglesia Casa De Oracion**

Approved with the following condition:

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.

17/0065 Grant of Easement, Little Harbour (Block 38611B Parcel 46 – 49, 78 – 80) **Mark R.S. Bryan, Tina J. Bannister, Lariscia E. Juliaon, Margie A. Bryan, Cecil Niles, Carmen Lloyd, Connie Coretta Brooks & Marona Dolena Brooks**

Deferred for discussion with the agent regarding the splaying of the proposed easement.

17/0066 Dwelling House, Little Harbour (Block 38712B Parcel 109) **Morleen Lewis**

Deferred for a site visit by the Land Development Control Committee.

17/0074 Step to Jetty, Cul- De - Sac (Block 28309B Parcel 71) **Monte B. Blackberg & Nancy J. Blackberg**

Approved with the following conditions:

- i. all proposed works shall be properly set out for inspection by the Principal Planning Officer or his representatives; and
- ii. care shall be taken during the clearing of vegetation to prevent the run off of silt, mud and other debris into the sea.

PLANNING APPLICATIONS RECEIVED SINCE 03 April 2017

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.

17/0080 Office and Warehouse, Rock Farm (Block 48814B Parcel 274) **Summit Enterprise**

Approved subject to:

- i. the second floor extension being labeled on the floor plan;
- ii. all existing parking bays being shown on the site plan; and
- iii. the traffic circulation for the parking area being shown on the site plan with entrance and exit points being demarcated.

17/0081 Extension to a Dwelling House (2) Apartments, The Quarter (Block 78914B Parcel 17) **Eunice & Alfred Gumbs**

Deferred for:

- i. a site visit by the Land Development Control Committee;
- ii. a proper site plan to be submitted;
- iii. the scale to be stated on the site plan;
- iv. the right-of-way to be shown on the site plan;
- v. the north arrow to be shown on the site plan;
- vi. a minimum of three (3) practical parking bays to be shown on the site plan;
- vii. the means of sewage disposal to be stated on the application form; and
- viii. internal and external measurements to be shown on the floor plan.

17/0082 Concrete Weir, Sandy Ground (Block 08413B Parcel 44) **Government of Anguilla (OECS – GCCA Project)**

Deferred for:

- i. consultation with EDICT, Department of Lands and Surveys, Department of the Environment and the Department of Fisheries and Marine Resources and MICUH;
- ii. the site plan to be labeled;
- iii. the setback distance of the new rip rap boulder from the dirt road to be shown on the site plan;
- iv. the application to be advertised on radio by the Department; and
- v. a sign describing the application, to be posted on the site so as to be legible and visible from the public road. The sign must include that anyone having objections to the development must provide their concerns in writing to the Department of Physical Planning. The applicant must notify the Department of the date that the said sign has been placed on the site and it must be posted for a minimum period of two weeks.

17/0083 Bar, The Valley (Block 48814B Parcel 272) **Lions Community**

Deferred for:

- i. consultation with the the Environmental Health Unit within the Department of Health Protection;
- ii. a permanent washroom facility to be shown on the site plan with stated set back distance from the boundary;
- iii. a minimum of two parking bays to be shown on the site plan or for an offsite parking area to be provided;
- iv. all elevation drawings to be correctly labelled; and
- v. floor plan to be submitted.

17/0084 Subdivision, West End (Block 17910B Parcel 286) **Frederick Nevil Hodge**

Approved 28 April 2017 Under Delegated Authority with the following condition:

Lot 1 must be amalgamated to parcel 285 of Block 17910B.

17/0085 Office Space - Outline, Little Harbour (Block 38510B Parcel 291) **Ullanda M. & Giovanni H. M Sprott**

Approved 26 April 2017 Under Delegated Authority 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.

17/0086 Dwelling House - Outline, Corito (Block 38812B Parcel 28 & 29) **Michael James Wolfe**

Approved 26 April 2017 Under Delegated Authority 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.

17/0087 Apartments, George Hill (Block 38713B Parcel 92) **Carol Hawley**

Approved 28 April 2017 Under Delegated Authority

17/0088 Dwelling House, Brimegin (Block 58817B Parcel 30) **Thomas Caragliano**

Approved 25 April 2017 Under Delegated Authority

17/0089 Subdivision, Little Harbour (Block 38611b Parcel 352) **Raquel & Clerise Richardson**

Approved

17/0090 Dwelling House, The Cove (Block 28010B Parcel 195) **Terrylyn Macdonna**

Approved 26 April 2017 Under Delegated Authority

17/0091 Dwelling House - Outline, Little Dix (Block 59016B Parcel 88) **Calston Julius**

Approved 25 April 2017 Under Delegated Authority 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.

17/0092 Dwelling House, Seafeathers (Block 99415B Parcel 313) **Kareem Fleming**

Approved

17/0093 Dwelling House, The Quarter (Block 68914B Parcel 356) **Charmaine Niles**

Approved 26 April Under Delegated Authority

17/0094 Correct fees to be paid before application can be tabled at this meeting.

17/0095 Subdivision, West End (Block 17809B Parcel 250) **Calvin Richardson**

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Deferred for:

- i. the correct parcel number to be stated on the subdivision scheme; and
- ii. discussion with the agent regarding parcel 250 having a turnaround point and shown on the subdivision scheme.

17/0096 Subdivision, Rey Hill (Block 78813B Parcel 146) **Nigel D. Richardson**

Approved 26 April 2017 Under Delegated Authority with the following condition:

Lot 1 must be amalgamated to parcel 145 of Block 78813B.

17/0097 Cruise Ship Facility, West End (Block 17608 B Parcel 19, 20, 26, & 23) **Charles Bryan, Daisy Richardson & Grantley Richardson**

Deferred for:

- i. a scaled site plan to be submitted;
- ii. consultation with the Department of Fisheries and Marine Resources, the Environmental Health Unit within the Department of Health Protection, the Economic Planning Unit and the Ministry of Lands and Planning, MICUH and the Anguilla Air and Sea Ports Authority, Department of Tourism, and the Anguilla Tourist Board; and
- iii. the application to be advertised on radio by the Department.

17/0098 Multi- Family Dwelling, George Hill (Block 38713B Parcel 173) **Ovlin Dagou**

Approved subject to:

- i. the scale being stated on the first floor plan;
- ii. the staircase being shown on the first floor plan;
- iii. the south elevation drawings being labeled; and
- iv. a minimum of two practical parking bays being shown on the site plan with a proper traffic circulation pattern.

5. CORRESPONDENCE

The Chair asked for clarification in respect to an email that he had received from Devin Hodge, a lawyer from Astaphan Chambers who wrote in regards to a request for an electrical certificate for the third floor of a building on Block 28311B Parcel 273 and 357 located at South Hill that had not been granted.

The Principal Planning Officer explained that the building in question had been constructed without the benefit of planning permission and that it was straddling over two parcels of land. He further explained that the building did not have building permission and was therefore in breach of the Land Development Control Act (2000) and the Building Act (2000). As a result, the third stage in the development process could not be satisfied in light of the electrical drawings not been submitted and considered by the Electrical Inspector.

The Committee agreed that the correct and legal process must be adhered to in order for electrical drawings to be considered and an electrical certificate issued.

6. UNAUTHORISED DEVELOPMENT

None

7. ANY OTHER BUSINESS

The Secretary reminded the Committee that a number of months ago it had written to the Airport Manager regarding an unauthorized communication tower on top of the Digicel building in Registration Section North Block 48713B Parcel 209 in Rock Farm in order to determine whether it was penetrating the aerodrome’s transitional zone. He further informed the Committee that he had recently received a communication from the Quality Assurance Manager of the Clayton J. Lloyd International Airport which indicated that this at the top of the Digicel Building noted in an SLC survey conducted in May 2014 as obstacle ID number 1817 did penetrate the transitional slope of the aerodrome by 3.70 meter and also penetrated the inner horizontal slope by 1.71 meters.

The Committee advised the Secretary to write to the manager of Digicel advising it to remove the tower in order to eliminate the identified obstruction.

8. NEXT MEETING

The next meeting will be held on Monday 29 May 2017.

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Vincent Proctor
Secretary

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Larry Franklin
Chair