

**LAND DEVELOPMENT CONTROL COMMITTEE
MINUTES OF THE MEETING HELD ON
30 April 2013**

1. OUTSTANDING APPLICATIONS

10/0018 Amendment to Dinning Deck and Restaurant, The Valley (Block 58715B/135)

Benedict Hodge

Approved subject to:

- i. allowances must be made for the parking bay and maneuvering space abutting the Coronation Ave to be a minimum of 60ft. in length and shown on the site plan;
- ii. a single entry and exit point from the main road into the parking lot being shown on the site plan;
- iii. a curb being shown and clearly labeled on the site plan; and
- iv. the description of the use being amended on the application form to state restaurant in addition to dinning deck .

This application will be Approved with the following conditions:

- i. the restaurant shall not be operated 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. there must be a curb built along the southern boundary of the parcel abutting the Coronation Avenue road in order to prohibit patrons of the establishment from maneuvering onto the main road; and
- iii. the container on the site must be properly secured at all times so as not to cause a hazard to other neighbouring properties and shall be in accordance with the requirements of and to the satisfaction of the Director, Disaster Management at the Department of Disaster Management.

11/0255 Dwelling House, Bad Cox (Block 89016B/55) **Evans Dubique & Tacumba Duncan**

Approved

12/0209 Apartment (3 Units), Water Swamp (Block 48613B/121) **Iva Richardson**

Refused for the following reasons:

- i. the apartment building is constructed approximately three feet six inches (3'.6") on the right-of-way instead of the minimum required setback distance of 16 ft. from the edge of the right-of-way;
- ii. the apartment building in the position it is constructed is considered to be encroaching onto the right-of-way which gives access to an existing development and other proposed developments. Therefore, the development as constructed is unacceptable on road safety grounds; and
- iii. the apartment building in the position it is constructed would result in additional danger to road users and increase the hazard along that portion of the right-of-way.

12/0277 Amendment to Subdivision, Cauls Bottom (Block 69014B/279) **Frederick Adams**

Approved

13/0049 Communications Tower, Rey Hill (Block 78813B/138) **Digicel**

Approved with the following conditions:

- i. the antennas shall not be used until the following have been submitted for approval to the Ministry of Infrastructure Communication and Utilities (copy to the Department of Physical Planning):
 - a) a certificate stating that the equipment to be erected meets the international Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for limiting exposure to electronic fields;
 - b) a site plan clearly showing the maximum fields of radiation including details of strength and frequency and that these do not exceed 0.0699 m W/cm-sq at 100 feet and the ICNIRP standards;
 - c) a signed declaration stating that radio frequency fields will be kept as low as reasonably practicable at all times and never exceed the ICNIRP standard or 0.0699m W/cm-sq.
- ii. annual independent monitoring reports must be submitted to the Ministry of Infrastructure Communications and Utilities every year relating to the levels of radiation being emitted from the antenna;
- iii. all antennas to be erected on the tower must be operated in full compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines;
- iv. the facilities must be shared with an access given to, in accordance with the provision of the Telecommunication Act, the Public Utilities Commission Act, the regulations made respectively there under and the Telecommunication Code, other companies and organisations holding plans approved by the Land Development Control Committee;
- v. prior to its erection, the tower must be landscaped with tall palm trees and an undergrowth of hedge type vegetation, eg oleander or similar type plants along the northern boundary of the parcel. This must be done in accordance with the requirements of and to the satisfaction of the Principal Planning Officer at the Department of Physical Planning;
- vi. before the erection of the tower, a security fence and gate must be erected to ensure that there is no trespass onto the site and for the protection of the public; and
- vii. the applicant is fully responsible for any damage caused and the immediate removal of the tower or any part of the entire structure that may be detached as a result of adverse weather conditions or due to a disaster event. This must be done in accordance with the requirements of and to the satisfaction of the Director, Disaster Management at the Department of Disaster Management.

13/0051 Food Stall, Island Harbour (Block 89318B/39) **Cathleen Thomas**

Approved subject to:

- i. the site and floor plans to be amended to show a toilet facility and a sink; and
- ii. discussion with the agent regarding the site plan to be amended to show the exact siting of the parking area.

13/0054 Fruit Shop, The Quarter (Block 68914B/51) **Wilbert Lawrence**

Approved subject to the plans being amended to accurately illustrate the existing and proposed buildings and to reflect the intended design of the development.

This application will be Approved with the following condition:

The Fruit Shop shall not be operated 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.

13/057 Commercial Building, Little Dix (Block 58916B/24) **Odan Smith**

Deferred for discussion with the agent regarding the submission of amended plans that show a sidewalk leading from the main entrance door of the building to the parking lot. This is essential for safety reasons seeing that the main entrance steps are located dangerously close to the busy main carriageway.

13/0058 Warehouse, South Hill (Block 08412B/324) **Mingz Hu Cen**

Approved with the following condition:

The Warehouse 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.

13/0074 Carwash & Bar, Roaches Hill (Block 58715B/460) **Delvin Mairyshaw**

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

13/0081 BBQ Tent, Stoney Ground (Block 68914B/181) **Walwyn Gumbs**

Refused for the following reasons:

- i. the proposal is contrary to the Government of Anguilla Policy (EX MEM 02/406 dated 31st 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; and
- ii. the proposed development does not have any sanitary facilities or running water.

13/0085 Club House & Golf Course, Brimegin (Block 58817B/98, 99, 100 & 101) **Jacques Samani & Pierre Teillac**

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.

Information Clause:

Before any built development takes place, the four parcels must be amalgamated at the Land Registry within the Department of Lands & Surveys.

13/0092 Snackette, Hughes Estate (Block 28211B/430) **Tessa Hall**

Approved subject to a site and floor plan being submitted showing a toilet facility and a sink with running water.

13/0106 Two (2) Villas, Meads Bay (Block 17910B/50) **Suresh Bhalla**

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

2. PLANNING APPLICATIONS RECEIVED SINCE 30th 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.

13/0098 Dwelling House, Welches (Block 89217B/94) **Janicia Carty**

Deferred for:

- i. a site visit by the Land Development Control Committee;
- ii. a proper location map to be submitted; and
- iii. the building being setback a minimum of 16ft. from the back boundary.

13/0099 Food Van, The Valley (Block 48814B/227) **Benedict Hodge**

Refused for the following reason:

- i. the proposal is contrary to the Government of Anguilla Policy (EX MEM 02/406 dated 31st 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 proposed development does not have any sanitary facilities or running water;
- iii. the food van is situated in a public parking lot that caters to the Anguilla Public Library, The Teachers Resource Center and other neighbouring Institutions. This development will therefore negatively impinge on the availability of parking spaces within the parking lot on any given day and particularly when special events are taking place; and
- iv. the proposed development would increase the concentration of traffic in the parking lot and would cause additional danger to users of the adjacent Institutional facilities and the amenity enjoyed by them.

13/0100 Vehicle Accessories Store, Rock Farm (Block 48814B/202) **Rayme Lake**

Approved

13/0101 Subdivision, Corito (Block 38712B/250 & 251) **Andre Hall**

Deferred for a grant of easement form to be submitted for access to Lot 1.

13/0102 Subdivision, Welches (Block 89117B/486) **Michael Fleming**

Approved

13/0103 Grant of Easement, Blowing Point (Block 28310B/16) **Roderick & Othwell Connor**

Approved

13/0104 Dwelling House, Little Harbour (Block 38711B/88) **Barry & Harriette Goldsher**

Approved subject to:

- i. the correct scale being shown on the plan; and
- ii. section 6 of the application form to clearly state the means of foul waste disposal as sewage treatment plant.

13/0105 Dwelling House (Two Units), Blowing Point (Block 38411B/286) **Wayne Richardson**
Approved

13/0106 - 13/0107 WAS CONSIDERED AT PREVIOUS MEETING

13/0108 Mobile Snackette, Stoney Ground (Block 58916B/20) **Ruth Richardson**

Deferred for:

- i. a site visit by the Land Development Control Committee;
- ii. section 3 of the application form to be completed; and
- iii. the estimate cost of works to be stated on the application form.

13/109 WAS CONSIDERED AT PREVIOUS MEETING

13/0110 Dwelling House, Rey Hill (Block 78913B/37) **Bevis Richardson**

Approved subject to:

- i. to the distance of the building from the eastern boundary being stated on the site plan; and
- ii. the elevation drawings being labeled.

13/0111 Two Dwelling Houses, South Hill (Block 38713B/169) **Duncan Romney**

Approved

13/0112 Advertisement, George Hill (Block 48613B/372) **National Caribbean Insurance**

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 (EX MEM 01/238, approved on 8th 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.

13/0113 Subdivision, Bay View Road (Block 89218B/317) **Louvan Webster**

Deferred for a grant of easement form to be submitted for the use of the 20ft. right-of-way to grant a registered access to Lot 1.

13/0114 Subdivision, Roaches Hill (Block 58715B/528) **Dulcina Richardson**

Approved

13/0115 Breakwater Wall, Little Harbour (Block 38611B/340) **Dorothy Richardson**

Refused for the following reasons:

- i. the rock revetment proposed as a wall/breakwater which in reality is a rock revetment could result in the under scouring of sand in front and at the end of the structure which

- ultimately would have an adverse impact on the sandy beach and on the neighbouring property; and
- ii. the proposal as presented will result in impeding the free movement of people along the beach.

13/0116 Shed for Agricultural Purposes, The Quarter (Block 69014B/265) **William & Angela Culbertson**
Approved

13/0117 Bar, South Hill (Block 38512B/279) **Mitchell Hazell**
Deferred for:

- i. the site and floor plan to be drawn to scale;
- ii. the north arrow and the septic tank to be shown on the site plan;
- iii. the elevation drawing to be drawn correctly to reflect the building as it exist with the proposed extension;
- iv. the floor plan to be drawn correctly to show the doorway and access to the proposed extension from the ground floor; and
- v. the details in the legend shown on the plans to be legible.

13/0118 Dwelling House, Cauls Pond (Block 69014B/279) **Christobel & Julian Florent**
Approved

.....
Vincent Proctor
Secretary

.....
Aurjul Wilson
Chair