

THE TOWN  
AND  
COUNTRY PLANNING  
**(PORTLAND PARISH)**  
PROVISIONAL  
DEVELOPMENT  
ORDER, 2013

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June 21, 2013

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THE  
**JAMAICA GAZETTE**  
**SUPPLEMENT**

**PROCLAMATIONS, RULES AND REGULATIONS**

350B<sup>257</sup>

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Vol. CXXXVI

FRIDAY, JUNE 21, 2013

No. 49C

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No. 89C

**THE TOWN AND COUNTRY PLANNING ACT**

**THE TOWN AND COUNTRY PLANNING (PORTLAND PARISH) PROVISIONAL  
DEVELOPMENT ORDER, 2013**

In exercise of the power conferred upon the Town and Country Planning Authority by section 5 (1) of the Town and Country Planning Act, the following Provisional Development Order is hereby made after consultation with the Parish Council of Portland.

- Citation            1. This order may be cited as the Town and Country Planning (Portland Parish) Provisional Development Order, 2013.
- Interpretation.    2. In this Order—
- “the Act” means the Town and Country Planning Act;
- “base station” means a structure, fixed or mobile, consisting of transmitters and receivers that are connected to antennae by feeder cables and may be microcell, macrocell or picocell.

- 
- “the Authority” has the meaning assigned to it by section 2 of the Act;
- “building” in relation to outline permission, does not include plant or machinery or a structure or erection of the nature of plant or machinery;
- “broadcasting” has the meaning assigned to it by the Telecommunications Act and the Broadcasting and Radio Re-Diffusion Act;
- “conservation areas” means an area of special architectural or environmental interest, the character or appearance of which it is desirable to preserve or enhance;
- “development” has the meaning assigned to it by section 5 of the Act and “develop” shall be construed accordingly;
- “development area” means the area specified in Part 1 of the First Schedule;
- “erection” in relation to buildings includes extension, alteration and re-erection;
- “filling station” means land, building or equipment used for the sale or dispensing of petrol or oil for motor vehicles or used incidental to the sale or dispensing of petrol or oil for motor vehicles, and where any part of such land building or equipment is used for another purpose, shall include the whole, whether or not the use as a filling station is the predominant use of such land or building;
- “landscaping” means the treatment of land (other than buildings) being the site or part of the site in respect of which an outline planning permission is granted for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fence, walls or other means, the planting of trees hedges, shrubs, or grass, the formation of banks, terraces or other earth works, and the laying out of gardens or courts and the provision of other amenity features;
- “local authority” has the meaning assigned to it by section 2 of the Act;
- “local planning areas” means the areas specified in Part II of the First Schedule;
- “local planning authority”, has the meaning assigned to it by section 2 of the Act;
- “macrocell” means a base station that provides the largest area of signal transmission coverage and capacity within a mobile network;
- “mast” means a ground-based or roof-top structure that supports antennae at a height where they can satisfactorily transmit and receive radio waves;

“microcell” means a base station that provides additional signal transmission coverage and capacity to macrocells;

“Minister” has the meaning assigned it by section 2 of the Act;

“mobile network” has the meaning assigned to it by the *Telecommunications Act*;

“national parks” has the meaning assigned to it by the *Natural Resources Conservation Authority Act*;

“national monument” has the meaning assigned to it by section 2 of the Jamaica National Heritage Trust Act;

“operators” mean those who own or operate a telecommunication/ broadcast mast/tower, base station, macro cell, micro cell and or picocell;

“outline planning permission” means planning permission for the erection of a building which is applied for by the applicant directly and is granted subject to the subsequent approval of reserved matters submitted by the applicant to the local planning authority;

“permitted use class” has the meaning assigned to it by paragraph 6;

“picocell” means a base station, usually located within existing buildings, which provides more localised signal transmission coverage than a microcell;

“portland” means the area prescribed in Part I of the First Schedule;

“preservation scheme” has the meaning assigned to it by the Jamaica National Heritage Trust Act;

“protected national heritage” has the meaning assigned to it by section 2 of the Jamaica National Heritage Trust Act;

“reserved matters” means the matters in respect of which particulars have been omitted from an application for outline planning permission under this Order, such as—

- (a) the site for erection of a building on the land;
- (b) the design and external appearance of the building;
- (c) the means of access to and egress from the site; and
- (d) the landscaping of the site;

“subdivision” means the division of any land held under single ownership into two or more parts whether the division is by conveyance, transfer or partition or for the purpose of sale, gift, lease or any other purpose;



“telecommunication” has the meaning assigned to it by the  
*Telecommunication Act.*

“telecommunication network” has the meaning assigned to it by the  
*Telecommunications Act.*

Application  
of Order.

3. This Order relates to the parish of Portland.

Designation  
of Portland  
development  
order area and  
local planning  
areas. First  
Schedule.

4. The Parish of Portland hereby designated as a development order area for purposes of the Act and the areas specified in the First Schedule are hereby designated as local planning areas for the purpose of this Order.

Use Classes.  
Second  
Schedule.

5.—(1) Where a building or other land is used for a purpose listed in any class specified in the Second Schedule to this Order, the use of such building or other land for any other purpose of the same class shall not be deemed for the purpose of the Act to involve development of the land.

(2) Reference in paragraph (1) to “building” includes reference to land occupied with the building and used for the same purpose.

(3) Where a use, which is ordinarily incidental to and included in any use specified in the Second Schedule to this Order, is specified in the Third Schedule as a separate use, this shall not prevent the use which is included or incidental from being considered as such.

(4) No class specified in the Second Schedule indicates use—

- (a) as an amusement arcade or centre or a funfair;
- (b) as a launderette;
- (c) for sale of fuel for motor vehicles;
- (d) for sale or display for sale of motor vehicle;
- (e) for a taxi business or business for the hire of motor vehicles;
- (f) as a scrap-yard, or a yard for the storage or distribution of minerals or the breaking of motor vehicles;
- (g) as a hostel;
- (h) as a retail warehouse club;
- (i) as a night club;
- (j) as a casino; and
- (k) as a place of religious assembly.

Application for planning permission.

6. An application for planning permission shall—
- (a) be made in the form issued by the local planning authority for that purpose and obtainable from that authority;
  - (b) include the particulars required by the form to be supplied;
  - (c) be accompanied by a plan which sufficiently identifies the land to which the application relates and any other plans, drawings and information as are necessary to describe the development which is the subject of the application; and
  - (d) except where the local planning authority indicates that a greater number is required, be accompanied by three copies of the form and the plans and drawings submitted with it.

Permitted development. Third Schedule.

7.—(1) Subject to the provisions of this Order, permission may be granted for the classes of development described as permitted development in the Third Schedule.

(2) Nothing in this paragraph or in the Fourth Schedule shall operate so as to permit—

- (a) any development contrary to any condition imposed in a permission granted under Part III of the Act;
- (b) any development in relation to any national monuments and protected national heritage;
- (c) any development within a preservation scheme;
- (d) any development in any area designated as a National Park or Protected Area under section 5 of the Natural Resources Conservation Authority Act; or
- (e) development in any area designated as a Quarry Zone under the Quarries Act.

Approval of planning permission. Fourth Schedule. Form A.

8.—(1) Upon receiving an application for planning the local planning authority shall send to the applicant an acknowledgement thereof in terms (or substantially in the terms) set out in Form A of the Fourth Schedule hereto.

(2) The local planning authority may, upon considering the application for planning permission—

- (a) grant planning permission;
- (b) grant planning permission subject to conditions;
- (c) refuse to grant planning permission.

Prohibition of development.

9. (1) Subject to sub-paragraph (2) of this paragraph no development of land within the area to which this Order applies, shall take place except in accordance with this Order.

(2) The local planning authority may subject to such conditions as may be specified by directions given by the Minister under this Order grant permission for development which does not appear to be provided for in this Order and is not in conflict therewith.

Outline planning permission.

10. (1) Where an applicant so desires, an application for outline planning permission may be made under paragraph 4 for permission to erect a building.

Fourth Schedule. Form A.

(2) Upon receiving an application for planning permission, the local planning authority shall send to the applicant an acknowledgment thereof in the terms (or substantially in the terms) set out in Form A of the Fourth Schedule hereto.

(3) The local planning authority shall, upon considering an application for outline planning permission either grant permission subject to a condition specifying reserved matters that require approval of the local planning authority or the Authority.

(4) Where the local planning authority is of the opinion that in the circumstances of the case, the application ought not to be considered separately from all or any of the reserved matters within the period of one month beginning with the receipt of the application notify the applicant that the local planning authority is unable to consider the application unless further details are submitted, specifying the further details it requires—

(5) Where the local planning authority, pursuant to sub-paragraph (3)(b) of this paragraph, requires the applicant to furnish further details, the applicant may either—

- (a) furnish the information so required by the local planning authority (in which event the application shall be treated as if it had been received on the date when such information was furnished and had included such information); or
- (b) appeal to the Minister under section 13 of the act within twenty-eight days of receiving such notice, or such longer period as the Minister may at any time allow, as if his application had been refused by the local planning authority.

Application to approve reserved matters.

11. Where a person has been granted outline planning permission he may make an application for approval of reserved matters and such application shall—

- (a) be made in writing to the local planning authority and shall give sufficient information to enable that authority to identify the outline planning permission in respect of which it is made;

- (b) include such particulars and be accompanied by such plans and drawings as are necessary to deal with the reserved matters in the outline planning permission;
- (c) except where the local planning authority indicates that a greater number is required, be accompanied by three copies of the application and the plans and drawings submitted with it; and
- (d) be made within 3 years of such permission or as such period as may be approved by the local planning authority.

Applications for determinations under section 14.

12.—(1) An application to the local planning for a determination under section 14 of the Act shall be in writing, and shall contain a description of the operation or change of use proposed and of the land to which such proposal relates.

Fourth Schedule Form A.

(2) On receipt of any application under this paragraph the local planning authority shall send to the applicant an acknowledgment thereof in the terms (or substantially in the terms) set out in Form A of the Fourth Schedule hereto.

(3) In the case of an Application for a determination (whether forming part of an application for planning permission or not), where the local planning authority determines that the carrying out of operations, or the making of a change in the use of land, would constitute or involve development of the land, it shall state in the notice the grounds for its determination and include a statement to the effect that if the applicant is aggrieved by its decision he may appeal to the Minister under section 13 of the Act within one month of the receipt thereof giving a copy to the local planning authority.

Notification of decision or determination.

13.—(1) Except where otherwise provided, the period within which the local planning authority shall give notice to an applicant of its decision or determination shall be three months from the date of application or such extended period as may at any time be agreed upon in writing between the Applicant and that authority.

(2) Every notice issued pursuant to sub-paragraph (1) shall be in writing and where the local planning authority—

- (a) makes a decision subject to conditions;
- (b) determines under paragraph 11 that the carrying out of operations or the making of a change in the use of land would constitute or involve development of the land;
- (c) refuses to grant approval; or
- (d) it shall state its reasons there for in writing and send with the decision or determination a notification in the terms (or substantially in the terms) set out in Form B of the Fourth Schedule hereto.

Form B Fourth Schedule.

Requiring additional information.

14. The local planning authority determining any application may direct an applicant in writing to—

- (a) supply any further information and (except in the case of outline applications) plans and drawings necessary to enable them to determine the application; or
- (b) provide one of their officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

Directions restricting the grant of planning permission.

15.—(1) The Minister may give Directions restricting the grant of planning permission by the local planning authority during such period as may be specified in the Directions in respect of such development or in respect of development of any such class, as may be so specified.

(2) The local planning authority shall enforce the Directions of the Minister and do all that is possible to abide by them.

Consultation by local planning authority.

16.—(1) The local planning authority shall, before granting permission for development or for approval of reserved matters or in granting outline planning permission consult—

- (a) with a neighbouring local planning authority where it appears to the local planning authority that the development is likely to affect land in the area of that neighbouring local planning authority; or
- (b) with the Chief Technical Director where it appears to the local planning authority that the development involves—
  - (i) land adjacent to a main road or land reserved for future main road improvement;
  - (ii) any engineering or other works in connection with the formation, laying out, grading, or drainage of any access road;
  - (iii) any works which may affect water drainage in side or out side the land to which the application relates, particularly any works affecting or likely to affect any natural water course; or
  - (iv) such significant increase in traffic that the town planning and traffic engineering consideration cannot be considered in isolation from the detailed engineering implications of any such development;
- (c) with the Ministry responsible for Agriculture where the development involves a change of use of more than two hectares of land in an area used or capable of being used for agriculture, but such land shall not include land zoned by the Authority as land to be used for some other purpose;
- (d) with the Jamaica National Heritage Trust where the land to be developed is situated within 91 metres of a national monument or protected national heritage and land within a preservation scheme or to sites listed in Appendix 3 of the fifth Schedule;

Fifth Schedule.

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- (e) with the Natural Resources Conservation Authority where—
    - (i) the development is occurring on land situated in a coastal zone, in or adjacent to ecologically sensitive areas, in or adjacent to conservation areas or National Parks, or near rivers, streams or other water bodies;
    - (ii) the development is subject to an Environmental Statement;
    - (iii) the carrying out of building or other operations or the use of land for the purpose of refining or storing mineral oils and their derivatives; or
    - (iv) the carrying out of building or other operations or the use of land for the retention or disposal of sewage, trade waste or sludge;
  - (f) with the Ministry for Health and Environmental Control where the development consists of or includes—
    - (i) the carrying out of works or operations in the bed or on the banks of rivers, streams or other body of water;
    - (ii) the carrying out of building or other operations or the use of land for the purpose of refining or storing mineral oils and their derivatives; or
    - (iii) the carrying out of building or other operations or the use of land for the retention or disposal of sewage, trade waste or sludge;
  - (g) with the Commissioner of Mines and the Jamaica Bauxite Institute where the land to be developed is situated in any mineral deposit area;
  - (h) with the Geological Survey Division where a geotechnical report is necessary or where the slope of the land is in excess of 45 degrees;
  - (i) with the Office of Disaster Preparedness and Emergency Management where the development is situated on land occurring in areas subject to natural hazards;
  - (j) with the Water Resources Authority and National Water Commission where there is to be an increase in demand for water or where effluent is to be discharged in streams or an aquifer;
  - (k) with the National Water Commission where a sewage treatment plant proposed or connection to an existing sewerage system is being proposed;
  - (l) with the Civil Aviation Authority where;
    - (i) the development is located within a 3 km Radius of airports, aerodromes, similar facilities and flight paths;

- (ii) the structure proposed is to be within 9.26 km (5 nautical miles) of an aerodrome;
- (m) with the relevant building authority;
  - (i) for roof mounted mast/tower in order to ensure the structural integrity of the roof.
- (2) where the planning authority consults with any other body under sub-paragraph 1 and the body—
  - (i) makes recommendations to the planning authority, the planning authority shall, before granting permission, whether conditional or unconditional, consider the recommendations;
  - (ii) fails to make a recommendation within six weeks from the date of such consultation, the planning authority shall deal with the application unless the body indicates in writing that it is unable to meet the deadline and requests an extension.

Applications referred to the Authority.

17. On referring any application to the Authority under section 12 of the Act, pursuant to a direction in that behalf, the local planning authority, shall serve on the applicant notice of the terms of the direction and of any reason given by the Authority for issuing the direction, and such notice shall inform the applicant that the application has been referred to the Authority and shall contain a statement that the Authority will, if the applicant so desires, afford to the applicant an opportunity of appearing before and being heard by a person appointed by the Authority for the purpose.

Appeals.

- 18.—(1) Subject to the provisions of this Order, any person who desires to appeal—
- (a) against a decision of the local planning authority or the Authority, as the case may be, for—
    - (i) refusing planning permission; or
    - (ii) granting planning permission subject to conditions;
  - (b) against a determination of the local planning authority under section 14 of the Act;
  - (c) on the failure of the local planning authority or the Authority, as the case may be, to give notice of their decision or determination, shall give notice of appeal to the Minister copying that notice to the local planning authority, or the Authority, as the case may be;
  - (d) within one month of the receipt of notice of the decision or determination; or
  - (e) within one month of the expiry of the period specified in paragraph 11(1) of this Order, or such longer period as the Minister may at any time allow.

(2) The applicant shall also furnish to the Minister a copy of the following documents—

- (a) the application made to the local planning authority;
- (b) all relevant plans, drawings and particulars submitted to them;
- (c) the notice of the decision or determination, if any;
- (d) all other relevant correspondence with the local planning authority.

(3) The appellant may also supply any additional information pertaining to the appeal to the Minister.

(4) The appellant shall serve on the local planning authority or Authority as the case may be, a copy of the appeal and any additional information supplied to the Minister under paragraph (3).

Register of applications.

19.—(1) The local planning authority shall keep a register known as the Register of Applications (hereinafter referred to as the Register) containing the following information in respect of all land within the area to which this Order applies, namely—

- (a) particulars of any application for permission to develop made to the local planning authority in respect of any such land, including the name and address of the applicant, the date of the application, and brief particular of the development forming the subject of the application;
- (b) particulars of any direction given under the Act or this Order in respect of the application;
- (c) the decision, or determination, if any, of the local planning authority in respect of the application, and the date of such decision or determination;
- (d) the date and effect of any decision, or determination, of the Minister on appeal, in respect of the application;
- (e) the date of any subsequent approval given in relation to the application.

(2) The Register shall include an index, which shall be in the form of a map unless the Minister approves some other form, for enabling a person to trace any entry in the Register.



(3) The Register shall be kept at the office of the local planning authority and shall be available for inspection by the public at all reasonable hours.

(4) Every entry in the Register consisting of particulars of an application shall be made by the local planning authority within fourteen days of the receipt of such application.

Information on applications to be given to Minister.

20. The local planning authority shall furnish to the Minister and to such other persons as may be specified by Directions given by the Minister under this Order, such information as may be so specified with respect to applications made to the local planning authority under this order, including information as to the manner in which any such application has been dealt with.

Directions, consents and notices.

21.—(1) Any power conferred by this Order to give a direction or consent shall be construed as including power to cancel or vary the directions by a subsequent direction or, as the case may be, to revoke or modify such consent.

(2) Any notice or other document to be served or given under this Order may be served or given in the manner prescribed by section 30 of the Town and Country Planning Act.

Control of sub-divided land.

22. Where any person proposes to subdivide land within the area to which this Order applies into allotments for the purpose of development or of sale a Scheme Plan showing the proposed subdivision shall be of the Fifth Schedule prepared in accordance with the Fifth Schedule Appendix 12 of this Order and submitted to the local planning authority for approval.

Computation of compensation.

23. The base date for the computation of valuations in relation to assessing compensation in respect of this Order shall be the date one year prior to the coming into operation of this Order.

Matters to be dealt with by development orders. Fifth Schedule

24. The matters to be dealt with by development orders in the development order area in general and in the local planning areas in particular, shall be as set out in the Fifth Schedule.

Revocation.

25. Subject to paragraph 23, the Town and Country Planning (Portland Parish) Development Order, 1974, and the Town and Country Planning Petrol Filling Station—(Portland Parish) Development Order, 1964 are hereby revoked.

Savings.

26. Notwithstanding the revocation of the Orders referred to in paragraph 22 any permission granted pursuant to those Orders which had effect immediately before the coming into operation of this Order, shall until such permission is revoked, continue to have effect as if granted pursuant to this Order.

## FIRST SCHEDULE

(Paragraph 4)

## PART I

*Portland Parish Development Order Area*

Commencing at the intersection of the seacoast and the common boundary between the parishes of St. Thomas and Portland meets the High Water Mark at the sea coast; thence proceeding south-westerly along the said boundary to a point where the boundary crosses the main road at Haining; thence north-westerly along the St. Thomas and Portland Parish Boundary to a point where it intersects the main road at Four Feet; thence generally northerly, north-westerly, parallel to the main road to a point at Holland Mountain where the boundary crosses the main road; thence north-westerly in a straight line along the St. Thomas and Portland parish boundary to a point south of Mango Gap; thence generally north-westerly, south-westerly, north-westerly, along the St. Thomas and Portland parish boundary to the beginning of the Grand Ridge of the Blue Mountains; thence generally northerly, south-westerly, north-westerly, along the said parish boundary of St. Thomas and Portland on the Grand Ridge of the Blue Mountains to the common point where the parish boundary of St. Thomas, St. Andrew and Portland meet; then south-westerly, north-westerly; south-westerly to a point at Silver Hill Peak; thence generally southerly, south-westerly, north-westerly, along the St Andrew and Portland Parish Boundary to the common corner between St. Andrew, St. Mary and Portland; thence generally north-easterly in a straight line along the parish boundary between Portland and St. Mary, this also being the boundary between the County of Middlesex and the County of Surrey to meet the High Water Mark at the sea coast at Palmetto Bay; thence in a straight line perpendicular to the High Water Mark at this point to a point on the offshore territorial limits; thence generally along the territorial limits to a point directly opposite to the starting point at Hectors River; thence generally in a straight line back to the starting point; including all off shore islands, cays and man made and natural accretions within the territorial waters.

## PART II

*Local and Planning Areas in Portland*

Starting from the point where the West River enters the sea; then westerly along West River to where it crosses Anchovy property boundary; then north-westerly and south-westerly along the property boundary to the East Town River; then northerly along this river to where it meets Titchfield Trust land boundary; then westerly along this boundary to the West Town River; then southerly and along this river to the mouth of the river; then westerly in a straight line to a track leading to Parish Council Road Number 79; then northerly along this track to a point where it crosses Parish Council Road Number 79; then generally westerly along Parish Council Road number 79 to a point where it touches Airy Mount Parish Council Road; then northerly along this parish council road to a point where it touches a parish council road; then westerly along this parish council road to a point where it touches the Spring Bank Road; then north-westerly along the Spring Bank Road to a track at Shotover; then northerly along

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FIRST SCHEDULE, *contd.*

this track to a point where it touches Parish Council Road Numbers 89 and 92 at Stony Hill; then westerly, then north-westerly along Parish Council Road Number 92 to the Norwich boundary; then north-easterly in a straight line to the sea coast; then in a straight line perpendicular to the coast to the off shore territorial limits; then easterly along this boundary to a point opposite the starting point; then in a straight line back to the starting point; including all off shore islands, cays, and man made and natural accretions within the territorial waters such as Navy and Wood Islands.

*Buff Bay Local Planning Area*

Starting at a point where Mid Leyton boundary touches the sea coast north of the Buff Bay to Orange Bay Main Road; then southerly, then westerly along this boundary to where it meets the Spanish River; then westerly in a straight line to a point north-west of Plum Valley off the Buff Bay/Pleasant Hill Secondary Road; then north-easterly and parallel to this road through Charles Town to the Northern White River Property boundary; then north-westerly along the property boundary to a point on the Enfield to Buff Bay Secondary Road; then north-westerly in a straight line to a point on Parish Council Road Number 117; then north-westerly along Parish Council Road Number 117 to a point where it touches a straight line from Hart Hill Road; then north-westerly along this straight line to Hart Hill Road; then north-easterly along Hart Hill Road to the sea coast; then along the low water mark back to the starting point including any natural or man made accretions.

*Hope Bay Local Planning Area*

Starting from the point where the Samuel's River meets the coast; then southerly along the center line of the river course to a point where it intersects the St. Margaret's Bay Main Road; then north-westerly along this main road to a point where it meets the Hopefield Parish Council Road; then southerly, south-westerly, north-westerly, westerly, south-westerly along this parish council road to a point where Hope Bay Secondary Road joins Cashew Ridge Secondary Road; then southerly along Cashew Ridge Secondary Road for a short distance to a point where it meets Parish Council Road Number 119; then north-westerly along this road to a point where it meets Bliah track at Graham Hill Road; then south-westerly along the track leading to the center line of the Swift River; then north-easterly along the center line of this river to a point where it enters the sea; then easterly and along the coast back to the starting point at Samuel's River.

*St. Margaret's Bay Local Planning Area*

Starting at a point where the Rio Grande enters the sea; then south-easterly along the center line of this River to a point where it crosses the Hope Bay to Port Antonio Main Road; then south-easterly along the center line of the river to a point where it crosses the Burlington Parish Council Road; then south-westerly

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FIRST SCHEDULE, *contd.*

along the parish council road to and along another parish council road in a northerly direction to meet St. Margaret's Bay/Dalvey Secondary Road; then southerly along this road to a point west of Cuffie Head Parish Council Road where it meets Wydah Boundary; then westerly along the Wydah boundary to the Cuffie Head Parish Council road at its junction with Parish Council Road No. 101 and New Road Secondary Road; then westerly along Parish Council Road No. 101 to where it meets Panton Road; then north-westerly along Panton Road to where it meets Spring Garden Boundary; then northerly in a straight line along the Spring Garden boundary to a point on the sea coast and then along the coast to the starting point at the Center of the Rio Grande.

*Long Bay Local Planning Area*

Starting at a point where Parish Council Road No.24 meets the Port Antonio to Manchioneal Main Road; then south-westerly, north-westerly along this parish council road to where it meets Parish Council Road No. 25 at Copper; then north-westerly in a straight line from this point to the Fair Prospect/Ecclesdown Secondary Road; then northerly along a track to where it joins Parish Council Road No. 27; then north-westerly along this Parish Council Road to a point in the bend near Windsor Forest; then westerly in a straight line to where it rejoins Parish Council Road No. 27 at Commodore; then north-easterly easterly in a straight line to a point where it joins a parish council road; then easterly along this parish council road to its junction with the Port Antonio/Manchioneal Main Road; then easterly from this point in a straight line to the sea; then along the sea coast to a point opposite Parish Council Road No.24; then in a straight line back to the starting point.

*Manchioneal Local Planning Area*

Starting at a point where the Salt River touches the sea; then south-westerly along the salt River to a point where it crosses the Dillon to Packi River Parish Council Road; then north-westerly in a straight line to Drivers River Falls; then north-easterly along the Spring Valley Boundary to a point where it crosses the Ecclesdown to Manchioneal Secondary Road; then generally north-east, north-west, north-east, north-west along this road to a point where it touches Hope Boundary; then north-east along this boundary to a point where it touches Parish Council Road No. 20; then easterly, north-easterly along this road to a point on the Port Antonio to Manchioneal Main Road at Hectors River; then easterly in a straight line to the sea; then along the coast to the starting point at Spanish River.

*Windsor Local Planning Area*

Starting from the point where Sandy River meets Parish Council Road no. 52; then southerly along Parish Council Road No. 52 to a tributary of the Dons River; then south-westerly from this point in a straight line to the Fellowship/Moore

FIRST SCHEDULE, *contd.*

Town Secondary Road at the bridge over the Cascade River; then northwesterly along the Moore Town/Fellowship secondary road to a point where it meets the Black Gate Parish Council Road; then north-westerly along the Black Gate Parish Council Road to where it meets the Rio Grande; then north-westerly along the Rio Grande to its confluence with the Dam Head River; then south-easterly along the Dam Head River to where it meets a track; then north-easterly and along this track to meet the Dam Head River; then north-easterly along this river to where it meets Parish Council Road No. 70; then south-easterly in a straight line to a point southeast of the intersection of Tom Hope Parish Council Road and Sandy River; then south-easterly and along this river to the starting point.

*Spring Hill Local Planning Area*

Starting at a point where the Dead Woman Spring meets the Buff Bay River; then southerly along this river to its confluence with the White River; then westerly along the White River to where it meets the Oatley Spring; then south-westerly along the Spring to the Portland/St. Andrew Parish Boundary at Middleton; then north-easterly along the parish boundary to Forest Gap where it touches Parish Council Road No.169; then north-easterly along this Parish Council Road to where it meets the Buff Bay/Hardware Gap Main Road; then easterly across the main road to the Silver Hill Bridge over the Buff Bay river; then southerly along this river to the starting point at Dead Woman Spring.

## SECOND SCHEDULE

(Paragraph 5)

*USE CLASSES*Class 1—*Shops*

Use for all or any of the following purposes—

- (a) as a shop;
- (b) for the retail sale of goods to the public other than hot food;
- (c) as a post office;
- (d) for the sale of tickets or as a travel agency;
- (e) for the sale of sandwiches or other cold food for consumption off the premises;
- (f) for hair grooming ( hairdressing and barbering);
- (g) for the direction of funerals but does not display coffins and bodies;
- (h) for the display of goods for sale;
- (i) for the hiring out of domestic or personal goods or articles;

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SECOND SCHEDULE, *contd.*

- (j) for the washing or cleaning of clothes or fabrics on the premises except for dry cleaning;
- (k) for the reception of goods to be washed, cleaned or repaired where the sale, display or services is to visiting members of the public except for dry cleaning; or
- (l) as an internet cafe;

Class 2—*Financial and professional services*

Use for the provision of—

- (a) financial services;
- (b) professional services (other than health or medical services); or
- (c) any other services (including use as a betting office) that it is appropriate to provide in a shopping area where the services are provided principally to visiting members of the public e.g. banks, building societies, estate and employment agencies.

Class 3—*Restaurants and Cafes*

Use for the sale of food or drink for consumption on the premises—restaurants, snack bars and cafes.

Class 4—*Drinking Establishments*

Use as Public houses, bars or other drinking establishments (but not a night club).

Class 5—*Hot Food Take Aways*

Use for the sale of hot food for consumption off the premises.

Class 6—*Business*

Use for all or any of the following purposes:—

- (a) As an office other than use within class 2 (financial and professional services);
- (b) or research and development of products or processes; or
- (c) for any light industrial process being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, visual appearance, vibration, smell, fumes, smoke, soot, ash, dust or grit.

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SECOND SCHEDULE, *contd.*

**Class 7—General Industry**

Use for the carrying on of any industrial process other than one falling within Class 6.

**Class 8—Storage or Distribution**

Use for storage or as a distribution centre or as a wholesale warehouse.

**Class 9—Hotels**

Use as a hotel or as a boarding or guest house where, in each case, no significant element of care is provided.

**Class 10—Residential Institutions**

- (a) for the provision of residential accommodation and care to people in need of after care. (Other than a use within Class 12 (dwelling houses));
- (b) use as a hospital or nursing home;
- (c) use as a residential school, college or training centre

**Class 11—Secure Residential Institution**

Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital or use as a military barracks.

**Class 12—Dwelling House**

Use as a dwelling house (whether or not as a sole or main residence).

- (a) by a single person or persons living together as a family; or
- (b) by not more than 6 residents living together as a single household (including a household where care is provided for residents such as disabled or handicapped people living in the community and students or young people sharing a dwelling).

**Class 13—Non-Residential Institutions**

Any use not including a residential use—

- (a) for the provision of any medical or health services except the use of premises attached to the residence of the consultant or practitioner;

SECOND SCHEDULE, *contd.*

- (b) as a creche, day nursery, day centre health centre, clinic;
- (c) for the provision of non residential education and training centre;
- (d) for display of records of art (otherwise than for sale or hire);
- (e) as a museum;
- (f) as a public library or public reading room;
- (g) as a public hall or exhibition hall;
- (h) for, or in connection with, public worship or religious instruction;
- (i) as a court of law; or
- (j) as an art gallery.

Class 14—*Assembly and Leisure*

Use as—

- (a) a public hall, concert hall, exhibition hall, social centre or a community centre;
- (b) a theatre, cinema, music hall; or
- (c) a dance hall (but not night clubs), swimming bath, skating rinks, gymnasium, sport arenas or for other indoor games (except for motor sports, or where firearms are used).



## THIRD SCHEDULE

(Paragraph 7)

*Permitted Development**Part 1—Development with the Curtilage or a Dwelling House*

Use for all or any of the following purposes:—

## Class A

Permitted  
development.A. The enlargement, improvement or other alteration of  
a dwelling house.Development.  
not permitted.

A.1 Development is not permitted if—

- (a) the cubic content of the resulting building would exceed the cubic content of the original dwelling house—
  - (i) In the case of a terrace house or a town house by more than 50 cubic metres or 10%, whichever is the greater;
  - (ii) In any other case, by more than 70 cubic metres;
- (b) the part of the building enlarged, improved or altered would exceed in height the highest part of the roof of the original dwelling house;
- (c) the part of the building enlarged, improved or altered would be nearer to any highway which bounds the curtilage of the dwelling house than—
  - (i) the part of the original dwelling house nearest to that highway; or
  - (ii) 15.24 metres, whichever is the nearest to the highway;
- (d) the part of the building enlarged, improved or altered would be within 1.5 metres of the boundary of the curtilage

THIRD SCHEDULE, *contd.*

of the dwelling house and would exceed 3.6 metres in height;

- (e) the total area of ground covered by buildings within the curtilage (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);
- (f) it would consist of or include the installation, alteration or replacement of a satellite antenna;
- (g) it would consist of or include an erection of a building within the curtilage of a listed building; or
- (h) it would consist of or include an alteration to any part of the roof.

A. 2 Development is not permitted by Class A if it would consist of or include the cladding of any part of the exterior with stone, artificial stone, timber, plastic or tiles to an existing external surface.

Interpretation of  
Class A

A.3 For the purpose of Class A—

- (a) The erection within the curtilage of a dwelling house of any building with a cubic content greater than 10 cubic metres shall be treated as the enlargement of a dwelling house for all purpose including calculating cubic content where any part of that building would be within 5 metres of any part of the dwelling house;
- (b) where any part of the dwelling house would be within 5 metres of an existing building within the same curtilage, that building shall be treated as forming part of the resulting building for the purposes of calculating the cubic content.

THIRD SCHEDULE, *contd.*

## Class B

Permitted development.

B. The enlargement of a dwelling house consisting of an addition or alteration to its roof.

Development not permitted.

B.1 Development is not permitted if—

- (a) any part of the dwelling house would as a result of the works, exceed the height of the highest part of the existing roof;
- (b) any part of the dwelling house would, as a result of the works extend beyond the plane of any existing roof slope which fronts any highway;
- (c) it would increase the cubic content of the dwelling house by more than 40 cubic metres, in the case of a town house or terrace house or 50 cubic metres in any other case;
- (d) the cubic content of the resulting building would exceed the cubic content of the original dwelling house—
  - (i) in the case of a terrace house or town house by more than 50 cubic metres or 10%, whichever is the greater;
  - (ii) in any other case, by more than 70 cubic metres or 15%, whichever is the greater; or
  - (iii) in any case, by more than 115 cubic metres.

## Class C

Permitted development.

C. Any other alteration to the roof of a dwelling house.

Development not permitted.

C.1 Development is not permitted if it would result in a material alteration to the shape of the dwelling house.

## Class D

Permitted development.

D. The erection or construction of a porch outside any external door of a dwelling house.

THIRD SCHEDULE, *contd.*

Development  
not permitted.

D. 1 Development is not permitted if—

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;
- (b) any part of the structure would be more than 3 metres above ground level;
- (c) any of the structure would be within 15.24 metres of any boundary of the curtilage of the dwelling house with a highway.

Class E

Permitted  
development.

E. The provision within the curtilage of a dwelling house of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwelling house as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Development  
not permitted.

E.1 Development is is not permitted if—

- (a) it relates to a dwelling or a satellite antenna;
- (b) any part of the buildings or enclosure to be constructed or provided would be nearer to any highway which bounds the curtilage than—
  - (i) the part of the original dwelling house nearest to that highway; or
  - (ii) 15.24 metres whichever is nearer to the highway.
- (c) where the building to be constructed or provided would have a cubic content greater than 10 cubic metres, any part of it would be within 5 metres of any part of the dwelling house;

THIRD SCHEDULE, *contd.*

- (d) the height of that building or enclosure would exceed—
  - (i) 3.66 metres, in the case of a building with a ridged roof; or
  - (ii) 3 metres, in any other case;
- (e) the total area of ground covered by buildings or enclosures within the curtilage (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house); or
- (f) in the case of land within the curtilage or a listed building, it would consist of the provision, alteration or improvement of a building with a cubic content greater than 10 cubic metres.

Interpretation of Class E

E.2 for the purpose of Class E purpose incidental to the enjoyment of the dwelling house as such, includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwelling house where the dwelling house is located in a rural area.

Class F Permitted development.

F. The provision within the curtilage of a dwelling house of a hard surface for any purpose incidental to the enjoyment of the dwelling house as such.

Class G Permitted development.

G. The installation, alteration or replacement of a satellite antenna on a dwelling house or within the curtilage of a dwelling house.

Development not permitted.

G1 Development is not permitted if—

- (a) the size of the antenna (excluding any projecting feed element, reinforcing rim, mounting and brackets) when measured in any dimension would exceed—

THIRD SCHEDULE, *contd.*

- (i) centimetres in the case of an antenna to be installed on a chimney;
  - (ii) 70 centimetres in any other case;
  - (b) the highest part of an antenna to be installed on a roof or a chimney would, when installed, exceed in height—
    - (i) in the case of an antenna to be installed on a roof, the highest part of the roof;
    - (ii) in the case of an antenna to be installed on a chimney, the highest part of the chimney;
  - (c) there is any other satellite antenna on the dwelling house or within its curtilage;
- Conditions.                      G2 Development is permitted by Class G subject to the following conditions—
- (b) an antenna installed on a building shall, so far as practicable, be sited so as to minimise its effect on the external appearance to the building;
  - (b) an antenna no longer needed for the reception or transmission of microwave radio energy shall be removed as soon as reasonably practicable.
- Interpretation  
Part 1.
- 1. For the purposes of Part 1—
    - “existing building” means the dwelling house as enlarged, improved or attached, taking into account any enlargement, improvement or alteration to the original dwelling house, whether permitted by this part or not.

THIRD SCHEDULE, *contd.*PART 2—*Minor Operations*

- |                                      |   |
|--------------------------------------|---|
| Class A<br>Permitted<br>development. | A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.   |
| Development.                         | <p>A.1 Development is not permitted if—</p> <ul style="list-style-type: none"> <li>(a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceeds one metre above ground level;</li> <li>(b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed two metres above ground level;</li> <li>(c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in subparagraph (a) or (b) as the height appropriate to it if erected or constructed, which is the greater; or</li> <li>(d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.</li> </ul> |
| Class B<br>Permitted<br>development. | B. The formation, laying out and development construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any class in this Schedule (other than by Class A of this Part).  |
| Class C<br>Permitted<br>development. | C. The painting of the exterior of any building or work.  |
| Development<br>not permitted.        | C.1 Development is not permitted where the painting is for the purpose of advertisement, announcement or direction.   |

THIRD SCHEDULE, *contd.*

Interpretation. C.2 In class C "painting" includes any application of colour.

General Note. This part grants planning permission for minor operations in relation to walls and enclosures, and means of access. There is some overlap with Pt. 1, which permits the erection of buildings and enclosures, but is limited to dwelling-house curtilages. Rights under this Part are not so limited.

PART 3—*Development by Local Authorities*

Class A  
Permitted  
development.

A. The erection or construction and maintenance, improvement or other alteration by local authority of—

(i) such small ancillary building works and equipment as are required on land belonging to or maintained by them for the purpose of any functions exercised by them on that land otherwise than as statutory undertakers;

(ii) lamp standards, information works, passenger shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, useful bins or baskets, barriers for the control of persons waiting to enter public vehicles, and such similar structures or works may be required in connection with the operation of any public service administered by them.

Class B  
Permitted  
development.

B. The deposit by a local authority of waste material or refuse on any land comprised in a site which was used for that purpose previously, whether or not the superficial area or the height of the deposit is thereby extended.



THIRD SCHEDULE, *contd.*PART 4—*Temporary Buildings And Uses*

Class A  
Permitted  
development.

- A. The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.

Development  
not permitted.

- A. 1 Development is not permitted if—

- (a) the operations referred to are mining operations; or
- (b) planning permission is required for those operations but is not granted or deemed to be granted.

Conditions.

- A. 2 Development is permitted subject to the conditions that, when the operations have been carried out—

- (a) any building, structure, works, plant or machinery permitted by this Class shall be removed; and
- (b) any adjoining land on which development permitted by this Class has been carried out shall as soon as reasonably practicable, be reinstated to its condition before that development was carried out.

Class B  
Permitted  
development.

- B. The use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purpose of the holding of a market or motor car and motor cycle racing including trials of speed and practicing for the activities and the provision on the land of any moveable structure for the purposes of the permitted use.

Development  
not permitted.

- B. 1 Development is not permitted if—

- (a) the land in question is a building or is within the curtilage of a building; or

THIRD SCHEDULE, *contd.*

- (b) the land is, or is within, an area of special scientific interest and the use of the land is for—
  - (i) motor car and motor cycle racing or other motor sports;
  - (ii) clay pigeon shooting; or
  - (iii) any war game;

Interpretation of Class B

B.2 “war game” means an enacted, mock or imaginary battle conducted with weapons which are designed not to injure (including smoke bombs, or guns or grenades which fire or spray paint or are otherwise used to mark other participants), but excludes military activities or training exercises organised by or with the authority of the Jamaica Defence Force.

PART 5 — *Agricultural Buildings and Operations*

Class A Permitted development.

- Development on units 2.0 hectares or more
- A. The carrying out on agricultural land comprised in an agricultural unit 2.0 hectares or more in area of—
    - (a) works for the erection, extension or alteration of a building; or
    - (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

Development not permitted.

- A. 1 Development is not permitted if—
  - (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 0.4 hectare in area;
  - (b) it would consist of, or include, the erection, extension or alteration of a dwelling;
  - (c) it would involve the provision of a building, structure or works not designed for agricultural purposes;

THIRD SCHEDULE, *contd.*

- (d) the ground area which would be covered by—
  - (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or
  - (ii) any building erected or extended or altered by virtue of this Class, would exceed 465 square metres, calculated as described in paragraph D.2;
- (e) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;
- (f) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;
- (g) any part of the development would be within 25 metres of a metalled part of a trunk or classified road;
- (h) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building; or
- (i) it would involve excavations or engineering operations over land which are connected with fish farming.

THIRD SCHEDULE, *contd.*

## Conditions.

A. 2 (1) Development is permitted by Class A subject to the following conditions—

- (a) where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development shall not be used for the accommodation of livestock except in the circumstances described in paragraph D.3 or for the storage of slurry or sewage sludge;
- (b) where the development involves—
  - (i) the extraction of any mineral from the land; or
  - (ii) the removal of any mineral from a mineral-working deposit, the mineral shall not be moved off the unit;
- (c) waste materials shall not be brought onto the land elsewhere for deposit except for use in works described in Class A (a) or in the creation of a hard surface and any materials so brought shall be incorporated forthwith into the building or works in question.

(2) Subject to paragraph (3), development consisting of—

- (i) the erection, extension or alteration of a building;
- (ii) the formation or alteration of a private way;
- (iii) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.4 below exceeds 0.5 hectare); or
- (iv) the placing or assembly of a tank in any waters is permitted by Class A subject to the following conditions—
  - (a) the developer shall, before beginning the development,

THIRD SCHEDULE, *contd.*

apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit of the siting and appearance of the tank, as the case may be;

- (b) the application shall be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site,
- (c) The development shall not be begun before the occurrence of one of the following—
  - (i) the receipt by the applicant from the local planning authority notice of a written notice of their determination that such prior approval is not required;
  - (ii) where the local planning authority gives the applicant notice within 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

THIRD SCHEDULE, *contd.*

- (iii) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;
- (d) (i) where the local planning authority gives the applicant notice that such prior approval is required the applicant shall display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant;
- (ii) the applicant shall not be treated as not having complied with the requirements of subparagraph (i) if the site notice is, without any fault or intention of his, removed, obscured or defaced before the period of 21 days referred to in that subparagraph has elapsed, if he has taken reasonable steps for its protection and, if need be, replacement;]
- (e) the development shall, except to the extent that the local planning authority

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THIRD SCHEDULE, *contd.*

otherwise agree in writing, be carried out—

- (i) where prior approval is required, in accordance with the details approved;
  - (ii) where prior approval is not required, in accordance with the details submitted with the application; and
- (f) the development shall be carried out—
- (i) where approval has been given by the local planning authority, within a period of two years from the date on which approval was given;
  - (ii) in any case, within a period of two years from the date on which the local planning authority were given the information referred to in sub-paragraph (b).
- (3) The conditions in paragraph (2) do not apply to the extension or alteration of a building except in the case of significant alteration or a significant extension.
- (4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A.

Class B

Permitted development.

- B. Development on units of less than 2.0 hectares the carrying out on agricultural land comprised in an agricultural unit of not less than 0.4 but less than 2 hectares in area of development consisting of—
- (a) the extension or alteration of an agricultural building;
  - (b) the installation of additional or replacement plant or machinery;
  - (c) the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus;

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THIRD SCHEDULE, *contd.*

- (d) the provision, rearrangement or replacement of a private way;
- (e) the creation of a hard surface;
- (f) the deposit of waste; or
- (g) the carrying out of any of the following operations in connection with fish farming, namely repairing ponds and raceways; the installation of grading machinery, aeration equipment or flow meters and any associated channel; the dredging of ponds; and the replacement of tanks and nets, where the development is reasonably necessary for the purposes of agriculture within the unit.

Development  
not permitted.

B.1 Development is not permitted by Class B if—

- (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 0.4 hectare in area;
- (b) the external appearance of the premises would be materially affected;
- (c) any part of the development would be within 25 metres of a metalled part of a trunk or classified road;
- (d) it would consist of, or involve, the carrying out of any works to a building or structure used or to be used for the accommodation of livestock or the storage of slurry or sewage sludge where the building or structure is within 400 metres of the curtilage of a protected building; or
- (e) it would relate to fish farming and would involve the placing or assembly of a tank on land or in any waters or the construction of a pond in which fish may be kept or an increase (otherwise than by the removal of silt) in the size of any tank or pond in which fish may be kept.



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THIRD SCHEDULE, *contd.*

B.2 Development is not permitted by Class B(a) if—

- (a) the height of any building would be increased;
- (b) the cubic content of the original building would be increased by more than 10 percent;
- (c) any part of any new building would be more than 30 metres from the original building;
- (d) the development would involve the extension, alteration or provision of a dwelling;
- (e) any part of the development would be carried out within 5 metres of any boundary of the unit; or
- (f) the ground area of any building extended by virtue of this Class would exceed 465 square metres.

B.3 Development is not permitted by Class B (b) if—

- (a) the height of any additional plant or machinery within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;
- (b) the height of any additional plant or machinery not within 13 kilometres of the perimeter of an aerodrome would exceed 12 metres;
- (c) the height of any replacement plant or machinery would exceed that of the plant or machinery being replaced; or
- (d) the area to be covered by the development would exceed 465 square metres calculated as described in paragraph D.2 below.

B.4 Development is not permitted by Class B (e) if the area to be covered by the development would exceed 465 square metres calculated as described in paragraph D.2 below.

THIRD SCHEDULE, *contd.*

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|----------------------------|--|
| Conditions.                | <p>B.5 Development permitted by Class B and carried out within 400 metres of the curtilage of a protected building is subject to the condition that any building which is altered, or any works resulting from the development, shall not be used for the accommodation of livestock except in the circumstances described in paragraph D.3 or for the storage of slurry or sewage sludge.</p> <p>B.6 Development is permitted by Class B (f) subject to the following conditions—</p> <ul style="list-style-type: none"> <li>(a) that waste materials are not brought on to the land from elsewhere for deposit unless they are for use in works described in Class B (a),(d) or (e) and are incorporated forthwith into the building or works in question; and</li> <li>(b) that the height of the surface of the land will not be materially increased by the deposit.</li> </ul> |
| CLASS C                    | MINERAL WORKING FOR AGRICULTURAL PURPOSES  |
| Permitted development.     | C. The winning and working on land held or occupied with land used for the purposes of agriculture of any mineral reasonably necessary for agricultural purposes within the agricultural unit of which it forms part.  |
| Development not permitted. | C.1 Development is not permitted by Class C if any excavation would be made within 15.24 metres of a metalled part of a trunk or classified road.  |
| Condition.                 | C.2 Development is permitted by Class C subject to the condition that no mineral extracted during the course of the operation shall be moved to any place outside the land from which it was extracted, except to land which is held or occupied with that land and is used for the purposes of agriculture.   |
| Interpretation of Part 5.  | <p>D.1 for the purposes of Part 5—</p> <p>“agricultural land” means land which, before development permitted by this Part is carried out, is land in use for agriculture and which</p>   |

THIRD SCHEDULE, *contd.*

is so used for the purposes of a trade or business, and excludes any dwelling house or garden;

“agricultural unit” means agricultural land which is occupied as a unit for the purposes of agriculture, including—

- (a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit; or
- (b) any dwelling on that land occupied by a farm worker;

“building” does not include anything resulting from engineering operations;

“fish farming” means the breeding, rearing or keeping of fish or shellfish (which includes any kind of crustacean and mollusc);

“livestock” includes fish or shellfish which are farmed;

“protected building” means any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is apt; but does not include—

- (i) a building within the agricultural unit;
- (ii) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture;

“significant extension” and “significant alteration” mean any extension or alteration of the building where the cubic content of the original building would be exceeded or altered would exceed the height of the original building; and

“tank” includes any cage and any other structure for use in fish farming.

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THIRD SCHEDULE, *contd.*

D.2 For the purposes of this Part—

- (a) an area calculated as described in this paragraph comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery or ponds or tanks within the same unit which are being provided or have been provided within the preceding two years and any part of which would be within 90 metres of the proposed developments;
- (b) 400 metres is to be measured along the ground.

D.3 The circumstances referred to in paragraph A.2(1) (a) and B.5 are that no other suitable building or structure, 400 metres or more from the curtilage of a protected building, available to accommodate the livestock; and

- (a) that the need to accommodate it arises from—
  - (i) a quarantine requirements;
  - (ii) an emergency due to another building or structure in which the livestock could otherwise be accommodated being unavailable because it has been damaged or destroyed by fire, flood or storm; or
- (b) in the case of animals normally kept out of doors they require temporary accommodation in a building or other structure—
  - (i) because they are sick or giving birth or newly born; or
  - (ii) to provide shelter against extreme weather conditions.

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THIRD SCHEDULE, *contd.*

- D.4 For the purposes of paragraph A. 2 (2) (iii) the relevant area is the area of the proposed excavation or the area on which it is proposed to deposit waste together with the aggregate of the areas of all other excavations within the unit which have not been filled and of all other parts of the unit on or under which waste has been deposited and has not been removed.
- D.4 A—In paragraph A.2(2) (cc), “site notice” means a notice containing—
- (a) the name of the applicant;
  - (b) the address or location of the proposed development;
  - (c) a description of the proposed development and of the materials to be used;
  - (d) a statement that the prior approval of the authority will be required to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;
  - (e) the name and address of the local planning authority and which is signed and dated by or on behalf of the applicant.
- D.5 For the purpose of Class B—
- (a) the erection of any additional building within the curtilage of another building is to be treated as the extension of that building and the additional building is not to be treated as an original building;
  - (b) where two or more original buildings are within the same curtilage and are used for the same undertaking they are to be treated as a single original building in making any measurement in connection with the extension or alteration of either of them.

THIRD SCHEDULE, *contd.*

D.6 In Class C, "the purposes of agriculture" includes fertilizing land used for the purposes of agriculture and the maintenance, improvement or alteration of any buildings, structures or works occupied or used for such purposes on land so used."

PART 6—*Forestry Buildings And Operations*

Class A  
Permitted  
development.

A. The carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of—

- (a) works for the erection, extension or alteration of a building;
- (b) the formation, alteration or maintenance of private ways;
- (c) operations on that land, or on land held or occupied with that land, to obtain the materials required for the formation, alteration or maintenance of such ways;
- (d) other operations (not including engineering or mining operations).

Development  
not permitted.

A.1 Development is not permitted if—

- (a) it would consist of or include the provision or alteration of a dwelling;
- (b) the height of any building or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres in height, or
- (c) any part of the development would be within 15.24 metres of the metalled portion of a trunk or classified road.

Conditions.

A.2 (1) Subject to paragraph (3), development consisting of the erection of a building or the (extension or alteration) of a building or the formation or alteration of a private way is permitted by Class A subject to the following conditions—

- (a) the developer shall, before beginning the development, apply to the local planning

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THIRD SCHEDULE, *contd.*

- authority for a determination as to whether the prior approval of the authority will be required to the siting, design and external appearance of the building or, as the case may be, the siting and means of construction of the private way;
- (b) the application shall be accompanied by a written description of the proposed development, the materials to be used and a plan indicating the site;
- (c) the development shall not be begun before the occurrence of one of the following—
- (i) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
  - (ii) where the local planning authority gives the applicant notice within 28 days following the date of receiving his application of their determination that such prior approval is required, the giving of such approval;
  - (iii) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether approval is required or notifying the applicant of their determination;

THIRD SCHEDULE, *contd.*

- (d) (i) where the local planning authority gives the applicant notice that such prior approval is required the applicant shall display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant;
- (ii) the applicant shall not be treated as not having complied with the requirements of subparagraph (i) if the site notice is, without any fault or intention of his, removed, obscured or defaced before the period of 21 days referred to in that subparagraph has elapsed, if he has taken reasonable steps for its protection and, if need be, replacement;]
- (e) the development shall, except to the extent that the local planning authority otherwise agree in writing, be carried out—
  - (i) where prior approval is required, in accordance with the details approved;
  - (ii) where prior approval is not required, in accordance with the details submitted with the application;



THIRD SCHEDULE, *contd.*

- (f) the development shall be carried out—
  - (i) where approval has been given by the local planning authority, within a period of two years from the date on which approval was given;
  - (ii) in any other case, within a period of two years from the date on which the local planning authority were given the information referred to in sub-paragraph (b).
- (2) In the case of development consisting of the significant extension or the significant alteration of a building, such development may be carried out only once.

## A. 3 For the purposes of this class—

“Significant extension” and “significant alteration” mean any extension or alteration of the building where the cubic content of the original building would be exceeded by more than 10 percent or the height of the building as extended or altered would exceed the height of the original building.

“site notice” means a notice containing—

- (a) the name of the applicant;
- (b) the address or location of the proposed development;
- (c) a description of the proposed development and of the materials to be used;
- (d) a statement that the prior approval of the authority will be required to the siting, design and external appearance of the building or, as the case may be, the siting and means of construction of the private way; and

THIRD SCHEDULE, *contd.*

- (e) the name and address of the local planning authority, and which is signed and dated by or on behalf of the applicant.

PART 7—*Repairs To Unadopted Streets And Private Ways*

Class A Permitted development.

The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or improvement of the street or way.

General Note.

Works by road authorities for maintenance and improvement of roads do not constitute development, by virtue of the 1957 Act S.5(2)(b). This part grants planning permission for such works in relation to unadopted streets and private ways, being in both cases ways or highways which are not maintainable at the public expense.

PART 8—*Repairs to Services*

Class A Permitted development.

The carrying out of any works for the purposes of inspection, repairing or renewing any sewer, main, pipe, cable or other apparatus, including breaking open any land for that purpose.

General Note.

Works for the purpose prescribed in this part do not require planning permission if undertaken by local authorities and statutory undertakers, by virtue of the 1957 Act S.5 (2)(c). This part grants planning permission for cases where the works are to be carried out by others.

PART 9—*Aviation Development*

Class A Permitted development.

Development at an airport—

- A. The carrying out on operational land by a relevant airport operator or its agent of development (including the erection or alteration of an operational building) in connection with the provision of services and facilities at a relevant airport.

Development not permitted.

- A.1 Development is not permitted by class A if it would consist of or include—

- (a) the construction or extension of a runway;

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**THIRD SCHEDULE, *contd.***

- (b) the construction of a passenger terminal the floor space of which would exceed 500 square metres;
  - (c) the extension or alteration of a passenger terminal, where the floor space of the building as existing at the date of coming into force of this order or, if built after that date, of the building as built would be exceeded by more than 15 per cent;
  - (d) the erection of a building other than an operational building;
  - (e) the alteration or reconstruction of a building other than an operational building, where its design or external appearance would be materially affected.
- Conditions.** A 2 Development is permitted by Class A subject to the condition that the relevant airport consults the local planning authority before carrying out any development, unless that development falls within the description in paragraph A.3(2).
- Interpretation of Class A.** A. 3 (1) For the purposes of paragraph A. 1 floor space shall be calculated by external measurement and without taking account of the floor space in any pier or satellite.
- (2) Development falls within this paragraph if—
- (a) it is urgently required for the efficient running of the airport; and
  - (b) it consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building, or equipment, do not exceed 4 metres in height or 200 cubic metres in capacity.
- Class B** Air navigation development at an airport—
- Permitted development.** B. The carrying out on operational land within the perimeter of a relevant airport by a relevant airport

THIRD SCHEDULE, *contd.*

operator or its agent of development in connection with—

- (a) the provision of air traffic control services;
- (b) the navigation of aircraft using the airport; or
- (c) the monitoring of the movement of aircraft using the airport.

Class C  
Permitted  
development.

Air navigation development at an airport

C. The carrying out on operational land outside but within 8 Kilometres of the perimeter of a relevant airport by a relevant airport operator or its agent, of development in connection with—

- (a) the provision of air traffic control services,
- (b) navigation of aircraft using the airport, or
- (c) the monitoring of the movement of aircraft using the airport.

Development not  
permitted.

C. Development is not permitted by Class C if—

- (a) any building erected would be used for a purpose other than housing equipment used in connection with the provision of air traffic control services, with assisting the navigation of aircraft or with monitoring the movement of aircraft using the airport;
- (b) any building erected would exceed a height of 4 metres;
- (c) it would consist of the installation or erection of any radar or radio mast, antenna or other apparatus which would exceed 15 metres in height, or where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus if greater.

Class D

Development by Civil Aviation Authority within an airport.

THIRD SCHEDULE, *contd.*

Permitted development.	<p>D. The carrying out by the Civil Aviation Authority or its agents, within the perimeter of an airport at which the Authority provides air traffic control services, of development in connection with—</p> <ul style="list-style-type: none"> <li>(a) the provision of air traffic control services;</li> <li>(b) the navigation of aircraft using the airport; or</li> <li>(c) the monitoring of the movement of aircraft using the airport.</li> </ul>
Class E	<p>Development by Civil Aviation Authority for air traffic control and navigation.</p>
Permitted development.	<p>E. The carrying out on operational land of the Civil Aviation Authority by the authority or its agents of development in connection with—</p> <ul style="list-style-type: none"> <li>(a) the provision of air traffic control services;</li> <li>(b) the navigation of aircraft; or</li> <li>(c) monitoring the movement of aircraft.</li> </ul>
Development not permitted.	<p>E. 1 Development is not permitted by Class E if—</p> <ul style="list-style-type: none"> <li>(a) any building erected would be used for a purpose other than housing equipment used in connection with the provision of air traffic control services, assisting the navigation of aircraft or monitoring the movement of aircraft;</li> <li>(b) any building erected would exceed a height of 4 metres; or</li> <li>(c) it would consist of the installation or erection of any radar or radio mast, antenna or other apparatus which would exceed 15 metres in height, or where an existing mast, antenna or apparatus is replaced, the height of that mast, antenna or apparatus if greater.</li> </ul>
Class F	<p>Development by the Civil Aviation Authority in an emergency.</p>

THIRD SCHEDULE, *contd.*

Permitted development.	F	The use of land by or on behalf of the Civil Aviation Authority in an emergency to station moveable apparatus replacing unserviceable apparatus.
Condition.	F.1	Development is permitted by Class F subject to the condition that on or before the expiry of a period of 6 months beginning with the date on which the use began, the use shall cease, and any apparatus shall be removed, and the land shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.
Class G		Development by the Civil Aviation Authority for air traffic control etc.
Permitted development.	G	<p>The use of land by or on behalf of the Civil Aviation Authority to provide service and facilities in connection with—</p> <ul style="list-style-type: none"> <li>(a) the provision of air traffic control services;</li> <li>(b) the navigation of aircraft; or</li> <li>(c) the monitoring of aircraft; and the erection or placing of moveable structures on the land for the purpose of that use.</li> </ul>
Condition.	G.1	Development is permitted by Class G subject to the condition that, on or before the expiry of the period of 6 months beginning with the date on which the use began, the use shall cease, and any structure shall be removed, and the land shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.
Class H		Development by the Civil Aviation Authority for surveys.
Permitted development.		H. The use of land by or on behalf of the Civil Aviation Authority for the stationing and operation of apparatus in connection with the carrying out of surveys or investigations.

THIRD SCHEDULE, *contd.*

Condition.	H. 1 Development is permitted by Class H subject to the condition that, on or before the expiry of the period of 6 months beginning with the date on which the use began, the use shall cease, and any apparatus shall be removed, and the land shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.
Class J	Use of airport buildings managed by relevant airport operators.
Permitted development.	J. The use of buildings within the perimeter of an airport managed by a relevant airport operator for purposes connected with air transport services or other flying activities at that airport.
Interpretation of Part 9.	K. For the purpose of Part 9— <p style="margin-left: 40px;">“operational building” means a building, other than a hotel, required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge or transport of passengers, livestock or goods at a relevant airport;</p> <p style="margin-left: 40px;">“relevant airport” means any airport permitted to levy airport charges by the Government of Jamaica or any airport owned or managed by the Airports Authority of Jamaica, its subsidiaries or agencies; or</p> <p style="margin-left: 40px;">“Relevant airport operator” means the operator of a relevant airport.</p>

## General Note.

This Part grants permission for development by:

- (1) relevant airport operators, at and (Class C) within 8 kilometres of, relevant airports; and
- (2) the Civil Aviation Authority in connection with air traffic control services, air navigation and monitoring services.

THIRD SCHEDULE, *contd.*

PART 10—*Telecommunications Operations*

Class A  
Permitted  
development.

A. 1 The carrying out of the proper design and siting of Telecommunications Network—

- (a) most conventional television aerials and their mounting or poles. Many of the smallest antenna systems that may be covered by the normal principle of *de minimis* and/or may not have a material effect on the external appearance of the building on which they may be installed;
- (b) apparatus such as radio masts which is being installed on the ground not exceeding a height of 15 meters (45ft) above ground level or the height of any apparatus which it replaces whichever is greater but not including antennas installed on radio masts; and
- (c) satellite antennas except when precluded in any Development Order.

Development  
not permitted.

- (a) Cellular towers/masts and mono poles not permitted that are being placed in residential areas, schools and hospitals.
- (b) The cellular tower/mast and mono poles that are being located in areas of scenic beauty, protected buildings, national monuments, conservation and or protected areas and sites protected under the Jamaica National Heritage Trust Act and the Town and the Country Planning Act.

Conditions.

A. 2 Development is permitted by Class A subject to the following conditions—

- (1) an antenna installed on a building shall, so far as practicable, be sited so as to minimize its effect on the external appearance of the building;
- (2) an antenna no longer needed for the reception or transmission of micro wave radio energy shall be removed as soon as reasonably practicable.



## FOURTH SCHEDULE

(Paragraphs 8, 10, 12  
and 13)

## FORM A

Notification to be sent to the Applicant on receipt of an Application

Your application dated: \_\_\_\_\_  
(insert date)For development at: \_\_\_\_\_  
(insert address)

has been received and if it is not valid you will receive a further communication to this effect.

If you have not been informed that the application is not valid and you have not been given notice by the planning authority of its decision within three (3) months of their receipt of the application or such extended period as may at any time be agreed upon in writing between the applicant and the planning authority then you may appeal to the Minister, (copy to the planning authority) in accordance with section 13 (4) of the Town and Country Planning Act on the grounds that your application has been refused.

## FORM B

Notification to be sent to Applicant on Refusal of Planning Permission or on the Grant of Permission subject to Conditions

*To be Endorsed on Notices of Decision*

1. If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant permission subject to conditions, you may, by notice served within thirty days of the receipt of this notice, appeal to the Minister, (copy to the planning authority) in accordance with section 13 of the Town and Country Planning Act. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he may exercise this power in cases where he is satisfied that you have deferred the giving of notice because negotiations with the planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that the planning permission for the proposed development could not have been granted by the planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of section 11 of the Act and of the Development Order and to any directions given in the Order.

2. In certain circumstances provided for in section 17 of the Town and Country Planning Act, a claim may be made against the Town and Country Planning Authority

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FOURTH SCHEDULE, *contd.*

for compensation where, permission is refused or granted subject to conditions by the Minister on appeal.

FORM C

Notification to be sent to Applicant on reference of an Application to the Authority under Section 12 of the Act (calling—in of Application)

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Under Section 12 of the Town and Country Planning Act, your application dated \_\_\_\_\_ for a development at

(Insert date)

\_\_\_\_\_ (Insert address)

has been referred to the Town and Country Planning Authority, 10 Caledonia Avenue, Kingston 5, for determination.

If you so desire, before determining the application, the Authority will upon request, afford you the opportunity of appearing before and being heard by a person appointed by the Authority for the purpose.

## FIFTH SCHEDULE

(Paragraphs 16, 22,  
and 24)

## STATEMENTS

## SECTION 1 THE PLANNING FRAMEWORK

*Portland Parish Development Area*

All that area located on Jamaica's north-east coast in the County of Surrey at latitude 18° 10'n and longitude 75° 27'w with an area of approximately 814 km<sup>2</sup>. It is bounded by the parish of St. Thomas to the south, St. Andrew to the south-west, St. Mary to the west and the Caribbean Sea to the north and north-east as outlined in the First Schedule and delineated on Map 1 attached hereto.

*History*

Portland was formed in 1723 from a merger of parts of the parishes of St. George and St. Thomas-in-the-east. It acquired its present shape when it was joined to the remainder of St. George in 1867. The Parish was named after Henry Duke of Portland who was then the Governor of Jamaica with the chief town being Titchfield. This name was later changed to Port Antonio after the Spanish Name Puerto Santo Antonio it had in 1685.

Settlement of the parish was very slow due to a high death rate from tropical diseases. However, in 1723 the Governor began offering free land to people of different races in an attempt to populate the parish. This attracted mainly the British and the Windward Maroons who were living in the Blue and John Crow Mountains were determined not to allow them to occupy the area. They constantly raided the plantations in the 1730s until a treaty was signed with them in 1739 easing the situation. This allowed settlers to accept the Governor's offer leading to a new era of development in Portland. People started moving in and by 1779 had established 38 large sugar cane estates. These were later replaced by the cultivation of bananas and other subsistence crops that were introduced by the Spaniards during their occupation from 1494 to 1655. The banana is a quick growing crop which was well suited to Portland's soil and heavy rainfall and had the advantage over sugar in that it could be planted and harvested at any time.

A devastating hurricane in 1871 brought Lorenzo Dow Baker to Jamaica and he promoted the export of the bananas from Portland. The banana ships were also used to transport tourist on their journeys giving rise to the Tourism Industry in Port Antonio. By the 1930s the banana trade dwindled due in part to the Panama disease and hurricane thus causing Portland's dynamic economy to decline.

FIFTH SCHEDULE, *contd.*

## DEMOGRAPHY

*Population Size and Growth*

Data from Statin (2004) indicated that the population of Portland in 2004 was 80,211 persons, or a total of 3% of the population of Jamaica based on a growth rate of 0.478% per annum for the period 1991-2004. The increase in population between 1991- 2002 was due to factors such as substantial natural increase and domestic migration increases relating to agricultural and tourism activities. However, by 2003 there was a slight decrease in population of 211 persons which could be linked to changes in agricultural production due to the impact of flood rains and restructuring to face changes in international trade agreements.

Portland has a density of 101 persons per km<sup>2</sup> which is relatively low when compared to Jamaica at 243 persons per km<sup>2</sup>. The population in urban areas has been increasing gradually moving from 22% in 1982 to 23% in 2001 although there was a fall to 20% in 1991. The total population for urban centers in 2001 accounted for 34% of the total population with Port Antonio having 18% and Buff Bay the next most concentrated with 5%.

For the 10 year period between 1991 and 2001 all urban centers experienced population growth with the exception of Hectors River which had a decline in population of 164 persons. Buff Bay during this time period had an increase of 1613 persons which surpassed that of Port Antonio the Parish Capital.

In 2001, 23.4% of the population of Portland lived in urban centers compared to 52.1% for Jamaica as a whole. The parish remained predominantly rural given the fact that for the nation just over half of the population lived in areas classified as urban.

At an estimated annual growth rate of 0.61% the population for Jamaica in 2016 would be 2,818,445 persons and that for Portland at 0.478% per annum 85,701 persons. Based upon this projection Portland would still represent 3% of the country's population, despite the difference in growth rate.

*Population Composition*

At the time of the 2001 census males made up 49.7% of the population of Portland compared to 49.8% in 1991. The male to female sex ratio declined from 99.2 in 1991 to 99.0 in 2001. When compared to Jamaica as a whole, males made up 49.2% of the population in 2001 compared to 49% in 1991. The result was a slight increase in the male to female sex ratio from 96.1 in 1991 to 96.7 in 2001.

FIFTH SCHEDULE, *contd.*

## LABOUR AND EMPLOYMENT

*Labour Force*

In 1991 the labour force consisted of 41,912 persons, or 55% of the population of the parish. By 2001 it had increased by 9.3% to 45,791 persons. In the 35-39 and 60-64 years age groups there were more females than males, and the number of persons aged 30-34 years was higher than those aged 25- 29 years.

The labour force participation rate increased from 55% in 1991 to 57% in 2001. The participation rate for females remained constant at 54% while that of the males increased from 55% in 1991 to 57% in 2001.

## Natural Resources

*Minerals*

Portland has several viable mineral sources which are classified as industrial and metallic minerals. Industrial minerals consist of limestone, alluvial sand and gravel and marble, while metallic minerals are iron, copper and manganese.

The limestone which is used as both aggregate for road stone and construction material is estimated at 2.5 billion tons while whiting is estimated at approximately 59 million tons. Significant sources of sand and gravel deposits exist within the alluvial traces of the Rio Grande River and are currently being exploited in the Berrydale area. Other sources exist in the Swift River Valley, while deposits of marble are located in the Chepstowe area.

Iron deposits have been identified in Mulberry Hill, coffee Piece and Mocho but the reserves have not been determined. Copper bearing veins are also known to exist in Coopers Hill, Claverty Cottage, Swift River District and Mocho while manganese has been identified in the Marshall's Hall area. With the exception of sand and gravel the other minerals are untapped.

## Conservation Of The Natural And Built Environment

Some of the most fantastic landscapes in Jamaica can be found in the parish of Portland.

The northern and eastern sections of the parish comprise an 80 km coastline that consists of black and white sandy beaches, wetlands and rocky coves. Adjacent to the coastline is a narrow but lush coastal plain, springs, rivers waterfalls and peaks of the contiguous but strikingly different Blue and John Crow Mountains.

The original vegetation consisted of montane rain forest in the mountains and wet limestone forest in the limestone hills up to 400m. The mountains have a succession of vegetation belts at different altitudes ranging from lower montane

FIFTH SCHEDULE, *contd.*

forest to mist-montane forest in the Blue Mountains (above 1200m) and elfin woodland above 1800m. In the John Crow Mountains where the rainfall is enormous elfin woodland is found as far down as 500m in exposed areas with tall rainforest in the hollows between. In the secondary forest, exotic species are dominant with bamboo being widespread.

The lower parts of the parish mostly consist of ruinate forest and pasture although the Blue Mountains above 800m has remained little affected by human activity and has retained a large number of native species. More than 500 species of flowering plants have been collected from the Blue Mountains and about 40% of the higher plants are Jamaican Endemics, many of which are considered rare and endangered. Portland has the highest number of local endemics of all the parishes in Jamaica and these are concentrated in the John Crow Mountains where there is little disturbance above 400m.

The mountains are also home to a wide variety of birds, many of which are endemic. One hundred and eight of the two hundred and fifty six species of birds occurring in Jamaica are known to breed here. The Jamaican Hutia or Coney is one of the rare endemic species which is found in the John Crow Mountains. At specific times of the year the Giant Swallowtail Butterfly the largest swallowtail butterfly in the western hemisphere can be spotted in some areas in the Blue and John Crow Mountains National Park.

There are several caves in the parish including those at Buff Bay, Orange Bay, Hope Bay, Port Antonio, Boston Bay, Long Bay, Innis Bay and Nonsuch. The Nonsuch cave is very popular and is well viewed by many locals and tourists. Some of these caves contain deposits of guano which are traditionally used as fertilizer.

Two maroon villages, Moore Town and Nanny Town exist in the parish. The occupants were Guerilla fighters during the period of the plantocracy. The Jamaica National Heritage Trust has listed six structures as National Monument in Port Antonio along with the Protected National Heritage Site of the Titchfield Peninsula and other historic and cultural sites and structures that have to be protected.

## Natural Conditions

*Topography*

The Blue Mountains rise steeply a short distance from the narrow plains adjacent to the coastline in an east-west direction. It contains steep sided valleys and deeply gorged rivers. The peak of the Blue Mountain range ascends to a height of 2,256 meters and is shared with the neighbouring parish of St. Thomas. Other high points include the Blue Mountain Eastern Peak (2,248m), Sir Johns Peak (1,930m), and Portland Gap (1,675m). Lower peaks and ridges radiate from

FIFTH SCHEDULE, *contd.*

higher peaks, giving way to slopes that frequently exceed 50 and sometimes 70 degrees. The elevation, complex terrain and intricately varied aspects of the slopes are reflected in diverse biological communities and land cover.

The John Crow Mountains have a northwest to southeast orientation with its western end being separated from the eastern end of the Blue Mountains by the Rio Grande Valley below Corn Puss Gap (640m). The range rises gently from the east to 1140m but ends abruptly along a steep western escarpment. Unlike the Blue Mountain peaks, the summit is a slightly tilted limestone plateau, a landscape of sinkholes and outcrops devoid of prominent features.

*Climate*

Portland has a humid tropical climate which is the wettest in Jamaica with hot lowlands giving way to cooler mountains. Seasonal variation in temperature is less than day-night variation and extremes of temperature are tempered by the maritime influence. Temperature decreases and rainfall rises as one goes from lower to higher altitudes, and rainfall decreases from east to west.

Lowland temperatures range from 27 degrees Celsius to 31 degrees Celsius. Within the montane forest of the western Blue Mountains at 1550m, mean monthly temperatures range between 18.5 and 20.5 degrees Celsius. Night time near ground level temperatures in open areas may be as much as 5.8 degrees Celsius lower than standard air temperature. The wind chill factor may bring effective below freezing temperatures on Middle Peak on winter nights.

The parish experiences Jamaica's highest rainfall with 3,039mm being recorded for the year 2005. The heaviest rain usually occurs in June, July and October, although annual and monthly rainfall is highly variable and the number of rainy days is usually high. In 2005 above normal rainfall was reported for the months of January, April, May, June, July, October and November with the primary maximum occurring in July and the secondary in November.

*Land Capability*

Portland's best soils are found in the alluvial areas of the river valleys such as the lower Rio Grande River Valley, the Buff Bay River Valley, and the Spanish River Valley. The soils in these areas are quite fertile and deep and the structure is fair. The alluvial areas of the coastal plains have a wide variety of soils, the most of which are quite fertile with pockets less so but with a great structure that can give high yields with the addition of fertilizer. These fall into the land capability classes I to II. Class I is suitable for cultivation with no limitations while class II has moderate limitations.

In the Blue and John Crow Mountains the soils are shallow and stony with low nutrient content. These fall into classes V and VI and are suitable for planted forest tree crops and conservation.

FIFTH SCHEDULE, *contd.*

## Economic Activity

Agriculture is the primary economic activity in Portland with the parish being a leading producer of bananas, coffee, and coconut which are grown for export as well as local consumption. However, diseases, adverse weather conditions and a hostile market environment have affected the economic returns from these activities. Manufacturing is a small sector of the economy with about 18 factories.

The tourism sector which has always flourished and is the second contributor to the economy is a shadow of what it was in its heyday with deteriorating infrastructure impacting negatively on investment and promotion. However, a number of tourist facilities exist like Trident Villas, Jamaica Palace, Dragon Bay Villas, Goblin Hill etc. which cater to a variety of income levels. The parish is also noted for its fine beaches with the world famous Blue Lagoon and Rafting on the Rio Grande still being a tourist attraction. The Boston Jerk Centre is also an area that is famous for jerk foods and attracts both foreign and local visitors.

The poor performance of agriculture and tourism has however left the economy of the parish in a precarious position with rising unemployment.

## Transportation

Portland has a comparatively dense network of roads; however the hilly terrain of the parish especially in the interior sections is particularly sinuous. There are three main entry roads providing access to the parish, one from Kingston, one from St. Mary and the other from St. Thomas. There are eight (8) class A roads which cover a distance of 78.4km, three (3) class B covering 33.7km and twenty two (22) class C covering a distance of 175km.

The improved North Coast Highway will be extended from Ocho Rios to Port Antonio and will impact on at least eight communities in the parish as relocation exercises take place. The expansion of this road will reduce travel time between St. Ann, St. Mary and Portland.

The Ken Jones aerodrome is located in St. Margaret's Bay with visitors to and from Ocho Rios, Negril, Montego Bay and Kingston being the primary users. It is also of vital importance to the local courier services with banana spraying planes occasionally using the facilities as a take off point. Port Antonio has twin Harbours, East Harbour and West Harbour with the West Harbour being the principal centre for all maritime activities within Port Antonio.

The Jamaica Railway Corporation had one of its eastern termini in Port Antonio. This was mainly used for the handling of freight, bananas and other agricultural produce for export. The railway line was closed in 1980 by the JRC removing the access by rail to Portland. Buses and Taxis are the main modes of public transportation with the Taxis running by routes and offering transportation



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FIFTH SCHEDULE, *contd.*

to all growth centres while trucks are used to transport individuals from the farming communities to markets in Kingston.

Drainage

Most of the geological formations in Portland are aquicludes, that is, impermeable, only the soils covering them can absorb water. These aquicludes include all basement rocks, the yellow limestone, the Montpelier formation of the white limestone, the coastal formation and the clay areas of the alluvium. It is only the white limestone other than the Montpelier formation and the sandy parts of the alluvial valleys which are aquifers. Of the total area of the Blue Mountains north basin (1,597km<sup>2</sup>) only 267 km<sup>2</sup> or 16% consist of aquifers which have a total water holding capacity of 270 million m<sup>3</sup>, the remainder drains as surface water. The Blue Mountain north basin produces nearly half of all surface water in Jamaica.

Drainage in the basement area is direct and rapid in many small and intermittent streams and could be termed an immature drainage system. In the higher parts of the catchment where slopes are steep, the rivers have a high gradient and flow rapidly, with numerous water falls. In the headwaters of the Swift River for instance the mean velocity is 1.51m/second. The danger of erosion and landslides is high in these areas, especially where the soil is bare. In the lower areas, between the Blue Mountains and the limestone hills the gradient decreases, the water slows down and the drainage system is of a mature type with the possibility of flashfloods occurring after heavy rainfall.

Growth Areas

The Growth Centre concept is linked to the Settlement Strategy and is intended to encourage growth and development in economically and environmentally sound locations in the Parish. It is part of the methodology for achieving a rational pattern of land use and community development. Government agencies will focus their resources on building and maintaining infrastructure in these priority areas so that basic services will be within the reach of residents at minimum cost. They are dynamic and efficient centers for spatial development having a core of commercial and community services such as shops, schools, health centers, residential development, natural and built landmarks and urban boundaries that provide a sense of place. The urban fence will show the extent to which the area is expected to grow and development will be encouraged within rather than outside of these centers in an effort to reduce sprawl. Lands outside the fence will continue to be used for agricultural purposes and where development is allowed in these areas it will not be at the scale of urban development. The centers will service people within a certain range.

FIFTH SCHEDULE, *contd.**Port Antonio*

Port Antonio established in the 16th century by the Spanish is a Regional Center and the parish capital of Portland providing it with both administrative and commercial functions. The Town known for its sleepy charm is located on the coast and has a double harbour, the western one being sheltered by Navy Island which is a small islet. Tourism was virtually born in Port Antonio when banana boats returning from Boston, U.S.A., brought the first tourists to Jamaica.

According to a special Gleaner Feature on "Pieces of the Past" in the 1940s and 1950s the Town of Port Antonio was the setting of numerous Hollywood films and a favourite destination of many Hollywood stars. The article went on to say that Errol Flynn one of its regular visitors was so in love with the area he claimed he never met a woman as beautiful as Port Antonio.

The Port Authority of Jamaica's development of a marina in the west harbour which includes a security/marine post, an English style pub, a boardwalk and boat yard aims to lift the parish's tourism profile.

*Buff Bay*

Buff Bay is a sub regional center located at the north western section of the parish between the Spanish River and Mount Vernon. Because of its location near to the agricultural areas of the river valleys it was an important center in the banana trade. It provides goods and services to residents who are not desirous of travelling to Port Antonio.

Local plans have been prepared for the two major towns Port Antonio and Buff Bay and the other centers classified as Growth Centers in Appendix 1 with their boundaries shown on Map 1.

## Vision

Residents have raised concern among other things about zoning proposals, economic development, and availability of housing in the Parish. They are fearful that planning decisions regarding these issues will be made without any regard to their common vision for a sustainable future. They are of the opinion that their views should be used to assist in the planning and development efforts that will determine the kind of parish that they would like to have and how this is to be achieved. The concept addresses new emerging issues such as the challenge of a growing population base, growing demands on the natural resources, and a variety of activities affecting the urban and rural environment and good governance. The vision articulate a sharing set of values which will aid in the

FIFTH SCHEDULE, *contd.*

determination and formulation of long term strategies, objectives and guidelines that will direct development in the parish.

The Vision Statement for Portland was written under the general guidance of ENACT and the Parish Development Committee by a group of residents who represented a wide cross section of the society; business people, government servants, members of civic organizations, tourism interest and others. It reads:

“To achieve a Portland society in which all citizens participate in and benefit from the results of economic prosperity, sustainable environment, social equity and good governance”.

## Strategy

The Strategy of this Development Order reflects the aspirations and concerns of the local planning authority and the people of Portland as indicated in their Vision Statement. It is not about preventing new developments but about ensuring that they take place in accordance with sustainable principles in an environment that is generally fragile and is often hazardous. It will provide direction on proper land use and development over the next ten to fifteen years which is the intended life of the Development Order and will take into account the relative suitability of particular areas for different uses. Various objectives and policies covering a full range of social, economic and environmental issues are included that will provide a comprehensive framework to guide the development of the parish without reducing the quality of life for the residents.

## The Purpose of the Order

The purpose of this Order is to make provision for the orderly and progressive development of the parish of Portland in accordance with the Vision, Strategies, Objectives, Policies and Proposals outlined in this document so that the Parish Council as local planning authority will be able to regulate developments within the entire parish. The Town and Country Planning Act require planning applications to be determined in accordance with the order unless material considerations indicate otherwise. No development will therefore be permitted other than with the knowledge and consent of the local planning authority, except as falls within the categories defined in the Third and Fourth Schedule.

## Format of the Order

The document is presented in two parts along with the Land Use Proposal maps.

Part 1—consists of The Citation, Interpretation, Notices and Schedules and

Part 2—the *Statements*

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FIFTH SCHEDULE, *contd.*

*The Statements is further divided into two Sections:*

Section 1 identifies the Planning Framework and deals with the Objectives and Policies at the Parish level under different Thematic Headings and Paragraph Section 2 provides the Guidelines and Policies for Local Area Development and the Appendices. The Appendices include standards and details for such matters as parking and loading requirements, guidelines for petrol filling stations, residential densities etc.

The land Use Proposals Maps show the particular property which may be affected by the policies indicated in the written statement. Some of these policies are general and will affect the entire parish while some will only be applicable to specific urban areas and communities. If a discrepancy should arise between the Statements and the maps then the former will prevail.

How to use the Order

- (1) *For information*
  - (a) on the interpretation of legal definitions, the application process and schedules refer to Part 1;
  - (b) on a particular site or building refer to the proposals map which will show any guidelines or policy applicable. The inset maps may also provide additional information; and
  - (c) regarding a particular thematic topic such as housing, environment etc. consult the sections devoted to them. There is a Table of Contents at the front of the Document that will help in this regard.

- (2) *For Policy Identification*

Sector Policies are identified by a letter in the Theme (thus T for transportation) followed by the number of the Policy (thus 1). A sector policy for transportation would read—

**POLICY T 1.**

Policies for local planning areas are identified by using a letter(s) of the area to which the Policy relates (thus PA for Port Antonio) followed by the first letter(s) of the Theme (thus T for Transportation) followed by the number of the Policy (1). A transportation policy for Port Antonio would therefore be—

**POLICY PA T 1.**

It should be noted that some of the policies are cross listed, that is, they may appear under other headings.

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**FIFTH SCHEDULE, *contd.******References***

The Information and Data used in the preparation of this document were derived from a number of sources which are recognized in the Acknowledgements.

***Objectives***

The Development Order will operate through the policies set out in the individual thematic Chapters. The Vision and Strategies are translated into objectives which will guide the content of the topic chapters.

**TRANSPORTATION**

- Obj. 1 To have a transportation system that allows safe and easy movement in and around the parish and which makes the parish easily accessible from other parts of the island.
- Obj. 2 To ensure safe access to and use of the road system by the various mode of transportation.
- Obj. 3 To ensure the adequate provision of land for port and other transportation purposes.
- Obj. 4 To ensure the integration of transport planning with land use planning.
- Obj. 5 To enhance the efficiency of the transport system in order to reduce travel times between communities.
- Obj. 6 To ensure that land uses allow and enhance the efficient operations of the aerodromes while minimizing its impact on surrounding communities.

**HOUSING**

- Obj 7 To encourage development in areas where adequate utilities and community facilities exist or can be provided in a cost effective manner.
- Obj. 8 To ensure that adequate land is made available to fill the gap between the existing and projected needs in housing in the parish.
- Obj. 9 To ensure that lands are available, for low and medium density housing development in urban and suburban areas.

**CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT**

- Obj. 10 To ensure that development is sensitive to the preservation of the major landscape and vegetation features of the parish (including areas of mixed evergreen forests.)

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FIFTH SCHEDULE, *contd.*

- Obj. 11 To preserve and develop recreation facilities and green spaces which can serve the population at contemporary standards.
- Obj. 12 To ensure that the unique flora and fauna of the parish are maintained and that the rivers and streams are protected from degradation.
- Obj. 13 To ensure that there are facilities to provide active and passive recreational amenities for people of all ages and abilities.
- Obj. 14 To ensure that cultural heritage assets are protected and are accessible to all.
- Obj. 15 To protect areas of high landscape and amenity values and those that form an attractive background to urban areas, tourist development and tourist routes.

RURAL ECONOMY

- Obj. 16 To ensure that agricultural development caters to both the large and small farmers and that adequate provision is made for agro-industries.
- Obj. 17 To protect rural farm land from non-productive land uses and incompatible activities.
- Obj. 18 To prevent the fragmentation of large agricultural lots into smaller non-productive units
- Obj. 19 To prevent urban or semi-urban developments encroaching onto productive farm land.
- Obj. 20 To ensure that lands of high agricultural capability is used for agricultural purposes only.

URBAN ECONOMY

- Obj. 21 To locate industrial sites in areas where they are near to existing infrastructure and social services.
- Obj. 22 To encourage the location of industries which rely mainly on local raw materials near to the material sources.
- Obj. 23 To locate factory sites so that economic benefits are dispersed and the employment base of principal urban centers are diversified.
- Obj. 24 To ensure that factories are established in areas where they complement other economic activities in their vicinity.
- Obj. 25 To provide land that will ensure the balanced development of town centers with public and commercial activity areas.

FIFTH SCHEDULE, *contd.*

## MINERALS

- Obj. 26 To ensure that mining is undertaken in a way that will strengthen rather than destroy the environment.
- Obj. 27 To guard against all forms of pollution resulting from mining activities.
- Obj. 28 To ensure that during mineral extraction adverse effects on communities, the landscape, wildlife and habitats are minimized.

## WASTE TREATMENT DISPOSAL

- Obj. 29 To locate landfill site(s) so that they avoid potential impacts on communities and the environment including contamination of the ground and surface water.
- Obj. 30 To ensure that the disposal of sewage and other liquid waste do not contaminate the environment.
- Obj. 31 To ensure that all waste along the coastal area is properly handled and disposed of.

## TOURISM

- Obj. 32 To make provisions for the development of a full range of tourist attractions that reflect the Portland landscapes and cultural heritage.
- Obj. 33 To improve tourist facilities and amenities that will encourage tourism development thereby maximizing the economic and employment benefits of the population.

## ENERGY GENERATION AND CONSERVATION

- Obj. 34 To promote the best energy conservation practices and efficiency as well as the use of renewable energy.
- Obj. 35 To minimize green house emissions through policies that will reduce energy demand and maximize energy efficiency.
- Obj. 36 To encourage people to save energy in buildings through the location and design of development proposals.

## TELECOMMUNICATIONS

- Obj. 37 To ensure that antennas and other facilities and apparatus used in telecommunications systems are located where they do not have adverse impact on the aesthetics of the surrounding areas.

FIFTH SCHEDULE, *contd.*

## SECTORAL POLICIES

The policies outlined in this section are dealt with on a sectoral basis. They are intended to be applicable to development in both the urban and rural areas of the parish. However, specific policies have been prepared for the Growth Centers based on needs. There are also the "general policies" which are applicable across the parish.

## TRANSPORTATION AND TRAFFIC

*Roads*

The transport network has a vital role to play in the quality of life of the community, since it determines the ease with which people can move about in the district and gain access to the range of facilities they wish to use. It is also important for the economic prosperity of the area providing links to other towns and markets outside the area.

**POLICY T 1**                      Where large developments are planned provision should be made for transportation services including bus and taxi stops and waiting/turning areas within the development.

The rail system had the potential to relieve road congestion and develop more travel opportunities for tourist and locals. They also provided facilities for rail freight and an alternative to the use of trucks which slows the movement of other vehicles on main roads. With the suspension of this service the need arose for a more rational road network system.

**POLICY T 2**                      Proposals which promote improvements to the parish road network to reduce the adverse effects of road traffic will normally be permitted provided that they accord with other relevant proposals in the order.

The road authorities have limited funds with which to carry out road improvements which may be necessary in certain circumstances for the road to operate efficiently and effectively. Capacity improvements may be undertaken, but this is only to relieve serious congestion to the economy of the area. Whenever off-site highway works are required as a result of new development the developer will be expected to undertake the cost.

**POLICY T 3**                      Proposals which maintain the effectiveness of the road network will normally be permitted where they improve capacity on public roads and meet safety requirements.

The delivery of goods in the commercial centres is done by heavy goods vehicles. These vehicles have the tendency to travel through residential areas



FIFTH SCHEDULE, *contd.*

where environmental and safety considerations are paramount to reach their destination whenever there is congestion on the roads. To reduce traffic flow through residential areas engineering measures will be used such as reducing road width and installing cross drains.

**POLICY T 4** Traffic management measures to improve local road safety and the environment will be supported. Where these problems cannot be relieved by traffic management measures road improvements will be permitted.

The proliferation of access points and the interruption of free flow of traffic should be avoided, particularly on main or arterial roads. Any increases in the number of access points will be restricted, and where possible they should be combined. This is to prevent overloading the road network which is to provide for through traffic rather than local traffic.

**POLICY T 5** Developments requiring new or improved access will not normally be permitted if it would—

- interfere with the effectiveness or significantly reduce the safety, function and standard of service provided by the main or arterial roads;
- adversely affect the safety and character of the road network.

The road network has an environmental capacity as well as a physical capacity. The environmental impact of traffic associated with a development as well as the physical capability of the road to accommodate increased traffic will be considered. Where road improvements are needed to enable a development to proceed they should be sympathetic to the character of the area. In conservation areas road improvements may be harmful to the character of the area and if so will be resisted.

**POLICY T 6** In environmentally sensitive areas road improvements should be sympathetic to the character of the area or they will not be supported by the Local Planning Authority where this is needed.

The provision of rear access and servicing facilities to buildings in commercial areas must be encouraged. Where this is not possible alternative arrangements will have to be made with the local planning authority.

**POLICY T 7** Unless otherwise agreed upon by the local planning authority the design and site layout of new commercial premises should include rear access and servicing facilities.

FIFTH SCHEDULE, *contd.*

Careful design of areas for pedestrians is particularly important especially those with disabilities. Street furniture can be hazardous for blind people if they are not consistently positioned. Road crossings should have dropped kerbs and tactile surfaces which will make it safer for all including the blind and those in wheelchairs.

**POLICY T 8** In the design and layout of roadways the local planning authority will ensure that there is consistency in the location of street furniture which can be hazardous to road users.

The improved North Coast Highway is being extended from Ocho Rios to Port Antonio. The design criteria anticipate a speed of 80- 96kmph which will involve the elimination or modification of many curves and changes in elevation. In order to maintain the integrity and purpose of this road the number of entry points will have to be limited.

**POLICY T 9** Planning permission will only be granted for developments along this highway if they are located on a service road and have no direct entry onto the highway or any other main road.

Several accesses to main and arterial roads obstruct the free flow of traffic and cause the road to be hazardous to road users. The arbitrary widening of means of access can also have the same effect if their impact is not properly assessed. They should be carried out so that motor vehicles don't have to reverse on the roadways when using these accesses.

**POLICY T 10** Planning permission will not normally be granted for a development where access/egress can only be had directly from a main or arterial road.

**POLICY T 11** The laying out or material widening of a means of access to a major road or highway will only be permitted where it is not a hazard to pedestrians and other road users and where vehicles do not have to reverse from the premises it is serving.

**POLICY T 12** Where the number of access/egress points on a main road is such that it will affect the free movement of traffic permission will not be granted for additional ones until a service road is constructed.

The extreme terrain is responsible for the need for extensive lengths of road to support a low density of population in Portland, especially in the rural area. The unstable nature of soils in the area and the drainage conditions cause erosion

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FIFTH SCHEDULE, *contd.*

once an area is disturbed. The construction of roads in unstable areas will therefore have to be approached cautiously and will be subject to close scrutiny by the authorities.

**POLICY T 13**            In areas where the terrain is steep and the soil is unstable an assessment will have to be made of any road proposals before permission is granted, where such permission is required.

Where the main road has to be improved care will be taken to ensure that natural features of interest are used and enhanced. In acquiring land for main roads, the reservation need not be standard and extra areas may be included to allow scope for landscaping.

**POLICY T 14**            Where natural features exist on improved main roads or where extra land is available they will be enhanced or landscaped to improve the amenities of the area.

Where there is a dual carriage way it would be an advantage to appearance and would impose less strain on the motorist if wherever, possible the two carriageways could be arranged unparallel and interwoven into the natural features of the landscape. The central reservation should be used to create an anti-dazzle screen of trees and shrubs to counteract vehicle headlights.

**POLICY T 15**            Where a dual carriageway exist the two tracks should be unparallel and integrated into the landscape where possible to form an anti-dazzle screen.

**POLICY T 16**            The setting and relationships of service roads to highways and main roads will receive careful attention to ensure the avoidance of parallelism which causes confusing dazzle to night drivers.

A large proportion of the population does not have priority of a car so a high level of accessibility by public transport is essential if a significant sector of the community as not to be disadvantaged. It will also be beneficial if homes are linked to work places, retail reas and social facilities.

**POLICY T**                The local planning authority will seek to ensure that improvements to the road network are directed towards accessibility which will assist public transport and pedestrians.

Vehicle emissions and road traffic noise are best tackled by measures that persuade car users to travel by public transport and by the development of land use plans that minimize the need to travel. Such efforts will reduce the number of motor vehicles using the road thereby lessening pollution levels.

FIFTH SCHEDULE, *contd.*

**POLICY T 18** Traffic calming measures will be introduced to alleviate the worst environmental effects of pollution by through traffic and heavy goods vehicles in residential and township areas exposed to heavy traffic use.

The disused railway lines which remain intact have the potential to be reused for economic activities or as tourist attraction and conveying passengers from Ken Jones Airport in coaches to Port Antonio. Although the lines are broken in areas, given their potential for a range of uses it is important that their re-use is not prevented by illegal activities.

**POLICY T 19** Development which would prevent the re-use of disused railway lines for transport purpose will not normally be permitted.

The hierarchy of roads is designed on the basis of the functions that individual roads provide to the users and adjacent land uses. It is therefore necessary that adequate road reservations are made and that these be protected from intrusion and development. The hierarchy is shown in the road schedule.

**POLICY T 20** Main and other road reservations which should be in accordance with Appendix 6 must be preserved in every case.

**POLICY T 21** Secondary main roads and parochial roads which link towns and villages should have a reservation of 15 metres and 12 metres (see appendix 6) where no improvement lines are indicated and no fence, wall or other structure will be permitted within these limits.

**POLICY T 22** No development shall take place within 4.5m of service road boundaries except in unavoidable circumstances.

**POLICY T 23** No habitable structure is to be constructed within 14m of the center line of a secondary main road nor within 12m of the center line of a parochial road.

**POLICY T 24** Generally set back of all developments from main road improvement lines should be a minimum of 6 meters for all categories of land use except where the terrain does not allow for this.

The reservation for roadways allows the erection of utility poles to take place on the landscaped areas of soft shoulders, but instead they are at times erected at the edge of the pavements. This creates a problem with the road authorities if any road widening or remedial works have to be undertaken. Removal is not only

FIFTH SCHEDULE, *contd.*

time consuming but costly, hence this situation cannot be supported and conformity is essential.

**POLICY T 25** Permission is required from the Local Planning authority for the erection of all utility poles, lines and installations within road reservations and the Utility Companies are required to make application in this regard.

Poor visibility at road intersections is the cause of several major accidents. To ensure that visibility is not impaired all corners at road intersections should be benched and splayed. Guidelines in this regard are provided in Appendix 15.

**POLICY T 26** The corner of lots at intersections should be benched and splayed to facilitate visibility in accordance with guidelines in Appendix 15.

Sidewalks are part of the road right of way (reservation) used for pedestrian movement and are necessary especially in town centers to separate pedestrian traffic from vehicular traffic. They should wherever possible be complemented with planted verges and be landscaped with flowering and ornamental shrubs. In constructing sidewalks provisions should be made for access by handicapped persons. The recommended width of sidewalks in relation to road width is given under visibility splays.

**POLICY T 27** Where sidewalks are being established the Local Planning authority will seek to ensure that they are complemented with planted verges and constructed so that they can be accessed easily by the handicapped.

*Parking*

Parking provision whether provided on or off street has a major influence on transportation patterns. For car users the availability of parking which is safe and convenient is a major influence in choosing where they go for shopping and leisure purposes. The need for parking spaces is essential to the survival of urban centres. Provision will therefore have to be made within the boundaries of all new developments and extensions for the parking of motor vehicles.

**POLICY T 28** Developers will be required to provide parking facilities within all new developments and extension site boundaries in accordance with the requirements set out in appendix 9 and figures 3 and 5.

**POLICY T 29** Where a building is permanently divided into more than one planning unit, the number of parking bays will be calculated separately for each planning unit.

FIFTH SCHEDULE, *contd.*

It is often perceived that motor vehicles can fit into any space as long as it complies with the area to be provided for the vehicle. This is not possible as the vehicle has a regular shape and cannot fit into a lot that is too narrow or too short.

**POLICY T 30**                      A standard allowance of approximately 30sq meters of parking area in practical shape as indicated in appendix 9 inclusive of maneuvering space should be made for each parking bay.

Within urban centres the provision of safe, easily accessible parking for shopping, leisure and business users will be a priority. Off street parking will be expanded and in streets adjacent to shopping and business areas where on street parking can be allowed this will be done on a short time basis.

**POLICY T 31**                      Sufficient on street car parking will be provided and designated to meet normal peak demands in urban areas.

In some areas it will be necessary for motor vehicles especially goods vehicles to load or unload on roadways. These actions sometimes obstruct the movement of traffic and pedestrians and make it dangerous for other vehicles. Areas should be identified on streets where this can be accomplished safely.

**POLICY T 32**                      The points where buses load passengers and goods should be out of line of the traffic and be where there is adequate vision of the road ahead.

While off street servicing facilities is preferable and is essential in some areas to that on street as it causes less interference to other business activities and reduces obstruction to pedestrians and traffic service bays it can have a damaging effect on individual buildings and the street scene. In order for it to be usually acceptable, the design must be considered as an overall aspect of the building.

**POLICY T 33**                      The local planning authority will seek where possible the provision of off street servicing facilities which minimizes the adverse effects on individual buildings and street services.

The need for off street servicing will be assessed in relation to the size of the development proposals. The local planning authority will however, require that it be provided in larger developments where on street servicing would be unacceptable due to its adverse effect on the road network.

**POLICY T 34**                      The local planning authority will seek where possible the provision of off street parking facilities in such a way as—

FIFTH SCHEDULE, *contd.*

- (i) to ensure that vehicular servicing and servicing access is avoided on or onto main or other high profile roads, except where a practical alternative cannot be provided;
- (ii) to enable vehicle to enter and leave the premises in a forward direction; and
- (iii) to ensure that loading and unloading bays are provided as set out in appendix 7.

Taxis make an important contribution to the functioning of many businesses and the growth and development of the town centres, as they are the primary means of transportation for people and to a lesser extent goods. While they can cause environmental harm through the amount of emission produced collectively adequate provisions should be made for vehicles and drivers in all growth centres.

**POLICY T 35** Provisions will be made in the land use plan for the movement and parking of taxis where appropriate and practicable and where they are not likely to be detrimental to the movement of buses and other motor vehicles or the safety of pedestrians.

The provision of car parking spaces in residential development should where possible be off street since it is more secure than on street parking which should be reserved for visitors. The level of parking will to a certain extent relate to the location and size of the development but should where possible be in accordance with the guidelines set out in the parking standards.

**POLICY T 36** The provision of off street car parking spaces in residential development is to be in accordance with current planning standards as set out in appendix 7 and on street parking is to be for visitors only.

Many disabled persons rely on their private motor cars for transportation to and from work and to pursue other domestic activities especially in urban areas, therefore adequate on and off street parking provision needs to be provided for them. To deter non disabled drivers from using these spaces the international symbol for disabled drivers should be printed on the ground. The number of such spaces will depend on the type and use of the development and should conform to the guidelines in the parking requirements.

**POLICY T 37** In ensuring the reservation and adequacy of spaces for disabled persons in all parking areas used by the public, car parking spaces is to be provided in accordance with the requirements in appendix 7 and figure 2.

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FIFTH SCHEDULE, *contd.*

In preparing the parking schedule it is possible that some classes of land uses or categories of buildings could be overlooked. In such situations the local planning authority should determine the parking based on the standards nearest to the type of activity being undertaken.

**POLICY T 38**           Where the use of a building is not specifically mentioned in the parking schedule the planning authority shall determine the provision based upon the standard in the nearest category.

It may be possible to permit development without adequate on site parking where such development needs are during periods when adjacent parking areas are not being used or are under used. An example is night clubs where the need for parking facilities is at nights or on public holidays. It is unlikely that most development would need parking spaces at this time. However, some on site parking would still be required to meet the development's operational needs and customer demands and the arrangement would have to be satisfactory to the local planning authority.

**POLICY T 39**           The planning authority will give special consideration to the dual use of parking areas in mixed development where the uses alternate in time scale.

**POLICY T 40**           When considering proposals for development in urban areas which would operate outside of business hours, the planning authority will take account of whether or not it is possible for a part of the requirements to be provided on a nearby public car park where one exist.

Where a developer owns land in an area other than that being developed, permission could be given for parking to be provided on the alternate site. However any development proposals contemplated for the alternate site would have to take the parking provisions into consideration if it is being developed.

**POLICY T 41**           Where the planning authority supports parking on an alternate site the developer/owner will have to enter into an agreement with the planning authority making the site available for the purpose in perpetuity.

Educational institutions such as basic schools, primary schools etc. should not only conform to the planning regulations in appendix 7 but should reserve an area on their site for the setting down and picking up of children. The area should be such that there is no conflict between children and motor vehicles.



FIFTH SCHEDULE, *contd.*

**POLICY T 42** An area should be reserved on the compound of educational institutions (separate from the parking area) for the picking up and setting down of children from motor vehicles.

Trees and other vegetation improve the quality of the environment and make drab areas look lively and attractive. To reduce the expanse of asphalt in car parking areas they should be landscaped in accordance with figure 5.

**POLICY T 43** All car parks will have to be landscaped in accordance with criteria set out in figure 5.

*Public Transportation Centre*

Public transport has a key role to play in reducing the number of car journeys that is taken routinely. Opportunity for new public transport facilities should be provided and safeguarded especially in new developments in growth centres and housing developments. These facilities should include improved passenger facilities and information about services whether they be taxis or buses.

**POLICY T 44** Public transportation centers will be erected in all growth centres where adequate space is available for proper siting of the facility.

A high level of accessibility by public transport is essential if travel needs of the community are to be satisfied. More use of public transport will have to be made to overcome congestion in the regional and sub regional centres and reduce environmental consequences. These centers should be constructed so that they entice public use.

**POLICY T 45** All public transportation facilities should be properly surfaced with adequate drains and designed for the convenience and safety of the users.

**POLICY T 46** Priority will be given to coordinating land use changes with transport provision so as to minimize the need to travel by means of private automobiles.

**POLICY T 47** All transportation centers used by the public should be provided with the necessary public conveniences where possible.

The design and location of public transportation centres should ensure that adequate provision is made for people with disabilities. Badly laid out pavements are hazardous and dangerous to disabled people. Detailed attention should therefore be paid to the provision of adequate access into any new and refurbished facility.

FIFTH SCHEDULE, *contd.*

**POLICY T 48**            The developer of any new or refurbished public transport facilities will be required to provide suitable access and facilities for disabled people.

It is usual for a chaotic situation to exist in unregulated parking lots. Motor vehicles are always parked in a haphazard fashion making it difficult for the easy movement in and out of the area. To prevent this, the centers should have the parking bays and direction of traffic flow clearly marked for guidance of users.

**POLICY T 49**            All parking bays and the direction of traffic flow in a transportation centre or public car park is to be clearly marked so that it is easily identifiable by the users.

The safety of users is of paramount importance especially at nights. Adequate security lighting should be provided in all centres or areas used by the public for this purpose.

**POLICY T 50**            The local planning authority will ensure that all transportation centers are properly lighted and secured before allowing public use.

Where there are bus and taxi routes through growth centres without transportation centers roads are to be designed with areas off of the main carriageway for them to pick up and let off passengers. Such bus lay-bys must be properly sited so as not to impede the sight lines of traffic and to allow the buses and taxis to enter and leave the lay-by safely. The Ministry responsible for transportation will determine the optimum location for bus lay-bys, after a study is made of the traffic and passenger flows, the width of the roads, gradients and horizontal alignment. The design of the lay-by itself should take into account the size and characteristics of the vehicles using it and in general should be at least twice as long as the longest vehicle, and the width a minimum of 3.0m

**POLICY T 51**            The local planning authority will identify along with the relevant road authority the areas where bus and taxi bays are to be located and will ensure that the design is adequate to accommodate the size and characteristics of the vehicle using them.

## HOUSING

Most of the population of Portland lives in well maintained houses in pleasant residential environments. Several factors such as changing household size, age distribution and income have created great demand for new housing units over the years.

According to statistics available Portland needs an additional 862 housing units to offset the current overcrowding.

FIFTH SCHEDULE, *contd.*

- POLICY H 1**            The housing needs of Portland will be met by:
- (i) improvement of the housing stock in various areas;
  - (ii) provision of land to meet the requirements of a range of housing types in different locations depending on demand.

Proposals to change the use of residential properties may arise particularly in areas adjacent to commercial activities. This could result in the undesirable loss of residential accommodations, thus increasing the pressure for new development on green field sites.

- POLICY H 2**            Proposals to change the use of residential properties will not normally be permitted unless:
- (i) The area in which the property is located has changed to such an extent that the property is no longer viable as a residential use.
  - (ii) The property is required for a community use.

The growth of urban areas is to a great extent determined by housing development. A wide range of potential housing sites will therefore be available in Growth Centres to conform to the Settlement Strategy.

- POLICY H 3**            New housing development should be confined to the Growth Centres identified in Appendix 2 and no permission will be given for large scale linear housing development outside of these areas.

- POLICY H 4**            New single family housing development only may be allowed in the existing confines of some villages where rationalized development is taking place.

- POLICY H 5**            In urban areas housing development will be allowed in accordance with land use and density proposals, and the other criteria which have been developed for these areas in the local area plan.

In order to cater for the full range of housing needs there is necessity for a mix and balance of house types and sizes. This is due mainly to the fact that developers tend to concentrate on the high end of the market which leaves people like first time house purchasers with little option.

- POLICY H 6**            Housing developments should incorporate a mix of housing types and sizes appropriate to the needs of the locality, particularly where the development is on a large scale.

FIFTH SCHEDULE, *contd.*

**POLICY H 7**            Housing types in these developments should include starter homes, and other low cost schemes which are suitable for people not able to compete in the open housing market.

The change of use of buildings to residential purposes can provide a useful addition to the source of accommodation. However, the likely effect on the character of the area as well as any physical changes to the building will have to be taken into consideration.

**POLICY H 8**            The change of use of buildings to residential use will normally be permitted subject to employment, environmental, amenity and traffic considerations.

The upper floors of shops which are mostly underused could be converted to residential use increasing the vitality of these urban centres especially in the evenings and nights thereby helping to deter crime. The main constraints which have to be dealt with however are the means of access, fire escapes and other safety measures and car parking.

**POLICY H 9**            Proposals for the use of upper floors of shop buildings for residential purposes will be considered having regard to arrangements for access and car parking and the effect of the visual character of the building.

Rural housing can be important for people with strong local connections who have social reasons for living within a particular settlement. The local planning authority will in circumstances where such needs arise carry out an assessment to determine the validity of the situation before making a decision.

**POLICY H 10**          In exceptional circumstances planning permission may be granted for proposals to satisfy a local requirement where housing development would not have otherwise been permitted.

Any uncontrolled development on a hillside is a potential hazard as it increases the area of susceptibility of slope failure, erosion and drainage problems. In an effort to protect the stability of these environmentally sensitive areas control has to be exercised over development proposals to prevent the destruction of trees and the construction of hard paving that contribute to excess runoff. Portland has several such areas and care will be taken to ensure that housing development is not allowed in these locations.

**POLICY H 12**          No housing development will be allowed on land that is steep and unstable, vulnerable to erosion, slippage, subsidence, flooding or other natural hazards or which will involve costly extra ordinary precautions to safeguard.

FIFTH SCHEDULE, *contd.*

One of the basic objectives of the development order is to ensure that housing developments are located in areas where the basic infrastructure and amenities exists. Developers will therefore have to ensure that these are in place or can be provided simultaneously with the development before applying for permission.

**POLICY H 13** Applications will not be supported by the local planning authority in areas where there is a deficiency in amenities and utilities.

In order to satisfactorily meet the open space needs of the community land of appropriate dimensions and slope should be set aside for this purpose. No permission will be granted for purposes other than those for which such land was reserved.

**POLICY H 14** In single family housing development land is to be set aside for the development of play fields and other recreational activities in accordance with the requirements set out in Appendix 10.

**POLICY H 15** In multi family development space shall be set aside for children's play area and other amenity and recreational and landscaping purposes inclusive of that reserved for driveways, parking areas and access ways.

Infill can often make a useful contribution to meeting an areas housing needs. Such proposals have to be viewed in the context of the changes that can be brought about in an area due to the loss of amenity. The density of the development and the privacy of the neighboring properties will have to be taken into consideration in supporting such proposals.

**POLICY H 16** In growth centres town house development at a density not exceeding 75 habitable rooms per hectare will be allowed as infill on vacant lots in single family housing development provided that sewage generated can be disposed of satisfactorily.

**POLICY H 17** The proposals on infill sites should have no adverse effect upon the character, appearance and amenity of the surrounding properties and a satisfactory environment in terms of layout and design.

In an effort to have a suitable balance between the best use of land and a satisfactory residential environment it is imperative that the height and density of building be controlled. New building should be the same height as those existing and the density should protect the amenities of the surrounding areas.

FIFTH SCHEDULE, *contd.*

**POLICY H 18**            The density of new buildings will be controlled in conjunctions with other appropriate environmental controls, the acceptable densities being determined by the character and actual density of adjoining sites but should not exceed 35 habitable rooms per hectare.

Single dwellings occupied by two or more people living separately are regarded as houses in multiple occupation. They provide accommodation for single people on low incomes or people who require temporary locations. The creation of such accommodation is a material change of use for which planning permission is required. They have severe impact on their surroundings hence their creation has to be balanced against the character and amenity of the surrounding area.

**POLICY H 19**            Where properties are being converted to houses in multiple occupation the following guidelines will be considered:

- (i) the effect on the amenity of the surrounding area;
- (ii) the extent to which the building is affected by the change; and
- (iii) the availability of the car parking facilities.

Housing for the elderly, where care is provided on the premises or where people because of their age need assistance, can best be provided in residential areas. Alterations to such buildings should be kept to a minimum and should not detract from the residential character of the area.

**POLICY H 20**            Proposals for residential homes for the elderly will be supported having regard to the effect of the proposal on the character of the neighborhood and the effect of any physical alterations on the character and appearance of the premises.

Although it will not be normal to support elderly housing outside residential areas exceptions may be made for this activity if it is being located on a substantial property where the proposals would contribute to its retention or in an area allocated for development. To protect the amenity of the area any subsequent change of use will be the subject of planning permission and this conditions will be attached to the permission.

**POLICY H 21**            Residential homes for the elderly will be permitted in residential areas, housing allocations, in conversion of large premises standing in their own extensive grounds and in or near the edge of town where access to facilities can be provided.

FIFTH SCHEDULE, *contd.*

House lots and build on own land hold the highest potential for Portland with the most highly demanded being construction of own unit. They would either buy a lot on the open market, or in a NHT scheme or build on own land.

**POLICY H 22** Adequate lands will be made available in housing areas to meet the needs of individuals who are desirous of constructing their own homes.

## CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

*The Natural Environment*

According to Wikipedia, the free encyclopedia the natural environment comprises all living and non-living things that occur naturally on earth. In its purest sense, it is thus an environment that is not the result of human activity or intervention. To eliminate any difficulty that may arise with the term since humans may have an influence on the environment at some point in time some level of human influence is allowable without the status of the landscape ceasing to be natural. The character and quality of the landscape is not only dependent on broad sweeps of the mountains and valleys but more details such as trees, woodlands, river corridors, wetlands and geological and geomorphic features such as rock outcrops. The views and panoramas provided by these are important and contribute to a sense of place but can easily be degraded.

**POLICY C 1** Proposals that would create unacceptable impacts on the landscape will be resisted and particular emphasis will be placed on protecting features which contribute to the character of the local landscape and parks and gardens of local importance.

Trees and woodlands are important features in landscapes and townscapes as well as in terms of their contribution to biodiversity and reducing air pollution. Urban trees have a high amenity value which contributes to the local character of an area. The amenity value of trees results not only from this visual quality, either singly or in groups, but also from their importance as wildlife habitats. The significant loss of trees and the fragmentation of woodlands will be resisted. In the interest of amenity, the Parish Council will place Tree Preservation Orders in areas where it is necessary to protect trees or clusters of trees.

**POLICY C 2** The local planning authority will resist the destruction of trees or clusters of trees where they are of amenity value and will if necessary encourage the Local Authority to place Tree Preservation Orders on such trees to ensure their protection.

Green corridors or strategic gaps are important in separating and defining growth centers. Although they may not be particularly attractive scenically they

FIFTH SCHEDULE, *contd.*

contribute strongly to the identity of the community. These areas usually face pressure from developers and are particularly vulnerable to developments seeking a countryside location. Development within these areas is likely to be inappropriate and will not be supported.

**POLICY C 3** Strategic gaps are intended to protect the setting of growth centers and prevent coalescence between centers. Developments which would prejudice the open character of the land will not be permitted.

As part of achieving sustainable development, proposals should use the opportunity to restore and enhance biodiversity. This should include eradicating invasive plant and animal species and the protection of habitats and species which have been diminished over the years.

**POLICY C 4** Proposals which would destroy or damage local habitats and species will not be supported and opportunities to eradicate invasive plant species will be taken full use of:

Unstable lands are basically as a result of natural geological conditions and human activity. The areas may be liable to land slipping due to flooding or other hazards, and the situations worsened by development activities. Land slippage is of great concern and new developments will be constrained or prevented in these areas.

**POLICY C 5** Proposals which would create affect or might be affected by unstable or potentially unstable land will not be permitted unless it can be shown that the development can be implemented without any unacceptable risks to occupiers of the site or adjacent sites.

Within areas of high landscape value, development proposals will be considered in terms of their impact on the landscape. Where a serious threat exists and cannot be overcome by measures to screen the development, planning permission will not be granted.

**POLICY C 6** Developments which would adversely affect landscape quality will not be permitted within areas of high landscape value. Where permission is granted in these areas particular attention will be paid to the siting, design and construction methods to be used.

Where development is proposed on sites containing mature trees there may be a threat to the trees resulting from the siting of buildings, and also from changed ground levels, drainage works and the formation of access roads. If trees are to be effectively protected then there should be no disturbance within the crown



FIFTH SCHEDULE, *contd.*

spread of the trees. Proposals for a site with mature trees should include a detailed survey identifying the location, species and the welfare of the trees, those to be removed and those to be replanted.

**POLICY C 7**                      Development proposals should normally retain any mature trees within the application site. Where development is approved on such sites, no construction, including changes in levels, drainage works and the formation of access roads will be permitted within the crown spread of the tree.

Where the development proposal is for a scheme or large site, the application should be accompanied by a landscape plan. Such plans shall show a distribution of existing and proposed trees throughout the site and where appropriate create copses or small woods. This will benefit the visual amenity of the area.

**POLICY C 8**                      Landscaping schemes shall have regard to the potential of group of trees to create copses or small woods, to improve the amenity of the area being developed.

The coastal area of Portland is different in characteristic to some of the well known Jamaican holiday areas, being less developed, more rocky, and altogether more wild. There are many fine views from the coastal road of succeeding headlands some crowned with wind-blown palms, while large rollers ceaselessly shatter themselves on the rocky cliffs. In the opinion of many, the Portland coast contains some of the finest scenery in Jamaica and this rugged charm must be preserved both for holiday makers and local people as one of the country's most valuable assets.

**POLICY C 9**                      Planning permission will not be given for any development which would have a detrimental impact on significant views of the mountains, plains and sea from vantage points along scenic routes.

An interesting section of the coastal main road of the parish is where it rejoins the sea beyond the Rio Grande at "Norwich" Hall. There is an attractive white sand beach at this point and at Bryan's Bay, beyond to the east are views of Navy Island, Port Antonio, and the lighthouse at Folly Point. Beyond the town of Port Antonio, rivers on this part of the coast form sand bars at their mouths. Pebbly pools and shallow tree fringed lagoons build up behind these natural barriers. Priestman's River is a picturesque example of this type of formation. There are several fine beaches along the coast which are reserved for bathing and fishing purposes.

**POLICY C 10**                     The beaches listed in Appendix 4 will be preserved for the purposes identified and no permission will be granted for any act that will conflict with their use.

FIFTH SCHEDULE, *contd.*

New residential developments and subdivisions along the coast and river banks shall be designed so as to allow the public to enjoy the seaside, the river banks and the beaches. For this reason special areas should be left for fishing beaches and for good bathing beaches. An area for a seaside park should also be provided where this is possible as this will add value to the lots within the subdivision or development.

**POLICY C 11**            New residential subdivisions and development along the coast shall leave an area of seaside park between the high water mark and the nearest row of lots and no development will be allowed which denies public access to this facility.

Public access to the coastline is not to be restricted unless it can be demonstrated that it is damaging to nature conservation, or impractical. Access should be provided to all public beaches from a public thoroughfare which if possible should be paved to prevent erosion and be motorable.

**POLICY C 12**            All public beaches or facilities along the coast are to be provided with access roads which shall be paved to allow smooth and easy access and prevent erosion.

The Blue Hole is an area of natural beauty and national importance. It is believed to be the crater of an extinct volcano. The lagoon is an almost land-locked cove with approximately 55 meters of water and is the subject of a Tree Preservation Order pursuant to the Tree Preservation (Blue Hole, Portland) Order 1977.

**POLICY C 13**            The authorities propose to preserve the area as much as possible in its natural state and no developments will be allowed which will conflict with this proposal.

Seaside Parks will be situated at interesting natural features and views in addition to where they provide access to the coast. There will be provision for car parking and possibly refreshment facilities. It is intended that these areas will be large enough for relaxation under shade trees screened from the main road traffic. In some cases changing rooms and showers may be included.

**POLICY C 14**            The roadside parks indicated in Appendix 6 will be preserved for the use and enjoyment of the public at large.

Due to the configuration of the Parish, the lands available for sports and leisure activities are limited. Where these facilities can be developed suitably, all efforts will be made to have them established. Both public and private organizations should be involved in the process, with government owned lands providing the basis. Such lands suitable for this purpose should not be disposed of.

FIFTH SCHEDULE, *contd.*

**POLICY C 15** The development of land as private open space will be supported where they meet the needs of the people. However, such developments may not be free and open to the public, and there is no guarantee that they will be purchased by the government for public use.

**POLICY C 16** Parish Council and other Government owned land which has been designated as open space shall not be disposed of except it is required for other public use, in which case an equivalent area of land will be acquired in an alternate location suitable for the purpose.

There are some types of recreational activities such as golf courses or trap shooting which requires extensive areas of land. These are best located in rural areas, or on the edge of town where the land is available. They should not however conflict with existing land uses, and their design should fit into the environment in which they are located.

**POLICY C 17** Proposals for outdoor recreational uses which require extensive areas of land in rural areas will normally be permitted if there is no conflict with the general character and appearance of the countryside, and the scale of the development is kept to a minimum.

Most of the urban areas within the parish have limited organized green space, therefore what exists has to be protected. Where the removal of any of these spaces is necessary, it will only be supported in areas with extensive amounts of land. There is also to be no significant effects on adjoining areas.

**POLICY C 18** Planning permission will not normally be granted for any development which would result in the loss of any green spaces in the built-up area, unless there will be no significant effect upon the environment and amenities of the area as well as the adjoining areas

Portland comprises the central and eastern portions of the Blue Mountain North Basin, with 5 watershed units. Within these units are 17 major rivers, of which the Rio Grande is the largest. The watershed is the areas of land which are drained by these rivers and their tributaries and which contribute to the conservation of water resources. These areas can be exploited for agricultural uses, provided they adhere to established guidelines set by the appropriate agencies.

**POLICY C 19** Lands in watershed areas can be exploited for agricultural purposes if the activities meet the guidelines set by the appropriate agency and are properly managed to reduce the effects of soil erosion.

FIFTH SCHEDULE, *contd.**The Built Environment*

Most of the coast of Portland is rocky and therefore limits the amount of construction of buildings that can take place. In an effort to protect structures that may be erected from storm surges and other hazards, the local planning authority will ensure that they are located in safe areas.

- POLICY C 20            No building or other structures should be placed within a strip of land of a minimum width of 7.5 meters immediately adjoining the foreshore.
- POLICY C 21            No new developments will be permitted in areas where there will be the need for expensive engineering works, either to protect development on land subject to erosion by the sea or to defend land, which may be inundated by the sea.

It has been established that the Portland coast is very scenic and the intention is to protect it for the enjoyment of the public. In areas where buildings are permitted they should be constructed so that the picturesque view of the sea is not lost. Fences and hedges should be such that they do not block the view of the sea as well.

- POLICY C 22            The local planning authority will not give permission for development on the seaward side of the main road that would create a continuous wall of buildings or any obstacles screening the view of the sea.
- POLICY C 23            No hedge or opaque fence should be constructed on the seaward side of any main road in excess of a special height (normally 1.5m) without the express permission of the local planning authority. In special areas the local planning authority may request that the fence conforms to certain architectural features.
- POLICY C 24            No fence, hedge or other structure shall be erected in any shoreline reservation without specific permission of the local planning authority which will ensure that such building and structures are located in such a way that they avoid any adverse effect on the general character of the existing coastline.

Any development or subdivision along the coast of Jamaica that is not specifically designated as a harbour or industrial site is to be setback from the high water mark. The amount of set back required will depend on the slope of the site, the nature of the substrata and the prevailing oceanographic conditions as well as any plans for a seaside park in the area. Some minimum guidelines are

FIFTH SCHEDULE, *contd.*

given in figure, but because of the complexity of the factors involved each application must be considered on its own merit.

**POLICY C 25**            Developments along the coast are to be set back from the high water mark, where possible, in accordance with the guidance given in figure 4.

It is the tendency to erect sheds or other forms of construction on the beach or in areas with views without the permission of the local planning authority. In order to protect the amenities of the area, the planning authority will insist that permission be obtained for the activity irrespective of the rustic nature of the construction.

**POLICY C 26**            Irrespective of the nature of the building to be constructed in coastal areas an application for permission to do so must be made to the local planning authority and approval received before any construction takes place.

Swamps mangroves and other wetland areas are limited along the Portland coast. The few mangroves that exist are threatened by coastal developments. Mangroves are necessary habitats for a wide variety of species, including the development stages of many coral reef and commercially important fish species. They also provide vital protection for the shoreline from erosion.

**POLICY C 27**            Swamps and other wetland areas should not be filled in until an Environmental Impact Assessment is done and permission is given by the Natural Resources Conservation Authority and the local planning authority.

Wave action or action by human beings may cause the accretion of land forming beaches and islets in areas where they did not previously exist. Where this occurs they should be preserved and used for public recreational purposes unless prior/other arrangements were/are made with the appropriate authorities.

**POLICY C 28**            Land created by accretion in the territorial waters shall be used for recreational purposes unless there is prior agreement with the relevant government agency to use it for other purposes.

Private playing fields contribute to the sports facilities available in the parish and should be protected. Arbitrary development of these facilities for other non-related activities will not be allowed especially in areas where playing areas or land for that purpose is not readily available.

**POLICY C 29**            Planning permission will not normally be granted for the non-recreational development of lands being used as private playing fields unless a satisfactory alternative is provided or there is no justifiable need for it.

FIFTH SCHEDULE, *contd.*

**POLICY C 30** Existing open space will be conserved and new public ones for formal sports and informal recreation as well as children's play areas will be provided in the new development.

In the construction of highways and main roads, sections of lands reserved for the purpose may not be used. These sometimes have clumps of trees and other areas that can be grassed and used for picnic or other passive recreational activities. These spaces will be developed for these purposes and no squatting or commercial activities will be allowed in them.

**POLICY C 31** Where there is additional land in road reservations and it is practicable, clumps of trees and other vegetation should remain and be used to landscape the area as a resting place for travelers.

Landscaping contributes significantly to the quality of the environment especially in built up areas where there is an absence of plants. It can screen unsightly buildings or land uses and assist in conservation especially in green areas like Portland. It can also enhance the appearance of developments and ensure that they reflect character of areas of high townscape quality.

**POLICY C 32** Good quality hard and soft landscaping is to be provided as an integral part of any development proposal where it is necessary to enhance the environment and the setting of a new building or otherwise, to help integrate that development into its surroundings.

The appearance of all proposed development, its appropriateness to the site and its relationship to its surroundings will be taken into consideration when assessing planning applications. The design should harmonize with the surroundings and give it a sense of identity.

**POLICY C 33** All developments should be of good quality design and be such that they contribute a sense of local identity and visual attractiveness including landscaping and space about the buildings.

The design of new buildings should respect any traditional character existing in an area and attention should be paid to the choice of materials and "elevation" details including windows and roof style.

**POLICY C 34** New developments being submitted to the local planning authority should be designed so that they are in keeping with surrounding developments in terms of design, scale, material, density, layout height and mass.

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FIFTH SCHEDULE, *contd.*

In dealing with new developments care will be taken to ensure that the appearance preserves the character of conservation and other areas in which they are located. Changes of use will be carefully controlled to ensure that the works do not detract from the character of the area and extensions should take into consideration the design features of the host building. This is important if heritage buildings are involved.

**POLICY C 35**           Proposals for new developments within conservation areas, including extensions or changes of use to existing buildings should respect the architectural qualities of surrounding buildings.

A reasonable amount of space is to be left around new dwellings in the interest of amenities and to prevent overlooking and loss of privacy to neighbours. The setback of buildings from the property boundaries will be determined by the local planning authority in accordance with the guidelines provided in this order.

**POLICY C 36**           New dwellings should be designed and constructed so that they provide privacy and open space for their occupants and physical separation from adjacent properties and lands. Extensions should reflect the design features of the existing and adjacent buildings.

The design of shop fronts is important in attracting customers and should readily integrate with its surroundings. Designs which will contribute to the vitality of a "centre" will be supported by the local planning authority.

**POLICY C 37**           New shop fronts or alterations to existing ones will normally be permitted provided the existing architectural features are retained and incorporated into the proposals.

Insensitively high buildings such as those above 2 stories on the seaward side of the main road in the resort area can intrude on pleasant views enjoyed by developments on the landward side. It will therefore be necessary to restrict the height of these buildings to reduce the visual impact on the area.

**POLICY C 38**           Proposals for high buildings within or adjacent to an area sensitive to their impact will only be approved if they exhibit an appropriate degree of sensitivity in respect of siting and scale.

**POLICY C 39**           No permission will be given for the erection of high buildings in locations where they are inappropriate such as the resort areas along the coast (where they should be a maximum of two floors) or in sight lines between view points and land marks.

FIFTH SCHEDULE, *contd.*

Billboards and other advertising signs can destroy the amenities of an area and care should be taken in their placement. This should not only apply to areas where they block views but in other landscaped areas as well.

**POLICY C 40** Advertisement will not be allowed in any category of landscape, other than signs which give direction and which should be scaled to the likely speed of travel.

Open space is not only essential in residential areas but commercial and industrial facilities as well. Workers need facilities to recreate themselves after work and during their break time without having to leave their working environment.

**POLICY C 41** In planning for new industrial, industrial office, business area, special industrial area commercial and office development a minimum standard of 0.5m<sup>2</sup> local open space per worker for landscaping and recreation use shall be provided.

*Archaeological Sites and Buildings*

The Jamaica National Heritage Trust lists relatively few monuments, historic buildings and other structures in Portland and the majority of those listed are in Port Antonio. The owners of those that have been listed should where possible or necessary restore and preserve them within a compatible environment and within the context of viable development. These monuments, historic buildings or places of interest should not be destroyed without justification just to make way for more modern ones.

**POLICY C 42** The monuments and historic buildings listed by the Jamaica National Heritage Trust and other historic and cultural sites of particular beauty or historic, archaeological and architectural significance listed in Appendix 3 will be protected and permission for development will only be allowed after consultation with the Jamaica National Heritage Trust.

**POLICY C 43** Before granting permission for the redevelopment of any site with historic or archaeological buildings, the planning authorities may require the developer to provide information regarding the importance of the site and the impact of the development.

Careful consideration will be given to applications relating to historical buildings. In considering change of use or alteration to the structure all aspects of public safety will be taken into account and the Jamaica National Heritage Trust will be consulted accordingly.



FIFTH SCHEDULE, *contd.*

**POLICY C 44** Any application, extension or change of use relating to a heritage building should pay special attention to the viability of preserving the building in terms of safety, its setting or any special feature it possesses.

Archaeological remains are fragile and irreplaceable. Once destroyed their record of the past is lost forever. Every effort will therefore be made to protect their intrinsic value when and where developments are taking place.

**POLICY C 45** Where a development proposal affects the archaeological value of a site, the applicant may be required to provide an evaluation of the area so that the planning authority/the Jamaica National Heritage Trust can decide whether the site merits preservation or excavation and recording, which should be done before development proceeds.

Owners of listed buildings tend to neglect them, especially if they are not owner occupied. The planning authority will endeavor to encourage the proper maintenance of such buildings especially if they are in an area where they can become a threat to public safety.

**POLICY C 46** The owners of listed buildings will be encouraged to undertake the necessary maintenance and repair of these buildings so as to keep them in good condition.

## RURAL ECONOMY

Although only six percent of Portland land surface is suitable for large scale agriculture the rural economy of the parish depends to a large extent on this activity, especially the cultivation of coffee and bananas at the middle and upper altitudes. At the lower altitudes large coconut plantations and the growing of food crops are common. Although there are other economic generators that affect the lives of the people such as tourism, agriculture is still important. The use of productive lands should therefore be protected and agriculture promoted to safeguard the economy of the rural area.

**POLICY RE 1** Long term protection will be given to the areas of significance for agriculture which have been defined on the proposals map and priority will be given to the needs of agriculture over other planning considerations.

**POLICY RE 2** There will be a presumption against development which diminishes the amount of productive or potentially productive agricultural land outside of the urban fence.

Although it is only classes 1 and 2 lands that are ideally suited for cultivation other forms of agriculture can be undertaken on poorer lands such as the rearing

FIFTH SCHEDULE, *contd.*

of animals. This activity will therefore be encouraged in areas with lower capability land and where it is possible to do so.

**POLICY RE 3** Intensive agricultural activities such as poultry and pig rearing which is not dependent on soil capability and which contributes to the rural economy will be encouraged on the lower grade agricultural land where it is possible to do so.

Small scale rural enterprises which cannot be accommodated within defined settlement limits, or the vacant sites of existing premises can be established in the rural area. The enterprises should be able to sustain themselves financially and be related to the need and resources of the adjoining community.

**POLICY RE 4** The development of small scale employment generating rural enterprises will be permitted in the countryside adjacent to a rural settlement provided that design, scale and siting are compatible with the settlement and the proposals would not result in the loss of good agricultural lands.

Proposals which would bring about the loss of good agricultural lands will not be supported unless it can be demonstrated that there is a particular need for the development and no other site of lower capability is available. This applies to proposals with little development such as golf courses because even after restoration the land cannot later reproduce the original soil quality.

**POLICY RE 5** Proposals for development of good agricultural lands for other purposes will only be permitted in exceptional circumstances such as where there is the need to establish a facility essential to agriculture. Activities involving more moderate or poor quality lands will be permitted unless the cessation of agricultural use would prejudice the vitality of local farmers.

The disposal of water from roadways onto farm lands will not be supported as it is a threat to wildlife and residences constructed along the roadways. Where drains have to be constructed the opening of existing ones will be encouraged instead if any exist in the area.

**POLICY RE 6** Culverting or canalizing of water courses onto agricultural lands will not normally be permitted unless there are public safety considerations in doing so.

The erection of new buildings in agricultural areas can have an impact on the amenities in the area. This can be reduced by careful design, siting and use of

FIFTH SCHEDULE, *contd.*

materials. They should therefore be designed to reflect the appearances of existing building.

**POLICY RE 7**                   Proposals for agricultural buildings or dwellings or extensions to them should reflect the scale, design and construction materials of any adjacent buildings.

The diversification of an agricultural business may be essential to achieve adequate financial returns. It is preferable that where this is contemplated that it be contained within an existing building. If this cannot be achieved then extension to an existing building will be considered.

**POLICY RE 8**                   Proposals involving development intended to accommodate new business uses within farm holdings will be considered having regard to the siting and scale of any building extensions or new buildings.

Residents in rural areas tend to shop at regular intervals for small amount of consumable items. These shops are established at strategic locations for convenience and where they can best fill the needs of the community. Where there is an economic need for these business places they will be supported.

**POLICY RE 9**                   Proposals for shops in rural areas will be given consideration in appropriate locations where it can be proven that there is a need for the facility.

Expansion of the rural economic base is essential and can be achieved through the diversification of farm business and the reuse of redundant buildings for various purposes. However, where this will encourage the movement of extra traffic into unsuitable rural roads they will not be encouraged.

**POLICY RE 10**                 Recreation, light industry, educational and tourist related business will be supported within redundant farm and institutional buildings, provided that such change would not in anyway affect the character of the building or be detrimental to the character of the country side.

In order to prevent reliance on agriculture only and widen the base of the rural economy certain types of development not relating to agriculture will be allowed. These will be limited to small hotels, guest houses and other suitable holiday accommodation, and small business activities which are usually operated by women.

**POLICY RE 11**                 Extensions to existing building to accommodate guests will normally be supported provided that there are adequate amenities and the character of the building and its locality will not be affected.

FIFTH SCHEDULE, *contd.*

## URBAN ECONOMY

Portland's manufacturing sector is very small relative to its share of the nation's land and labour force. In 1997 its 18 factories only employed 294 workers down from 307 in 1995. However opportunities are expanding for high quality natural products and the opportunities for community based processing will be widened with the allocation of land for the purpose.

**POLICY UE 1**            The location of new industrial activities and the expansion and intensification of such uses especially in areas where they exist will be encouraged and promoted as long as they can conform with the planning requirements.

**POLICY UE 2**            Application for the development of existing industrial land or buildings or sites identified for the purpose on the land use proposal maps for purposes other than that which it is zoned will not normally be granted planning permission.

The local financial services sector is one dominated by financial institutions such as banks, building societies, credit unions etc. All major towns within the parish have branches of these institutions and more than 80% of the population does business with them. It is therefore important that sufficient land is available for a wide variety of types of business activities which can meet the needs of different users.

**POLICY UE 3**            Where appropriate development providing for growth in economic activities such as commercial and office uses which sustain and enhance the variety and mix of uses and the function and character of urban areas will be supported in the various growth centers.

It is important to the sustainability of the Growth Centers that there is small business development to provide economic benefits to these communities. Where unsightly or derelict buildings exist the owners will be encouraged to regenerate them.

**POLICY UE 4**            Within the growth centres, the creation or expansion of business, industrial, or office premises will be encouraged provided they would not create any unacceptable impact on the environment.

With the introduction of the computer many small scale businesses are now being carried on from home. This has lessened the need for business premises as the activity is such that it is unlikely to be detrimental to neighbours.

**Policy UE 5**            Proposal to use part of a residential building or a building ancillary to a dwelling, for business purposes will be

FIFTH SCHEDULE, *contd.*

permitted provided that the residential use will remain the main focus of the property and the residential appearance of the property is retained.

There are activities such as vehicle spraying, repair and storage and the processing and storing of minerals and buildings materials that are important to the local economy but at the same time have a detrimental effect on neighbouring uses. They are inappropriate in residential areas or town centres. These activities are known as bad neighbour uses and need to be placed in carefully designed areas.

**POLICY UE 6**            New bad neighbour use developments or the intention of intensification of existing bad neighbour use areas, shown on the zoning maps will not be permitted.

**POLICY UE 7**            The local planning authority will allow the establishment of motor car repair workshop, garages, and related activities in areas where they will not have an adverse effect on the character of a neighborhood.

Where large scale commercial or office development is taking place certain amenities should be provided for the conveniences of the public. The local planning authority will assess the proposal and ensure that the provision is adequate.

**POLICY UE 8**            In considering large scale commercial and office development certain public facilities such as toilets, facilities for recycling and children's play area will have to be provided.

Entertainment is an important part of the urban fabric in that it contributes to the day and night time economics of an area. The activities at night also help to keep the urban areas alive and ensure a certain level of safety. However, they will be screened thoroughly and their location properly assessed to ensure that they are not a nuisance to their neighbours.

**POLICY UE 9**            Planning permission for day and/or night time entertainment facilities will not normally be granted where they would exacerbate traffic problem, injure the amenities of residents, or where it is incompatible with the existing character and function of an area.

In erecting shopping centres developers will be encouraged to provide outlets where shoppers can pay utility and other bills when they visit to do their businesses.

FIFTH SCHEDULE, *contd.*

**POLICY UE 10**            New shopping centres erected in growth centres should make provision for public service facilities such as the paying of utility bills.

The National Industrial Policy seeks to promote transformation of the Jamaican economy through the expansion of existing industrial activities and the promotion of new ones in targeted areas. The local planning authority will endeavour to support the policy through the provision of adequate lands in appropriate location for the purpose.

**POLICY UE 11**            In keeping with the industrial policy the planning authority will support the development of specialized industrial parks, and industrial space for small businesses in appropriate locations.

## MINERALS

Surveys and general knowledge of economic geology indicates that the volcanic and intrusive igneous rocks of the Blue Mountain inlier have economic mineral potential. Although copper was mined in the past there are presently significant loads of iron ore magnetite and hematite as well as nickel, chromium, cobalt, manganese, silver and platinum. No mines currently exist within the mountains but special exclusive prospecting licenses for exploration or mining areas remain current.

**POLICY M 1**            Before mining operations commence in any of the areas under license, permission is to be obtained from the planning authorities and the other agencies that may have jurisdiction in the areas or over the subject matter.

Approximately five percent of the licensed quarry in the island is located in Portland. Two located on the Rio Grande River are licensed for sand and gravel and the other 6 for limestone. Of the 6, 2 are licensed for the removal of river limestone boulders. However there seems to be some environmental concerns regarding the location of these quarries.

**POLICY M 2**            Where it is proposed to undertake mining and quarrying operations, plans should be submitted to the appropriate authorities and permission received before the operation commences.

**POLICY M 3**            Quarries must be located in quarry zones. Permission will not be granted for them to operate in other locations except in extenuating circumstances and after adequate study of the proposed site has been done.

Most minerals are non-renewable resources which are important not only to the local but also to the national economy and therefore should not be rendered

FIFTH SCHEDULE, *contd.*

incapable of extraction. However, where extraction takes place it is to be done so that it is not in any way detrimental to the environment. Where it has caused injury then the area should be restored to its pre-mining condition.

- POLICY M 4 All mined out or quarried lands are to be restored to its original vegetative condition, or to a level which is satisfactory to the planning and related authorities.
- POLICY M 5 Development proposals which will prevent the extraction of a mineral which is important to the national or local economy will not be given permission by the planning authority except in extenuating circumstances.
- POLICY M 6 Where mining operations take place on agricultural lands it should be restored to or near to the capability that it was before being mined.

The Blue mountain area is ecologically sensitive and should remain intact where possible. In extracting minerals the possibility of locating the processing plant near to the source should be analyzed against several other locations to see the environmental impacts.

- POLICY M 7 The planning authority will determine the cost benefit of the location of the processing plant close to the mineral deposits before granting planning permission.

## WASTE TREATMENT AND DISPOSAL

*Sewage*

There is no central sewage system in the parish. The three sewage treatment plants that exist serve the Anchovy Housing Estate with about 100 households, the Dragon Bay Hotel (closed for refurbishing,) and the Woodstock Housing Scheme in Buff Bay. Sewage disposal throughout the parish is therefore primarily by means of pit latrine, septic tank and absorption pit or just absorption pit. However, the Environmental Health Unit is trying to move to secondary treatment and disposal systems as they are more environmentally friendly. The policy therefore is away from primary disposal systems of septic tank and absorption pits to secondary systems. Until such time however the minimum prevails.

- POLICY WT 1 Where there is no sewage system and the possibility exists that in the future they will not be connected to such a system for any reason then, households will be required to use a minimum system of dry toilets or septic tanks and tile field whichever is more appropriate in their area as the means of disposal.

FIFTH SCHEDULE, *contd.*

The increase in population pressure in Port Antonio highlights the need for adequate planning to deal with the additional sewage. This is being taken care of by the establishment of a sewage treatment plant in the Turtle Crawle area, to the east of Port Antonio. This will treat flows from Port Antonio as well as the Anchovy Housing Development, (which is the only area where sewage is treated), and the Trident Hotel.

**POLICY WT 2**            Developments likely to pollute their environment should be connected to a septic tank and tile field or any other non-polluting system recommended by the Ministry of Health and the Natural Resources Conservation Authority (NRCA) until the central system is completed at which time they are expected to connect to it.

On completion of the sewage system only those premises at higher elevations than the collection mains will tie into them since pumping of sewage from lower elevations to the main cannot be cost justified. These lots would therefore have to make alternate arrangements for the disposal of sewage or underwrite the cost for connection.

**POLICY WT 3**            In areas lower than the sewer line developments will be permitted where they satisfy the Ministry of Health and NRCA with regards to satisfactory disposal of sewerage.

Inadequate treatment and contamination of surface and groundwater poses a significant public health risk especially in the coastal areas. Water studies show elevated coliform counts in Lime Kiln Bay, Blue Hole Harbour, Unity Bay (San San Harbour) and rivers entering Port Antonio Harbour.

**POLICY WT4**            The local planning authority will ensure that developments which pose a significant public health risk dispose of their sewerage in a manner that is satisfactory to the local planning authority and the relevant health authorities.

It is expected that closer that normal development of land will take place in the growth centres. Where the densities are high then some form of central collection system should be implemented. Where this is not possible then the lots will have to be large enough to accommodate on site disposal satisfactorily.

**POLICY WT 5**            Where densities are higher than seventeen dwelling units per hectare and an aggregation exceeding three hundred persons, or where otherwise necessary because of environmental conditions, the units should be connected to a central collection system. Such a system should be in conformity with the requirements of the Ministry of Health and the Natural Resources Conservation Authority.



FIFTH SCHEDULE, *contd.*

- POLICY WT 6 For single family houses on lots larger than 1/10 hectare treatment and disposal should be by septic tank and tile field with grease trap incorporated where the soil is considered suitable.
- POLICY WT 7 For single family houses on lots of 578 m2 and larger with maximum density not exceeding eighty-six persons per hectare and a total ultimate population not exceeding three hundred persons, treatment and disposal may be by septic tanks and tile field with grease trap incorporated where the soil is considered suitable.

The capacity or size of septic tanks is very important when they are being designed. A septic tank that is too small will cause the effluent to flow through without being processed, causing harm to the environment. They should be large enough to retain the effluent for a time and allow the bacteria to act on the waste material.

- POLICY WT 8 Septic tanks should be designed so as to give required detention time and to avoid short circuiting.
- POLICY WT 9 There should be a minimum distance of 1 metre between the bottom of the tile field and the maximum elevation of the ground water table or any layer of rock or impervious material.

*Solid Waste*

As the urban areas expand so too does the accumulation of solid waste. In July 2003, the North East Coast Regional Development Plan indicated that 56 tons of solid waste were collected on a daily basis and taken to the Buff Bay dump, and 20 tons from East Portland was taken to the dump in Morant Bay, St Thomas once per week. With an increase in waste generation appropriate methods of collecting and disposing of waste especially in commercial areas will have to be addressed and this will be done at an early stage in the development process.

- POLICY WT 10 Adequate provision shall be made within all developments for the storage, presentation for collection, and removal of waste, unless exceptional circumstances make it impractical in which situation alternative arrangements will have to be made for the removal and disposal of such waste.

A large amount of biodegradable waste normally ends up in the landfills or dump sites. While concentration should be on the reduction of waste firstly, recycling and composting should be given consideration, as this is not now being addressed.

FIFTH SCHEDULE, *contd.*

**POLICY WT 11** Provisions are to be made in all new developments for the separation, recycling and storage of recyclable waste where appropriate.

At present, the facilities in Portland cannot cope with the quantity of waste that is being produced. This is due mainly to inadequate disposal sites. If this is not remedied unauthorized dumping of refuse will continue to take place in gullies and open lots throughout the parish. Solid waste should be disposed of in landfill sites operated by government and the private sector.

**POLICY WT 12** The disposal of solid waste will only be acceptable in landfill sites, which should be located so that there is no detrimental effect on surface or underground water resources or adjacent owners.

**POLICY WT 13** Proposals for disposal of waste to landfill sites will be considered having regard to arrangements for phased restoration of the land making it appropriate for agriculture, forestry or an agreed use.

There are proposals to have a central landfill sites either in the parish or in St. Mary. If this is implemented then there will have to be transfer stations located within the parish. The planning authority will ensure that provision for routing and access is satisfactory and there is no environmental effect.

**POLICY WT 14** Proposed sites for transfer stations should be to the satisfaction of the local planning authority and will take into consideration the capacity for the relevant waste type at the location and other environmental considerations.

The storage, transfer and treatment of waste varies considerably in scale but have the potential to cause environmental problems and pollution. Detailed environmental planning controls are therefore important in their establishment. They are best located in industrial areas and away from residential developments although flexibility may be required.

**POLICY WT 15** Proposals for the use of land for the receipt, storage, treatment including incineration (and transfer of waste) and the use of land as scrapyard will normally be permitted where sites do not adjoin land permitted or allocated for any use which would be adversely affected by the proposed use.

Where hazardous waste exists provision will be made for safe and satisfactory disposal. Measures will be taken to ensure that there is compatibility between the environment and the source.

FIFTH SCHEDULE, *contd.*

- POLICY WT 16      The planning authority will give attention to the erection of special hazardous waste disposal site when and where it is necessary for the safe disposal of hazardous material.

*Recycling of Waste Water*

Although Portland is blessed with an abundance of water, due to the high cost and the difficulty experienced in providing a piped domestic water supply system to all communities immediately, the recycling of grey water and the provision of rainwater for secondary uses in buildings will be encouraged. Waste water from basins, baths and showers can be disinfected and used a second time to flush lavatories or water gardens. Black water from the lavatory and water from kitchen sinks and dishwashers should go directly to the sewers.

- POLICY WT 17      The use of rainwater and recycled grey water for some secondary uses in buildings will be encouraged and provision should be made for this in development proposals.

Where the treatment system is by means of stabilization ponds or secondary system in a mechanical plant, the outfall can be used to water large landscaped areas or golf courses. In this way, water consumption can be substantially reduced and control placed with the user making it less costly and more readily available especially during the periods of drought.

- POLICY WT 18      Developments with large landscaped grounds such as hotels and golf courses should make provision for the use of recycled water to water these areas.

- POLICY WT 19      New housing developments which are served through piped domestic water supply system should make provision for the use of rain water or grey water for watering of plants and gardens.

## ENERGY CONSERVATION

The increase in the availability of electrical appliances both in residential and commercial business establishments has made the demand for electricity high. Electricity now provides lighting for approximately 63 per cent of the homes in rural Portland up from 53 per cent in 1991. The cost to generate and distribute this commodity is rising especially as it relies on the price of oil, which increases on a regular basis. Energy conservation is necessary to reduce costs and also to promote environmental values. Encouraging energy conservation among consumers will be taken into consideration when dealing with development applications. This could best be reflected in the design, siting, orientation, and layout of the building.

FIFTH SCHEDULE, *contd.*

**POLICY E 1**            The planning authority will be mindful of energy conservation in assessing the design of development applications especially as it relates to the use of natural lighting and conservation techniques.

The use of hot water in some business places such as restaurants is important to the function they carry out. Some residential developments and hotels also consume a large amount of electricity in heating water for personal use and for guests. The buildings should be designed so as to take advantage of solar water heaters thereby reducing the consumption of electricity and gas for this purpose.

**POLICY E 2**            Where it is necessary to have heated water, the planning authority will not permit the development unless it is designed to make use of solar water heaters and other energy saving devices.

Pre-feasibility studies for several hydroelectric power projects in the mountains of the parish have shown that this is not a sustainable approach to alternate power. The Back Rio Grande study was the exception however; as it is shown that it was technically feasible and economically viable. The project implementation was deferred due to a number of ecological and socio-economic factors. If these can be overcome then the project could be implemented.

**POLICY E 3**            The Back Rio Grande project which can enhance the supply of electricity to the National Grid will only be given approval if it can be shown that it would have no deleterious effect on the environment in the area.

Electricity distribution poles and sub-stations can be aesthetically unpleasing to the environment and if not properly located can be dangerous as well, especially to the handicapped. These are all development activities, which need planning permission which should be sought before work commences.

**POLICY E 4**            The construction of sub-stations will be supported in areas where they are necessary to upgrade the local supply of electricity as long as they will have no adverse impact on the environment.

**POLICY E 5**            Electrical sub-stations and individual transformers located on private property at ground level should be appropriately screened by a wall, or by a fence with a protective entrance.

**POLICY E 6**            Ancillary utility services should be so located that they do not obstruct the movement of pedestrians especially the handicapped who has to use the sidewalk facilities.

FIFTH SCHEDULE, *contd.*

**POLICY E 7**            The planning authority will give permission for the installation of utility poles, lines and other distribution devices where they do not affect the environment and where they meet the requirements of the relevant agencies.

The distribution of electricity often times conflict with existing vegetation resulting in the vegetation being removed. The planning authority recognizes the need to protect and retain trees and vegetation which enhance the amenity of an area and will ensure their protection during the erection of poles and wires and during the maintenance period.

**POLICY E 8**            The planning authority will expect the utility company to provide its services so that its distribution lines etc. avoid being under the crown of trees, through shrub areas or proposed landscaped areas. High tension wires have been a feature of the countryside for a long time. However, some of them are inappropriate as they impact negatively on the environment. The power company will be required to outline to the local planning authority the methodology used in selecting the route so that it can be satisfied that the one chosen is compatible with the environment.

**POLICY E 9**            In seeking permission for the erection of transmission lines the light and power company will be required to indicate to the planning authority how the proposed route was selected in an effort to ensure that there is minimum visual impact.

Housing proposals which are near to electricity distribution lines will be assessed on the basis of the effect of such power lines on future residents. In some cases buffer areas may be required along with orientation of the building to prevent adverse impact on the structures.

**POLICY E 10**            Where residential development proposals are close to overhead power lines the effect of transmission poles and lines in the vicinity of the site on the amenity of occupiers will be taken into account in arriving at a decision.

## TOURISM

Portland's economy is primarily dependent on tourism and agriculture. These grew out of the natural resources and rich environment that exist in the parish. Although declining, tourism has the potential for sustainable revival and still makes a substantial contribution to the parish's GDP with hotels, villas, restaurants, night clubs, transport operators and craft industries making tourism their main market.

FIFTH SCHEDULE, *contd.*

**POLICY TO 1** In the built up areas, rural areas and along the coast permission will normally be given for hotels, conference facilities, villas and other serviced accommodation and tourist oriented facilities providing they conform with other requirements established for the area.

**POLICY TO 2** The conversion of tourist accommodation to other non related uses will not be permitted unless there are overriding factors that warrant the change.

With respect to whether Portland needs larger hotel facilities, need to be recognized in the fact that emphasis on numbers can be self defeating. Other parts of Jamaica provide for mass tourist markets more effectively. Portland has a unique quality and assets from which it can profit sustainable if it identifies and seizes the opportunity for small hotels.

**POLICY TO 3** Outside of the built up areas low rise development will be encouraged along the coast. Small scale tourist facilities and the re-use or adaptation of existing building will also be permitted provided it would not be detrimental to the character and appearance of the locality.

**POLICY TO 4** The local planning authority will not grant planning permission for any development which may negatively affect tourism resources of the parish and/or result in situation in which the positive socio-economic effects derived from the project do not outweigh the potential negative effects.

Small scale facilities to serve visitors and those in transit through the parish need to be provided. In addition to the hiking, recreational, horse back and donkey riding and informational tours now provided the opportunity should be provided for camping.

**POLICY TO 5** Permission will normally be granted for small scale camping and touring sites provided they are unobtrusive, would not be detrimental to the environment and have an adequate means of access.

Rafting on the Rio Grande has been a popular attraction since the advent of tourism in Portland. It is featured internationally in articles related to Jamaica and is a source of income for several persons in the area. However it is felt that it needs to be linked with other community based activities to expand the quality of the visitors' experience.

FIFTH SCHEDULE, *contd.*

**POLICY TO 6** Small scale tourist facilities linked to rafting on the Rio Grande will be supported where they are compatible with the area.

A small but growing number of country hotels and cottage resorts are addressing the market for rural retreats. Their main challenge is to achieve a balance of rural simplicity, elegance and very high levels of environmental care in their design and administration. This will be given special attention in the assessment of these projects.

**POLICY TO 7** Outside the built up areas tourist facilities and the reuse or adaptation of existing buildings for the purpose will normally be permitted where the design is of a high architectural standard and the development would not be detrimental to the character of the area.

The provision of golf courses is an added feature of most hotels. These facilities need a considerable amount of land if they are to be developed to international standards. Care will be taken to ensure that they do not have a negative effect on the environment or intrude on productive agricultural lands.

**POLICY TO 8** Golf courses and other forms of development that require extensive land areas will only be allowed in locations where environmental impact is low. They will only be allowed on non- agricultural lands and where the roads in the area are adequate to carry an increased traffic flow.

## TELECOMMUNICATION

The growth in communication technology has given rise to the erection of Cellular Towers, and other telecommunication apparatus such as antennae and satellite dishes for both domestic and commercial use across the parish. Telecommunication devices for commercial purposes are larger and more prominent than those for residential purposes which are getting smaller. The siting and design of these facilities should at all times be such that they do not have a severe impact on the character and visual amenity of the environment in which they are located.

**POLICY TELE 1** Base stations and transmission masts and towers will be approved in areas where they do not impact negatively on the environment and in which the land to be developed meets the necessary guidelines for the structures proposed.

FIFTH SCHEDULE, *contd.*

**POLICY TELE 2** Where possible the proposed telecommunications development should be designed so that it blends into the environment and minimize the visual impact. Different solutions, types of material and colours should be utilized and the apparatus within urban areas sited on existing structures where possible.

**POLICY TELE 3** Telecommunications network should be sited so as to minimize disturbance to the environment and the loss of amenities.

There has been a great deal of concern about the Radio Frequency transmitted from cellular towers on the health of residents in their vicinity. Since most studies on the effects of exposure to radio frequency (RF) from mobile phones or their base station have remained inconclusive a precautionary approach will therefore be adopted in the location of these telecommunication sites. Pre application discussion and consultation will be carried out in communities and among institutions to determine their level of acceptance before a planning decision is made.

**POLICY TELE 4** Pre application consultation and discussion shall be undertaken between the local planning authority and the operator, schools, communities, interested parties and any other relevant body before planning permission is granted.

**POLICY TELE 5** In granting permission for cell sites the local planning authority will ensure as much as possible that the beam of greatest radio frequency intensity from a base station sited within or near retirement homes, educational and health facilities do not fall on any part of the grounds or buildings of the institution.

**POLICY TELE 6** Operators shall submit statements indicating compliance with World Health Organization guidelines for non-ionizing radiation protection with each application.

Taking into account the limitations imposed by the telecommunication network planning permission will be granted only if it can be shown that the proposal has a minimal effect on the surroundings. It is also to be borne in mind that the construction of new developments can adversely affect the telecommunication services of others in the neighbourhood. The rights of adjacent landowners and the level of effect of the proposal on them will be assessed to ensure that they are protected.

**POLICY TELE 7** In considering applications the local planning authority will take into consideration the development rights of the subject land and that of the adjoining premises.



FIFTH SCHEDULE, *contd.*

The remains of obsolete equipment can destroy the amenities of an area and threaten the health and welfare of those living in the communities of which they are apart. Such equipment should safely be disposed of by the network operators in accordance with any standards or guidelines provided by the relevant agencies/authorities.

**POLICY TELE 8** Operators of communication systems shall safely dispose of obsolete equipment on their sites and restore the land to a use satisfactory to the local planning authority.

An increase in the participation in the telecommunications industry has given rise to a proliferation of antennae not only in urban but rural areas as well. This has threatened the visual quality of some areas reinforcing the need for their control. Where satellite dishes, microwave antenna, radio masts and other telecommunications apparatus have to be installed, their impact on the area will be considered. The possibility of sharing facilities should be explored to reduce the number of structures.

**POLICY TELE 9** The planning authorities will ensure that the erection of telecommunications equipment will not result in unnecessary proliferation of or have any adverse effects on the character of a locality or the appearance of a property.

**POLICY TELE 10** In dealing with planning applications from license operators consideration will be given to the possibility of sharing existing masts, replacing one with another for joint use or erecting one suitable for joint use and that proposal will not affect the skyline or other areas of importance.

Business premises especially betting shops and cable facilities normally has the need for satellite receiving antennae and these are usually installed in prominent location where they are incongruous. They should be unobtrusively located so that they are hidden from public view.

**POLICY TELE 11** The erection of antennae on business premises will normally be permitted where the proposal is such that it is not visible from public areas or from the habitable room window of a dwelling which overlooks the site.

The installation of communication apparatus/equipment should be avoided in environmentally sensitive areas. They should be sited discreetly in locations which are well screened and not be visible over a wide area.

**POLICY TELE 12** In considering applications for planning permission for the erection of communication apparatus the local planning

FIFTH SCHEDULE, *contd.*

authority will need to be satisfied that the siting and external appearance takes into account existing and proposed landscaping and where it is in a residential area the impact on outlook from properties and noise and disturbance.

In order to protect the visual amenities of buildings, open areas and street scenes the following policies will be taken into consideration by the local planning authority when dealing with telecommunication apparatus.

- POLICY TELE 13**      Satellite dishes should, wherever possible, be located at the rear of a building or premises or on lower roofs and should be as unobtrusive as possible from the street and other public areas.
- POLICY TELE 14**      Antennae will not be allowed on listed or other heritage buildings and consideration should be given to siting these on adjoining buildings or other area of the premises where they will least affect the character and appearance of the setting.
- POLICY TELE 15**      In complexes such as terrace and town housing consideration should be given to sharing antennae and/or one satellite dish between several units.
- POLICY TELE 16**      In the case of proposed new development, telecommunication requirements should be considered at an early stage as the installation of visually intrusive equipment at a later date may not be permitted.

**GENERAL DEVELOPMENT POLICIES**

In dealing with development applications, the planning authority will ensure that proper sanitary conditions and conveniences are secured, that there is the co-ordination of roads and public services, the protection and extension of amenities and the conservation and development of the resources of the Parish. Those aspects of development which encourage personal well being, social harmony, equal opportunity and sustainability will therefore be promoted.

**POLICY GD 1**            The planning authority will not give approvals for:

- (a) major residential development outside of built up areas or growth centres or where infrastructure and amenity is not available, except where it is needed to satisfy a local demand;
- (b) development which will sterilize or destroy the enjoyment of an important resource.

FIFTH SCHEDULE, *contd.*

- (c) development which by virtue of smell, fumes, noise, would be a nuisance to existing and proposed development in the area in which they are to be located.

**POLICY GD 2** Development will be approved in areas that provide a healthy environment and in which the land to be developed meets the necessary guidelines for the erection of the buildings and structures proposed.

Trees are an important part of the Portland landscape and will be maintained for general amenity, ecological and economic value. When it is to retain or plant trees worthy of long term protection in a development or where it is desirable to confirm publicly the amenity value of trees or woodlands including trees under threat these will be protected by Tree Preservation Orders.

**POLICY GD 3** The local planning authority will encourage the local authority to make Tree Preservation Orders to protect trees which are of public amenity value and will encourage the retention of trees and hedges in development proposals where possible.

**POLICY GD 4** The local planning authority will not permit development which would adversely affect existing trees worthy of retention, particularly those subject to Tree Preservation Orders.

**POLICY GD 5** The planning authority will take into consideration all relevant aspects of environmental impact when assessing land use and development proposal.

As a general rule, non-conforming uses throughout the parish should cease to exist and the land affected reverted to a use in conformity with that intended for the area. The owners of such property will not be allowed to undertake any extension but should instead consider locating to a new area where the use is compatible and where he/she is able to perform and produce under improved conditions.

**POLICY GD 6** Where a non-conforming use exists no permission will be given for the extension or enlargement of the development except in extreme cases of hardship and where the uses would be in conformity with the policies in this order.

Flood plains perform an important function in the control of flooding in the lower reaches of a river course and should therefore be preserved and left undeveloped. New developments on lands previously undeveloped will also increase run-off thereby increasing the risk of flooding. These situations will be taken into consideration in processing development applications.

FIFTH SCHEDULE, *contd.*

**POLICY GD 7** There will be a general presumption against new development or the intensification of existing ones in areas which are at risk from flooding, unless it can be demonstrated that this will not occur either on-site or elsewhere.

Portland has a domestic water supply distribution problem. Because of this a lot of rural areas still rely on catchment tanks for their supply of water. Although piped water is being supplied to more areas especially urban centres, some residents will still be dependent on catchment tanks and therefore these should not be abandoned.

**POLICY GD 8** Developments taking place within the interior of the parish and in areas where processed piped water from wells, rivers and springs is not available should make adequate provision for the collection of rain water to fulfill their needs.

Un-neighbourly uses can be an irritant to those who live beside them. Where these exist the planning authority will encourage them to relocate to a site zoned for the purpose and further intensification will be prevented in their present location.

**POLICY GD 9** Planning permission will not be given for the establishment or extension of any use likely to be detrimental to the amenity of a locality, the rural area or the character of a conservation area.

The opportunity for outdoor informal, sporting activities should be complemented by indoor formal activities. This will improve the quality and quantity available to satisfy the needs of the residents of the parish thereby making life more interesting.

**POLICY GD 10** The provision of facilities for a wide range of sports, arts and other facilities will be encouraged in appropriate locations throughout the parish to meet the needs of all residents.

**POLICY GD 11** The local planning authority will maintain and where possible improve the provision of land for active and passive open air leisure activities throughout the parish.

Hotels and Guest Houses can normally be accommodated in residential areas without detriment to the environment, provided that their scale, appearance and traffic generation are consistent with the character of the area. It is important to encourage this kind of accommodation particularly at the budget end of the market. This would be in keeping with the recommendations by the Master Plan for Sustainable Tourism Development for Port Antonio.

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**FIFTH SCHEDULE, *contd.***

- POLICY GD 12** In the built up areas, permission will normally be given for hotels and other serviced accommodation, provided they are consistent with other policies of the order. The conversion of tourist accommodation to other uses will not normally be permitted.

**THE DESIGN OF NEW DEVELOPMENTS**

Normally the design of new developments should be of a high standard, should have a high quality of building design and site layout, and should be in sympathy with the nature and character of the area in which they are to be located. The provision and siting of community facilities, the layout of building areas, including density, spacing, grouping and orientation will be considered in the grant of planning permission. The size, height, colour and finishing materials of buildings or other structures, the object which may be affixed to structures, the layout and site coverage of buildings and the use to which buildings or lands are to be put will be subject to control to ensure proper standards of design and amenity.

- POLICY GD 13** New developments will only be approved where the necessary infrastructure and amenities are available and where they conform with the requirements and guidelines set out in the Schedules and Appendices of this Order.
- POLICY GD 14** Planning permission will not be granted for any development which would have a significant or adverse effect upon the amenity and privacy of adjoining properties.
- POLICY GD 15** All single family detached dwellings shall be required to be set back a minimum of 1.2 metres or a suitable distance as may be determined by the planning authority from time to time from property boundaries and adjoining buildings. The set back for two (2) and more storeys shall be greater than that required for single storey developments.

All new developments to which the public will have access should take the needs of disabled people as well as women into consideration in their layout and design. The amenities provided should be such that they can make use of without any hindrance. Road crossings should have dropped kerbs and the location of street furniture should be consistent. Car parks should be easily accessible and be at ground level.

- POLICY GD 16** All new major developments will normally be required to provide safe and satisfactory on site parking facilities with areas clearly identified for the disabled as set out in the appendices.

FIFTH SCHEDULE, *contd.*

**POLICY GD 17** All new shopping centers, hotels and other businesses open to members of the general public should be equipped with public sanitary conveniences in accordance with the standards set out in the Development and Investment Manual, Volume 1, section 1—Chapter 2.

**POLICY GD 18** Proposals for development which is accessible by the public, or used for employment and educational purposes, will not be permitted unless they include adequate access and facilities for all people with disabilities.

It is important that traffic generation and its impact upon the road network be taken into account when consideration is being given to new development proposals. In all instances importance will be given to safety and environmental considerations.

**POLICY GD 19** All new developments shall be designed and located in relation to the existing road network, so that they provide satisfactory vehicular ingress/egress/crossover and where appropriate, circulation within the site.

The planning authority will take steps to ensure that nature conservation is taken fully into account in all new developments including the creation of nature parks and wildflower meadows. Developers should identify lands within their ownership which will provide for the creation of these areas.

**POLICY GD 20** The establishment of local nature reserves and other nature parks will be encouraged in new developments and no planning permission will be given for these to be used for other unrelated developments.

Where necessary the planning authority may request a plan containing details of existing trees, (including location on the land, height, girth, specie) and wildlife habits. It is important that these be protected during and after the period of construction and the planning authority will take appropriate steps in this regard. Trees which are destroyed during the period should be replaced.

**POLICY GD 21** Planning permission for Resort, Town House and Apartment developments will normally be required to include Landscaping proposal plans in their submission to the local planning authority and no operations should proceed before permission is granted.

**POLICY GD 22** Felling or lopping of trees adjacent to main roads by any person or agency will not be freely permitted and such operations should not be undertaken except with the permission of the local authority.

FIFTH SCHEDULE, *contd.*

**POLICY GD 23**            New developments will be expected to conserve existing wildlife features and encourage the creation of appropriate wildlife habitats.

Storm water run-off from building sites onto roadways can cause interruption of the free movement of pedestrian and motor vehicles. Owners of properties, especially along major thoroughfares should ensure that surface water is intercepted and disposed of before it reaches the roadway.

**POLICY GD 24**            Developments shall be required to dispose of storm water run-off from roofs and roadways on their own property or under the side walk. No permission will be given for such storm water run-off to be disposed of unto the surface of the side walk or roadway.

**POLICY GD 25**            Where caves/sinkholes/grottos are present on sites being developed, they should be left clear to assist in the drainage and natural disposal of surface water and should not be used as sewerage disposal facilities.

One of the problems on a development site is the amount of dust created during the construction period. This can be a nuisance to people living and working in the area as well as the motorists and others who have to traverse roadways adjoining or near to such sites. Abatement measures should be undertaken to ensure that the levels are tolerable at all times.

**POLICY GD 26**            During the construction stage of a development all possible source of fugitive dust generation should be sprinkled to avoid the dispersion of dust to surrounding areas. Trucks transporting construction materials are to be covered.

In some areas it may be appropriate to have a mix of development. As long as the uses are compatible and will not create undue hardship to their neighbour the planning authority will give consideration to such proposals.

**POLICY GD 27**            Mixed use development of residential and commercial or institutional purposes may be allowed in areas zoned for commercial activities. The total amount of development shall not exceed that permitted for commercial development.

In dealing with applications to subdivide land, consideration will be given to the nature and the character of adjoining development and the character and type of services which shall be undertaken by the applicant. The convenience, amenity and safety of the community is to be the paramount consideration.

FIFTH SCHEDULE, *contd.*

- POLICY GD 28** In granting permission for the subdivision and development of land due consideration will be given to the standards of amenity already established in an area and departure will be permitted only on the merits of the case or where it is at a higher level than that existing.
- POLICY GD 29** In considering application the planning authority will ensure the co-ordination of the subdivision of contiguous properties in order to integrate existing and future services and circulation.
- POLICY GD 30** To meet the community needs of the neighbourhood or district, land of appropriate dimensions and shape, slope and location is to be set aside within residential subdivisions in accordance with the requirements set out in appendix 10.
- In the case of very large subdivisions, regard will be had to the pace of development and the number of undeveloped lots in the general area and the likely rate of their absorption by the public. This is necessary to prevent land speculation and promote development.
- POLICY GD 31** Subdivision applications will be assessed on the need for lots in an area and may be given a programme of phasing and seeding.
- POLICY GD 32** Large scale urban style subdivisions in the rural areas will not be considered unless the developer can satisfy the planning authority that such development is in no way premature in terms of local demand and that all required utility services can be provided without making demands on the relevant government agency.
- POLICY GD 33** Where approval is given for a large scale development in rural areas the developer will be required to build or cause to be built within the proposed development site a specified number of dwelling units (expressed as a ratio of dwelling units to lots) within a specified time period and at a ratio to be determined by the planning authority. This could include total development of the site by the developer.
- POLICY GD 34** Plot coverage and other requirements for the various types of buildings should be in accordance with the requirements in Appendix 10.



FIFTH SCHEDULE, *contd.*

The subdivision and development of land can cause irreparable damage to the environment. Once land is subdivided it will take several years before the damage can be reversed or remedied. An assessment of the effect on the environment should be done before subdivision is undertaken.

**POLICY GD 35** Any development which is likely to have a significant effect on the environment by virtue of its nature, size and location may require an Environmental Impact Assessment before it is dealt with by the local planning authority.

Usually commercial development takes place within recognized shopping areas. It is generally convenient for both shoppers and traders that commercial activities should be concentrated in this way and areas are specially allocated for the purpose on the land use maps. Planning control aims to steer new shops to these areas, having regard to the shopping needs of the population. In large subdivisions however, shops will be needed usually single, as part of the residential unit or as shopping centres to serve neighbourhood needs. Irrespective of the type and size of shopping facilities they will require careful location and planning in relation to other developments.

**POLICY GD 36** In shopping centres the design and arrangement of building structures, access and circulation will be controlled in relation to surrounding areas to provide for efficient functioning of the shopping area and to insure adequate protection to adjacent and nearby residential areas.

Parking is an integral part of overall transport policy and the standards and design criteria set out in the Parking and Loading Requirements is to ensure that an adequate amount is available for customers and staff. Car parking should be provided within the building line in such a manner as to ensure minimal injury to the amenity of the adjoining premises. They should be suitably landscaped and finished and the bays should be in areas of practical shape that allows for the parking and maneuvering of vehicles.

**POLICY GD 37** The provision of car parking facilities should be in accordance with the requirements in the appendix and no development will be approved that is not in conformity with the requirements except in extraordinary circumstances.

Traditional shop fronts are frequently based on classical architectural features adapted to the practical needs of the shop. In the case of modern shop fronts creative interpretation of traditional design principles can create innovative designs which generate interest whilst not detracting from the property.

FIFTH SCHEDULE, *contd.*

- POLICY GD 38      The design of a new shop front in a mall or freestanding building should relate to the architectural characteristic of the buildings of which it forms a part.
- POLICY GD 39      Where shops are designed as part of a residential unit they should maintain the character of the host building. They should be distinguishable but at the same time not overbearing.
- POLICY GD 40      Wherever possible new shops will be sited with or adjacent to those already existing so that new commercial ventures will stimulate trade in established shopping areas instead of being sited elsewhere and detracting from them.
- POLICY GD 41      New shop frontage to main or other roads will be encouraged to have continuous facades with standard canopies. Where there are two floors, the first floor will be at a co-ordinated height through its length.

## NEW SETTLEMENTS

The settlement strategy has identified centers which should be targeted for growth and development will be directed to these areas. However, where there is a real need for settlement in terms of a village to grow to allow people to remain in it consideration could be given to the proposal. Care will be taken, to ensure that such villages are established in accordance with the policies indicated in this order and that the unique qualities of the rural environment are not degraded by development pressure.

- POLICY GD 42      The local planning authority will give due consideration to the establishment of new settlements where these are being established to fill special needs such as to allow residents to remain in an area.
- POLICY GD 43      All proposals for new settlements should include the necessary social amenities and physical infrastructure and facilities needed for the residents.

New Settlements should not be dependent on existing Parish Council's roads for direct access to buildings but should have their own independent service road system. These should be connected to other roads in the hierarchical system to provide access to outside linkages.

- POLICY GD 44      All new settlements should be served by its own system of roadways with access onto a main thoroughfare through which transportation links can be made with other areas of the parish.

FIFTH SCHEDULE, *contd.*

Generally it is expected that roads and amenities in new settlements will conform to the requirements and guidelines set out in this Order. This is important to ensure that proper development standards are met so that the residents can live in a healthy environment.

**POLICY GD 45** The subdivision of lands for new settlements will be guided by the relevant General and Housing Policies and the other guidelines and requirements in the Appendices.

There are several well established villages scattered through out the parish which either because they are too small or too isolated cannot be considered as growth centers. Some of these may be located in areas which do not have any specific land use proposals or are shown as white areas on the land use proposals map, while others may be outside. Where this situation occurs, whether in villages or growth areas, they are intended to accommodate future residential developments. However, such lands should be kept in their existing use or be used for agriculture until required for development. This would however, be dependent upon the various services and amenities being available.

**POLICY GD 46** Planning permission for all new housing development will normally be granted if satisfactory provision has been made for access to appropriate local facilities and services to meet the needs of the likely resident population. If satisfactory provision for access to existing facilities and services cannot be achieved or if this additional use would give rise to problems for the local community a new housing development may be required to make additional provision within or in association with the existing development.

## ADVERTISEMENTS

The display of advertisements will be controlled in accordance with the Town and Country Planning (Control of Advertisements) Regulations, 1978. Hoardings or similar structures used or adopted for the display of advertisements or other public notices constitute development for which planning permission shall be required. Developers and other interested parties should familiarize themselves with these regulations as the local planning authority will pay due regard to them in dealing with developments especially in conservation areas and where they would constitute a hazard to traffic movement.

**POLICY GD 47** The local planning authority will not grant permission for any development where the placement of advertisement as part of the fabric of the building or otherwise constitutes a traffic hazard or is injurious to or detracts from the environment in which it is being located.

FIFTH SCHEDULE, *contd.*

## THE UNDEVELOPED COAST

The Portland coast stretches from Palmetto Bay in the west to Hector's River in the east. It is varied in its' topography, including cliffs, swamps and coastal lowlands. Each is subjected to its individual set of natural processes and has its own special qualities as an economic and recreational resource. The coastline has several areas which are undeveloped and it is the role of the planning system to reconcile development requirements which will protect, conserve and where appropriate protect the environmental quality and recreational opportunities of this undeveloped coast. The limit of the coastal zone (see land use proposal map) varies in different areas, depending on the physical characteristics that exist but in all instances its boundary is the mean low water mark in the seaward direction and the edge of development or roadway in the landward side.

**POLICY UC 1**                      Development requiring a coastal location will generally be directed towards the developed coast. Development proposals for the undeveloped coast will however only be considered acceptable where it can be demonstrated that no other suitable alternative site exist within the developed coast and the social and economic benefits of the proposal outweigh the potential detrimental impact on the undeveloped coastal environment.

**POLICY UC 2**                      Development along the undeveloped coast will only be allowed if such proposals would not be detrimental to the environmental quality of the surrounding areas, or if it is in close proximity to a service centre or adequate services.

One of the areas along the coast which can be identified (see land use proposal map), as undeveloped is between Palmetto Bay and Buff Bay, with minor developments along the main road at Windsor Castle and Hart Hill. There are other areas between Buff Bay and Orange Bay which is very narrow as the main road hugs the coast preventing any form of development. Between Orange Bay and Hope Bay the area is steep and not ideal for bathing. From Hope Bay to St. Margaret's Bay is undeveloped except for the aerodrome at St. Margaret's Bay and a small housing scheme at Wydah. St. Margaret's Bay to Port Antonio contains areas of coastal land which has not been developed although there are settlements along the road. Development proposals in these areas will be assessed for their impact on the undeveloped coast.

**POLICY UC 3**                      Developments will not be permitted by the local planning authority if it materially detracts from the unspoilt scenic quality of the above mentioned undeveloped coastal areas.

FIFTH SCHEDULE, *contd.*

The Port Antonio Environmental Protection Association has a keen interest in environmentally sensitive areas and has even obtained an injunction to prevent clearing of mangroves and halt development at Turtle Crawle Harbour and Salt Creek. These are areas of undeveloped coast to the east of Port Antonio which are fish breeding grounds and which will be protected for their resources.

**POLICY UC 4**            The planning authority will not grant permission for any development in areas that will conflict with the conservation proposal shown on the land use proposals map and will at all times protect them from being developed.

The threat of development continues as coastal land becomes more valuable and forested inland buffer areas remain open to unrestricted clearing for farming and housing. In this regard protection of the conservation corridor between the Blue Lagoon Tree Preservation Order area and the Blue and John Crow Mountains National Park has also been secured for preservation.

**POLICY UC 5**            No permission will be granted by the local planning authority for any development that would conflict with the environmental quality of the areas which have been identified for preservation in the above paragraph.

Long Bay to Priestman's River (Coastal Wildlands) is a very scenic stretch of coastline that offers a variety of shoreline environments which should be retained essentially in their natural state. The existing road is a scenic route and there are beaches located in this area as well. It will be protected for the use and enjoyment of the public.

**POLICY UC 6**            Developments will not be permitted if it materially detracts from the unspoilt scenic quality or scientific value of the undeveloped coastal area.

**POLICY UC 7**            Recreational development will be permitted in locations where such facility can serve the public or which preserve an area of national beauty and where such proposal would not be detrimental to the environmental quality of the surrounding areas.

**POLICY UC 8**            Where permission is granted for any development in this area the local planning authority will ensure that building and structures are located in such a way that they avoid having any adverse effect on the general character of the coastline or adjacent areas.

FIFTH SCHEDULE, *contd.*

Where swamps and coastal lowlands exist care will be taken to protect them for their environmental value. Development will be assessed for their impact on the coast and will not be supported if detrimental to the area.

**POLICY UC 9** No development will be allowed by the local planning authority which would adversely affect the homogeneity or integrity of an area along the undeveloped coast.

There are certain industries which by their nature will require a coastal location. Activities such as some form of agriculture and solar plant needs to be established in a coastal environment. These could be supported if they would not have any adverse impact upon the sensitivity of the area.

**POLICY UC 10** Development proposals for the establishment of industries such as certain types of agriculture (fish rearing) which will not impact adversely on the coast will be supported.

Agriculture plays an important role in the economy of the parish. Most of the good agricultural lands are located in the coastal area. Where these fall into undeveloped coast they will be protected.

**POLICY UC 11** Agricultural lands of high productive value should remain as such and should not be converted to housing and/or resort development except in extenuating circumstances.

**POLICY UC 12** No development will be permitted in locations where the realization of such projects will involve the large scale removal of trees which are of economic and environmental value along the coast.

It is anticipated that the Winnifred property (Fairy Hill Development) will be developed for a variety of uses, including hotel, resort, residential, public beach, agricultural. It is expected that the proposal will take maximum advantage of the lush vegetation and spectacular views of the sea and that they are protected in the public interest.

**POLICY UC 13** Permission for development of this land will be given only where the proposal includes a public bathing beach and other recreational activities that will serve both local residents and visitors and where the views are preserved.

Pellew is an islet located approximately 80 kilometers off shore to the northwest of Blue Hole. Its estimated area is 7,693m<sup>2</sup> (82,806.7sq.ft.), and it has a white sand beach and lush vegetation. The name is derived from "Pillow lava"

FIFTH SCHEDULE, *contd.*

which according to the Oxford Concise Dictionary is lava which is solidified as rounded masses characteristic of eruption under water. It could therefore be concluded from this information that the islet is of volcanic origin. Pellew is privately owned and indications are that there are plans to have it developed. It is very visible from the main road and any proposal should take into consideration the protection of the natural environment and its origin. In this regard development should not exceed fifteen per cent site coverage with the use confined to single family residence, or villas at a maximum density of 10hra (4.05hrh) and a height not exceeding a single floor or alternatively a restaurant. The rest of the land is to be maintained in its natural state.

**POLICY UC 14**            The local planning authority will not support high density or any other form of development that would cause environmental degradation of the area or affect its picturesque landscape or setting in any way.

**POLICY UC 15**            All residential developments on the islet shall be at a density of 10hra (4.05hrh) with a height not exceeding a single floor and is to be in conformity with any relevant coastal, environmental or other policy in this order by which it is affected.

## RURAL AREA POLICIES

Portland is a mountainous parish with only about six percent of the land surface suitable for large scale agriculture. The principal crops at middle and upper altitudes are coffee and bananas while large coconut plantations are common at lower altitudes. The areas suitable for agriculture are shown on the land use proposals maps.

**POLICY RAP 1**            Lands which are highly suitable for agricultural purposes will be preserved for that use and quasiagricultural subdivision onto such land will not be entertained.

**POLICY RAP 2**            Proposals which would cause a loss of agricultural land or reduce the potential of such land will not be supported unless it over rides agricultural considerations and an alternative site is not available.

A lot of agriculture is undertaken on small plots by small farmers scattered throughout the parish. This type of activity supports the rural economy and will be supported where it is not detrimental to the environment.

FIFTH SCHEDULE, *contd.*

**POLICY RAP 3** Planning permission will be given for the conversion of large farms or good agricultural lands into small viable farm units only and subdivision into unproductive units will not be entertained.

Most forms of agricultural development do not require planning permission. Because of this some of the watersheds are being used for types of agriculture which inadequately protects the soil and results in erosion and sedimentation problems. There are also other areas which have been cleared and used for agriculture and then abandoned due to weed or other plant invasion.

**POLICY RAP 4** Areas of special significance for agriculture will be given priority to that need except in circumstances where the situation is being abused in watershed areas in which case the authorities in charge of the watersheds will be encouraged to exercise control over the situation.

The natural tendency to change the less productive lands in rural areas into housing development has led to pressure on lands within the rural fringe areas. Most times these lands can be used for agricultural related activities but are allowed to remain in ruinate to justify the demands for change.

**POLICY RAP 5** The planning authority will seek to protect agricultural lands especially in the rural areas and will not normally grant permission for development unrelated to the needs of agriculture and forestry in these areas.

**POLICY RAP 6** Development which will cause a loss of agricultural land will not be permitted unless the need for such developments override agricultural considerations and no alternative site is available.

To promote sustainable patterns of development and make better use of land the focus for additional housing units will be in Growth Centres. Although a number of these centres have been identified in the Parish there are areas outside of them such as in some settlements where services and amenities are available and where housing developments are required to satisfy special local needs. In such situations the local planning authority will give due consideration to such applications. Where permission is granted such developments should be in sympathy with those existing in the surrounding areas.

**POLICY RAP 7** New housing development in rural areas to satisfy special needs will be restricted to the existing built confines of villages and settlements where amenities are available except in situations where it could be easily linked with other existing developments.



FIFTH SCHEDULE, *contd.*

**POLICY RAP 8**            Housing development to satisfy genuine local needs outside of Growth Centers will be supported if the local planning authority is satisfied that there is a demand and the development will not conflict with any policies for the area.

**POLICY RAP 9**            All developments in rural areas should be well designed, be in keeping with its location, and be sensitive to the character of the country side and local distinctiveness.

Sometimes an area may appear developed because of the number of buildings existing in the location and pressure may be applied to allow additional development. This has to be assessed against the character and appearance of the countryside, the potential for landslides and the general stability of the area. The possibility of the setting of precedents will also have to be taken into consideration in dealing with applications in such areas.

**POLICY RAP 10**          Proposals for new development outside of growth centres and villages will be permitted only if it is rural in character and will not conflict with the appearance of the area in which it is to be located.

**POLICY RAP 11**          Small scale business such as craft and souvenir shops etc. will be allowed in and adjoining the built up area of villages and settlements in accordance with their scale and where they would support tourism in the area.

There are some rural residents who may find it difficult to use more distant service centres such as child care facilities and would benefit from small scale local facilities. These should be located within or adjacent to existing villages where access can be gained by walking.

**POLICY RAP 12**          Planning permission will be given for the establishment of small scale social facilities which will meet community needs outside of growth centres.

Isolated new houses in the rural area will require justification for planning permission to be granted. Where this relates to the need for a worker to live permanently or near his place of work then the economic viability of the farm or agro business will be paramount in the assessment of the application.

**POLICY RAP 13**          Agricultural dwellings will not be permitted except where it is essential that the farm worker be accommodated on the holding and the holding is commercially viable.

Ecotourism activities such as hiking are still poorly developed in the rural areas of the parish although it has great potential. It is an enterprise that is

FIFTH SCHEDULE, *contd.*

sustainable and which can supplement the income of farmers. Numerous opportunities exist for the expansion of a network of trails and a variety of tours in this regard.

**POLICY RAP 14**      Permission to allow development of eco-tourist activities in the rural area will be supported as long as it is not detrimental to the environment and seeks to protect and enhance areas of outstanding natural beauty.

Caves represent a small scale eco-system which have great potential for both visitor and local appeal and should therefore be protected. There are several of these in the parish which have been identified on the land use proposals maps and in the Appendices.

**POLICY RAP 15**      Development proposals involving caves or proposals located in the vicinity of caves will only be allowed if they have no adverse environmental or other effects on the caves.

Some uses do not rely on the quality of agricultural land and are not necessarily related to the efficient and effective operations of the agricultural holding although they can have a significant impact on the appearance of the rural area e.g. farm shops selling produce grown on the farm. They cannot always justify their location as part of an agricultural use of an area and should be regarded as development. The same principle applies where a viable unit is subdivided as it could jeopardize the use of the remaining agricultural land.

**POLICY RAP 16**      Proposals for agricultural development in the rural area not dependent on the agricultural use of the land will only be permitted if it will not unnecessarily jeopardize the long term availability and use of good quality agricultural land.

Portland is noted for its greenery but a lot of this is being destroyed by the removal or harvesting of the vegetation unsustainably. It is important that woodlands and other areas of natural beauty be conserved especially those in the Blue and John Crow Mountains. Preservation involves the retention of all members of a species of tree, shrub, water supply and access to these areas may be on a controlled basis.

**POLICY RAP 17**      Protection will be given to areas of woodland and trees especially those identified in conservation areas such as the Blue and John Crow Mountains.

**POLICY RAP 18**      The local planning authority will give protection to areas of outstanding natural beauty and will give priority to the protection of the landscape over other planning considerations including agriculture.

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**FIFTH SCHEDULE, *contd.***

The demand for land for recreational and leisure use sometimes range from small areas for playfield to intensive areas such as golf courses. These should not only be compatible with the area in which they are located, but should provide and consolidate the strategic gap between towns.

**POLICY RAP 19** Planning consideration will be given to applications for golf courses and other uses that will require large land areas for recreational use where:

- (i) the development will not result in the appreciably loss of good agricultural lands;
- (ii) the proposal would not have an adverse impact on areas designated for conservation and other environmental purposes;
- (iii) the proposal would not have an adverse impact on historic buildings; and
- (iv) roads in the vicinity are adequate to carry an increase traffic flow.

**POLICY RAP 20** Development of sports and outdoor recreational facilities will be permitted at sites with easy access to population centres and where roads are adequate to carry additional traffic.

There are sites such as the Maroon Villages of Maroon Town and Nanny Town which are tourist attractions. These are located in isolated areas where services are not readily available. To facilitate visitors it is essential that activities such as small restaurants and souvenir shops be established in these localities.

**POLICY RAP 21** Small scale commercial activities such as restaurants and souvenir shops will be permitted in areas where historical and cultural attractions are located.

The success of agriculture depends to a large extent on the provision of both local and national markets and other distribution facilities where what is produced is accessible by the public. One way of achieving this is through the establishment of shops on the farms especially where they are near to settlements.

**POLICY RAP 22** Permission will normally be granted for farm shops where these are proved to be necessary for the distribution of produce to and from local farms.

FIFTH SCHEDULE, *contd.*

## PETROL AND OIL FILLING STATIONS

It is in the public interest that the proper siting and design of petrol and oil filling stations throughout the Parish of Portland be controlled. Special attention will be given to, access to, and egress from roads and the relation of these to traffic intersections, the design, appearance and location on the site of buildings and ancillaries, the location of the proposed site in relation to existing or proposed development and the planting and protection of grass, trees and shrubs. In addition to the policies outlined below these developments will have to adhere to the guidelines listed in the Appendix hence the section should be used in conjunction with it.

- POLICY PFS 1            Filling stations will not normally be permitted close together on one side of any road unless there is similar provision on the other side sufficient to reduce traffic crossing.
- POLICY PFS 2            Where it is anticipated that a road will develop as a limited access road the siting and design of the Station should conform to the special standards for access to and egress from such roads.
- POLICY PFS 3            The layout and design of all filling stations should be in accordance with the guidelines in Appendix 8.

Petrol Stations should be established where they fulfill a need. They should not be located in isolated areas on highways where their existence depend solely on passing motorists, but in communities or commercial areas where they can add to their economic activities and provide a service. Consideration will therefore be given to their placement to ensure that there are no adverse effects on the residents, adjacent development and traffic flow.

- POLICY PFS 4            Permission will only be given for new stations where there will be no significant adverse effect on the amenity and environment of nearby occupiers, traffic levels on residential roads, nor risk to public safety.
- POLICY PFS 5            Developments which are not sensitively designed and integrated with surrounding areas will not be given planning permission.

The hazards associated with the emission of benzene then (a known carcinogen) can be minimized by the use of vapour recovery pump.

Where petrol contains benzene then mitigatory measures should be in place.

- POLICY PFS 6            "Vapour recovery pumps" should be installed in all new PFS where the petrol being dispensed contains benzene.

FIFTH SCHEDULE, *contd.*

## SECTION II LOCAL DEVELOPMENT AREA

## PORT ANTONIO LOCAL PLANNING AREA

*Description*

The intent of this section of the Order is to make provisions for the orderly and progressive development of that area described in the first schedule hereto as the Port Antonio Local Planning Area. The area extends from Anchovy in the east to Norwich in the west and extends southerly from the low water mark to include areas such as Breastworks, Boundbrook and Norwich.

Port Antonio is the capital of Portland and the main administrative and commercial centre of the parish. Although tourism in Jamaica originated here it is a relatively underdeveloped resort town compared to those existing elsewhere in the island. This is attributed to its poor transportation links within and outside of the parish. Never the less it is felt by many that this lack of development has given it a special charm. In the sixties the town was divided into upper and lower Titchfield.

The upper portion was on the peninsula where Titchfield School is located and the lower portion was Port Antonio proper which extends along the sea shore and where the stores, wharves etc. are situated. This distinction is no longer applicable. The town has a rich historical past dating back to its occupation by the Spaniards as can be seen from its heritage sites.

## TRANSPORTATION

*Public Transportation Centre*

There are three areas in the town which are occupied by public transportation vehicles. These are located at the Cenotaph, opposite the market on William Street, the intersection of Bridge and Sommerstown Road and the other at Foreshore Road. The area at the Cenotaph is used by taxis which move around the town, Bridge and Sommerstown Road by persons going into the Rio Grande Valley and surrounding areas, while the other is used by rural buses and taxis from across the parish. All of these centres are heavily used and at times obstruct the free flow of traffic in their location. There is no large enough parcel of land in the town to locate a transportation centre that can accommodate all vehicles. The proposal is to establish another centre on the railway lands in the western section of the town. Passenger vehicles from the west would off load in this area, those from the east and south at Foreshore Road, while the local taxis would continue to be parked at the Cenotaph. In this way there would be less concentration of vehicles in one location and less congestion.

## POLICY PA T 1

In an effort to ease the parking congestion at Foreshore Road, the local planning authority will explore the possibility of establishing a transportation centre on part of the railway lands to facilitate public passenger vehicles in the west.

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FIFTH SCHEDULE, *contd.*

*Road Network*

The road network for Port Antonio consists of a main road passing through which links the eastern end of the island with the west. Both light and heavy duty vehicles use this road causing the movement of traffic to be restricted in the town. A road has been constructed by the Port Authority along the coast from the Old Marina to Fort George Street. To ease the traffic situation this road should be opened to motor cars and other light vehicles.

**POLICY PAT 2** To avoid the congestion along West Street and facilitate a smooth flow of traffic the local planning authority will support the use of the coastal road by cars and light vehicles to improve traffic circulation in the town.

*Vehicle Parking*

The town of Port Antonio like most other regional centre is faced with a parking problem. Although a limited number of spaces are provided in some office and commercial developments most people have to park on the streets. Since this is the main traffic artery the end result is congestion. The lack of provision of adequate parking spaces at the outset may be attributed to the fact that at the time of construction there were no guidelines in this regard and hence no provision was made. With the guidelines in this document it is hoped that there will be a reversal in the situation.

**POLICY PAT 3** Except in circumstances where it may not be practical or feasible for developments to provide adequate off street parking all new developments or extensions are required to provide on site parking for customers and staff as set out in the parking requirements.

Because of the critical parking situation existing in Port Antonio the council intends to construct a multi-storey car park to alleviate the situation. On completion it is expected that new developments unable to meet the parking requirements will purchase or rent spaces for customers in the complex.

**POLICY PAT 4** Proposals for commercial and office development which are unable to meet the parking requirements on site will be required to rent/purchase space in the proposed municipal car park.

Where difficulties are experienced in making the level of provision of car parking spaces required by the order and the developer owns land in close proximity he may be able to use this site to satisfy the requirements. In such situation the portion used for this purpose will be extracted from the total site and only the remainder can be used for other developments which should provide their own parking spaces.

**POLICY PAT 5** Proposals for commercial and office uses which are unable to satisfy total, partial or no parking requirements on site will be allowed to provide it or fill the shortfall on property in close proximity. Only the remainder of such property can be developed otherwise and should provide its own parking.

FIFTH SCHEDULE, *contd.*

Where, parking is provided "on street", this will be allowed only on a short term basis to permit as many users as possible to have access to business places without any parking provision. Those who intend to stay for long periods should make use of other parking areas/arrangements.

**POLICY PAT 6** In the commercial area on street car parking provision will be managed to discourage long stay use and to encourage the use of parking provision close to the shopping area for short stay purposes only, while directing long stay use to the periphery of the town centre.

The increase in traffic volumes may increase the flow through residential areas such as Boundbrook causing disturbance to the residents. In situations such as these calming devices may have to be introduced to restrict/ease the problem.

**POLICY PAT 7** The planning authority will not support the use of any existing road that will cause a material loss of residential amenity arising from a significant increase in traffic volume and will use calming devices to ease the problem.

Developers have a tendency to plan developments in excess of the number of parking spaces that can be provided on the site. The planning authority will not be sympathetic to such situations and will only approve developments where the parking requirements are satisfactory.

**POLICY PAT 8** New commercial developments which need a substantial number of car parking spaces and cannot meet the requirements on site or satisfy the related parking policy will not be approved.

Landscaping significantly improves the appearance of commercial parking lots and should be provided where these exist. Landscaped islands usually break up large expanses of asphalt and cars, while shade trees add a third dimension to maintain a pedestrian scale. Islands should be large enough and the soil uncompressed and treated to provide healthy habitat for trees and plant materials.

**POLICY PAT 9** All commercial car parks should have at least ten percent of the asphalted area landscaped with ornamental trees to the satisfaction of the planning authorities.

## CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

*The Built Environment*

The majority of the sites which are listed by the Jamaica National Heritage Trust as monuments, historic buildings and others in Portland are in Port Antonio. The structures which are monuments are, the old Military Barracks, Titchfield Fort (Fort George), De Montevin Lodge and these are all located on the Titchfield Peninsula. The peninsula has been designated as a heritage site and consists of 17 houses and the burnt-out remains of the Titchfield Hotel along with the monuments listed above.

The local planning authority will seek the restoration of the houses for a variety of uses and the building of a 200 room hotel on the burnt-out site of the Titchfield Hotel.

FIFTH SCHEDULE, *contd.*

**POLICY PAC 1** The planning authority will endeavour to protect, preserve and enhance the special character and environs of historical buildings, especially those protected under the National Heritage Trust Act, and permission will only be given for any development which will preserve their existence or that of their environs.

The design of new buildings should respect any traditional character the area in which it is to be located may have and attention will be paid to the choice of materials and decorative detail including windows, doorways and roof style.

**POLICY PAC 2** New developments should be designed so that it is in keeping with any surrounding developments, in respect of design, material, scale building height or mass and existing and proposed landscape features (including trees) are to be incorporated as an integral part of the proposal.

The Titchfield School was established in 1786 as a free school for the education of the youth in the parish, but was closed for a period because of problems with the Trust that was supposed to administer its affairs. However, it was reopened in 1883 in the old military barracks of Fort George which was built in 1729. It was one of the first six such schools to be established in Jamaica. It is a part of the history of the area and not only will the building be protected but the activity itself.

**POLICY PAC 3** The school at the old military barracks shall be retained for educational purposes only and no permission will be given for the change of use of this activity.

**POLICY PAC 4** Demolition of listed buildings will not normally be considered acceptable unless it can be demonstrated that the building has no beneficial or potential use and the structure cannot be made sound. Any proposal in this regard would however, be subject to the approval of the Jamaica National Heritage Trust.

Other historical, protected buildings and cultural sites in Port Antonio include the Cenotaph, Christ Church, Railway Station, Folly Ruins, Folly Light House, Navy Island and buildings on the Titchfield Peninsula and in the town. Each of these has its own peculiar history which has contributed to its being a heritage site and warrants protection by the local planning authority.

**POLICY PAC 5** No planning permission will be granted for the change of use of any development that preserves and enhances the character and environs of those historic monuments, sites and buildings protected under the National Heritage Trust Act.

**POLICY PAC 6** Any application for the alteration, extension or change of use of any listed building should pay attention to the desirability of preserving the building and its setting or any features of special architectural or historic interest which it possesses.

Navy Island was formally called Ruther's or Lynch's Island, as it was given to Governor Lynch as a reward for services to the British Crown. It was later renamed Navy Island when the first batch of soldiers from the British Navy landed there to join the military barracks at Forte George.



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FIFTH SCHEDULE, *contd.*

The island has lush vegetation and an attractive bathing beach. The proposal is that it be developed for resort purposes with luxury villas, shops, hotels and restaurants.

- POLICY PAC 7      The planning authority will support development of Navy Island for villas and other resort purposes at a density not exceeding 10 habitable rooms per acre, provided that there are no adverse impacts on the natural environment, and that the public bathing beach remains as such.

Folly is a 92 acre property which is located across from the east harbour. The name is associated with a 60 room mansion which was built by an American millionaire, and which crumbled after a few years because of poor construction principles. The light house is located near to the house; a cricket pitch is located on the same property as the monument. The feeling of the people of Portland is that this should be converted into a sport complex, so that they will be able to participate in the all island cricket competition. The property is large enough to accommodate this facility and the remainder could be used for other heritage purposes. The premise is that because of the terrain there is no other area in the parish large enough to accommodate such a complex, in addition to the fact that the property is government owned.

- POLICY PAC 8      The planning authority will support the development of a cricketing complex in the Folly area providing it is required to meet the needs of the residents of the parish and does not conflict with any environmental policies.

*The Natural Environment*

The town of Port Antonio is surrounded by lush vegetation that gives it a unique appearance and places it in a class by itself. The lush tropical setting that exists is not duplicated in any of the rural towns anywhere else in Jamaica. It is an area within which buildings nestle among the trees and give the feeling that it was created to supplement the lack of vegetation that exists in the other towns. Such an outstanding environment should be protected and supplemented by the planting of trees in vacant areas especially trees that will attract birds that would add to the wonderful landscape features. The presence of such environmental features should be protected and maintained even when the land has been used for housing and other developments.

- POLICY PA C 9      The local planning authority is mindful of the natural vegetation surrounding the town and in approving any application for development will ensure that it is protected as much as is possible and is not destroyed before, during or after building operations.
- POLICY PA C 10     In constructing new developments it will be necessary that all applications to the local planning authority for approval be accompanied by a landscaped plan showing all existing trees and those to be removed, planted or replanted.
- POLICY PA C 11     All new developments or extensions must have trees planted along the sidewalks or verges to the satisfaction of the local planning authority.

FIFTH SCHEDULE, *contd.*

The two islets that exist off shore of the town are considered a part of its fabric. Monkey or Wood Island is near to Folly and is well vegetated. If this vegetation were to be destroyed it would take a considerable length of time for re-vegetation to take place, the reef would be exposed and be subject to erosion by the sea. The same thing applies to Navy Island. While limited conditional development will be allowed on Navy Island none will be tolerated on Monkey Island that will remain in its natural vegetative state and activities thereon controlled to prevent overuse.

**POLICY PA C 12** No development or any other activity will be allowed on Monkey (Woods) Island by the local planning authority that would in anyway disturb or destroy the amenities (natural vegetation) that exists on the islet.

The Port Authority has developed the West Harbour to include a Yacht Club and Marina and a promenade along the shoreline to the existing Port Antonio Marina. The landward side of this promenade is well landscaped with intensive manicured lawn and there is a proposal to construct a condominium in the area. Any development must recognize the openness and landscape features existing and the views to the sea.

**POLICY PA C 13** Any residential development along the waterfront shall recognize the openness and landscape features existing in the area and will be subject to height and other limitations to maintain visual access to the coast.

The Neville Antonio Park located along Fort George St. is the only public open space in the heart of the town. It offers accommodation to adults and school children that wish to pursue passive recreational activities in the days. It also accommodates activities relating to Festivals and other cultural presentations. This park will be preserved and protected for the use and enjoyment of the residents of Port Antonio.

**POLICY PA C 14** The Neville Antonio Park provides passive recreational facilities for the people of Port Antonio and surrounding areas and no development will be allowed which is not related to the activities of the Park, and would conflict with this use in anyway.

The town has some areas where the land is unstable and subject to slippage during the rainy season. This is especially so along Red Hasel Road which is a part of the Water Works property that appears to be unstable land. These areas should not be used for the purpose of erecting buildings, as the safety of the structure cannot be guaranteed. The existing vegetation should not in anyway be disturbed so that stability of the area may be maintained.

**POLICY PA C 15** Permission will not be granted for any development that will involve the removal of the natural vegetation or that will in anyway disturb the existing landform in the unstable area along Red Hasel Road or the Waterworks Property adjoining it.

## URBAN ECONOMY

Port Antonio being the main administrative centre in the parish provides jobs in the commercial, industrial and service sectors. This is in addition to the jobs available in tourism. There are two popular bakeries which service other sections of the island and a manufacturing plant that produces

FIFTH SCHEDULE, *contd.*

browning. There are several large Commercial Banks, and a range of stores selling a variety of goods. Special attention will be paid to further diversification of the economy and the creation of more jobs so that there can be sustained and balanced development of the area. This will be mainly through commerce which embraces the establishment of shops, restaurants and craft for the tourist industry.

**POLICY PA UE 1** Small business enterprises may be permitted on land not identified for this purpose on the land use proposals maps provided the building does not exceed 150m<sup>2</sup> and it is located in the built up area and has no detrimental effects on the adjoining buildings.

**POLICY PA UE 2** The employment needs of the town will be met by providing land to accommodate the requirements of existing buildings and the establishment of new ones and the extension of business premises except where these would have an adverse environmental impact.

**POLICY PA UE 3** Proposal for the extension of business premises will be permitted provided the visual amenity of occupiers of neighbouring properties is safe guarded.

Lands will be shown for uses on which service facilities such as garages, muffler shops etc. can be established. These are un-neighbourly activities which will be placed in isolated areas where they do not affect the residents. They provide an important service to the community and cannot be overlooked in the land use allocation.

**POLICY PA UE 4** Areas will be identified for un-neighbourly uses on the land use proposals map and all developments falling into this category are expected to locate in these zones.

The Musgrave Market plays an important part in the economy of the town as well as the rural area. It is the main facility for the disposal of farm products from the rural areas. Although congested, it will be difficult to remove the Musgrave Market to another location. A solution to the problem is therefore to add another floor to it which will be devoted specifically to haberdashery and crafts. Parking requirements will be tied to the municipal car park to be constructed.

**POLICY PA UE 5** The Musgrave Market in the town of Port Antonio will be upgraded to provide accommodations for haberdashery and craft vendors on the first floor with parking requirements being provided in the municipal car park.

There are several proposals to construct a boardwalk along the East Harbour linking the commercial centre of the town with Folly. Materialization of this idea will be an added attraction to the town. In anticipation of this project the parish council (local planning authority) will retain all lands under its immediate control along the foreshore to facilitate it. If the project fails to get off the ground the area will be landscaped and used for passive recreational purposes with small specialized restaurants and crafts outlets. This will enhance the area and make it

FIFTH SCHEDULE, *contd.*

appealing especially as the views to the sea will be open. This will not be done on an *ad hoc* basis but as a single project.

- POLICY PA UE 6 The local planning authority will support the construction of the boardwalk on the East Harbour conditionally or the establishment of a passive recreational park with specialized commercial outlets and public facilities if it fails to materialize within a reasonable time.

To promote industrial activities in the town these will be encouraged to locate in the areas selected for this purpose on the land use proposals maps. In areas where factories cease to operate permission will not be granted for the use of the site or buildings for non-industrial activity. New industries will be encouraged in these locations.

- POLICY PA UE 7 Proposal involving the change of use of premises and sites with established use for industry will be considered having regard to the suitability of the land for the purpose, the availability of industrial premises of equivalent quality and the compatibility with surrounding uses.

The security of commercial buildings is important especially in towns that do not have a widespread of night time activities. However the type of protection used should be carefully selected as business places need to advertise their products in display windows. Solid shutters should be a last resort since they block the view of potential customers.

- POLICY PA UE 8 Security shutters for shop fronts in town centers or where overlooked by houses will normally be permitted provided that fittings to house the retracted shutters are built into the fascia so that they do not project before the face of the building and guide channels can be removed when the shutters are not in use or designed to be unobtrusive.

Office uses have traditionally been established in Town Centers where commercial activities exist. This is due to the fact that they are accessible and contain a range of uses providing services to office users. Office is therefore an appropriate use for many town centre buildings, especially upper floors. However they should not be introduced into shopping frontages as they tend to interrupt the continuity of shopping and service uses to the detriment of convenience and amenity.

- POLICY PA UE 9 Within town centers the establishment of offices will be permitted except where the continuity of shopping frontages would be interrupted.

## TOURISM

The tourism industry in Jamaica began in Port Antonio when Baker used his steam ship to convey tourist as well as bananas. Guesthouses built for his staff were used to house these visitors until he built the Titchfield Hotel on Titchfield Hill in the early 1900s. The hotel was destroyed by fire in the late 1960s. The Port Authority of Jamaica has developed a marina in the West Harbour with a pub and boardwalk in an effort to lift the town's tourist profile which is on the decline. It is dependent on this development with visitors from the hotels outside of the Town for survival in the industry, the scale of which is largely influenced by the facilities available.

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FIFTH SCHEDULE, *contd.*

The Master Plan for sustainable tourism development does not recommend that large hotels should be constructed but small hotels and guests houses that will satisfactorily cater to foreign and local business traveler.

- POLICY PA TO 1      Proposals for new tourist facilities will be considered in Port Antonio having regard to their impact on residential and visual amenity of the area in which they are located.
- POLICY PA TO 2      Proposals to establish small hotels and guest houses will be considered having regard to their impact on residential and visual amenity.
- POLICY PA TO 3      Proposals for a hotel on the site of the burnt out Titchfield Hotel site on Titchfield Hill will normally be supported by the local planning authority provided the required standards are met and the amenity of occupiers of adjoining land are safeguarded.

SOCIAL AMENITIES

Portland has seven public parks and five of these are located in Port Antonio. These parks do not only serve the residents of Port Antonio but also the surrounding communities. They are used for varying sporting and civic activities. There is also one community centre in Boundbrook which is used for recreational and other social purposes.

- POLICY PA SA 1      Non-residential recreational type activities will not normally be allowed on lands which have been allocated for recreational purposes unless an adequate and suitable replacement in an accessible location for the catchment population can be found and developed without the use of public funds.

In establishing new housing developments within the town it is a requirement that land be reserved for open space and other recreational purposes. This will be in addition to any reservation required for other amenities such as school, which the community may need and which would not form a part of the open space requirement. These will be provided at the rate set out in the Development and Investment Manual Volume 1 Section—Planning and Development, Chapter 2, which was prepared by the National Environment and Planning Agency, September 2005.

- POLICY PA SA 2      In all new housing developments land is to be provided for open space and other amenity purposes at the rate set out in the Planning and Development Manual and such lands can either be for active or passive recreational purposes.

Capacity at the primary and high schools in Port Antonio is extremely inadequate when compared to actual enrollment. More schools will therefore have to be constructed within the town boundary or as near as possible thereto to relieve the situation. In this regard new housing developments will be targeted, especially those in close proximity to the Agricultural College (CASE). The decision regarding site will be based on assessment of the locations and the number of potential students.

FIFTH SCHEDULE, *contd.*

- POLICY PA SA 3** The establishment of new schools will be linked to new housing developments especially in the eastern section of the town and will be subject to assessment and approval of the local planning authority.

Private sports clubs will make an important contribution to the overall level of recreational activities in an area. However, these will have to be assessed against the overall level of disturbance that they may cause. For instance some cater to social functions that go on late at nights and others may have flood lighting which disturbs the neighbour. The local planning authority will ensure the protection and welfare of the neighbours before granting permission for such activity.

- POLICY PA SA 4** Development for recreation and entertainment purposes primarily in residential areas will not be permitted except where it can be shown that the proposed development would be in keeping with the character of the area and would not prove detrimental to the amenities of local residents.

The Prospect Cemetery in Port Antonio is filled to capacity and to accommodate new burials, it may become necessary for old graves to be re-opened. In addition, it is overrun by squatters that it will not be easy to remove as they have been living there for a long time. Lands for this purpose is not available within the urban boundaries, therefore the cemetery may have to be located elsewhere if a site owned by the Parish Council in close proximity cannot be used to expand it.

- POLICY PA SA 5** The lands owned by the Parish Council in close proximity to the public cemetery should be used for its expansion as long as it will have no significant harmful effects on the environment after assessment by the appropriate authorities.

The Parish of Portland has fifteen public bathing beaches distributed along or off its coast. Three of these beaches; Bryans Bay, Navy Island and Folly are located in Port Antonio as shown on the land use proposal map. They are not equipped with facilities such as change rooms etc, hence their usage is low. Efforts will be made to have the appropriate authority improve the quality of these beaches for use by a wider cross section of the population.

- POLICY PA SA 6** The bathing beaches listed above will be retained for the use and enjoyment of the public at all times and efforts will be made to ensure that they are equipped with the necessary facilities.

## WASTE WATER TREATMENT AND DISPOSAL

A central sewerage system will be established to serve the greater portions of the town. When this scheme is implemented those buildings that can be served by it are expected to connect to it. In the interim and for areas which will not be serviced, septic tanks and absorption pits should be used or any other system approved by the appropriate authorities.

- POLICY PA WT 1** In the sewered area of the town no permission will be granted for new buildings or extensions unless they are connected to the central sewerage system.

FIFTH SCHEDULE, *contd.*

## HOUSING

A majority of the houses in Port Antonio are owner occupied. Those that are owner built are located on large lots which seem to be a preference especially with returning residents. This has given rise to low density in the town and the desire for subdivision containing large lots. Irrespective of this there are squatters which have to be housed hence the provision of small lots is necessary. The existing high density development has its own sewer system but it is unlikely that this will occur in the future as the town is being sewered and lands for future development could be outside this area.

**POLICY PA H 1** Lands will be shown on the land use proposal map for residential purposes and housing development will be encouraged in these areas while non-residential development will not normally be allowed except as service facilities.

**POLICY PA H 2** In order to satisfy low income housing demand a mixture of housing types will be allowed in areas zoned for residential purposes.

Where it is not possible to house people in individual units provision will be made for higher densities. Special criteria will be attached to proposals in these locations in an effort to reduce cost and to allow for more efficient use of expensive land.

**POLICY PA H 3** Multi-family development will be allowed in the areas identified on the land use map at densities not exceeding 50 hrph on parcels of land up to 0.2 hectare.

**POLICY PA H 4** In dealing with application for multi-family development the planning authority will take into consideration the factors listed in Appendix 10

The need for privacy between adjacent residential buildings is being hampered by the practice of locating them onto or almost on property boundaries. Due regard will be given to this aspect of development in dealing with applications, to ensure that there is no discomfort to neighbours.

**POLICY PA H 5** New residential proposals and extensions must adhere to the lot coverage requirements provided and maintain the distance between buildings and property boundaries as stipulated in the appendix of this order.

Although a number of open spaces have been provided in the town there is still the need for each development to provide play areas for children of all ages. These should be well designed and equipped and be accessible to the children in the neighbourhood. Where the proposals comprise single family detached and semidetached housing the requirements will relate to new housing in excess of 10 units, but applicable to all new town houses and apartment developments.

**POLICY PA H 6** In new housing developments provision for children's play area is to be made within the open space reservation at an appropriate level of 7.5 square meters per family dwelling and be designed and equipped to the satisfaction of the local planning authority.

FIFTH SCHEDULE, *contd.*

- POLICY PAH 7      The location, siting and design of play space must take into account the need to provide safe access, road safety, supervision, the need to avoid nuisance to residents and should also take into account the need of children of different ages and sex.

## BUFF BAY LOCAL PLANNING AREA

*Description*

The Buff Bay Local Planning Area as described in the First Schedule hereto extends from Spring Garden in the east to Mount Vernon in the west and includes areas such as Woodstock, Kildare and Charles Town. During the banana era it was an important centre of the fruit trade. Charles Town is a township of the maroons lying on one side of the Buff Bay River and is of historic importance. The rivers which formerly presented formidable obstacles to the travelers during the rainy season have been bridged making access to the agricultural productive Buff Bay Valley easier.

Buff Bay was the chief town of the Old Parish of St. George. In 1991 the Buff Bay Local Planning Area had a population of 5,773. In 2001 the population increased to 6,546 which represent an increase of 13.4%. In 2001, 5% of Portland's entire population resided in Buff Bay.

The purpose of this development order is to ensure that provisions are made for the orderly and progressive development of the town so that the residents can enjoy sustainable economic growth and a pleasant living environment with the necessary social facilities and amenities.

## TRANSPORTATION

*Public Transportation Centre*

Public Transportation provides people with mobility and access to employment, community resources, medical care and recreational facilities not only in their communities but to other destinations as well.

Presently there is no public transportation facility in Buff Bay which is a very busy town. The buses and taxis that ply the various routes throughout the area and have their destination here use the sidewalk of Great George Street to park, pick up and let down passengers. This is very dangerous as the passengers are at risk of being injured from passing motorist as well as the buses and taxis from which they alight or board. The situation therefore needs to be rationalized so that it is safe for both pedestrians and motorists.

- POLICY BB T 1      A public transportation centre will be constructed on lands identified by the Parish Council adjacent to the Esso Gas Station and all public passenger vehicles will be required to use this facility when it is completed.

Areas in the centre will be properly demarcated for taxis and buses by operational routes and they will be confined to these accordingly. The completed transportation centre will provide basic sanitary and other facilities to meet the needs of the travelling public.



FIFTH SCHEDULE, *contd.*

- POLICY BB T 2      When the transportation centre is functional, parking will not be permitted along the main thoroughfare of the town but will be confined to the centre where facilities are available for use by the public.

Buff Bay attracts residents from the interior especially from such areas as Bangor Ridge and Charles Town for whom the town provides various services. The main means of transportation for these people are taxis which for convenience park along the New Castle to Buff Bay Main Road adding to the chaos existing in this section of the town.

Although this location facilitates residents from this section of the parish it impedes the free flow of traffic in that direction.

Passengers and public transportation will therefore have to use the transport centre which will be equipped for the purpose.

- POLICY BB T 3      The local planning authority will not tolerate on street parking of public passenger vehicles on the New Castle Main Road and will ensure that it is kept clear at all times to allow the free movement of traffic in this direction.

*Parking*

Except for a few businesses with parking spaces on their properties off street parking is difficult to find in the town centre. This could have been due to the low car ownership in the developmental stage of the town and the lack of a need to provide this facility. Technology has changed this making it now necessary to provide off street parking spaces.

- POLICY BB T 4      All new and/or extended developments will not be granted planning permission unless adequate parking is provided on site or on a site adjacent to the development which is satisfactory to the local planning authority. Parking should meet the requirements set out in the regulations in this order.

- POLICY BB T 5      Parking will only be allowed temporarily on side streets to facilitate the business establishments that have been in existence before parking standards and regulations were established by the local planning authority.

*Road Network*

Buff Bay is linked to other areas in the parish by means of a main road passing through the town which goes from Annotto Bay to Port Antonio. It is also the northerly entrance to New Castle and the north eastern section of the corporate area from the north coast.

The service and tourism industries rely heavily on an efficient and safe road system which is provided by the network. The roads must be managed properly to satisfy the requirements and conditions for public transport (buses, taxis), private and business cars, pedestrians and cyclist.

FIFTH SCHEDULE, *contd.*

In this regard the North Coast Highway which is to pass through Buff Bay along Great George Street is of major significance. The purpose of the highway is to carry all classes of vehicles swiftly to and from their destination. Special attention will be paid to access to this important roadway especially as it relates to the location of commercial premises. The other roads in the area are also of concern and will be given attention as it is necessary that their functions be preserved to enhance traffic movement.

- POLICY BB T 6      The policies relating to roads in the sectoral policies under transportation and traffic will be strictly enforced by the planning authority to ensure the safety and free movement of motor vehicles and pedestrians.

## TOURISM

Buff Bay is known for its pristine beauty and lush vegetation. It is a seaside town that has not been developed to capitalize on tourism probably due to the fact that it has no recognized bathing beach. However it has an attractive coastline with billowing waves and rolling surf.

Presently there are no major hotels in Buff Bay and its environs and there are no immediate plans to construct any.

- POLICY BB TO 1      The local planning authority will support tourism development in order to expand the industry and improve the urban economy as long as it is in character with the area and will not in any way conflict with the environmental policies or other policies in this order.

Due to a lack of major tourism activities in Buff Bay, residents have established ingenious attractions to boost activities in the area. They have fused history and tourism to create a unique trail that titillates the taste buds in the form of a jerk trail.

- POLICY BB TO 2      Tourism developments will be encouraged through improvement and addition to the facilities available to local tourist. However the Local Planning Authority will not grant planning permission for tourism developments that will be detrimental to the natural and physical environment.

## SOCIAL AMENITIES

The essential social facilities are available in Buff Bay although they are inadequate and inefficient in serving the growing population. This has placed great stress on the existing ones.

The Buff Bay cemetery is close to its carrying capacity, therefore the need for an additional one or expansion to the existing one arises. There are no publicly owned lands in close proximity hence lands will have to be obtained from private owners for the purpose. Negotiations should therefore be undertaken at an early stage to stave off any problems that may arise.

- POLICY BB SA 1      The local planning authority will have the relevant authority negotiate with the owners of the adjacent property for the purchase of lands in order to extend the cemetery and ease the current situation of overcrowding.

FIFTH SCHEDULE, *contd.*

The capacity of Buff Bay Primary and High School is extremely inadequate when compared to the actual enrollment. The need for expansion arises since it is an important institution serving not only children within the town but from the adjacent districts as well.

**POLICY BB SA 2** The primary and high school should be expanded to effectively meet the needs of the growing population within this age group in the area and the local planning authority will not support any development that would impede such extensions on the lands available for this purpose.

The Buff Bay community hospital which was arguably one of the best hospitals in the island no longer offers the services that it used to. The buildings are currently in need of urgent repairs and the services have been reduced to that of a type 3 health centre. This facility and the lands on which it is located must however remain for health and medical care purposes.

**POLICY BB SA 3** The land on which the hospital is located should only be used for that purpose and the local planning authority will only grant planning permission for the establishment of medical facilities on this property.

## WASTE TREATMENT AND DISPOSAL

*Solid Waste*

Portland has one main area that is designated to accommodate the waste generated in the parish. This disposal site is situated at Doctor's Wood, Buff Bay. This site is very inadequate as it is not large enough to accept the vast amount of waste that is generated in the parish daily especially in the east.

It is of utmost importance that an alternate site be identified either for the eastern section of the parish or a new location be sought that can adequately satisfy the demands of the entire parish. With the first alternative only waste from the western section of the parish will be deposited at Buff Bay, until a regional centre is established which could be out of the parish. The Buff Bay dump will then be converted into a holding area.

**POLICY BB WT 1** The Local Planning Authority will identify an alternate site to be used as a landfill closer to the eastern section of the parish or within close proximity to the main town of Port Antonio to satisfy solid waste disposal in that area, (see general policies) and only waste generated in the western section of the parish will be deposited at the dump site in Buff Bay.

## HOUSING

The need for housing in Buff Bay is not critical. The two schemes Woodstock and Olivia which provide the bulk of the housing are occupied by lower to middle income groups and there is space for expansion in phase two of the scheme. The lands available here can accommodate the demand for any additional units that may be required over the next ten years. Where the higher end housing needs exist such as that for returning residents, these can be met in Woodstock Heights where vacant lots exist and land is available for expansion.

FIFTH SCHEDULE, *contd.*

- POLICY BB H 1 In order to satisfy future demand for middle and lower income housing, lands will be left available for this use adjoining the Woodstock Housing Scheme and will be released on a timely basis.
- POLICY BB H 2 Residential density shall not exceed that existing in the present scheme and any future development should be connected to a central sewerage system.

## CONSERVATION

*Conservation of the Natural and Built Environment*

Buff Bay has a maroon settlement known as Charles Town, that was home to Quao the maroon leader and military strategist who along with his sister, national heroine Nanny led the Windward Maroons to victory over the British Troops in 1739. This brought about the signing of the peace treaty between these maroons and the British Government. The settlement has become an area with rich Historical Heritage and along with the Buff Bay Courthouse which was designated as a protected national monument in 2006 will be protected from unscrupulous development.

- POLICY BB C 1 Development that does not preserve and enhance the special character and environs of the settlement will not be granted planning permission by the local planning authority.

Natures Way in Buff Bay is a recreational area that is used by various organizations to host events. Recently it is being used to host mainly "fi wi sinting" a cultural event that is held during February of each year. It is located in a low lying area and is prone to flooding. No developments that will endanger the lives of people will be allowed in this area.

- POLICY BB C 2 Natures Way in view of its characteristics will remain a conservation area and the local planning authority will not grant planning permission for any residential or other developments in this area which would endanger the lives of people.

## URBAN ECONOMY

A majority of the economic activities in the town of Buff Bay are located linearly along the main streets such as Nelson Street and Thompson Avenue. The intensity of the development makes it difficult for expansion of individual shops since they are so closely located. In the few cases where expansion is possible, it is done towards the rear of such property with access being gained through the existing building.

- POLICY BB UE 1 Lands will be identified on the land use proposals maps for commercial purposes and new developments for this purpose will be encouraged in these areas.

The market provides an outlet for agricultural produce from the farmers in the Buff Bay Valley and other adjoining agricultural areas, and plays an important role in their lives. Although it is not enjoying the dynamism that existed in the past years, it should be protected for the welfare and convenience of the residents in the area.

FIFTH SCHEDULE, *contd.*

- POLICY BB UE 2** The local planning authority will seek to protect the market and the site on which it is located and maintain its use for the convenience of the residents in the Buff Bay area.

## SPRING HILL LOCAL PLANNING AREA

*Description*

Provision for the orderly and progressive development of the Spring Hill Local Planning Area is a major intention of this development order. The Spring Hill Local Planning Area as described in the First Schedule hereto extends from Oatley Spring in the south to Retreat in the north and from Spring Hill in the west to Dry River in the east. This area includes areas such as Dry River Birnamwood and Shantamee. The Spring Hill local Planning Area population increased by 6.7% from 1022 persons to 1480 between the period 1991 and 2001.

Spring Hill is a rural agricultural community with coffee being the chief crop cultivated. It is located north west of Catherine's Peak and share a similar climate with the Blue Mountains making it a favorable area for the cultivation of the world famous Blue Mountain coffee. Spring Hill as the name suggest is also the source of numerous streams and waterfalls which are visible along the main and several service roads.

## SOCIAL AMENITIES

The communities in the planning area possess some of the basic social amenities necessary for the enjoyment of the inhabitants. Although some important ones are absent at this time the needs can be filled either by private or public institutions in or near to the area.

- POLICY SH SA 1** The local planning authority will support multipurpose use for Avocate Primary and Junior High School, such as skill training facilities and other small scale social activities that would be beneficial to community members.

## HOUSING

Based on the last census (2001) the area comprises of 335 household which reflects approximately 3.2 persons per household. This therefore suggests that the demand for housing is not urgent. This is understandable when the location and terrain is taken into consideration. The amount of people coming into the community is minimal and the demand springs mainly from the extended family.

There is no great need for extensive amount of land to be zoned for housing as the amount in the local planning area can take care of future needs. Notwithstanding this, the erection of new structures needs to satisfy planning requirements.

- POLICY SH H 1** Based on the terrain housing developments will not be permitted in areas that are vulnerable to landslides and flooding or where they would destroy the natural environment or amenities in anyway.

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**FIFTH SCHEDULE, *contd.***

- POLICY SH H 2**      Where retaining walls have to be constructed to prevent land slippage or erosion the local planning authority will not grant planning permission for their erection or any development on the site until approval has been obtained from the agency under whose portfolio such activities fall.

**TRANSPORTATION*****Roads***

Road networks are vital to land-use and transportation, since they determine the lines of communication that occur within a particular locality. The road network in Spring Hill is linear in pattern with few service roads leading into near by settlements which are considered a part of the same community. The overall condition of the Spring Hill Main Road is poor and subjected to landslips. The service roads are similar to tracks but wider and more stable.

- POLICY SH T 1**      The main road servicing the area is adequate in terms of the size and number of vehicles using it and the local planning authority will not recommend that it be widened unless the necessary precautions are taken by the relevant road authority to prevent/control land slippage as any such action could cause landslides and destruction of the road.

***Parking***

Off street parking especially in the upper parts of the community is confined to a few homes with others for the most part parking along the narrow winding main road. With the settlement pattern being linear due to the slopes, there is also no definite area suitable for central parking or a transportation centre. Activities are far apart and require that vehicles park close to or in front of business places. Taxis and other vehicles traveling to and from the neighborhood just turn around at the most convenient point at the end of their journey.

- POLICY SH T 2**      The local planning authority would not be averse to taxis and public passenger vehicles turning on side streets or where it is convenient or practicable to do so as long as they do not interrupt the free movement of traffic.

- POLICY SH T 3**      The local planning authority will support on street commercial parking where it will facilitate activities of business and where it is safe to do so.

**CONSERVATION**

The Spring Hill community is located in the hilly terrain north northwest of Newcastle and is apart of the Buff Bay/Pencar watershed. These rural communities are in areas prone to landslides in periods of heavy rainfall. Conservation in and outside of the community is important to prevent both soil erosion and deforestation. Techniques applied by farmers include, terracing, crop rotation and contour hedge growth with trees or grasses on erosion control structures.

- POLICY SH C 1**      The local planning authority will co-operate with the Forestry Department that is responsible for conservation in the entire watershed to ensure that measures being undertaken to control erosion are satisfactory and will not be detrimental to it.

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FIFTH SCHEDULE, *contd.*

- POLICY SH C 2** The local planning authority will endeavor to persuade the Forestry Department not to encourage any form of agricultural activity and will not support any housing activity that are in breach of conservation policies or will adversely affect the hilly terrain and the existing flora in the area.

Spring Hill is the source of several streams and small rivers creating a diverse water network in the area. It is therefore vital to administer quality soil conservation techniques and awareness in order to prevent the siltation of rivers and streams which can result in flooding in and along coastal communities.

- POLICY SH C 3** The local planning authority will not permit the subdivision of land for purposes that will result in major soil erosion or threaten the existence of settlements in its location.

URBAN ECONOMY

Spring Hill being a rural community has no defined town center compared to other small towns with urban facilities and features. It is a rural agricultural community, with farming being the main occupation for the majority of households and the sale of agricultural products is essential to their survival. With the improvements done to the Buff Bay to Papine Road, access to marketing facilities for agricultural products should be improved and new opportunities open up e.g. the Papine Market, which serves eastern St. Andrew.

- POLICY SH UE 1** The local planning authority will endeavor to maintain the economic tradition of the community by protecting and preventing activities that will threaten the existence of agriculture and the means of production.

Although agriculture is the dominant form of economic activity there are other job opportunities available in small shops that exist in the area. While the level of employment is not as high as in agriculture it is an outlet for those who do not work in the sector. These shops are also necessary for goods and supplies to be made available to the residents in small quantities.

- POLICY SH UE 2** The local planning authority will grant permission for the erection of small commercial developments where they are needed to meet the needs of the residents of the community and where they would not be in conflict with any of the policies in this order.

Coffee generates income for the community as well as for those living outside of the area especially the young people coming in from the region at harvest time. It is an agricultural activity that has to be protected.

- POLICY SH UE 3** Coffee is a very important source of employment especially in the upper parts of the water shed which includes Spring Hill and the Local planning authority will maintain close relations with the main

FIFTH SCHEDULE, *contd.*

organizations responsible for growth of this sector to ensure that the lands are not used for other non productive purposes.

## TOURISM

Tourism is almost non existent in Spring Hill owing to the fact that there are no major historical sites or any beach in the area. There is however very beautiful scenery and numerous waterfalls ideal for eco-tourism and nature lovers which are waiting to be discovered by the tourist. The situation is likely to change with major improvements being made to the road leading from Buff Bay to Papine, which will make access to the area easier.

- POLICY SH TO 1 The local planning authority will support proposals for small scale tourism activities such as small cabins and hiking trails as long as they are not detrimental to the environment.

## HOPE BAY LOCAL PLANNING AREA

*Description*

Provision for the development of Hope Bay Local Planning Area in an orderly and sustainable way is one of the objectives of this order. This growth centre covers an area from Ginger House Road in the east to Braided River in the west, and stretches from the coast to Hermitage in the south. It includes areas such as Union and Cashing Spring and a number of parish council roads.

Although it is one of the smaller growth centres the population increased by 9.5 percent from 1413 persons in 1991 to 1547 in 2001. The proposed North Coast Highway passes through the town and is sure to have an impact on its economic development.

## TRANSPORTATION

*Public Transportation Center*

Public safety is of importance and should be given priority in the development of areas. There is great concern for the safety of commuters and other persons in the Hope Bay area who use public transportation due mainly to the absence of organized parking especially where taxis load and unload. The informal taxi stand is located exactly on the busy main road resulting in great interaction between vehicular and pedestrian traffic, which can be extremely dangerous especially during peak hours.

- POLICY HB T 1 Where it is wide enough along Hope Bay main road parking bays will be encouraged as a temporary solution until suitable lands have been identified for the construction of a permanent transportation centre.

- POLICY HB T 2 Bus bays are to be located within areas off the main carriage way so that the buses can pick up and let off passengers safely. Such bus bays must be sited so that they do not impede the sight lines of other traffic and allow the buses to enter and leave the lay-by safely.

*Parking*

Commercial facilities in Hope Bay (especially those along the Hope Bay Main Road) have been constructed without any provision for on site parking facilities. This encourages parking on



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FIFTH SCHEDULE, *contd.*

the busy main road, a situation which cannot be condoned and will not be allowed to continue especially with the construction of the North Coast Highway. Future developments will have to provide off street parking.

- POLICY HB T 3** Planning permission will not be granted for any new or extended developments which do not provide satisfactory off street parking facilities to the satisfaction of the local planning authority.

URBAN ECONOMY

The town of Hope Bay as a commercial centre does not provide the goods and services required by the population and this is the reason for many of its residents visiting other towns for such services. However, the few commercial entities that operate within the town are located along the main road while others operate on the street side. Although these commercial facilities are small entities, they do aid in the local economy.

- POLICY HB UE 1** Large commercial facilities will be encouraged at locations in the town identified on the land use proposals map in order to favourably supply the residents with the goods and services they need and to improve the economic base of the town.

- POLICY HB UE 2** The local planning authority is disposed towards home based cottage type industries in areas where they are compatible with the existing surrounding developments and will be not be harmful to the environment.

SOCIAL AMENITIES

The residents require access to certain basic social facilities and amenities in order to enjoy a balanced healthy lifestyle and improve their standard of living. Such facilities include health services, educational institutions, post offices, libraries, community centres among others. The general inadequacy in the provision of some social facilities has placed considerable stress on them and affects the social well being of the town.

For instance, the Hope Bay All-Age School suffers from serious overcrowding as enrollment greatly exceeds capacity.

- POLICY HB SA 1** Having regard to the high cost of building construction the local planning authority will support expansion of the Hope Bay All-Age School at its present location.

The police station located at Hope Bay operates from a very small residential building that is rented, which presents some constraints for the staff present. It lacks the facilities necessary for such an operation and this situation needs to be remedied very quickly.

- POLICY HB SA 2** Suitable land will be identified within the Hope Bay area for the construction of a police station spacious enough to adequately house staff and equipment satisfactorily.

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FIFTH SCHEDULE, *contd.*

A community centre and playfield exist in the Caenwood area, which is just outside the boundary of the growth centre but near enough to be regarded as a part of the growth centre. This centre will be safeguarded and no permission will be given for any other unrelated facility or activity on this site.

- POLICY HB SA 3      Developments that will change the existing use of the recreational area located in Caenwood will not be permitted.

HOUSING

Residential housing units in the area are mainly single family detached typed with a few semi detached units and are adequately set back from boundaries. There are no multi-family type developments such as town houses and apartments anywhere in the town. Due to the level of amenities existing it is unlikely that such developments will be supported.

- POLICY HB H 1      New residential developments in the area shall be compatible with the nature and character of existing development.

- POLICY HB H 2      Residential developments should not exceed two stories in height and be set back from property boundaries as stipulated in the Appendix.

Squatting is somewhat of a feature of the area. The unavailability of lands for persons at the extremely lower end of the income scale has resulted in the establishment of these settlements. The task of improving the situation rest with Government as it is unlikely that private developers will embark on such a project. It may involve the purchase of private lands shown on the land use maps for the purpose by Government.

- POLICY HB H 3      To alleviate the problem of squatting and prevent continuation of such practice in Hope Bay, the use of lands slated for residential purposes on the land use proposals map will be supported as solution to this problem either as a scheme or on an individual basis.

CONSERVATION

The Swift River watershed is an important area within Hope Bay. It consists of several ecosystems that support the holistic biodiversity of the area. The different species of flora and fauna add to the integral feature of this area. However, it is under threat mainly by the indiscriminate practices in agriculture and waste disposal by residents who live within close proximity and especially, along the banks of the Swift River. In addition, the beach in Hope Bay serves several functions as it is used by many fishermen as a means to an income, as well as a public bathing beach by residents. It is therefore important to protect the main river in the area from developments that will cause adverse effects to the watershed resources and the image of the beach.

- POLICY HB C 1      Planning permission will not be granted for development in areas with forested depressions or hillocks, which will result in the loss of the entire tree cover.

FIFTH SCHEDULE, *contd.*

- POLICY HB C 2 The local planning authority will not support or encourage any new or intended development that will have any adverse effect on the watershed area and the surrounding environment.

## ST. MARGARET'S BAY LOCAL PLANNING AREA

*Description*

The St. Margaret's Bay Local Planning Area as described in the First Schedule hereto extends from the coast at a point where Rio Grande enters the sea to Burlington in the south then westerly to include areas such as Cuffie Head and Wydah and north to include the Panton and Spring Garden areas. Provisions for the orderly and progressive development of the St. Margaret's Bay Local Planning Area is a major intention of this Development Order.

In the early to mid 1900's St. Margaret's Bay (the area where the Rio Grande empties into the Caribbean Sea) was used as an important transit point for farmers in the Rio Grande Valley. The farmers developed the practice of transporting their bananas on bamboo rafts to the end of the river. Today however, the bananas have been replaced with tourists who enjoy the scenic raft ride originating some 12 kilometers upstream and terminating where the river meets the sea at Rafters Rest in St. Margaret's Bay. This has been in recent years one of Portland's major attraction.

In 2001 the St. Margaret's Bay Local Planning Area had a population of 1480 persons showing a significant increase of 15.4% over 1991 when the population stood at 1282 persons. St. Margaret's Bay is for the most part a residential area with most of the development concentrated along the coastal area.

## TRANSPORATION

*Public Transportation Centre*

Currently there is a minimal amount of economic activity occurring in St. Margaret's Bay, hence the level of traffic congestion experienced in other growth centres is noticeably absent. Nevertheless there is no designated public transportation centre for the public passenger vehicles which serve the town centre. St. Margaret's Bay like many other centres in the parish is faced with the problem of public passenger vehicles up loading and off loading passengers on the street. With the anticipated growth of the town the manoeuvring of these vehicles on the main thoroughfare may create a major problem for other users including pedestrians. Also, parking spaces for commercial developments are almost nonexistent, a situation which needs to be remedied.

- POLICY SM T 1 Off street parking facility shall be provided for public passenger vehicles and commuters, and the local planning authority recommends that land opposite to Phang's Supermarket be acquired for this purpose.
- POLICY SM T 2 All new developments and extensions shall be required to satisfy their parking requirements on site unless such provisions can be met elsewhere to the satisfaction of the local planning authority.

FIFTH SCHEDULE, *contd.*

## CONSERVATION

St. Margaret's Bay is an area of great natural beauty with scenic coastline and lush forested areas. The St. Margaret's Bay Public Bathing/Fishing Beach is heavily used for fishing purposes and should be protected and maintained for the benefit of the local populace.

**POLICY SM C 1** Planning permission will not be given for developments which will render the St. Margaret's Bay Public Bathing/Fishing Beach inaccessible to the use of the local populace or which will destroy the amenity of the beach in anyway.

The Rio Grande River forms the eastern boundary of the growth centre. At present there are only a few developments occurring betwixt the trees along or in close proximity to the bank of the river. This corridor of trees not only acts as a buffer between the river and developments but they play a major role in the stability of the river banks thus preventing land slippages.

**POLICY C 2** Developments which would adversely affect the corridor of trees along the bank of the Rio Grande River up to a distance of approximately 100m will not normally be supported by the local planning authority except in extenuating circumstances and where there is no risk to residents or detriment to the environment.

## URBAN ECONOMY

The urban economy of the St. Margaret's Bay area is for the most part dependent on the fishing industry. This should be diversified so that jobs are available in other areas such as service facilities.

**POLICY SM UE 1** No new development will be supported that will adversely affect the inhabitants along the coast especially the fishing/beach areas and its environs.

**POLICY SM UE 2** A variety of service and commercial establishments will be supported in St. Margaret's Bay provided that they will not have any negative impact on the area.

There is a need to provide alternative forms of employment to aid in the vibrant development of the town. Commercial development is far less than other local planning areas in the parish. A more diverse economic base is providing a wide range of employment opportunities for residents for the sustained balanced development of the area. This can be achieved through the establishment of mixed uses such as residential and commercial which will be encouraged by the local planning authority.

**POLICY SM UE 3** Small businesses along with light industrial enterprises will be supported at suitable locations where access to the necessary infrastructure and facilities are available in an effort to create employment for residents.

FIFTH SCHEDULE, *contd.*

## TOURISM

Although the tourism industry is not vibrant in St. Margaret's Bay Local Planning Area the potential exists for its development. This could be directed to areas along the scenic coastline.

- POLICY SM TO 1 New tourism developments will normally be supported in suitable areas to increase the economic potential of the town provided that the integrity of the area is not compromised.

## SOCIAL AMENITIES

The St. Margaret's Bay Local Planning Area is in need of certain social amenities that are imperative to the social well being of the residents. Some of these are available in neighbouring communities such as Hope Bay, Buff Bay and Port Antonio. However there is the need for the development of a multi-purpose community centre and sporting complex to satisfy both passive and active recreational needs of the residents of the area. The community centre may have to be located on land reserved for this purpose in new residential sub-division.

- POLICY SM SA 1 The local planning authority will ensure that lands are reserved in any further residential subdivision in the area for passive and active recreation needs of the community as well as a multi-purpose community centre.

## HOUSING

Residential units in the St. Margaret's Bay Local Planning Area are mainly single family detached type units and are owned by the occupier. Semi-detached multi-family units such as town houses and apartments are absent. There is no pressing demand for densities to be increased to include these types of housing units.

- POLICY SM H 1 New residential developments in the area shall be compatible and be in accordance with the development densities and standards now in existence and the guidelines provided in the Appendix.

## WASTE TREATMENT AND DISPOSAL

There is no central sewage system in the St. Margaret's Bay Local Planning Area and none is expected in the near future. Where running water is available waste disposal from development has to be of on site by methods which include septic tank and absorption pit. Where no water is available pit toilet is used.

- POLICY SM WT 1 Since the St. Margaret's Bay Local Planning Area lacks a central sewage system the following sewage disposal methods will be permitted in appropriate situations:

- (i) septic tanks and absorption pits;
- (ii) ventilated improved pit latrine or pit latrine;

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**FIFTH SCHEDULE, *contd.***

- (iii) any other safe and appropriate waste disposal technology as may be developed from time to time that is acceptable to the local planning authority and the other relevant agencies.

Even though the St. Margaret's Bay Local Planning Area benefits from routine garbage collection residents indiscriminately dispose of their solid waste in such a fashion it often ends up along the streets and the coast which is very unsightly. If some methods of recycling were to be introduced this would diminish the amount being disposed and relieve the situation.

**POLICY SM WT 2** The indiscriminate and unsatisfactory disposal of solid waste will not be tolerated and recycling will be encouraged as much as possible.

**WATER SUPPLY**

There are substantial groundwater resources which have been tapped to supply domestic water to not only St. Margaret's Bay but areas such as Buff Bay and Port Antonio as well.

**POLICY SM WS 1** Planning permission will not be given for developments which will adversely affect the quality of the groundwater in the St. Margaret's Bay Local Planning Area.

**WINDSOR LOCAL PLANNING AREA*****Description***

The intent of this section of the Order is to make provisions for the orderly and progressive development of that area described in the First Schedule as the Windsor Local Planning Area. The area is approximately 13 km south of the Port Antonio Local Planning Area.

It is located on the main road from Port Antonio to Fellowship and is approximately 15.6 km<sup>2</sup> in area. Windsor lies within the Rio Grande Valley and is a prosperous agricultural centre. The area experiences heavy rainfall and because of this, the Rio Grande and its tributaries which are near to the town are always in spate. During the rainy season it is difficult to access because of the amount of water on the roads. It is not surprising that the Town experienced a 10.9% decline in population falling from 1052 persons in 1991 to 937 in 2001 which could be attributed to its location.

**TRANSPORTATION*****Public Transportation Centre***

There is no provision for a transportation centre in Windsor although the main means of transportation for the residents is by way of taxis. The operators pick up and let off passengers along the main road and turn around at their destination which is at the boundary of the growth centre. Even the shortest of rest stops would mean stopping along the road while on route to their destination. Because of the weather conditions in the area, provisions should be made to protect passengers from the elements even if it is in the form of bus sheds.

**POLICY WT 1** The local planning authority has recognized the exploits of the taxi operators and will endeavour to remedy the situation through the establishment of a transportation centre or parking area.

FIFTH SCHEDULE, *contd.*

Commercial buildings in the area do not generate any volume of traffic. However, where possible, they should provide some element of parking and this is to be located to the satisfaction of the local planning authority. This would be off street if the building is set back far enough from the road where possible so that through traffic will not be obstructed.

**POLICY W T 2** Commercial activities should provide parking spaces, the location of which will be guided by the local planning authority.

*Roads*

Windsor is served by a single main road passing through the community from Port Antonio to Fellowship. There are other distributor roads that radiate from this one, but they only extend for a short distance within the community. Because of the terrain these are mostly cul-de-sacs. These roads are maintained on a regular basis but deteriorate very rapidly because of the weather conditions in the area.

**POLICY W T 3** The local planning authority will support the maintenance and improvements of the main and service roads to ensure that they facilitate the free movement of traffic in and through the neighbourhood.

## HOUSING

Most of the housing is in good or fair condition while those in a deplorable condition are in a minority. There is no squatter settlement with most people owning their homes, which are ownerbuilt. The need for additional housing units will be filled through private efforts on lands that will be zoned for the purpose.

**POLICY W H 1** Lands will be zoned for residential purposes to fill the needs of those who require lots to construct owner built houses.

**POLICY W H 2** Although the area is constrained by mountains and rivers, the local planning authority will not permit any housing unit nearer than 15.6 metres to the centre line of the main road except under extenuating circumstances.

**POLICY W H 3** The disposal of sewage should conform to the standards required by the local planning authority and/or health authorities.

## CONSERVATION

Being in the Rio Grande Valley the community is one that is vegetated with economic fruit trees and other cultivated plants and has a vast area of shrub and woodland. The beauty and preservation of this growth centre lies in the conservation of the landscape.

Removal could result in landslides which would be detrimental to the survival of the community. Great care has to be taken when granting permission for buildings and other forms of development that the environment is not affected in doing so.

**POLICY W C 1** Planning permission will not be granted for any form of development that will in anyway result in wanton destruction of the wooded or forested areas or that would cause any change to the amenities of the area.

FIFTH SCHEDULE, *contd.*

- POLICY WC 2** No felling or lopping of trees on the western side of the main road should take place without permission and guidance from the local planning authority.

## URBAN/RURAL ECONOMY

The predominant economic activities are agriculture and commerce with limited light industries. Extensive cultivation of bananas takes place on both small and large plots of land and is the major employer of labour. Commercial activities are confined to a few small shops located at strategic points along the main road supplying grocery and personal items, and several bars. The industrial activities are related to the banana industry.

- POLICY W UE 1** Planning permission will not be granted for fragmentation of large holdings being used for banana cultivation or other agricultural activities into non viable units.
- POLICY W UE 2** Commercial activities will be supported as mixed uses along the main road where they are compatible with adjoining developments and where they will in no way damage the amenities of the area.
- POLICY W UE 3** The washing and packaging of bananas will be supported in locations where they are convenient to cultivations and are not detrimental to the environment.

## SOCIAL AMENITIES

A number of social facilities exist in Windsor. These include educational and recreational facilities, churches and a postal agency. The open spaces include a football field and an area for other active recreational purposes. There is also a cemetery which serves the needs of the community and other adjacent areas.

- POLICY W SA 1** Developments that would decrease or eliminate any of the social facilities listed above will not be supported unless they are being replaced with a similar facility in the immediate neighbourhood.
- POLICY W SA 2** The use of the facilities listed above for other compatible uses will be supported by the local planning authority.

## LONG BAY LOCAL PLANNING AREA

*Description*

It is the intention of this order to make provision for the orderly and progressive development of that area described as Long Bay Planning Area in the First Schedule. The Long Bay Planning Area stretches from the point where the Priestman's River crosses the Portland/Manchioneal Main Road in the north to Fair Prospect in the east and extends southerly to include areas such as Windsor Forest and Elmwood.



FIFTH SCHEDULE, *contd.*

Unlike Manchioneal and Windsor which had a decline in population between 1991–2001, Long Bay experienced a 37 percentage increase in population moving from 3155 persons in 1991 to 4318 persons in 2001.

Long Bay is located along the north-eastern coastline of Jamaica. Although a fishing village is not located in the area, fishing and agriculture are the main economic activities. With increase in the growth of tourist activities in neighbouring towns, there's increase prospect for further development of tourism within the area given its natural beauty and to a large extent its' unspoilt environment.

## TRANSPORTATION

*Public Transportation Centre*

There is public transportation available in the form of route taxi to and from the various adjoining communities and this service is usually satisfactory. However there is no public transportation centre for use by these vehicles which service the area. Currently the main road way at Long Bay square and the gas station at the intersection of Martha Brae Road and Long Bay Main Road are two areas that are used for the loading and off loading of passengers. With the increase and further anticipated increase in the population it is desirable to have a safe and convenient location for this purpose especially where there is no obstruction of traffic.

**POLICY LB T 1** A site not currently being used in Long Bay Square will be acquired, if possible for the purpose of constructing a small transportation centre, and the local planning authority will not support any other forms of development on the site that would obstruct this proposal in the interim.

*Road Network*

Houses, business places and social services are strung out along the Port Antonio /Manchioneal main road that runs through the area giving rise to a pattern of development in Long Bay that is linear. No provision has been made for sidewalks along the main road, and as such, it is unsafe for pedestrian using it. There is therefore need for the inclusion of sidewalks to increase the safety of this main road for pedestrians use.

**POLICY LB T 2** The local planning authority will insure that any rehabilitation of the arterial or any other roads carried out in the area will include adequate sidewalk facility where absent, for the use and safety of pedestrians.

*Vehicle Parking*

Increase commercial developments have exposed the inadequacy of the provision of parking. No arrangements have been made for on site parking for new and existing commercial developments. The provision of off-street parking will ensure efficiency of the road and transportation systems of the area, as it will allow traffic to flow more smoothly and with less interruption.

**POLICY LB T 3** New developments shall be required to provide adequate on-site parking facilities or where feasible a private car park on an alternate site in a suitable and accessible location to the development to the satisfaction of the local planning authority.

FIFTH SCHEDULE, *contd.*

## CONSERVATION

Mangroves though limited in the inshore of the coastal area are an important nesting ground and forage for turtles. Fringing reefs also exist in proximity to the shoreline, breaking the waves and preventing coastal erosion. This has given rise to the coastal area being an area of outstanding beauty.

- POLICY LB C 1 New development or extension which will adversely affect the coastline or destroy the nesting ground and forage of turtles will not be allowed.
- POLICY LB C 2 Planning permission will not be granted for developments which will cause destruction of mangroves which protect the areas' coastline and which is also a habitat for a wide variety of species.
- POLICY LB C 3 Planning permission will not be granted for developments along the coastline that does not have the proper mechanism in place for the suitable disposal of pollutants.

## URBAN ECONOMY

Long Bay given its' coastal location originated as a fishing village with most of the economic activities centered around fishing and to an extent agriculture. This has not changed greatly over the years for although the boats are only docked here the residence are still involved in fishing and along with agriculture they are still the main economic activities. However with tourism on the rise locals to a lesser extent are now earning a livelihood from other than their traditional sources of income. This is as a result of an increase in the number of guest houses, villas, restaurants and bar that have been constructed along the coastline. Long Bay does not offer a wide variety of services apart from the basic ones which are inadequate. Increase development is therefore necessary so that there can be more diversification of the economic base.

- POLICY LB UE 1 Provision is made on the land use proposals map for the allocation of land for the development of a wide range of commercial and office activities specifically to satisfy the needs of the residence and to create job opportunities.
- POLICY LB UE 2 There is a presumption that land and cottage industries that are compatible with existing developments will be under-taken to improve economic activities in the area.

## TOURISM

There is potential for increase economic activities geared towards tourism. Long Bay is an ideal location for the further establishment of eco- tourism which makes use of the areas' natural environment. Any activity that involves sustainability of the natural resources within the area will be encouraged.

- POLICY LB TO 1 Planning permission will be given for resort development along the coast as long as it conforms with the policies and guidelines set out for such developments and will not in anyway conflict or destroy the amenities of the area.

FIFTH SCHEDULE, *contd.*

- POLICY LB TO 2** The Long Bay coastline is fragile and resort developments will be confined to low profile hotels, guest houses, and villas.

## HOUSING

Most of the houses in this Growth Center are owner occupied and are single family units. The incidence of squatting is therefore not an immediate concern, but with the projected increase in the population of the area there will be need for an increase in the number of housing units. Most of the houses are made of wood or concrete with minor repairs required. What seems to exist however, is the inadequacy of the facilities, as a majority of them are with out Water Closets hence the high occurrence of pit latrines.

- Policy LB H 1** To meet the housing demands of the area land will be provided to meet the needs for service lots and starter units. Where government owned properties exist, land shall be reserved on them for housing purposes and be released on a timely basis to the housing sector specifically for development targeting the low end of the housing market.

## WASTE TREATMENT AND DISPOSAL

Long Bay does not have a system in place for the collection of sewage and solid waste and as such garbage to a large extent is disposed of indiscriminately causing on-land and coastal pollution. The large number of people that continue to depend on pit latrine for the disposal of their sewage and the irregularities in the collection of solid waste are also a major concern.

- POLICY LB WT 1** Permission will be granted to public or private developers who desire to develop a central sewage system once the development is not in conflict with surrounding land uses.
- POLICY LB WT 2** The local planning authority will support the use of sewage disposal methods in the area once they are approved or recommended by the Ministry of Health and the N.R.C.A.

## BEACHES

Beaches in Long Bay are used mainly for recreational purposes for locals and tourist, as well as a landing site for the boats of fishermen. The beaches and its' vegetation, especially the mangroves protect the shoreline from intense wave action. Although beaches are ever changing, the actions of man often accelerate their erosion. They therefore have to be protected from human destruction if they are to be enjoyed by all.

- POLICY LB B 1** Permission will not be granted by the local planning authority for the mining or removal of sand from the beach to aid in construction or any other related activity inside or outside of the growth centre.
- POLICY LB B 2** Planning permission will not be granted for any development which will restrict the local population from gaining access to the beach for fishing (where designated), bathing or other recreational use.

FIFTH SCHEDULE, *contd.*

## MANCHIONEAL LOCAL PLANNING AREA

*Description*

One of the major intentions of this Order is provision for the orderly and progressive development of that area described as the Manchioneal Local Planning Area, in the First Schedule hereto. The Manchioneal population increased significantly during the period 1970–1982 moving from 1784 persons to 1826 persons in 1981. In 1991 the population census indicated that the population had increased to 2185 persons. Subsequently there was a 10.7% population decline with the population moving from 4441 persons in 1991 to 3962 persons in 2001.

The area has a rich cultural heritage and is of great historical significance, with a vast array of artifacts continually being uncovered throughout the area; as such proper care must be taken in developing the area so as to preserve its heritage. Manchioneal is also renowned for the Reich Falls which attracts visitors from around the world who come to view its natural beauty.

## TRANSPORTATION

*Public Transportation Centre*

Manchioneal is well serviced by public passenger vehicles including stage coaches and taxis. The Manchioneal square at times functions as a turning and loading bay for people coming from Kingston and St. Thomas, as well as those coming from the western sections of the parish. Despite being used as a turning bay there is no official transportation center, as a result both public and private carriers have resorted to using the petrol filling station and other adjacent areas as a loading zone.

**POLICY M T 1**      The local planning authority will pursue the possibility of a transportation and parking center being located on a suitable site in Manchioneal, on lands adjoining the petrol filling station in the square that could be acquired for that purpose.

*Roads*

There is an absence of appropriate sidewalk facilities along the Manchioneal Main Road, making it dangerous for pedestrians. Since this is a heavily used roadway, pedestrian-motorist conflict becomes more imminent. There is a necessity for the road authorities to have such facilities put in place urgently to ensure the safety of road users.

**POLICY M T 2**      The local planning authority will seek to have proper sidewalk facilities provided where absent along the Manchioneal Main Road in areas heavily used by pedestrians (especially in the vicinity of the school) to prevent vehicle pedestrian conflicts.

FIFTH SCHEDULE, *contd.*

## CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

*The Built Environment*

The Manchioneal Local Planning Area, like many other parts of Portland has a rich history which must be preserved. Recently several artifacts have been uncovered which have provided a clearer insight of the area's history.

**POLICY M C 1** Planning permission will not be granted for developments which will result in the destruction or mutilation of historically significant sites and monuments located in the area and not yet analyzed by the Jamaica National Heritage Trust.

**POLICY M C 2** Proposals for developments on or adjacent to sites of historical significance which threatens their existence will be processed after due consultation with the Jamaica National Heritage Trust and a decision made based upon their recommendations.

There are few intact historical buildings in the Manchioneal area, namely the Methodist and the Anglican Church buildings, both of which are built from cut stone. This is representative of the era in which they were constructed, and is an addition to our heritage. As such these must be protected to preserve the living history of the area.

**POLICY M C 3** Approval will not be granted for any development proposal which will in anyway deface, alter, destroy or detract from the historical significance of the Methodist or Anglican Churches, or which will adversely affect the environment in which they exist.

Manchioneal though a linear coastal town does not have bathing beach facilities. However the fishing beach needs certain facilities if its standards are to be comparable with areas such as Rocky Point in Clarendon. This includes proper storage and shops for the acquisition of the fishermen's gear and the disposal of fish.

**POLICY M C 4** Manchioneal Fishing Beach must have the necessary storage, selling and waste disposal facilities that will enhance and make it more attractive to customers and the local planning authority will support any action in this regard.

*The Natural Environment*

The Reich falls is probably the most renowned tourist attraction in Manchioneal, with visitors traveling from across the world to experience its beauty first-hand. The Urban Development Corporation has upgraded it by installing facilities and amenities that will make it more accommodating and attractive to the public. It is to be used and not abused, and the Local Planning Authority will contribute to the existence of an environment that is attractive and sustainable.

**POLICY M C 5** Planning permission will not be given for developments which will adversely affect the flow and quality of the water of the Reich Falls, or the areas in which the amenities are located.

FIFTH SCHEDULE, *contd.*

- POLICY M C 6      There is a presumption that the facility is for public use and the local planning authority will not approve any development or activity that will impede, obstruct or prevent access to the facility in anyway.

Portions of the Manchioneal area lie within the foot hills of the John Crow Mountains, and as such have been noted as containing a wide variety of avifauna. This has caused the area to be used presently for bird watching. It is therefore important that the trees in the area be preserved and not destroyed in an *ad hoc* fashion. Where trees have to be removed or destroyed, they should be replaced with bird feeding trees.

- POLICY M C 7      Planning permission will not be granted for developments which will in any way endanger the natural habitat of local avifauna, or the indiscriminate removal of trees in the area.

The waters along the coast of the Manchioneal local planning area contain a vast assortment of marine life. Included in this is the sea-cow which has been identified as a endangered specie and is listed in Schedule 5 of the Endangered Species Act as protected. While their preservation is the prerogative of the Natural Resources Conservation Authority, the Local Planning Authority will not allow any development or planning activities along the coast that will contribute to their demise.

- POLICY M C 8      The local planning authority will not support any development along the coast which whether directly or indirectly, threatens the habitat or population of any of the protected or endangered species as listed in Schedule 5 of the Endangered Species Act.

The Manchioneal Local Planning Area houses Jones Park, a large recreational area adjacent to Manchioneal All-Age School. The area is large enough to facilitate a full sized football field or a cricket pitch. There are also facilities to accommodate hard court sports. The park is however lacking in appropriate sanitary and vending facilities, and a visitor stand also needs to be provided.

- POLICY M C 9      The local planning authority will generally support any development which seeks to improve on the appearance and value of the Jones Park by the residents of the area.

- POLICY M C 10     The local planning authority will not approve any development which seeks to change the use of Jones Park, unless a similar park is being provided in a location which is convenient to the residents of the area.

## URBANECONOMY

The Manchioneal fishing beach is the largest fishing beach in eastern Jamaica. Much of the economic activity within the area centers on fishing, which is a source of employment for many of the area's residents. The supply of fish is so great that the fishing village is able to provide fish for restaurants, major hotels and other consumers across Portland. Persons from other parts of the island as far as St. Elizabeth travel to Manchioneal to sell their agricultural crops and to buy fish when returning.

FIFTH SCHEDULE, *contd.*

- POLICY MUE 1      Permission will not be granted by the local planning authority for any development which may destroy, reduce, or in any way negatively affect the Manchioneal fishing beach or the fishing activities taking place there.
- POLICY MUE 2      The Manchioneal fishing beach will be clearly identified so that the appropriate authorities can provide the infrastructure and maintenance necessary for its continued existence.

Although fishing is the primary income generating activity of Manchioneal, the economy is being diversified by the influx of other commercial activities. To facilitate this increasing demand for space to house commercial activities, the local planning authority will zone lands to facilitate the new growth and diversification of the economy.

- POLICY MUE 3      The local planning authority will zone adjacent lands in the Manchioneal local planning area to sustainably facilitate the growth and diversification of the commercial sector.

## TOURISM

Recent studies have shown that there has been an increase in demand for the types of activities other than the typical sun, sand and sea that traditionally attracts tourists. Tourists are now developing the tendency to be more explorative when traveling. The Manchioneal local planning area, while containing no bathing beaches or resorts, has vast potential for cultural, heritage and eco-tourism. With the history of Manchioneal continually being unraveled by the discovery of new artifacts in combination with the wide diversity of flora and fauna in the area, Manchioneal stands to benefit greatly from the current trends in tourism.

- POLICY M TO 1      Developments which seek to promote and encourage heritage, cultural and ecotourism will generally be supported, provided it does not destroy or deface any cultural or heritage site nor does it destroy the natural habitat of any endemic flora or fauna, and conforms generally with the other policies in this order.

## HOUSING

With the increase in commercial activities and investor interest in the Manchioneal local planning area, persons will naturally gravitate to the area in search of employment; thus increasing the demand for housing whether for rental or for purchase. The local planning authority recognizing the imminent increase in demand will ensure that these needs are met through zoning policies.

- POLICY M SA 1      The local planning authority will ensure that adequate and appropriate lands are allocated for housing on the land use proposal map.

FIFTH SCHEDULE, *contd.*

## WASTE TREATMENT AND DISPOSAL

*Solid Waste*

The disposal of solid waste poses similar problems to those of sewerage. Where the facilities are not adequate it provides breeding ground for flies and rodents. Great care therefore has to be taken in its disposal, through the installation of the proper facilities. Repositories are to be located at convenient locations where the residents can throw garbage which can be collected by trucks. These facilities should be fly and rodent proof.

POLICY MWT 1      The local planning authority will support the installation of garbage receptacles at critical locations for the collection and disposal of garbage.

*Sewerage Disposal*

The area is not served by a central sewerage system, in order to prevent pollution precautions have to be taken in the type of sewage disposal system that is used in the area. The local planning authority will ensure that the responsible agencies are consulted where the installation of these facilities are concerned.

POLICY MWT 2      The local planning authority in processing developments which threaten to pollute soil and ground water supplies will ensure that those agencies responsible for the management and installation of sewerage systems are consulted in order to prevent pollution and ensure that adequate and appropriate disposal measures are in place.



FIFTH SCHEDULE, *contd.*

## APPENDICES

## APPENDIX 1

## GENERAL GLOSSARY

In these Appendices—

- “agriculture” means the cultivation of the soil for any purpose, the breeding and keeping of livestock and pond fish, the keeping of apiaries, the use of land for grazing, meadows, nurseries, the growing of economic fruit trees and the use of land for woodlands where this is ancillary to other agricultural activities;
- “amenity area” means an area within a development which is intended for leisure purposes which may include landscaped site area, communal lounges or swimming pools;
- “apartment building” means a multi-dwelling building comprising three or more dwelling units with shared entrances and other essential facilities and services and with shared facilities provided for dwelling units;
- “building line” means a line established from an officially designated centre line or boundary of a street from which all front and street setbacks required under this Order shall be measured and determined;
- “built up area” means land forming part of the urban area which is either developed, committed for development or the subject of a new land allocation in this plan. It is a policy boundary concept rather than what exists and is the area within which the general presumption is in favour of and outside which it is against development;
- “commercial development” means development for the provision or supply of goods or service by wholesale or retail; but does not include a warehouse;
- “countryside” means lands that are outside the built up area;
- “cubic content” means the cubic content of a structure or building measured externally;
- “dwelling house” means a building or part of a building forming a self contained premises designed to be occupied by a single family or household and does not include a building containing one or more flats;
- “density” means the number of habitable rooms that will be allowed per hectare of land;
- “ecological sensitive area” means an area which is vulnerable to natural disasters and human impact;
- “environmental impact assessment” means a study of the environment to detect how a development would impact on the environment in the area in which the development is proposed;
- “facade” means any exterior surface of a building other than the roof;
- “flat” means a separate and self contained premises constructed for use as a dwelling and forming part of a building from some other part of which it is divided horizontally;

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

- “floor area” means the gross horizontal area measured from the exterior faces of exterior walls or exterior supporting columns for any floor not enclosed by exterior walls together with any floor space provided for mechanical equipment, elevator shafts and stairwells at each floor, other than basement space used as car parking facility;
- “floor area ratio” means the ratio of floor area to land area expressed as a decimal which is determined by dividing the total floor area on a lot by the lot area;
- “ground cover” means the amount of ground covered by hard surface development whether or not it is roofed or unroofed, enclosed by walls, or open space used for accommodation or any auxiliary purposes but does not include parking areas;
- “habitable room” means in residences, any room or space intended primarily for human occupancy other than a kitchen or bathroom; or a storeroom not exceeding 6.5 sq.m. in area, in hotels, hotel bedrooms for guest or staff;
- “industry” means one in which the use carried on involves or is incidental to the making of any article or part of any article or the altering, repairing, ornamenting, finishing, cleaning, washing, packing, canning, or breaking-up or demolition of any article or the extraction or processing of minerals;
- “industry-light” means an industry in which the process is such that it is suitable for location adjacent to or in close proximity to residential development although not necessarily within the area itself;
- “infill” means the development of a vacant site within a substantially developed area in which the bias is to preserve the status quo;
- “landscape plan” means a plan which shows the location, species, and size of all major vegetation to be retained, removed, or planted; as well as all other aspects of “landscaping”;
- “mixed - commercial residential” means a development consisting of a mix of residential, commercial and office activities in which the subordinate commercial and office use is compatible with, and to some extent provides services to the residential development;
- “non-conforming use” means the use of a building, structure, land or portion thereof which use does not conform with the use regulations designated for the area in which it is located;
- “office” means a place in which clerical and administrative work is undertaken or a place used for transacting business;
- “professional office” means a place used by professionals for the practice of their profession;
- “public open space” means land which is reserved for the use of the public;

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

- “quarry” shall have the same meaning as in the Quarries Control Act;
- “residential density” in relation to any area, means the number of habitable rooms per hectares and is calculated by adding together all habitable rooms in a selected area and dividing by the acreage;
- “rural areas” mean lands outside the built up area or coastal areas;
- “satellite antenna” means an apparatus designed for transmitting microwave radio energy to satellites or receiving it from them, and includes any mountings or brackets attached to such apparatus;
- “Storey” means that portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above it, then the space between such floor and the ceiling next above it;
- “strategic gap” means an open area of land where development will be strictly controlled to prevent the coalescence of existing built up areas;
- “studio” means an open multifunctional unit which serves as a living, sleeping and cooking area along with a bathroom (which may or may not be enclosed) and having a maximum floor area of 350 square feet;
- “townhouse” means a one-family two or three storey dwelling in series with a group of two or more such dwellings each located on a separate lot and separated from each other by an adjoining fire wall or walls without opening in such walls;
- “use classes order” means the classes of land use within which certain changes of use may take place without requiring planning permission, as they are deemed not to involve development;
- “warehouse” means a building, or land used temporarily for the purpose of storage or distribution of goods and materials.

**2. Telecommunications Network—Glossary**

- Base Station** means—a structure or structures that consist of transmitters and receivers that are connected to antennas by feeder cables. A base station can be a microcell, macrocell or picocell and can either be mobile or fixed.
- Co Location/mast sharing** means—The utilization of one site by more than one service provider and/or the utilization of one or more masts by more than one service provider.
- Exclusion zone** means—an area within which radiation exposure guidelines may be exceeded. Zones shall be a minimum of 20m by 20m (65.6 by 65.6ft) in size and the physical barrier shall be a minimum of 3 metres (9.8ft) in height.

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

- Macrocell means—a base station that provides the largest area of coverage within a mobile network. The antennas at this station must be positioned at a height, which prevents obstruction from terrain or buildings.
- Mast/Tower means—a ground-based or roof-top structure that supports antennas at a height where they can satisfactorily send and receive radio waves.
- Microcell means—base stations that provide additional coverage and capacity to macrocells. A microcell is usually sited where there are large numbers of users. Antennas are usually mounted at street level.
- Physical barrier means—a fence or wall not less than 3 metres (9.8ft) in height which encloses a base station.
- Picocell means—a base station, which is normally found within existing buildings and provides more localized coverage than a microcell.
- Precautionary approach means—before a development is permitted it should be shown that the risk from the development is acceptably low. The lack of full scientific certainty or an absence of information indicating that a risk is unacceptably high should not be reasons to approve development.
- Radio waves mean—electromagnetic wave of frequencies lower than three million megahertz propagated in space without artificial guide (Radio and Telegraph Control Act).
- Sound broadcasting—means the dissemination by wireless telephony of sounds of any description but does not include sounds, which form part of a television broadcast.
- Television broadcasting—means the wireless transmission of visual images or pictures, together with any sounds broadcast for reception along with those images or pictures.

FIFTH SCHEDULE, *contd.*

## APPENDIX 2

## LIST OF URBAN COMMUNITIES

The town of Port Antonio is the Parish Capital and the main commercial and administrative centre which provides goods and services to the north-east area of the island. Buff Bay which is located to the west of Port Antonio is the next most popular commercial centre with Long Bay growing in importance as a resort town.

Policies have been prepared to guide land use and development in all the centres listed below.

- (a) Port Antonio
- (b) Buff Bay
- (c) St. Margaret's Bay
- (d) Hope Bay
- (e) Long Bay
- (f) Manchioneal
- (g) Windsor
- (h) Spring Hill

FIFTH SCHEDULE, *contd.*

## APPENDIX 3

## SCHEDULE OF HISTORICAL AND ARCHAEOLOGICAL AND ECOLOGICAL SITES AND BUILDINGS

## Historical and Ecological Sites and Building List

Grid references have been provided where possible, using 1:50,000 metric sheets series 1.

Parish	City/Town	Location	Site Name	Category	Sub-Category
Portland	Berrydale	Berrydale	Scatter fall	Natural	Water Feature
Portland	Berrydale	Berrydale	Foxes Cave	Natural	Land Feature
Portland	Black Hill	Black Hill	Extinct Volcano	Natural	Land Feature
Portland	Blue Mountain	Blue Mountain National Park	Nanny Town	Built Heritage	Historic Site
Portland	Blue Mountain	Blue Mountain National Park	Blue Mountain National Park	Natural	Parks
Portland	Boston Bay	Boston Bay	Boston Beach	Natural	Coastal Attraction
Portland	Boston Bay	Boston Bay	Boston Jerk Centre	Attraction	Cuisine
Portland	Buff Bay	Kildare	Kildare Great House	Built Heritage	Residential
Portland	Buff Bay	Buff Bay	Buff Bay Railway Station	Built Heritage	Transportation
Portland	Buff Bay	Buff Bay	Courthouse	Built Heritage	Institutional
Portland	Buff Bay	Spring Gardens	Crystal Springs	Natural Attraction	Land Feature
Portland	Charles Town	Charles Town	Maroon Burial Ground	Built Heritage	Historic Site
Portland	Hart Hill	Hart Hill	Windmill Tower	Built Heritage	Industrial
Portland	Hope Bay	Hope Bay	Somerset Fall	Natural	Water Feature

FIFTH SCHEDULE, *contd.*APPENDIX 3, *contd.*

Portland	Hope Bay	Hope Bay	Hope Bay Railway Station	Built Heritage	Transportation
Portland	John Crow Mountain	John Crow Mountain	John Crow Mountain National Park	Natural	Parks
Portland	Millbank	Millbank	Millbank	Cultural Heritage	Events
Portland	Moore Town	Moore Town	Bump Grave Site	Built Heritage	Historic Site
Portland	Moore Town	Moore Town		Built Heritage	Historic Site
Portland	Moore Town	Moore Town	O' Sufu Ground	Built Heritage	Historic Site
Portland	Nonsuch	Nonsuch	Nonsuch Caves, Athenry Garden	Natural Heritage	Land Feature
Portland	Orange Bay	Orange Bay	Orange Bay Beach Complex	Natural	Water Feature
Portland	Orange Bay	Orange Bay	Orange Vale Great House	Built Heritage	Great House
Portland	Orange Bay	Orange Bay	Slave Barracks Ruins	Built Heritage	Historic Site
Portland	Orange Bay	Orange Bay	Sugar Factory Ruins	Built Heritage	Historic Site
Portland	Orange Bay	Orange Bay	Orange Bay Railway Station	Built Heritage	Transportation
Portland	Port Antonio	Folly Estate	Folly Ruins	Built Heritage	Residential
Portland	Port Antonio	Titchfield Peninsula	Titchfield Peninsula	Built Heritage	Residential
Portland	Port Antonio	Titchfield Peninsula	Fort George	Built Heritage	Military
Portland	Port Antonio	Titchfield Peninsula	Fort George Barracks	Built Heritage	Military
Portland	Port Antonio	Titchfield Peninsula	DeMontevin Lodge	Built Heritage	Lodge/Inn
Portland	Port Antonio	Port Antonio	Errol Flynn	Venue	Transportation
Portland	Port	San San Bay	Blue	Natural	Water Feature

FIFTH SCHEDULE, *contd.*APPENDIX 3, *contd.*

Portland	Antonio Port Antonio	Port Antonio	Hole/Lagoon Port Antonio Railway Station	Built Heritage	Transportation
Portland	Port Antonio	Harbour Street	Christ Church	Built Heritage	Church
Portland	Port Antonio	Port Antonio	Courthouse	Built Heritage	Institutional
Portland	Port Antonio	Port Antonio	Cenotaph	Built Heritage	Military
Portland	Port Antonio	Folly	Folly Point Lighthouse	Built Heritage	Maritime
Portland	Reach	Drivers River	Reach Falls	Natural	Water Feature
Portland	Rio Grande Valley	Rio Grande Valley	Rio Grande River	Natural	Water Feature
Portland	St. Margaret's Bay	St. Margaret's	St Margaret's Bay Railway Station	Built Heritage	Transportation
Portland	Tranquility	Tranquility	Orange Vale Ruins	Built Heritage	Industrial
Portland	Windsor Castle	Windsor Castle	Windsor Castle Ruins	Built Heritage	Historic Site
Portland	Windsor Castle	Windsor Castle	Windsor Mill Ruins	Built Heritage	Industrial



FIFTH SCHEDULE, *contd.*

## APPENDIX 4

## SCHEDULE OF BEACHES ALONG THE PORTLAND COAST

Location	Type
1. Buff Bay	fishing
2. Orange Bay	fishing/bathing
3. Hope Bay	fishing/bathing
4. St. Margaret's Bay	fishing/bathing
5. Bryan's Bay	fishing/bathing
6. Norwich	fishing/bathing
7. Port Antonio (East Harbour)	fishing
8. Port Antonio (West Harbour)	bathing
9. Drapers	fishing/bathing
10. Fairy Hill	fishing/bathing
11. Frenchman's Cove	bathing
12. Blue Hole	fishing/bathing
13. Priestman's River	fishing
14. Boston	fishing/bathing
15. Long Bay (Fair Prospect)	fishing/bathing
16. Sirocco Bay	fishing
17. San San	bathing
18. Manchioneal	fishing/bathing
19. Innis Bay	fishing/bathing
20. Hector's River	fishing/bathing
21. Rodney Hall	bathing
22. Hermitage	bathing
23. Wydah	bathing
24. Navy Island	bathing
25. Folly	bathing
26. Pellew Island	bathing
27. Shan Shy	fishing/bathing
28. Winfred's Rest	bathing

FIFTH SCHEDULE, *contd.*

## APPENDIX 5

## MAIN ROAD DEVIATIONS AND NEW MAJOR ROADS

The following improvements (rehabilitation) and new road alignments have been approved or recommended and will be carried out in due course by the appropriate Road Authority:

*Main Roads*

Hardware Gap to Wakefield

Wakefield to Balcarres

Balcarres to Buff Bay

*Parochial Roads*

IterBoreale (Crooked River, IterBoreale Golden Grove)

Golden Grove (Crooked River, Golden Grove)

Dover (Crooked River, Golden Grove, Dover)

Windsor Castle (Crooked River, Golden Grove, Windsor Castle)

Hart Hill (Crooked River, Golden Grove, Hart Hill)

*North Coast Highway*

From Windsor Castle to Port Antonio.

These routes will be protected and no development will be permitted which could in anyway obstruct the proposals or make it more costly to Government to implement.

FIFTH SCHEDULE, *contd.*

## APPENDIX 6

## LIST OF ROADSIDE AND SEASIDE PARKS

*Seaside Parks*

- (a) Fum Fum Spring
- (b) Spring Garden
- (c) Mouth of Spanish River
- (d) Mouth of Swift River
- (e) Mouth of Rio Grande (West Bank)
- (f) Mouth of Rio Grande (East Bank)
- (g) Navy Island
- (h) Folly Point
- (i) Woods Island
- (j) Black River

*Town Park*

The Sea Front at Buff Bay

*Roadside Park*

- (a) Hart Hill
- (b) White River
- (c) Whydah (St. Margaret's Bay)
- (d) Bryan's Bay (Port Antonio)
- (e) Soldiers Bay
- (f) Blue Hole
- (g) Boston Bay
- (h) Fair Prospect
- (i) Ross Craig
- (j) Christmas River (South)
- (k) Brown's Bay
- (l) Happy Grove

*Areas of Natural Beauty*

- (a) The Blue Hole—This is under a Tree Preservation Order pursuant to the National Heritage Trust Act. The intention is to preserve the area in its natural state.
- (b) The Devil's Elbow—It is also intended to preserve this valley as far as possible in its natural state.

FIFTH SCHEDULE, *contd.*

APPENDIX 7

SCHEDULE OF ROAD STANDARDS  
(All measurements in metres)

Type of Road	Total Reservation	Carri- age- way	Side Reservation (each side)			
			Total	Paved	Planted	
(a) Service Roads	9	6	1.5	—	—	Reservation, carriageway, paving and planting may be varied by Local Planning Authority depending on circumstances.
(b) Housing Estate Road	12	6	3	1.2	1.8	Paving and planting may be varied by Local Planning Authority depending on circumstances.
(c) Main Housing Estate Roads	15	8.5	3.25	1.45	1.8	Paving and Planting may be varied by Local Planning Authority depending on circumstances.
(d) Arterial Roads	30	7.5	See special requirements			(2) 2.4 shoulders and a median strip, or such requirements as the Local Authority may consider adequate.

FIFTH SCHEDULE, *contd.*APPENDIX 7, *contd.*Schedule of Road Standards, *contd.*  
(All measurements in metres)

Type of Road	Total Reservation	Carri- age- way	Side Reservation (each side)			
			Total	Paved	Planted	
(e) Arterial Roads where standards of (d) are not required	21	14.6	See special requirements			(2) 3.2 footpaths or such requirements as the Local Planning Authority may consider adequate.

Standard of new roads and improvements to existing roads will be required to comply with the above schedule.

Roads are in four classes:—

- (a) **Service Roads:** These are used for direct access to individual lots within a residential area or for access to commercial premises.
- (b) **Housing Estate Roads:** These are intermediate collector roads for traffic generated by service roads.
- (c) **Main Housing Estate Roads (Secondary Roads):** These are the main roads within a residential area or Parish Council Roads in a rural area and would normally be used as bus routes or as denser traffic routes. They pass through villages and sometimes link them to each other.
- (d) **Arterial Roads:** These are the main roads normally through the city linking parts of the city or Towns to Towns.

FIFTH SCHEDULE, *contd.*

## APPENDIX 8

*PARKING AND LOADING REQUIREMENTS*

## SCHEDULE OF VEHICLE PARKING REQUIREMENTS WITHIN SITE BOUNDARIES

Type of Development	Minimum Number of Vehicle Parking Spaces Required
Private Residence (up to two bedrooms)	1 for each individual unit.
Private Residence (over two bedrooms)	2 for each individual unit.
Apartment Buildings and Town Houses	1.25 for each individual unit.
Elderly Persons Accommodation (Self contained dwellings)	2 per three units.
Elderly Persons Accommodation (Grouped flatlets)	1 per three one bedroom units.
Guest Houses	1 for each 2 guest unit plus 1 for each 4.5 square metres of public dining room.
Motels and Hotels	1 for each guest unit plus 1 for each 4.5 square metres of public dining room.
Villas	1 coach parking space per 50 bed spaces in hotels. 1 per 2 bedroom villa 2 per 3 bedroom villa
Hostels for students	1 space for every 4 units plus 1 space for every 2 fulltime members of staff
Civic Administration Building, Office Building, Libraries	1 for each 20 square metres of floor area inclusive of store- rooms plus 1 space per unit for staff parking where the building is divided into smaller units.

FIFTH SCHEDULE, *contd.*Appendix 8, *contd.*

Type of Development	Minimum Number of Vehicle Parking Spaces Required
Museums & Art Galleries	1 space per 30 square metres of public display space
Shops, Stores, Super-markets	1 for each 20 square metres of gross floor area inclusive of store-rooms plus 1 space per unit for staff where the building is divided into smaller units (The same applies to Shopping centres).
Markets	To be assessed individually
Restaurants	1 for each 4.5 square metres of public dining room
Take-Away Fast Food Shops	6 spaces per unit, plus 1 for each 4.5 square metres of dining area or public dining room
Industrial Buildings used for manufacture or storage	1 for each 185 square metres of gross floor area including office space, plus provision for trucks as indicated in vehicle loading requirements.
Dance Halls, Clubs Bars	1 space per 2 square metres of public floor area or each 4 seats.
Games Buildings,	1 space per 3 staff members plus
Public or Exhibition Halls	1 space for every 10 square meters of exhibition area.
Cinemas, Concert Halls, Theatre	Town Centre locations, 1 space per 10 seats Other locations—1 space per 5 seats
Primary Schools	1 space for every 5 Teachers.
Secondary Schools	1 space for every 5 Teachers, plus 1 space for every 3 non Teaching staff.
Post Secondary Institutions (Colleges, Universities, <i>etc.</i> )	1 space to be provided for every 2 members of staff plus 1 space for every five (5) full-time equivalent students in addition to administration requirements

FIFTH SCHEDULE, *contd.*Appendix 8, *contd.*

Type of Development	Minimum Number of Vehicle Parking Spaces Required
Hospitals	1 space for each 4 beds (2 for each bed)
Clinics/Health Centres	3 space for each practitioner
Group medical, Veterinary or Dental Practices	2 spaces per practitioner
Creche, Day Nurseries or Day Care Centre	1 space per 3 staff members plus an area for setting down and picking up of children.
Assembly Halls, Auditoriums, City and Town Halls, Court House, Lecture Halls	1 for each 8 seats
Place of public worship or religious instruction	1 space per 7 seats plus one parking space for each 4.5 m <sup>2</sup> of floor area in assembly rooms with movable seats or 1 space per 10 square metres if no permanent seat is provided.
Petrol Filling Station	5 car parking spaces per service bay plus a minimum of 3 car parking spaces up to a site area of 500 square meters and an additional space for each additional 250 square meters.
Golf Courses	4 spaces per hole.
Tennis/badminton	4 spaces per court
Parking for Disabled	In all parking areas for developments open to the public consisting of 3-19 spaces—at least 5% of the total number of spaces.



FIFTH SCHEDULE, *contd.*Appendix 8, *contd.*

## VEHICLE LOADING REQUIREMENTS WITHIN SITE BOUNDARIES

Types of Building	Number of Loading or Off-Loading Bays
Shops, Showrooms, Stores, Markets Hospitals	1 for each building up to 930 square metres plus 1 for each 1,850 square metres of floor area in excess of 930 square metres to a total of 3. 1 for each 930 square metres thereafter;
Industrial Buildings used for manufacture or storage	1 for each building up to 460 square metres plus 1 for each 930 square metres of floor area in excess of 460 square metres to a total of 3. 1 for each 460 square metres thereafter.

FIFTH SCHEDULE, *contd.*

## APPENDIX 9

GUIDELINES FOR THE PROPER SITING AND DESIGN OF PETROL AND OIL  
FILLING STATIONS

1. Stations should be located at a minimum of 152.4m from any public institution such as schools, churches, public libraries, auditoriums, hospitals, public playgrounds, *et cetera*.
2. Area of land to be developed should be sufficient to allow manoeuvring of vehicles within the site boundaries but should not be less than 1858 sq. m. with a minimum frontage of 30.5m on the primary street. Where the site is part of a functionally integrated commercial or industrial complex the size may be reduced to not less than 1,120.0m<sup>2</sup>.
3. Filling Stations will not be allowed in any area where the traffic situation is such that it will cause obstructions in entering or leaving a station or on tight curves where visibility is not adequate.
4. Vehicular access or egress or crossover should be reasonably safe with adequate approach distances especially where main roads and intersections are involved.
5. Wherever possible, stations should be erected on level rather than sloping site to prevent rolling of discarded materials such as cans, drums, *et cetera*.
6. When sited in shopping centres, stations should be located in an isolated area of the development as long as planning criteria are met e.g. set back.
7. Environmental impact on streams, lakes, ponds, aquifer, *et cetera*, will be taken into consideration. An Environmental Impact Assessment may be required from the applicant.
8. Buildings are to be located a minimum of 12.20m. from road property boundaries to provide adequate area for manoeuvring of vehicles in the service area.
9. Canopies and supports over pumps and service equipment when located less than 6m from interior residential lot lines or building or structure should be constructed of non-combustible material.
10. Petrol pumps shall be located a minimum of 30.48m. from any residential building.
11. No fuel pumps or other mechanical equipment shall be installed so as to permit servicing of motor vehicles standing on a public street or highway.
12. All service areas should be paved to avoid dust nuisance.
13. Exterior design of the building should be compatible with adjacent development and should be such that it is not detrimental to property values in the area.
14. In a residential area a landscaped open area 3.0m wide shall be provided along the rear property boundary and 4.6m wide along the side property boundaries, and be separated from paved area by kerb or other barrier.

FIFTH SCHEDULE, *contd.*Appendix 9, *contd.*

15. Where the site adjoins the side of, or rear boundary of a residential lot, a solid wall 3.0m in height should be constructed and maintained along that lot boundary.

16. A raised kerb of at least 15cm in height should be erected along street property lines except for driveway openings so as to prevent operation of vehicles on sidewalks, and to define entrance or exit points.

17. Signs should be in accordance with the advertisement Regulations and should be located so as not to reflect the sun into the face of motorists and should be large enough so that they can be seen from a reasonable distance at a reasonable speed.

18. Each tank shall be vented to the atmosphere outside of buildings by means of an independent vent pipe which should not be less than 3.65m in height or 0.6m above the top of the nearest adjacent building.

19. All volatile flammable liquid storage tanks shall be installed below ground.

20. Integral containers of adequate design and capacity should be provided for solid waste, such as discarded cans, bottles, *etc.*

21. Proper facilities for storage and disposal of used and waste oil and gas must be provided.

22. Waste water from the washing of motor vehicles, *et cetera* and sewage disposal should be to the satisfaction of the Health Authorities.

23. Fuel should be stored in double walled container with leak spillage and over fill detection system to minimize leakage and prevent contamination of ground water and the material of the tank is to be coated to avoid corrosion.

24. A secondary containment should be in place to contain any spills or leakage and should have a volume of not less than a hundred and ten percent of the volume of the tank itself.

25. Normally no access to nor egress from a filling Station shall be closer than 45.72m to any road intersection or sharp corner, or 76.2m from the intersection of two main roads.

26. Tank access chambers and filling points should be liquid tight to prevent accidental spillage from entering the ground around the installation.

27. The surface around the road tanker discharge area and around the vehicle filling points should be liquid tight, and the area drained to a petrol/oil separator to prevent product from entering off-site drainage systems.

FIFTH SCHEDULE, *contd.*

APPENDIX 10

THE DESIGN OF PARKING FACILITIES

1. The condition governing the design of parking facilities (see figure 3) for enclosed and unenclosed parking is an unobstructed rectangular minimum space of 5.5m x 2.5m for each car, so, however, that—

- (a) where parking is parallel to the kerb, the length of the car parking space shall be increased to 6.7m;
- (b) where a vehicle can overhang the kerb by 0.6m and such overhanging does not seriously limit the use of a sidewalk or other access, the length of the parking space may be reduced to 4.88m;
- (c) where the use of one car parking space is limited on both sides by a wall or column, the unobstructed width (face to face of obstruction) of the parking space shall be 3.0m or if a door opens into the parking space on its long side, 3.36m;
- (d) where the use of one parking space is limited on one side by a wall or column, the unobstructed width (face to face of obstruction) of the parking space shall be 3.0m;
- (e) the minimum width of a parking aisle shall be 5.5m except where parking is provided at a lesser angle to the aisle than 60 degrees and access is one way only, in which case the following aisle width shall apply;

Angle of Parking	—	Minimum Aisle Width
30 degrees	—	3.36m.
45 degrees	—	3.97m.
60 degrees	—	5.49m.

2. In the case of parking garages with columns, care must be taken to ensure proper moving of vehicles and in no case should a column project into a minimum parking space aisle.

3. For parking garages, carports and parking areas, the maximum gradient and the maximum cross slope shall be 1 in 20.

4. In certain types of developments, developers will be required to provide loading and off-loading bays within the curtilage of the site.

5. Each bay shall have an unobstructed rectangular space 6.7m by 3.0m and reasonably vehicular access shall be provided to each bay.

6. The parking provision for disabled drivers should be as indicated in Figure 2.

FIFTH SCHEDULE, *contd.*

## APPENDIX 11

## RESIDENTIAL DENSITY—STANDARDS AND CONTROLS

*Requirements*

Residential density is used as a control over the physical intensity and bulk of buildings and indirectly as a control on the number of people living on a particular site. Since the actual occupancy of unit of accommodation is a variable that is dependent upon such factors as tenure, size and mix of units of accommodation density is best expressed in terms of habitable rooms per hectare rather than persons per hectare.

While density is useful in assessing proposals, other requirements such as adequate amenity space, ground cover, floor area ratio, security, privacy and car parking spaces will be taken into consideration. The general appearance of the building, distance to adjacent development and established character of the area will also be considered.

In calculating density all the rooms are regarded as habitable rooms except for kitchen and bathroom, landing stairs, passages and storerooms are also excluded. However where a room can be subdivided it counts as two habitable rooms for density calculation purposes.

Where the proposal is for a site with an existing building the density of the development should be calculated as follows and shown on the drawings—

- (a) density for the whole site including habitable rooms in the existing building plus the new proposal;
- (b) density for the existing building on its reduced site area;
- (c) density for the new proposal on its new site area;

Low densities may be appropriate for residential development where the site is of irregular shape, the adjacent buildings are low rise, where there are trees or other natural features to be retained, where it is in a conservation area or where another use is involved.

*Security*

Public safety and security should be given attention in the design, layout and lighting of developments, especially as it affects the needs, of women, children, the elderly and disabled persons.

Where possible footpaths, play areas, and car parks should be well lit and should be overlooked by habitable rooms or kitchens. Footpaths should have a clear view through to public areas without any blind corners. Rear access ways to dwellings should be avoided as should access through a block of flats or between houses to other flats.

Play areas should be located so that they can be overlooked from nearby dwellings, but well separated from roads and parking areas; and landscaping should include low shrubs, ground cover and well sited trees to avoid creating hiding places.

FIFTH SCHEDULE, *contd.*Appendix 11, *contd.**Privacy and Distance between Buildings*

Town House and apartment buildings require an area of privacy either for the outdoor use of the occupants of a particular unit or to provide privacy from passers-by. This area is known as the privacy zone. The remainder of the open area where no privacy zone is required maybe used for communal pedestrian purposes by the occupants of the project. The yard depth and privacy zone requirements may vary depending upon the form of housing and on the use of the rooms having principal windows overlooking the area.

Each dwelling unit in a horizontal multiple housing shall have one yard area which serves as a private outdoor living area for the occupants. This is normally associated with the living room, but to allow flexibility in design, the private outdoor living area may alternatively be located adjacent to a dining room, study lounge or a kitchen which is combined with one of the above uses.

A privacy zone should normally not be less than 4.5 metres deep. Outside a window of a habitable room the minimum distance to a wall or building should be 7.5 metres. Minimum distance between two storey building front (or back) elevation is 10.5 metres with the condition of 20 metres distance to the next two storey building from its opposite back (or front) elevation.

An outdoor area adjacent to a non-habitable room shall have a minimum depth of 1.2 metres plus 0.6 metre for each storey above the storey or partial storey at ground level.

Minimum distance between building in excess of two storeys should be twice the height of the building measured on the side or front (or back) elevation to a maximum of 30 metres. The minimum distance between two end elevations of two apartment buildings should be 1.2 metres plus 0.3 metre for each storey additional to the storey or partial storey at ground level to a maximum of 3.5 metres. This is not applicable if the end elevation has the only window of a habitable room. If so the distance should be minimum 7.5 metres. Along either front or back elevations there should be a privacy zone of appropriate length.

For distance between buildings of different heights, the height of the highest one dictates the distance of parking from habitable room windows.

## AMENITIES

(i) *Single Family Detached Development*

In housing developments, space such as parks, playgrounds and sports fields are needed as part of the public areas. To ensure that this need is satisfied, in all new residential area in excess of 10 lots usable lands must be reserved for the above community non-residential needs at the minimum rate of one hectare to every one hundred (100) dwelling units. Such land should be landscaped initially and otherwise be developed.

The land reserved for public use should not be pieces left over as unsuitable for development of houses. It is important that the land is on usable ground and also that it is properly located within the neighbourhood so that it can be conveniently used for the required public purpose.

FIFTH SCHEDULE, *contd.*Appendix 11, *contd.*

Consideration should also be given to the provision of large open spaces rather than several small ones.

(ii) *Multi-Family Development*

Space must be set aside for recreational and landscaping purposes different from the land reserved for the building, car parking, driveway areas, foot paths accessory building and ancillary uses where required. This referred to as the amenity area will normally be a portion of the total site, but may also include swimming pools, communal lounges and other areas within the site which, in the judgment of the planning authorities, can be used for general recreational purposes.

The minimum common "amenity area" for each unit should be provided as follows:

- Studio Unit 15 square metres
- One-Bedroom Unit 30 square metres
- Two or more Bedroom Unit 60 square metres

*Landscaping*

In new residential developments a site plan will be required showing the accurate position of all existing trees and shrubs and those that are proposed to be removed.

Existing trees and shrubs should, where possible be protected during the construction period by exclusionary fences which should be erected before site clearance commences.

The landscaped areas should be laid out before the development is occupied so that they will be ready for maintenance at the time of occupancy.

Applications will not be considered in outline if the development or the area is felt to be environmentally sensitive.

FIFTH SCHEDULE, *contd.*

## APPENDIX 12

## CAVES OF PORTLAND

The following have been plotted, where possible, using the 1:50,000 metric sheet series 1.

Grid Reference		Cave Name	Sheet Number
Easting	Northing		
2800	1710	Harmony Holes	
2810	1738	Burley Cave	
2844	1676	Leighfield Wood Cave	
2847	1728	Charlestown Cave	
2857	1729	Plum Valley Cave	
2885	1708	Spring Gardens Cave	
2887	1734	Skibo Road Cave	
2916	1711	River Head Cave	
2920	1710	Clermont Cave	
2920	1716	Guts Mountain Cave	
2923	1707	John Crow Gully Hole	
2929	1719	Black Hill. Cave -2	
2929	1719	Black Hill Cave -1	
2933	1740	Rodney Hall Cave	
2975	1655	Toki Cave	
2987	1682	Ratbat Cave	
2990	1682	Browns Cave	
2990	1698	Little Spring Cave	
2993	1695	Spring Gardens Sink.	
2996	1702	Panton Cave	
3010	1719	Rio Grande Cave	
3021	1719	Burlington Funnel	
3033	1725	Snow Hill Cave	
3042	1725	Passley Gardens Cave	
3045	1701	Kings Gutter Cave	
3051	1698	Stoney Hill Cave	
3063	1701	Bog Hole	
3069	1692	River Mouth Cave	
3106	1672	Nonsuch Caves	
3106	1701	Anchovy Cave	
3108	1671	Springs Cave	
3109	1628	Don's River Sink	
3112	1673	Mount Lebanon Cave	



FIFTH SCHEDULE, *contd.*APPENDIX 12, *contd.*

3118	1685	Drapers Sink
3121	1685	Drapers Cave—2
3121	1685	Drapers Cave—1
3121	1685	Drapers Cave—3
3123	1661	Basil Douglas Cave
3124	1661	Nana's Hole
3124	1658	Georgy's Pit Cave
3127	1658	Nembhard Pit Cave
3127	1661	Miss Millers Cave
3127	1656	Harris Pit Cave
3146	1637	Grove Cave
3155	1667	Slave Cave
3155	1655	Red Man Sinkhole
3158	1643	Sherwood Forest Cave
3158	1619	Friday Gate Cave
3160	1645	Hog House Hole
3164	1643	Briscoe Cave
3164	1646	Foster Sinkhole
3169	1622	Eden Vale Cave
3170	1661	Boston Cave
3176	1650	Castle Mountain Cave
3185	1621	Windsor Forest Cave
3185	1448	Style Hut Cave
3194	1621	Darby's Hole
3194	1545	Dwyer's Cave
3201	1603	Fern Hill Cave
3205	1630	One Coconut Tree Cave
3207	1631	Fair Prospect Cave
3210	1628	Tower Cave
3210	1349	Reach Bat Hole
3213	1603	Rose Garden Cave
3213	1547	Miss Carmen's Cave
3216	1606	Bubby Stone Hole
3219	1606	Dam Road Cave
3222	1609	Stone Hole Cave
3225	1606	Rural Hill Shelter
3226	1608	Black River Cave
3228	1603	Rural Hill Cave
3233	1527	Drivers River Rising

FIFTH SCHEDULE, *contd.*APPENDIX 12, *contd.*

3234	1532	Drivers River Cave
3237	1490	Ratbat Hole—2
3237	1490	Ratbat Hole—I
3250	1466	Cole Cave
3251	1465	Rowe Cave
3252	1512	Salt River Cave
3255	1490	John Crow Hole
3263	150	Billy Bay Cave
3274	1509	Happy Grove Cave

## APPENDIX 13

INFORMATION TO BE SUPPLIED WITH SUBDIVISION APPLICATION  
SCHEME PLAN

Every Scheme plan prepared for the purpose of a subdivision shall show—

- (a) the whole of the land being subdivided;
- (b) the type of development and the several allotments and their areas, dimensions, and numbers in sequence;
- (c) the proposed phasing and seeding if any;
- (d) contour lines with respect to residential subdivision especially where the terrain is most uneven and difficult;
- (e) surface water drainage details;
- (f) scale to which the plan is drawn;
- (g) existing roads, reserves, access way and service lanes;
- (h) the layout of the proposed roads and their approximate grades, the proposed reserves, access ways and service lanes;
- (i) all those lands which are either affected by existing easements or to be affected by easements which are created;
- (j) the nature of all easements whether existing or to be created;
- (k) the relationship of the proposed scheme with adjacent land or development whether or not under the control of the applicant or owner;
- (l) such information as suffices to identify any particular road such as names, letters, or numbers; and
- (m) such other particulars as may be required in writing by the local planning authority.

FIFTH SCHEDULE, *contd.*

## LOCATION PLAN

A location plan is to accompany each scheme plan showing the position of the subdivision in such a manner as to facilitate mapping and location on ground. Such a plan should:

- (a) show the nearest places of importance to and from which any road leads;
- (b) show definable and easily recognizable marks on earth together with necessary data such as distance from nearest mile post;

## APPENDIX 14

*Subdivision Assessment Criteria*

The planning authority will take into consideration the following criteria in assessing subdivision applications;

- (a) whether or not closer subdivision or settlement of the land shown on the scheme plan is in the public interest, or the land for any other reason whatsoever is suitable for subdivision or it is premature having regard to the provision of essential engineering and social services;
- (b) if adequate provision has been made for the drainage of any allotment or the disposal of sewage therefrom;
- (c) if the subdivision would interfere with or render more difficult or costly the carrying out of any public work or scheme of development which is proposed or contemplated by the Government of Jamaica or any local authority;
- (d) if the proposed subdivision conforms to recognised principles of town planning; and
- (e) if there is adequate information given concerning the proposed co-ordination with adjacent land and its development and services;

FIFTH SCHEDULE, *contd.*

## APPENDIX 15

## GENERAL DEVELOPMENT STANDARDS FOR TELECOMMUNICATION NETWORK

## 1. Standards

*Size of site for base station for free standing structure.*

- i. No base station shall be less than 400 square meters (1312.3 square ft.) for self-support towers.

*Set back for free standing structure*

- ii. The foremost part of each mast/tower shall be a minimum distance of 6.1 meters (20 feet) from the physical barrier.

*Exclusion Zone*

- iii. Exclusion zones shall be determined and defined by acceptable physical barriers and appropriate grating. Zones shall be a minimum of 20m by 20m (65.6ft by 65.6ft) in size and the physical barrier shall be a minimum of 3 meters (9.8ft) in height within the cartilage of the site.

*Height of tower*

- iv. The minimum height of self support towers/masts shall not exceed 45.72 meters (150ft) within urban areas.
- v. All masts/towers over 30 meters (98.4ft) must comply with the stipulation of the Civil Aviation Authority and Spectrum Management Authority. For rooftop structures, the height of the building must constitute apart of the measurement.

*Signage*

- vi. Readily identifiable signage warning the public to "Keep Out", who the operator/s of the site are, their emergency contact numbers shall be posted at a conspicuous position at the site.

*Parking and Access to site*

- vii. Sites must be adequately sized to accommodate the maneuvering and parking of not less than two service vehicles. Access way shall be a minimum of 4.6m (15ft) with parking bays being 5.5m by 2.4m (18 feet by 18 feet).

*Emissions*

- viii. Emissions from any apparatus associated with a base station shall conform to Natural Resources Conservation Authority (Industrial Air Quality) Regulation 2004.

FIFTH SCHEDULE, *contd.*Appendix 15, *contd.*

## 2. Information Accompanying Application.

## A. Consultation Information

- (i) Result of consultation conducted by operators shall be submitted along with the application as an accompanying statement.
- (ii) The nature of the consultation undertaken for example, community meetings, serving of notices in the press *etc.*
- (iii) The time, date and place where the consultation was held must be stated.
- (iv) List of consultees.

## B. Site/Location

- (i) Coordinates to specify site location shall be provided at projection WGS 84 JAD2001.

## APPENDIX 16

## VISIBILITY SPLAYS

Visibility splays are the angles of visibility which are designed at all major road intersections. They are intended to facilitate the unobstructed vision of motorists from one street onto the other, thereby minimizing the risks of accidents. Suggested visibility splays in relation to street type are listed below:

Road	Total Width	Carriage	SIDEWALK RESERVATION			Visibility Splay Angle	Splay Distance
			Total (one)	Paved	Planted		
Service Road	9	6	1.5	—	—	45	1.8
Estate Road	12	6	3.0	1.2	1.8	45	3.0
Main Estate Road (spine or collector)	15	8.5	3.25	1.45	1.8	30	3.0
Main arterial road (adjacent residential areas)	21	14.6 Dual	3.25	1.45	1.8	30	2.1

FIFTH SCHEDULE, *contd.*Appendix 16, *contd**Shoulders*

- Shoulders are required to support the paved surface of the road and to provide areas for safe emergency stopping of vehicles. They should never be used as permanent parking places for vehicles.
- The construction of shoulders should be done as carefully as the construction of the main paved area of the road except that shoulders on access roads would not normally be paved.
- Unpaved shoulders should be properly grassed and maintained, as if they are not, storm water may enter the road base and affect the stability of the road.

## APPENDIX 17

## GUIDELINES FOR HOTEL DEVELOPMENT

*Density*

The density for hotel development will be calculated on the basis of the number of guest rooms per hectare. A guest room is a hotel bedroom together with bathroom and all the ancillary accommodation normal in a resort hotel.

Houses or resort apartments will be based upon the number of habitable rooms per hectare (see definition). Factors that will be considered in determining the density of a development are:—

- The availability of utilities such as water, sewerage facilities, *etc.*
- The availability of good transportation links such as roads.
- The amount of beach frontage available.
- Whether or not it is prime inland site.
- The total area of the site.

Densities for houses or resort apartments will range from a low of 37.5 habitable rooms per hectare to a high of 75hrh along the coastal areas depending on the level of infrastructure available, and a maximum of 75hrh inland. The ground cover will range from 15 per cent maximum and the plot ratio 20 per cent.

The density of hotels will range from 18.5 guest rooms per hectare in environmental sensitive coastal areas to a maximum of 37.5 guest rooms per hectare in other coastal and inland areas, depending on the level of infrastructure available.

The ground cover will be 15 per cent maximum and the plot ratio 15 per cent maximum for densities at 18.5 guest rooms ph and 20 per cent for both at 37.5 guest rooms per hectare.

FIFTH SCHEDULE, *contd.*Appendix 17, *contd*

Where the proposal is part of another development such as a golf course the density will be calculated over the area that the buildings occupy rather than the total site area.

*Access*

Access points to hotels should be located so as to minimize turning movements across traffic where possible they should be located on service roads where the volume of traffic is less.

*Height*

Accommodation located on the beach in urban areas will not be allowed to exceed three stories in height plus pitched roof if desired subject to a ridge height of 12m (40ft). However, in areas where the hotel is to be located on parcels of land 4.0 hectares and over in area, higher buildings may be allowed but these should not exceed 4 storeys in height. This will depend on the character and design of the building in relationship to the surrounding areas and other material consideration. Only low rise resort development, that is, buildings not exceeding two storeys in height above ground level will be encouraged along coastal areas outside of the built up areas.

*Setbacks*

Setback from the coast should be in conformity with the guidelines in figure 4 as the terrain and other conditions along the coast differ. Where the terrain is flat and the situation permits then the set back should be a minimum of 45.7m. No building should be located within 12 metres of a road boundary and side boundaries should be a minimum of 4.57m for buildings up to three floors. An additional 1.5m is to be added for each extra floor. This could vary depending on the size and location of the site, the character of the surrounding area and the height of the building.

*Parking*

This should be on site and conform to the requirements set out in the parking standards in terms of requirements and design.

*Site Planning Considerations*

Development must satisfy the requirements for ground cover, plot ratio, building height and habitable rooms or guest rooms per hectare whichever is relevant.

The standard for guest rooms per hectare is based on normal space standards for central and ancillary facilities in resort hotels.

Where these fall below the normal, adjustments will be made by the planning authorities in the number of guest rooms.

The local planning authority may exercise control over issues other than density such as the provision of parking and aesthetic concerns in the processing of applications.

In urban areas hotels should have a minimum lot area of 0.4 hectare of land for fifty (50) rooms, however, outside of urban areas the requirement is expected to be higher.

FIFTH SCHEDULE, *contd.*

FIGURES

FIGURE 1

DENSITY, HEIGHT AND LOT COVERAGE FOR MAJOR LAND USES

Major Use which is Specified	Maximum Permissible Floor Area Ratio	Maximum Plot coverage (% of net area)	Maximum Permissible Height (No. of stories above frontage)	Maximum Green Spaces Required within Net Plot Area (%)
<b>RESIDENTIAL (Maximum Habitable Rooms per Hectare)</b>				
Single Family Residential	0.50	50	To be determined by Planning Authority	45
3-75 habitable rooms per ha.	0.33	33 1/3	2	33 1/3
76-125 habitable rooms per ha.	0.50	33 1/3	4	33 1/3
126-250 habitable rooms per ha.	0.66	33 1/3	6	33 1/3
251-375 habitable rooms per ha.	1.00	33 1/3	10	33 1/3
<b>COMMERCIAL</b>				
General Commercial in Business Centres	1.00	50	2	20
<b>OFFICE</b>				
Office in Business Centres	2.00	50	10	20
Office in Other Areas	0.50 or as indicated in the policy Guidelines for the area	33 1/3	2	33 1/3
Industrial	0.50	33 1/3	2	33 1/3
Institutional	0.66	33 1/3	3	50



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FIFTH SCHEDULE, *contd.*

NOTE

1. Floor area ratio and height of a building will be used to control the quantity of floor space proposed by a development. This is necessary to avoid the over development of a site which could result in excessive strain on the infrastructure in an area.

2. It is not necessary that all the developments should meet the proposed floor area ratio level indicated as this is a maximum and not a minimum.

3. Where a residential and a non-residential use occupy different sections of a site, the floor area ratio and residential density will be calculated in relation to the portion of the site occupied by each.

4. Where both uses are combined in the same building the residential density will be calculated after subtraction of the area needed to accommodate the non-residential development at the normal maximum plot ratio or *vice versa*.

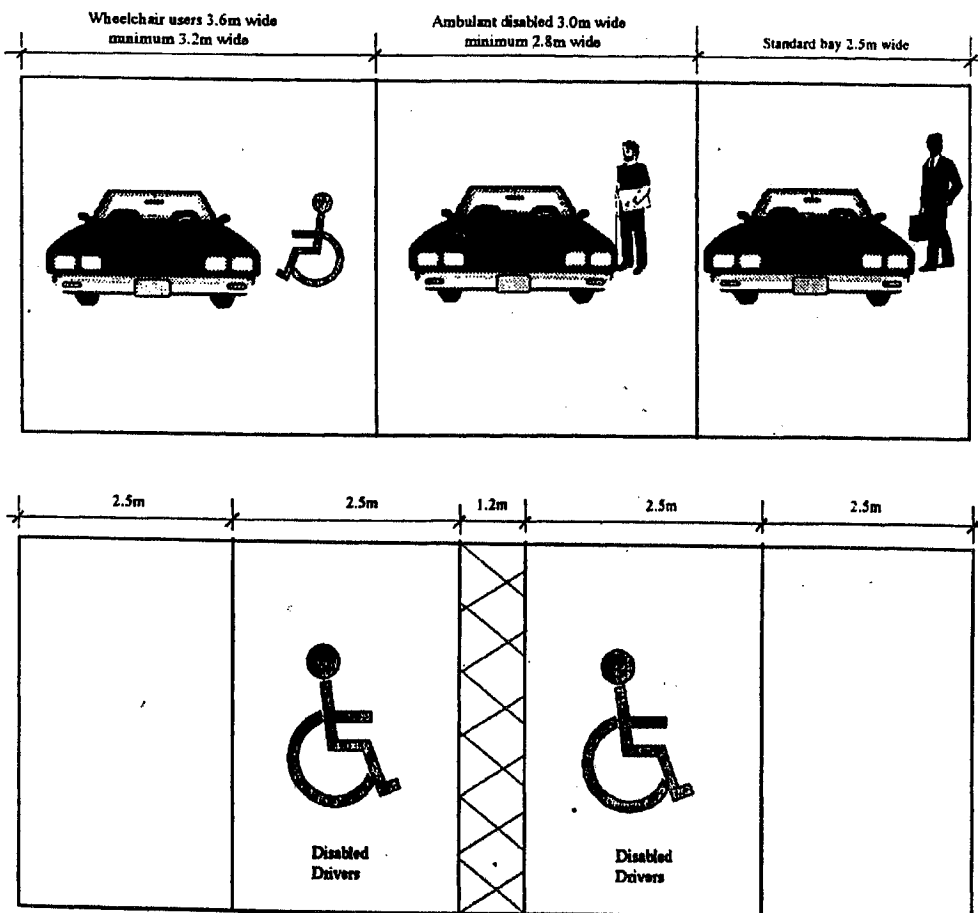
5. The maximum plot coverage for commercial and office buildings located within the downtown area may be varied by the Planning Authorities.

FIFTH SCHEDULE, *contd.*

FIGURE 2

PARKING FOR DISABLED

To allow for assisted wheelchair users the preferred width of special spaces allocated for disabled drivers is 3.60m, minimum 3.20m. To allow for ambulant disabled people the preferred width of parking spaces is 3.00m, minimum 2.80m. While manoeuvring space may be tight, a width of 3.00m will in practice, cater for independent wheelchair users.

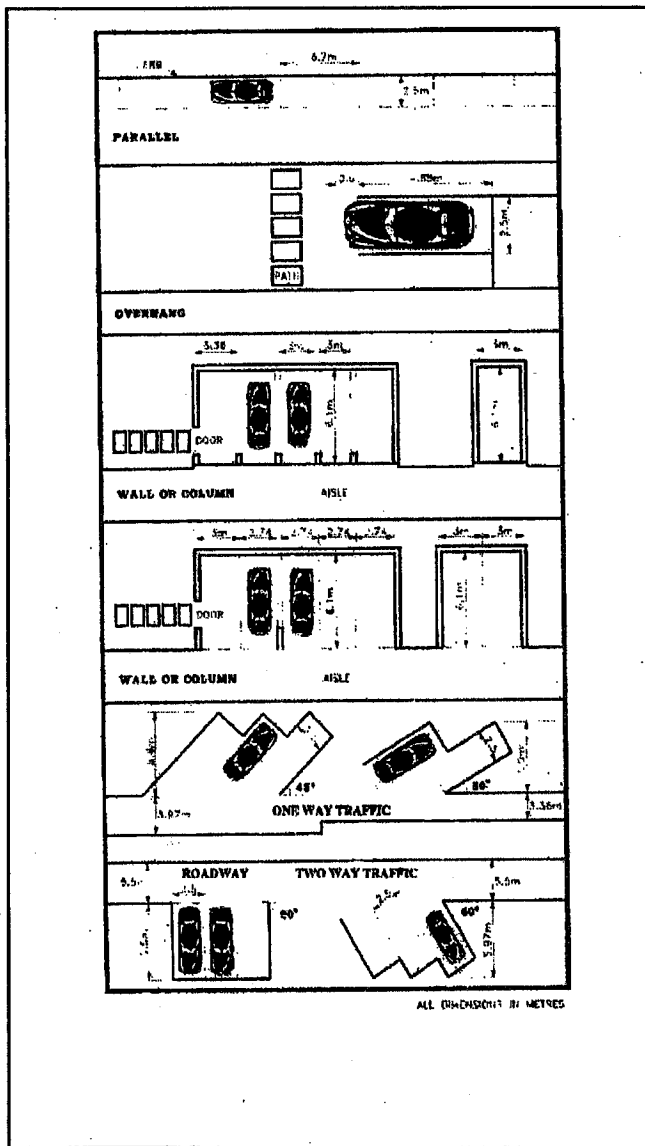


Where adjacent spaces are reserved for disabled drivers, an access area 1.20m wide may be marked on the ground to indicate that cars should be parked to either side. This will allow for access on one side to the driver's door of a car, and on other to the passenger's door. Car parking spaces for use by disabled people should be suitably signposted. To deter non-disabled drivers from using the spaces, the international symbol may be painted on the ground, with the legend "Disabled Driver".

FIFTH SCHEDULE, *contd.*

FIGURE 3

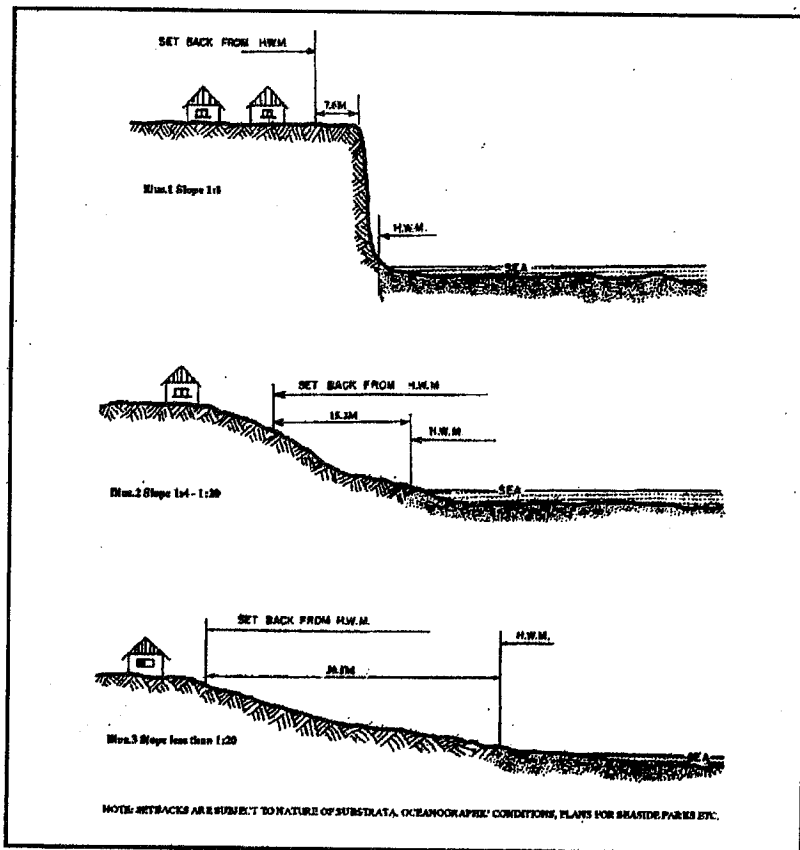
PARKING LAYOUT



FIFTH SCHEDULE, *contd.*

FIGURE 4

SETBACKS FROM HIGH WATERMARK

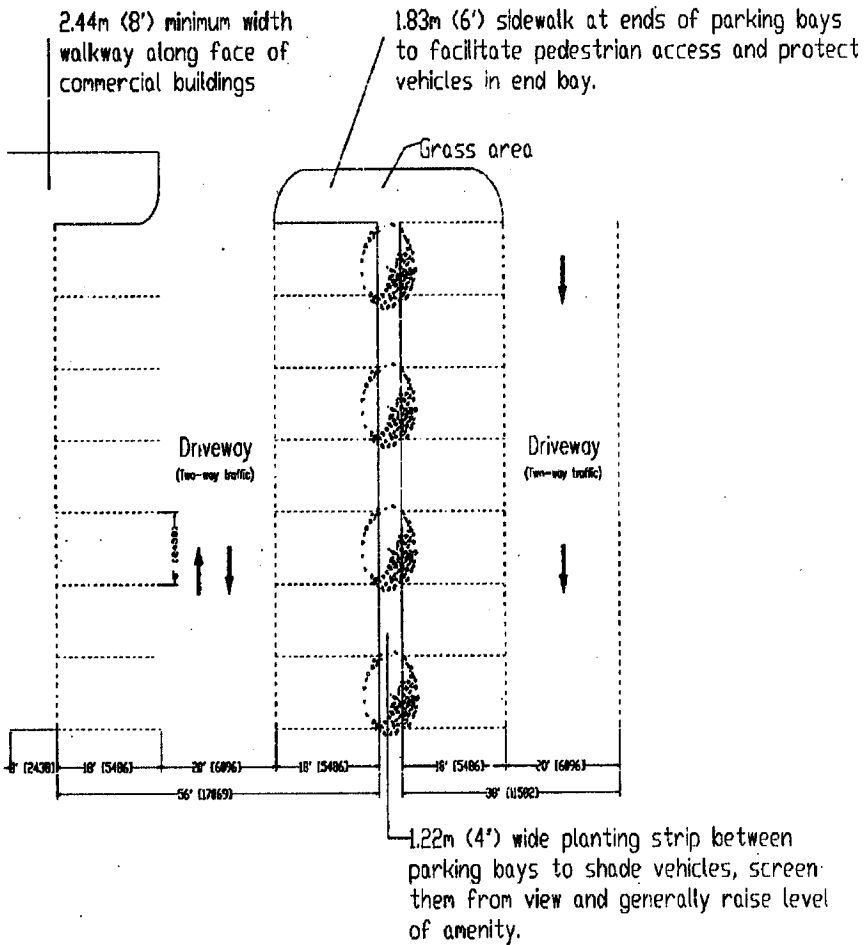


FIFTH SCHEDULE, *contd.*

FIGURE 5

PARKING STANDARDS

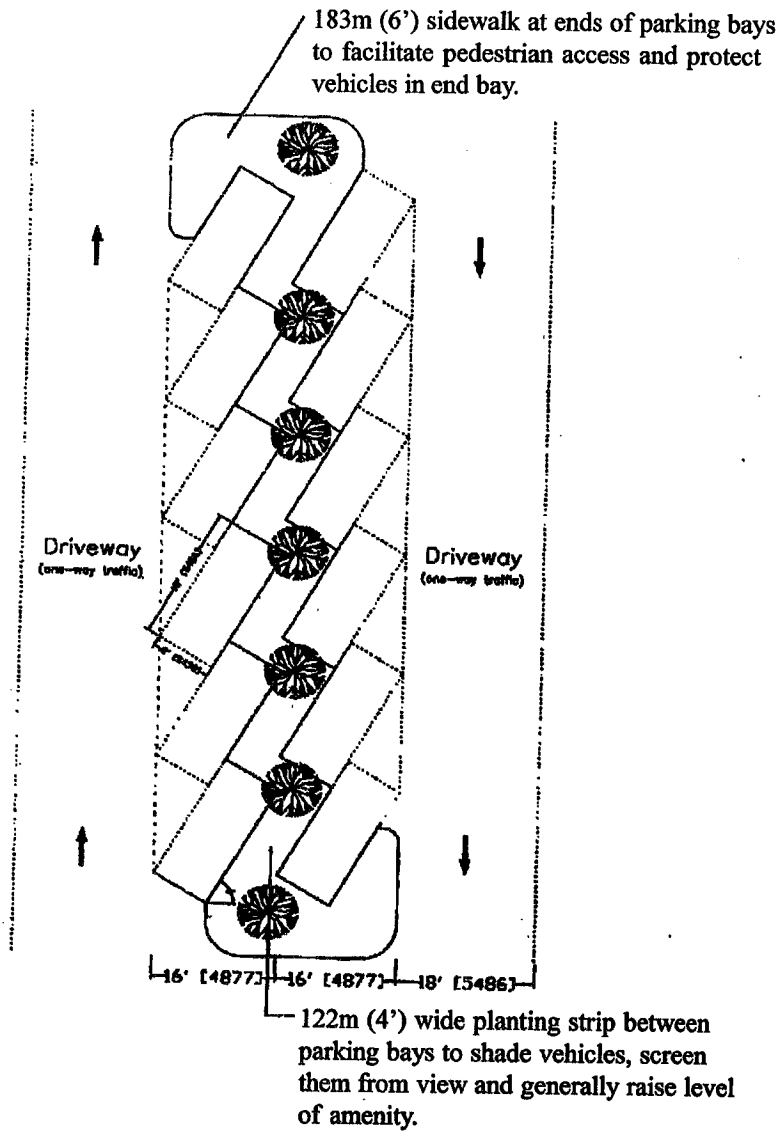
90 degrees – Angled parking design  
Showing Landscaping



FIFTH SCHEDULE, *contd.*

Parking Standards

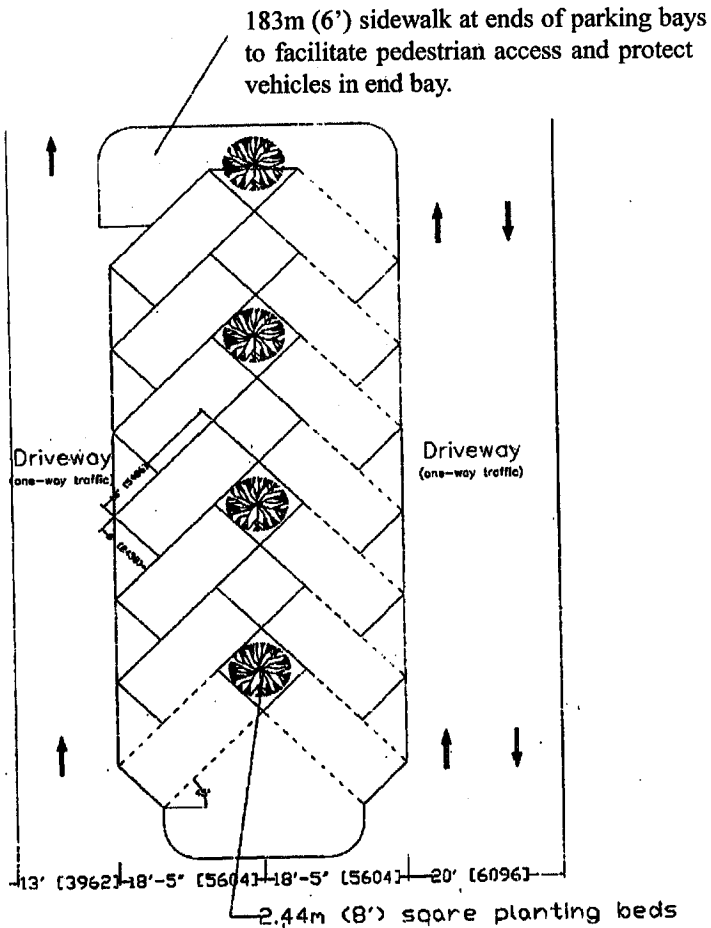
60 degrees – Angled parking design (double bay) Showing Landscaping



FIFTH SCHEDULE, *contd.*

PARKING STANDARDS

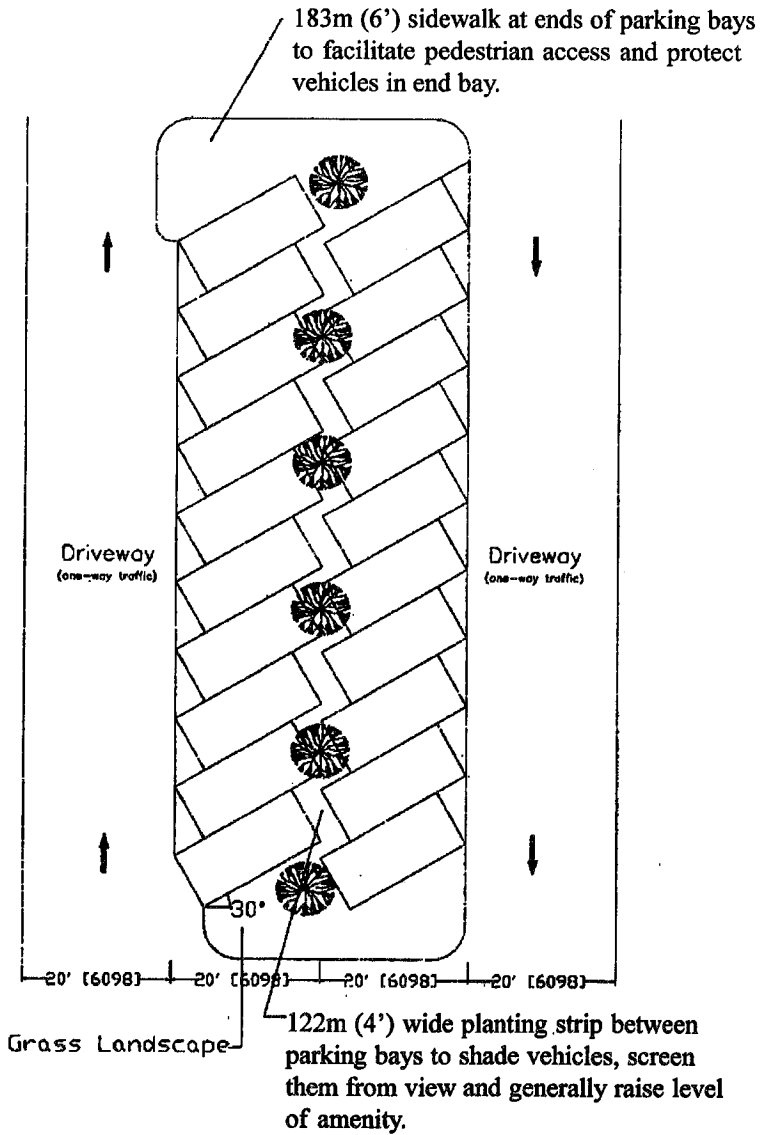
45 degrees – Angled parking design (double bay) Showing Landscaping



FIFTH SCHEDULE, *contd.*

PARKING STANDARDS

30 degrees – Angled parking design (double bay)  
Showing Landscaping





FIFTH SCHEDULE, *contd.*

## List of Abbreviations

B	Beach
BB	Buff Bay Local Planning Area
C	Conservation of the Natural and Built Environment
E	Energy Conservation
GD	General Development Policies
HB	Hope Bay Local Planning Area
H	Housing
LB	Long Bay Local Planning Area
MA	Manchioneal Local Planning Area
M	Minerals
Obj.	Objectives
PA	Port Antonio Local Planning Area
PFS	Petrol Filling Station
RA	Rural Area Policies
RE	Rural Economy
SH	Spring Hill Local Planning Area
SM	St. Margaret's Bay Local Planning Area
Tele	Telecommunication
TO	Tourism
UC	The Undeveloped Coast
UE	Urban Economy
T	Transportation
W	Windsor Local Planning Area

FIFTH SCHEDULE, *contd.*

## ACKNOWLEDGEMENTS

The Town and Country Planning Authority would like to thank the many persons, Organizations, Institutions, Departments and Ministries for their input to this Development Order. Although it is not possible to recognize all contributions special mention is made of the following:—

- (1) Benserve, Long Bay , Portland-Winnifred Beach and Cultural Enhancement Project.
- (2) Coconut Industry Board; 18 Waterloo Ave., Kingston 5.
- (3) Coffee Industry Board; Willie Henry Drive, Kingston.
- (4) Alan G. Fincham; Jamaica Underground- A Register of the Caves of Jamaica.
- (5) GOJ/CIDA/ENACT *et al*; The Parish of Portland—A Sustainable Development Profile
- (6) Earl Levy o/b Ministry of Tourism and Sports; The Restoration and Re-development of Port Antonio, Jamaica.
- (7) Jamaica National Heritage Trust; 79 Duke St., Kingston.
- (8) Ministry of Tourism and Sports; Master Plan for Sustainable Tourism Development.
- (9) Ministry of Labour and Social Security; Statistical Bulletin 2002.
- (10) National Environment And Planning Agency; Development and Investment Manual, Volume 1 Section 1—Planning and Development—Chapter 2.
- (11) National Environment and Planning Agency; The Development Orders Project Team.
- (12) National Housing Development Corp.; 13 Caledonia Ave., Kgn. 5
- (13) National Land Agency; Topographic Base Maps and Land Parcels.
- (14) Office of the Prime Minister; Development Planning Unit.
- (15) The Parish Council; Portland.
- (16) The Parish Development Committee; A Vision for Portland.
- (17) The Planning Institute of Jamaica; Economic and Social Survey of Jamaica and various other publications.
- (18) Port Authority of Jamaica.
- (19) Members of Staff; Social Development Commission, Portland.
- (20) The Statistical Institute of Jamaica (STATIN); Statistical Data (including EDs).
- (21) The Town and Country Planning Authority; the Town and Country Planning (Portland Coast) Provisional Development Order 1962.
- (22) Urban Development Corporation; North East Coast Regional Development Plan and the Port Antonio Sanitation Study (Executive Summary).

(23) Various United Kingdom Unitary Development Plans.

(24) Wikipedia, the free encyclopedia.

Dated at 10 Caledonia Avenue, Kingston 5, this 21st day of June, 2013.

JOHN JUNIOR,  
Chairman  
Town and Country Planning Authority.