

THE TOWN AND COUNTRY PLANNING ACT

Town and Country Planning (Negril and Green Island Area) Provisional Development Order (Confirmation) Notification, 1984

In exercise of the powers conferred upon the Minister by subsection (2) of section 7 of the Town and Country Planning Act, the following Notification is hereby given:-

1. This Notification may be cited as the Town and Country Planning (Negril and Green Island Area) Provisional Order (Confirmation) Notification, 1984.
2. The Town and Country Planning (Negril and Green Island Area) Provisional Development Order, 1981 published in the Jamaica Gazette Supplement, Proclamations, Rules and Regulations Vol. CIV No. 57 dated Thursday, October 1, 1981, is hereby confirmed with the following modifications set out in the Schedule hereto.

SCHEDULE

1. on page 372 delete "(c) the middle portion of Bloody Bay" and substitute "(d) Booby Cay, accessible from Long Bay or Rutland Point for "(c)".
2. on map 1 attached to the Jamaica Gazette Supplement Proclamation, Rules and Regulations Vol. CIV No. 57 dated Thursday, October 1, 1981, make the following amendments:
 - (i) Delete from key the symbol "open space and recreation."
 - (ii) Delete the words "public park" and symbol "open space and recreation" appearing at the middle portion of Bloody Bay affecting lands registered at Volume 955 Folio 482 of Register Book of Titles known as Bloody Bay and substitute the symbol "resort."
 - (iii) Delete the area designated "open space and recreation" adjacent to the area designated "Youth Camp and Trailer Camp" and substitute therefor the symbol "resort residential."
 - (iv) Delete the symbol "open space and recreation" appearing on the area designated "resort" adjacent to the area designated "Youth Camp and Trailer Camp".
 - (v) Delete the area designated "open space and recreation" between the words "South Negril Point" and "Light House Road" and substitute therefor the symbol "resort residential."
 - (vi) Delete the area designated "open space and recreation" adjacent to the area designated "Residential" (at the Town Centre) and substitute therefor the symbol "(c) Conservation."

Dated 14th day of March, 1984.

EDWARD P.G. SEAGA
PRIME MINISTER & MINISTER OF FINANCE
AND PLANNING



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

363

Vol. CIV

THURSDAY, OCTOBER 1, 1981

No. 57

No. 121

THE TOWN AND COUNTRY PLANNING ACT

**THE TOWN AND COUNTRY PLANNING (NEGRIL AND GREEN ISLAND AREA) PROVISIONAL
DEVELOPMENT ORDER, 1981**

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, after consultation with the Parish Councils of Westmoreland and Hanover hereby made:

1. This Order may be cited as the Town and Country Planning (Negril and Green Island Area) Provisional Development Order, 1981 and shall apply to the area described in the First Schedule to this Order and delineated on Map 1 showing the zoning proposals attached hereto.

Citation
and applica-
tion.
First
Schedule.

2. In this Order—

“the Act” means the Town and Country Planning Act;

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

“development” has the meaning assigned to it by section 5 of the Act and “develop” shall be construed accordingly;

“development plan” means any local, urban, rural, regional or national plan including any accompanying statements, diagrams, maps, charts, approved in relation to this Order;

“Local Authority” has the meaning assigned to it by section 2 of the Act;

“local planning authority” has the meaning assigned to it by section 2 of the Act;

“mineral consultation area” means any land that is held or occupied under a mining lease, licence or other instrument issued under the Mining Act and includes land reserved for mining operations and lands known to have significant mineral deposits or showings;

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

“outline application” means one made in accordance with the provisions of this development order with the reservation for subsequent approval by the local planning authority of certain reserved matters not particularised in the application, and

“outline permission” means permission given on this application;

“planning decision” means a decision made on an application for permission to develop land under Part III of the Act;

“planning permission” has the meaning assigned to it by section 2 of the Act;

“quarry” has the meaning assigned to it by the Quarries Act.

Use
Classes
Second
Schedule.

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

(2) A use which is ordinarily incidental to and included in any use specified in the Second Schedule to this Order is not excluded from that use as an incident thereto merely by reason of its specification in the said Schedule as a separate use.

Permitted
Develop-
ment
Fourth
Schedule.

4. (1) Notwithstanding the provisions of this Order, development of any class specified in column 1 of the Fourth Schedule hereto may be undertaken in accordance with the conditions specified in column 2 of the said Schedule in relation to such development, without the permission of the local planning authority.

(2) Nothing in this clause or in the Fourth Schedule shall operate so as to permit any development contrary to any condition imposed in any permission granted under Part III of the Act.

Prohibi-
tion of
Develop-
ment.

5. Subject to the provisions of this Order no development of land within the area to which this Order applies shall take place except in accordance

within the development plan and any planning permission granted in relation thereto:

Provided that the local planning authority may in such cases and 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 or the development plan and is not in conflict therewith.

6. (1) Every application to the local planning authority for planning permission shall be made in a form issued by the local planning authority and obtainable from that authority or from the Authority, and shall include the particulars required by such form to be supplied and be accompanied by—

Applica-
tions.

- (a) a plan sufficient to identify the land to which the application relates; and
- (b) such other plans and drawings as are necessary to describe the development which is the subject of the application together with such additional number of copies, of the form, plans and drawings, as may be required by the directions of the local planning authority and printed on the form.

(2) An applicant who without reasonable excuse fails to give such further information requested of him within thirty (30) days from the date of the receipt of the said request or such longer period as the local planning authority may think adequate in the circumstances shall be deemed to have abandoned the said application.

(3) Where an applicant so desires, an application expressed to be an outline application may be made under sub-clause (1) of this clause for permission for the erection of any building, subject to the making of a subsequent application to the local planning authority with respect of any matters relating to the siting, design or external appearance of the building, or the means of access thereto; in which case particulars and plans in regard to those matters shall not be required and permission may be granted subject as aforesaid (with or without other conditions) or refused:

Provided that:

- (a) where such permission is granted it shall be expressed to be granted under this clause on an outline application and the approval of the local planning authority shall be required with respect to the matters reserved in the planning permission before any development is commenced;
- (b) where the local planning authority is of the opinion that in the circumstances of the case the application for permission ought not to be considered separately from siting, design or external appearance of the buildings, or the means of access thereto, they shall within the period of one month from the receipt of the outline application, notify the applicant that they are unable to entertain such application, specifying the matters as to which they require further information for the purpose of arriving at a decision in respect of the proposed development, and the applicant may either—

- (i) furnish the information so required, in which event the application shall be treated as if it has been received on the date when such information was furnished and had included such information; or
- (ii) appeal to the Minister under section 13 of the Act within one month of receiving such notice, or such longer period as the Minister may at any time allow, as if his outline application had been refused by the planning authority.

(4) Every application for an approval required by virtue of proviso (a) to sub-clause 3 of this clause shall be in writing and shall include such particulars and be accompanied by such plans and drawings as are necessary to deal with the matters reserved in the planning permission together with such additional number of copies of the application and plans and drawings as were required in relation to the application for planning permission.

(5) Every application to the local planning authority for a determination under section 14 of the Act shall be in writing and shall contain a description of the operations or change of use proposed and of the land to which such proposal relates.

Third
Schedule.

(6) On receipt of any application under this clause the local planning authority shall send to the applicant an acknowledgement thereof in the terms (or substantially in the terms) set out in Part I of the Third Schedule hereto.

(7) The local planning authority may by a direction in writing addressed to the applicant require to be produced to an officer of the local planning authority such evidence in respect of an application for planning permission made to them as they may reasonably call for to verify any particulars of information given to them.

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

(9) Every such notice shall be in writing, and

- (a) where the local planning authority decide to grant planning permission subject to conditions or to refuse it, they shall state their reasons in writing and send with the decision a notification in the terms (or substantially in terms) set out in Part II of the Third Schedule hereto.
- (b) 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 determine that the carrying out of operations or the making of a change in the use of the land would constitute or involve development of the land, they shall state in such notice the grounds for their determination and include a statement to the effect that if the applicant is aggrieved by their decision he may appeal to the Minister under section 13 of the Act within one month of the receipt thereof.

(10) 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 clause including information as to the manner in which any such applications have been dealt with.

7. (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 any such development or in respect of development of any such class, as may be so specified.

Directions
restrict-
ing grant
of plann-
ing permis-
sion.

(2) The local planning authority shall deal with applications for permission to develop to which such directions relate in such manner as to give effect to the terms of the directions.

8. (1) Before granting planning permission for development or granting any approval in respect of matters reserved in a permission granted on an outline application under Clause 6 (3) in any of the following cases, whether unconditionally or subject to conditions, a local planning authority shall consult with the following authorities or persons, namely: —

Consulta-
tion as
to applica-
tion for
planning
permission
or approval.

- (a) where it appears to the local planning authority that the development is likely to affect land in the area of any neighbouring local planning authority, with that authority;
- (b) where it appears to the local planning authority that the development involves: —
 - (i) land adjacent to a main road or land reserved for further 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 the service of water drainage of in or outside the land to which the application relates and in particular any works affecting or likely to affect natural water course;
 - (iv) such material increase in traffic that the town planning and traffic engineering considerations cannot be considered in isolation from the detailed engineering implications of any such development; with the Chief Technical Director for the purpose of the Main Road Act.
- (c) where development involves the change of use of any land exceeding five acres in area used or previously used or capable of being used for agriculture other than land specified for some other purpose in a development plan, with the Minister of Agriculture and the Land Development and Utilization Commission or any other government agency exercising such functions;
- (d) where the development of land which is situated within 100 yards from any national monument or any historic site and building having particular beauty or having archaeological and architectural significance with the Jamaica National Trust Commission by virtue of the Jamaica National Trust Act;

- (e) where the development is situated on land adjoining the seashore, the Natural Resources Conservation Authority by virtue of the Beach Control Act and Regulations made thereunder;
- (f) where the development consists or includes:—
 - (i) the carrying out of works or operations in the bed or on the banks of a river, stream or other body of water;
 - (ii) the carrying out of a building or other operations or use of land for the purpose of refining or storing mineral oils and their derivatives;
 - (iii) the carrying out of building or other operations or use of land for the retention treatment or disposal of sewage, tradewaste or sludge;
 with every government agency exercising controlling functions and with the Ministry of Health and Environmental Control;
- (g) where the development is of land which is situated in any mineral consultation area, the Commissioner of Mines, the Jamaica Bauxite Institute and the Ministry of Mining or any other government agency exercising statutory or controlling functions;
- (h) any other agency public or private as may be requested by the Authority.

(2) Before granting permission for any development whether unconditionally or subject to conditions or undertaking any development on its own behalf, the local planning authority shall consult with the Government Town Planner and shall not determine the application until after taking into account any representation made by the said officer.

(3) The local planning authority shall give to any government agency, authority, person or body with whom they are required to consult as aforesaid, not less than thirty days notice that an application is to be taken into consideration and shall, in determining the application, take into account any representation made by such government agency, authority, person or body.

Reference
of applica-
tions to the
Authority.

9. (1) 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.

(2) All applications seeking planning permission involving:

- (a) mining operations and any other development in mineral consultation areas; or
 - (b) involving the development of land as a quarry;
- shall be referred by the local planning authority to the Authority which will request of the applicants such information as is necessary to deal with the applications and the provisions of clause 8 shall apply.

10. (1) Subject to the provisions of this Order, any person who desires to appeal—

- (a) against a decision of the local planning authority refusing planning permission or granting planning permission subject to conditions; or
- (b) against a determination of the local planning authority under section 14 of the Act; or
- (c) the decision, if any, of the local planning authority in respect of decision or determination; or
- (d) against the refusal of a local planning authority to approve details which were reserved when an outline planning permission was given, or against their decision approving the details subject to conditions; shall give notice of appeal to the Minister within one month of the receipt of notice of the decision or determination, or of the expiry of the period specified in Clause 6 (8) of this Order, as the case may be, or such longer period as the Minister may at any time allow.

(2) Such person shall also furnish to the Minister a copy of the following documents:—

- (i) the application made to the local planning authority;
- (ii) all relevant plans, drawings and particulars submitted to them;
- (iii) the notice of the decision or determination if any;
- (iv) all other relevant correspondence with the local planning authority.

11. (1) The local planning authority shall keep a 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 them in respect of any such land including the name and address of the applicant, the date of the application and brief particulars 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, if any, of the local planning authority in respect of the application and the date of such decision;
- (d) the date and effect of any decision of the Minister on appeal, in respect of the application;
- (e) the date of any subsequent approval given in relation to the application.

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

(3) Such register shall be kept at the office of the local planning authority.

(4) Every entry in the register consisting of particulars of an application shall be made within fourteen days of the receipt of such application.

Directions
consents
and notices.

12. (1) Any power conferred by this Order to give direction or consent shall be construed as including power to cancel or vary the direction 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 Act.

Compensation.

13. The base date for valuations in assessing compensation in relation to this Order shall be one year prior to the date of this Order.

Revocation
and savings.

14. The Town and Country Planning (Negril/Green Island) Development Order, 1959 is hereby revoked, but without prejudice to any permission granted or determination made thereunder.

STATEMENTS

(1) 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 will be required. Notices should be served on land owners/occupiers on which advertisements displayed contravene the regulations.

(2) AGREEMENTS

The Authority may regulate and make agreements with a local authority or with owners and other persons and by a local authority with such persons and by such persons with one another for the purpose of achieving any or all of the objects of the development order. Such agreements may include among other things:

- (a) Agreements between the Authority and the local authority or with owners and other persons for the establishment of such amenities as markets, water supply system and sewerage system.
- (b) Agreements regulating either permanent or temporary use of land.
- (c) Agreements between a local authority and such persons and by such persons with one another for the establishment and reservation of land for public purposes; for the execution of works the subject of planning permission.

(3) AGRICULTURAL LAND

Land of agricultural potential is to be preserved for productive agricultural use and the intrusion of development involving these lands will be severely restricted.

(4) AMENITIES

All development should provide for such amenities as the local planning authority deems necessary in the given circumstances. In this respect, due regard would be had for:—

- (a) the reservation of land for public or private open spaces;
- (b) the reservation of land for burial ground and crematoria;
- (c) reservation of land for games and bird sanctuaries and for the protection of marine life;

- (d) the preservation of buildings;
- (e) the preservation of historic sites and buildings of artistic, architectural and archaeological interest as listed hereunder:

Historic Sites and Buildings

Sites and buildings having particular beauty or historic, archaeological or architectural significance are:—

1. WISCO Beach House at Negril
2. Lighthouse and outbuildings
3. Whitehall Great House
4. Ruin of a former fort on the coast approximately one-half mile west from the roundabout at Negril
5. Two storey house at Silver Spring on the Springfield-Logwood Road
6. Ruin at North Negril Point (Pumpkin Point) between Bloody Bay and Little Bloody Bay
7. Old Fort at Green Island
8. Tombs at Orange Bay (Campbell Family)
9. Tombs at Fish River (Campbell Family)
10. Abingdon Great House.

The above monuments are protected by the provisions of the Jamaica National Trust Act. Application for the development of land in the vicinity of these and other sites and buildings of historic significance should only be determined after consultation with the Jamaica National Trust Commission. It is hoped that owners of property on which there are historic relics will restore and preserve them or cause them to be preserved and restored, within a compatible environment and within the context of viable development where this is contemplated. It is expected that in the course of time new public and private programmes for preservation and restoration will be developed. It is in the country's interest to conserve and enhance this inherited resource particularly as it is one which is not diminished by usage.

(5) BEACHES

Negril's attraction as a resort area is largely dependent on the existence of its highly prized white sand beaches. It is therefore imperative that they be preserved and conserved for future enjoyment.

No development will be permitted on land adjacent to the line of high water mark which would preclude public access to and along the foreshore. The local planning authority in considering any development involving beaches will give due consideration to the views of the Natural Resources Conservation Authority or any other agency performing that function.

Development along the coast that is not specifically developed as a harbour or for approved commercial or industrial purposes, should have lot boundaries set back from high water mark, the actual distance of set back required in any given instance to be determined as circumstances dictate.

Within public beach lands, no structure will be permitted other than those which are ancillary to the use of beaches.

The coast and coastal waters are to be protected against pollution by control of adjoining development and of such development inland, the effluent from which might be harmful to the marine area, regardless of how the pollutant be carried to the coast and its waters. Development proposals are to be examined with regard to prevention and/or control of pollution, particularly in the most sensitive areas along the coast.

No modification of the natural features of the foreshore and/or floor of the sea within the territorial limits of the coastal zone will be permitted without the prior approval of the Natural Resources Conservation Authority.

The following are public beaches which are to be developed for the enjoyment of the public:

- (a) The Negril Area Land Authority Beach, part of Long Bay, at Negril Village, north of the bridge over the South Negril River.
- (b) The Urban Development Corporation Beach, one mile long on the northern stretch of Long Bay.
- (c) The middle portion of Bloody Bay.
- (d) Booby Cay, accessible from Long Bay or Rutland Point.

Access to Long Bay beach can be obtained through four reserved roads located between lots. There are three commercial bathing establishments, Negril Area Land Authority's beach, Arthur's beach and Negril Sands Beach Club on Long Bay. Other public access points may be acquired as public parks or as access strips.

In the area between the Lighthouse and the village there are small beaches presently used by fishermen and bathers. While prescriptive rights have been established the continued use of these beaches by the public may be formalised by agreement with owners of the land. Perpetuation of access to the cliffs as parkland may require formalisation by agreement with owners. This area is an important part of the Negril "experience" and is of economic significance to the local residents as fishermen or as hosts to visitors who stay in their houses.

U. D. C. lands comprise many large and small beaches other than those listed above. Beyond the U. D. C. lands along the coast to Green Island are several more small beaches. All of these may be developed to the degree only that ensures their usefulness and safety without impairing their natural endowment.

The land between the main road and the sea between Orange Bay and Green Island (traversed by the old main road) is of particular beauty and interest and is to be retained in its present state for the continued enjoyment of its natural attributes. Within this area are several small beaches and offshore islands.

(6) BUILDINGS AND OTHER STRUCTURES

The provision and siting of community facilities, the layout of building areas, including density, spacing, grouping and orientation will be considered in dealing with applications to develop. The size, height, colour and finishing materials of buildings, or other structures, the objects which may be affixed to buildings, the layout and site coverage of buildings and the use to which any land or buildings are to be put will all be subject to control by the local planning authority in order to control standards of design and amenity.

Commercial centres are located and planned to serve the entire area in the most efficient and satisfactory manner. These are located as indicated on the

map and will provide all the normal urban commercial facilities as are required in a typical Jamaican township, as well as such facilities as are appropriate to a resort town.

Reservation of space for various public purposes has been indicated on an outline development plan in the hands of the Negril Area Land Authority. This includes sites for the Police Station, the Fire Station, a day care centre and basic school, a primary school, a playing field, community centre, a civic centre embracing the library, museum, meeting hall, municipal offices and a market and shops. A site for secondary school, to be established in the next 5 years is being selected. This scheme should serve the anticipated growth of the village for the next 15 years. Town growth after that should absorb the older residential and mixed areas to the west of the roundabout and other land to the east. Subdivision of contiguous land for development purposes must observe the features of the current town centre plan and of any subsequent plans to allow for town centre expansion, to be prepared in advance.

(7) COMMUNITIES (URBAN)

The growth of urban centres will be encouraged at Negril Village and at Green Island at an early stage to provide the major commercial and service facilities. Orange Bay and established villages in the interior will be minor centres of commercial and service development. A town centre is currently being planned for Negril Village in the north-west portion of Whitehall property, flanking the Negril/Savanna-la-Mar Main Road and the Negril/Mount Airy Road. Green Island Village will be encouraged to develop so as to provide a suitable balance of residential and commercial facilities for the local residents and visitors.

(8) COMMERCIAL PREMISES

Commercial premises shall provide within their own curtilage, adequate car parking spaces for their own staff and a reasonable proportion for patrons, and provision of loading and unloading shall be provided at the side or rear of the premises so that no parked or temporarily halted vehicles shall be on the road reserve to impede or endanger traffic. The place where buses and trucks pick up or put down passengers and their goods shall be located only where there is adequate space out of the line of traffic for the vehicle and the intending passengers and their goods, where there is good visibility in both directions for an adequate distance to prevent danger to persons and vehicles. For the greater convenience of customers, wherever possible, shops should be grouped rather than located haphazardly.

(9) CONSERVATION OF NATURAL RESOURCES

Conservation or wise use should be practised everywhere. Areas of particular concern have been indicated on the attached Development Order Map and described under the following headings:

- (a) National Park
- (b) Tree Preservation
- (c) Wild Life Protection
- (d) Special Conservation Areas
 - i. Sea
 - ii. Beaches
 - iii. Wetland
 - iv. Upland

(e) **Special Conservation Problems**

- i. Sand Dunes System
- ii. Swamp Forest
- iii. Booby Cay
- iv. Overfishing

(a) *National Park*

It is proposed to establish a National Park which will cover majority of the Development Order Area. National Park means an ecosystem selected to conserve in perpetuity unique and representative areas of nationally or internationally significant geographical, geological and biological features or phenomenon. It provides opportunities for those recreational and educational activities which enhance man's understanding and appreciation of the natural environment without impairing it. The concept of a Negril National Park entails the proper planning and management of the Negril area to ensure the perpetuation of its natural resources and processes and to develop these areas for the enjoyment and education of park visitors while allowing for the rational exploitation of renewable resources where appropriate. The nature of the park will be such that normal land uses may continue so long as they are compatible with the aims of the park. In anticipation of the establishment of the proposed National Park all applications for development shall be referred to the Natural Resources Conservation Authority for its recommendations regarding conditions of approval to ensure the aims of conservation.

(b) *Tree Preservation*

By a Tree Preservation Order, the entire area of this Development Order, or the greater part thereof, may provide for protection of all trees of any kind, be they in the wild state or within gardens or along streets, shall be protected from destruction or mutilation of any kind and including physical removal, except with the express permission of the local planning authority. Trees of indigenous species may be planted according to a plan approved by the local planning authority, which shall have the power to designate approved species.

(c) *Wild Life Protection*

Where required, a Game Sanctuary will be declared. Any animal within the confines of such an area is totally protected and shell fish, living coral, crustaceans and marine or fresh water animal life will be protected from over-exploitation and pollution.

Any specified area may be declared a fish sanctuary and a close season for any specified species of fish may also be declared. Furthermore, regulations may be made prescribing measures for the conservation of fish.

Pollution of air, soil and water, particularly with regard to human health dangers, is a major concern and may be considered an offence on a wide variety of grounds.

(d) *Special Conservation Areas*

(i) *Sea:*

The shallow coastal marine resources of Negril are comprised of the fringing coral reef with its associated flora and fauna, the extensive beds of turtle grass, manatee grass and algae, and the sandy lagoon bottom. Each of these habitats and their associated

biota exists in a dynamic ecological balance with each other as well as with the ambient physical forces such as currents and wave action. The natural breakdown of reef corallite results in the production of the white sand, which apart from forming the beach, covers the bottom of the lagoon. Seagrass beds offer protection for their inhabitants and provide food and nursery grounds for several commercial species of fish, lobster and conch.

(ii) Beaches :

The sandy coasts along Long Bay and Bloody Bay constitute the major recreational resources in the Negril Area. Long Bay extends for 4.5 miles from the village of Negril to Rutland Point, whilst north of Rutland Point lies Bloody Bay with over a mile of beach frontage. These beaches are comprised of calcareous sediments produced mainly by the off-shore fringing coral reef. The beaches are thus dependent upon the presence of the reef, which also offers protection from heavy waves during northerly winds.

(iii) Wetland :

The Great Negril Morass, comprising both freshwater marsh, swamp forest and mangrove occupies an area of approximately 6,000 acres behind the beach. This wetland provides essential feeding, breeding and nursery grounds for commercially important fish and shrimp, as well as birds. It also serves to store and diffuse rain floodwaters.

(iv) Upland :

Although development interests in the Negril region are centred on the beach and wetland, these features derive additional value from their proximity to areas of higher ground. Scenic views may be obtained from high points in the Negril Hills to the south, the Fish River Hills to the east, and from a number of points along the coast or bordering the wetland itself. Relatively dry "islands" of marl and limestone within the wetlands enrich the diversity of habitat for animals and plants, including some trees, shrub and herbaceous species known only from this wetland. The stands of large trees bordering the wetland are essential for the nesting and roosting of the West Indian Tree Duck a rare resident of this area. Coastal cliffs north of Bloody Bay serve as safe roosting places for large seabirds like the Brown Booby. Other large birds, like certain pigeon species, travel between upland forest and the wetland either seasonally or daily, in search of food. Thus all areas within the region are interdependent. Native forest of exceptionally interesting species composition exists in a ruinate condition all along the western fringe of the wetland. The natural vegetation of the Negril Hills has been largely replaced by housing, cultivation and exotic tree introductions. The eastern hills, however, are relatively undisturbed. Most lowlying land of gentle slope, particularly to the east of the wetland, is under intensive cultivation; to the west, the main use is human settlement, particularly for recreation. Much of this remaining ruinate forest is being increasingly exploited on a subsistence basis as a source of bamboo, thatch, timber and fuel.

(e) *Special Conservation Problems*

(i) Sand Dunes System:

The natural vegetation covering the beach sand dunes at the sea edge must be protected from removal and trampling by regulating access to the beach. This may be done by building boardwalks along the dune vegetation and by rehabilitating denuded areas.

(ii) Swamp Forest:

Remnants of this zone, already impaired by cutting and the encroachment of residential development continue to be at risk. This zone should not be further destroyed because it constitutes a unique plant community of appreciable scientific and aesthetic value.

(iii) Booby Cay:

In the process of developing a vulnerable environment like Booby Cay there is a tendency to degrade the special qualities which first made it appealing. It is recommended that no further permanent structures be built on the cay. For example a jetty to facilitate boat landing could cheapen the recreational experience for those with a taste for adventure and discovery.

(iv) Overfishing:

Over exploitation of the food resources of the reef and lagoon presently exists, as evidenced by the number of undersized fish, lobsters and conch offered for sale at markets and restaurants. Strict observance should be made of present regulations regarding capture of fish and lobsters. The use of beach seines should be discontinued. Items of luxury appeal such as black coral and living shells should not be over-exploited.

(10) DEVELOPMENT

Seaward Side

For the perpetuation of the natural features which make up the treasured environment of Negril, it is necessary to control the nature and degree of development. Siting of buildings along the beach or headlands must be done in a manner that will enable the fullest enjoyment of its natural beauty. At no point will the erection of structures or fences be allowed within 150 feet of the high water mark except where, due to the presence of rocks, no beach exists or with the permission of the Ministry of Health and Environmental Control and the local planning authority. Long Bay which is the centrepiece sets the image of Negril and distinguishes it from all other resort areas in the island. Side set-backs from property boundaries shall be determined by the height of buildings and density and under no circumstance be less than 15 feet. No permanent structures, screens or other objects may be erected within this space so as to block the view from road to sea.

In the case of very large lots where the width is more than adequate to accommodate the 15 feet minimum side set-backs and structures, no structure shall be wider than 40 feet anywhere on the lot measured across the width of the lot. Owing to the considerable depth of lots on the seaward side, after taking into account all the required set-backs, there is a sizeable area of buildable land. In cases where more than one structure is feasible and contemplated, the arrangement of buildings on the site shall be such that views from road to sea may still be obtained.

Heights of buildings are generally to be one storey except where the requirements of openness of lot would allow for two storey construction in part to achieve permissible densities. It is desired that buildings be not obtrusive and the architectural expression be low-keyed. For this reason, it is as much a matter of aesthetics whether one or two storeys would be the preferred choice.

Density of development is one of the major factors in setting limits to intrusion into the natural environment. On the majority of lots along Long Bay the allowable density is 15 habitable rooms per acre calculated on the entire lot on both sides of the road, which is the case for the majority of lots. However, as the land bordering the morass is to become part of the conservation area, land on the seaward side may be developed to the extent permitted by the calculation made (in effect transferring the density rights from the landward to the seaward side).

In calculating density by habitable rooms, in residences, habitable rooms are all rooms except bathrooms, kitchens, storage rooms and circulation space; in hotels, habitable rooms are hotel bedrooms for guests or staff.

Landward Side

The landward side of the main road is to remain in its natural state as far as possible and only limited development will be permitted. Single family one-storey development with adequate set-backs may be permitted on a narrow strip nearest the main road. The landward side of the main road is an important element in the ecosystem of the morass. It still has the vestiges of a once magnificent forest and, left undisturbed it will restore itself to be of lasting benefit to the residents of Negril. It will be managed under the concept of a National Park by the Natural Resources Conservation Department in the first instance and by a body to be set up in the second. This provision applies to all swamp forest in all parts of the morass regardless of ownership.

✓ *Headlands and Cliffs*

In the headland areas in order to preserve the amenity of views to the sea, buildings shall be as unobtrusive as possible, one storeyed and small scaled. Side set-backs from the cliff shall be determined on the circumstances. Density in this area shall be 10 habitable rooms per acre on the seaward side and 20 habitable rooms on the landward side. It should be noted that until a sewage collection system is installed in the Lighthouse-Cliffs area, some parts of it are restricted to very minimal development or none at all owing to disposal problems. Natural vegetation should be left undisturbed.

Density in the village of Negril will be permitted for the time being to the degree permitted by the health authorities and the Natural Resources Conservation Department in the absence of a central sewage collection system. On installation of such a system, densities may be considerably higher in the interests of compactness of development for economy of services and efficient use of the land, while conserving land for agriculture and conservation purposes.

(11) INDUSTRY

Pollutive industries will not be permitted in areas most sensitive to pollution disturbance or discomfort by reason of effluent, smell, smoke, noise, traffic generation or any other industrially related hazard. All industrial uses require specific planning permission and the conditions of approval are binding on the operation, the operator and the owner of the land. Certain industries may be permitted in areas not considered sensitive in any of the above but they shall

be permitted only after due consultation with the Ministry of Health and Environmental Control and any other appropriate government agencies.

In the case of "cottage industries", in all cases they shall be subordinate to the essentially residential purpose of the premises. No residential premises shall be wholly or in the majority be used for industrial or commercial purposes.

Handicrafts may be permitted provided that no machinery equipment or processes likely to adversely affect the comfort, health or enjoyment of residents. Materials which by their nature are objectionable, like toxic materials, materials attracting pests, odoriferous materials or processes may not be used in a residential area. Whenever an enterprise has outgrown its original subordinate place in the use of residential premises, it shall remove to an industrial or commercial area, depending on the scale of the future operation and the demand for zoned space.

Any industry requiring a process causing noise or producing effluents such as oil, grease, tar and other petroleum based wastes, or large quantities of residue of any kind, shall locate well inland from the coast and waterways and shall be subject to stringent measures as to collection and disposal of wastes as may be applied and enforced by the Ministry of Health and Environmental Control and any other agency exercising such function.

On no account shall "garages" and contractors yards be located within residential areas; nor shall warehouses and any other operation requiring large areas of enclosed or open storage area, or generating heavy volumes of heavy vehicular traffic be allowed in residential areas.

(12) PUBLIC SERVICES

In order to ensure the economic use of public services it will be necessary to ensure that such facilities (gas, water, electricity, telephone, sewerage, street lighting, etc.) as are necessary can be provided before any new development permissions are granted. It is for this reason that development has been phased.

(13) ROADS

Roads have been classified into two main categories, urban and rural. The requirements for these vary chiefly in method of drainage and provision for pedestrians, as well as provision for or prohibition of direct access to the roads in question. Where a dual carriageway is intended but the present need is for a single carriageway, the first should be built in its ultimate position within the road reserve allowing the second to be located in its correct position later.

No development will be permitted which would conflict with road reservations. New and improved roads will be required to comply with the provisions as set out in the Schedule of Road Standards below and with such other details of construction and design as required by the competent road authority.

While the main coastal road between Green Island and Negril forms part of the islandwide network because of the special character of the land and settlement through which it passes, it is not intended that it should become a disruptive element. By coupling it, where major traffic is concerned, with the inland route for commercial traffic. The inland route passes through a considerable amount of farm land which, under the First Rural Development Programme, will come under intensive agricultural use. This factor alone demands the upgrading of this road.

By this means it is hoped that heavy traffic will never become a menace to the characteristic peacefulness of Negril, particularly along Long Bay.

The road reserve of 100 feet is thus more able to cope with proper separate provision for pedestrian and pedal cycle traffic. The strip adjoining properties bordering the sea should be reserved for future service road, installed in sections so that it does not become a through road. This would have sidewalk (s), kerbs, gutters and planting strips. The strip on the landward side of the carriageway can then be used for cycle trails and pedestrian trails with landscaping as appropriate.

Where space within the existing road reserve does not allow for a service road as described above, lot holders may be required to provide the shortfall from the frontage of their properties.

Transport and Communications

In the vicinity of Rutland Point a minor airstrip has been established for use by light aircraft, on scheduled and non-scheduled flights. Larger scale air transportation facilities may be required should the demand arise. No decision is being taken at this time with relation to the siting of a major airport. Technical environmental and other considerations will determine such location.

Parking and Vehicle Loading and Unloading

(i) Vehicle Parking:

(i) Vehicle parking facilities will be provided within the site curtilage for all development and where community type parking is feasible, e.g. in commercial areas of the scheme, these will be provided to the aggregate of the demand.

(ii) Vehicle Loading and Unloading:

Certain types of development require facilities for loading and unloading of goods and developers will be required to provide vehicles loading and unloading bays within the curtilage of the site to be developed.

(14) SEWERAGE

A sewage collection and treatment system is to be installed, serving from the vicinity of Middle River on Long Bay, south along the Long Bay resort area to the village where the alternative continuations are:

- (i) West and south to a point south of the Lighthouse where a treatment plant would produce an effluent that could be used for irrigation of the land south of Negril Hills;
- (ii) from the roundabout, with a lateral from the Lighthouse only, to a treatment plant within Non Pareil property from which the treated effluent would be piped to farms to be established in Non Pareil and Whitehall under a rural development scheme;
- (iii) Alternatively as (ii) above with the effluent to be used for irrigation of the canefields farther east;
- (iv) or as (ii) above with the effluent after treatment discharged into the Morass which is required to be wetter.

(15) SERVICES

Undergrounding of electrical lines and water service pipes will be necessary to maintain the character and safety of the area. Installation of all or any other service facility e.g., gas cylinders, etc. should be properly screened so as to be entirely unobtrusive. The road verges (rather than the carriageways) should be used for distribution of these services and they should be taken into properties

as close to corner boundaries as is practical. The proposed main sewer line from Rutland Point to the Lighthouse will be located on the landward side of the main road carriageway with collection intervals elsewhere.

12. Sewerage and drainage of each plot or project is to be individually considered and approved by the local planning authority and the Natural Resources Conservation Authority. In any event, low densities will be maintained along the entire coast and inland for $\frac{1}{2}$ mile until a sewage collection system is installed, then maximum allowable densities will be limited to such sewage system.

13. Detailed building plans of each project must be approved by the local planning authority before any development is commenced.

(16) ZONES

Development should be in accordance with zoning proposals indicated on Map I hereunto annexed. Below is intended relations to uses of these zones:

ZONE	Shops	Offices	Industry	Warehouses	Churches, etc.	Clinics	Halls, etc.	Cinemas, etc.	Petrol Filling Stations	Hotels, etc.	Residences	Clubs, Bars
Hotel Resort	2	3	3	3	3	3	2	33	3	1	2	3
Commercial	1	1	1	1	1	1	1	1	1	3	2	1
Resort Residential ..	2	3	3	3	3	3	2	3	3	2	1	3
Residential	2	3	3	3	2	3	2	3	3	3	1	3
Recreation Open Space ..	2	3	3	3	3	3	2	3	3	3	3	3

Unzoned Areas .. Applications will be given special consideration

Normally permitted	..	..	..	1
Permitted in certain cases	..	..	..	2
Not normally permitted	..	..	..	3

APPENDIX I

VEHICLE PARKING REQUIREMENTS WITHIN SITE BOUNDARIES

Type of Development	Number of Vehicle Parking Spaces Required
1. Private Residences	1 for each individual unit
2. Apartment Buildings	1 for each individual unit whether of 1, 2 or 3 bedrooms. 1 for each 2 efficiency or studio units
3. Guest Houses Hotels	1 for each 3 guest bedrooms plus 1 for each 50 sq. ft. of public dining room
4. Motels	1 for each guest unit plus 1 for each 50 sq. ft. of public dining room
5. Civic Administration Buildings, Office Buildings, Libraries, Museums ..	1 for each 700 sq. ft. of overall area including passage, toilets, circulation space, etc.
6. Shops, Showrooms, Stores, Markets ..	1 for each 500 sq. ft. of overall area inclusive of storerooms
7. Industrial Buildings used for manufacture or storage	1 for each building up to 5,000 sq. ft. plus 1 for each 1,000 sq. ft. of floor area in excess of 5,000 sq. ft.
8. Dance Halls, Games Buildings, Permanent Exhibition Buildings ..	1 for each building up to 1,000 sq. ft. plus 1 for each 100 sq. ft. in excess of 1,000 sq. ft.
9. Hospitals	1 for each 600 sq. ft.
10. Clinics	3 for each practitioner
11. Assembly Halls, Auditoriums, Churches, City and Town Halls, Cinemas, Court Houses, Lecture Halls, Schools, Colleges, Universities	1 for each 10 seats
12. Restaurants and Clubs	1 for every 50 sq. ft. of dining space up to 1,000 sq. ft. and 1 for each 100 sq. ft. thereafter

These are the minimum requirements and the local authority may raise the standards in relation to the increase of vehicular traffic.

APPENDIX II

VEHICLE LOADING REQUIREMENTS WITHIN THE BOUNDARIES

Type of Building	Number of Loading or Off Loading Bays Required
Shops, Showrooms, Stores, Markets, Hospitals	1 for each building up to 10,000 sq. ft. plus 1 for each 20,000 sq. ft. of floor area in excess of 10,000 sq. ft. to a total of 3.1 for each 100,000 sq. ft. thereafter
Industrial Buildings used for manufacture or storage	1 for each building up to 5,000 sq. ft. plus 1 for each 10,000 sq. ft. of floor area in excess of 5,000 sq. ft. to a total of 3.1 for each 50,000 sq. ft. thereafter.

APPENDIX III

Guide to Developers

"Plot Ratio" means the ratio of the net amount of ground space occupied by buildings in relation to the net plot area alternatively, the percentage of the land space in any plot occupied by buildings.

1. Maximum plot ratio to be 1 to 4 (i.e. the total of ground coverage of buildings shall not be more than $\frac{1}{4}$ of the site area).

2. Floor Space Index: Floor space index should not exceed 50% (i.e. the total floor space should not exceed 50% of the site area, regardless of the height of the structure).

3. No building shall be closer than 150 feet from the high water mark.

4. No buildings on the coastal side of the main road (except within the commercial areas) should be closer than 30 feet from side fences, nor should they be closer than 30 feet front (i.e. main road) fence.

5. Buildings higher than two storeys will not be permitted within the Development Area, except on very special consideration by the Authority and local planning authority.

6. Roofs should preferably be of natural materials (e.g. shingles or thatched) as far as is practical (except where three storey development is permitted) the roof may be flat. Materials, colour and texture should harmonize with environment.

7. Verandahs or widely projecting eaves will be required on the seaward side of buildings.

8. Every building application shall include a landscaping and planting plan, which should indicate the existing trees, and those it is proposed to remove. It

should specify the ultimate height of all hedges which will be a condition of approval.

9. Solid fences should not exceed 3 feet high on main road or sea frontages and should be so painted as to blend entirely with the landscape. Solid hedges are to be kept within the same height limits.

10. Hedges and shrubbery are preferable to fences but must be satisfactorily maintained.

11. No land should be used for tent and/or caravan site until planning permission has been given by the local planning authority. Developers of these sites will be required *inter alia* to satisfy the local planning authority that adequate means and maintenance have been provided for:

- (a) Sewerage disposal, bathing and washing facilities.
- (b) Garbage disposal.
- (c) Water supply.
- (d) Drainage.
- (e) Parking spaces.
- (f) Dust control.
- (g) Fire fighting equipment.
- (h) Landscaping.

FIRST SCHEDULE

(Clause 1)

Negril Development Area

Starting at the centre of the mouth of the Green Island River, northerly to a point one mile off shore; thence generally one mile off shore of the coast in a westerly and south-westerly direction to a point one mile off shore of Ireland Pen; thence generally southerly to a point one mile off shore of Rutland Point and Long Bay shoreline to a point one mile off shore of the mouth of the South Negril River; thence one mile off shore westerly, south-westerly and southerly to a point one mile off the coast at the 490,000 north parallel, south of the Negril Lighthouse; thence easterly in a straight line to its intersection with the Mount Airy/Orange Hill Parochial Road; thence south-easterly, easterly and north-easterly along the Parochial Road to a point approximately one-half mile west of the intersection of the said Parochial Road with the main road between Sheffield and Little London; thence northerly in a straight line to its intersection with the Springfield/Cato Parochial Road; thence south-easterly and north-easterly along this road through Cato to its intersection with a Parochial Road on its north side; thence northerly to the end of this Parochial Road and in a straight line to the end of a Parochial Road leading generally northerly through Spring Garden, Mount Grace, Cave Valley, March Town, Winchester.

Salt Spring and, in a straight line projected, generally northerly to intersect with the centre line of the Green Island River; thence north-westerly along the centre line of the Green Island River to the starting point at the mouth of the river.

SECOND SCHEDULE

(Clause 3 (1))

Use Classes

In this Schedule—

“shop” means a building used for the carrying on of any retail trade or retail business wherein, the primary purpose is the selling of goods by retail, and without prejudice to the generality of the foregoing includes a building used for the purpose of a hairdresser, undertaker, travel agency, or as the receiving office for goods to be washed, cleaned or repaired, or for any other purposes appropriate to a shopping area, but does not include a building used as funfair, garage, petrol filling station, office or bank.

1. Use as a shop.
2. Use as an office or bank.
3. Use as a warehouse for any purpose, except storage of offensive or dangerous goods.
4. Use as a building for public worship or religious instruction or for the social or recreational activities of the religious body using the building
5. Use as a health centre, a clinic, a creche, a day nursery or a dispensary or use as a consulting room or surgery unattached to the residence of the consultant or practitioner.
6. Use as an art gallery (otherwise than for business purposes), a museum a public hall, a concert hall, an exhibition hall, a social centre or a community centre.
7. Use as a public hall, a concert hall, an exhibition hall, a social centre or a community centre.
8. Use as a theatre, cinema or music hall.
9. Use as a dance hall, a swimming bath, a gymnasium or for indoor games.
10. Use as a hotel, motel or apartment house.
11. Use as a betting shop.
12. Use as a motor car sales lot or showroom.

THIRD SCHEDULE

(Clause 6 (6))

PART I

NOTIFICATION TO BE SENT TO THE APPLICANT ON RECEIPT OF HIS
APPLICATION

Your application dated.....has been received and, if on
(insert date)

.....
(insert date of expiry of the period under Clause 6 of the Order)

you have not been given notice by the planning authority of their decision you are entitled to appeal to the Minister in accordance with section 13 of the Town and Country Planning Act, by notice served within one month from that date. You may however, by agreement in writing with the planning authority extend the period within which the decision of the planning authority is to be given.

(Clause 6 (9))

PART II

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 the applicant is aggrieved by the decision of the planning authority to refuse permission for the proposed development, or to grant permission subject to conditions, he may, by notice served within one month of the receipt of this notice, appeal to the Minister 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 will exercise his power in cases where he is satisfied that the applicant has 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 in section 17 of the Town and Country Planning Act, a claim may be made against the Town and Country Planning Authority for compensation where permission is refused or granted subject to conditions by the Minister on appeal.

Purpose of this Order

- A. The intention of this Order is to make provision for the orderly and progressive development of Negril, in a manner that will promote its growth as a modern urban centre as well as resort area, thereby utilizing its tremendous tourist potential and improving its economic condition as well as the economy of the adjacent parishes.
- B. The development programme will be centred on the sand beaches that exist between Green Island Harbour and Negril Lighthouse. Hotels and tourist facilities will be provided mainly adjacent to the large open white sand beaches, with extensive and open access to those beaches being provided for the hotel users and the general public.
- C. Notwithstanding the tourist potential and the benefits this will bring to the national and regional economy, one major concern is for the conservation of the physical environment which has been the outstanding attraction of Negril. The paramount significance of the ecology of the area demands that the entire Order Area be covered by conservation measures so as to:

SCHEDULE OF ROAD STANDARDS

RURAL ROADS		Total Reserva- tion Width	Width of Carriage- way (s)	Width of Median Strip	Width of Soft Shoulder	Road Verge and Drainage	Minimum Distance Between Junctions	Characteristics
Develop- ment Order Code Number	Type of Road							
R1	Main Road	100'	24'x2	16'	10'x2	8'x2	800 yds.	Part of islandwide main road network
R2	Major Road	75'	24'x2	5'	..	11'x2	300 yds. Farm Front- ages permitted	High Speed, minimal interruption
R3	Minor Road	50'	24'	..	..	13'x2	Farm front- ages permitted	<i>General notes on roads in rural areas:</i> Where an adjoining area is beginning to urbanise so that pedestrians are starting to use the road for communication, as a first step the road verges shall be levelled in a manner consistent for use as safe continuous sidewalks until such time as paving is required. No obstructions of any kind shall be permitted within the walking area above the surface of the ground.
R4	Access Road	33'	18'	..	..	7'6"x2	Farm front- ages permitted	
URBAN ROADS			with kerbs	Landscap- ed median	Paved sidewalk	8'x2		Part of islandwide main road network 30 m.p.h., minimum interruption.
U1	Main Road	100'	24'x2	16'	10'x2	8'x2		
U2	Major Road	75'	24'x2	5'	6'x2	5'x2		Main collector roads forming the basic urban net- work. No individual frontages are normally per- mitted.

SCHEDULE OF ROAD STANDARDS, *contd.*

RURAL ROADS		Minimum Distance Between Junctions	Road Verge and Drainage	Width of Soft Shoulder	Width of Median Strip	Width of Carriageway (s)	Total Reservation Width	Characteristics
Development Order Code Number	Type of Road							
U3	Minor Road	Frontages permitted	5'x2	6'x2	..	18'	40'	<i>General notes on urban roads:</i> Drainage is to be effected by gutters along-side the kerbs leading to catch basins. Where space allows all median strips and verges are to be grassed or planted with ground cover or landscaped with trees, shrubs, rock and stone arrangements.
U4	Access Road	Frontages permitted	6'x2	..	..	18'	30'	

There are two exceptions to the above standards:

1. The main coastal road which is a 24 ft. carriageway within a hundred foot reserve, allowing for future service roads adjoining properties. This road is shown as U2x or R2x on the accompanying map.
2. The Lighthouse Road is to be an 18 ft. or 24 ft. carriageway within a 30-40 ft. reserve and to be subject to stringent speed limits and mode of usage in order to perpetuate its present predominantly pedestrian promenade character. It is categorised as U3x.

FOURTH SCHEDULE

PART I

(Clause 4 (1))

The following development is permitted under Clause 4 (1) of this Order subject to the conditions set out opposite the description of such development in column 2. The references in the column to standard conditions are to the conditions numbered and set out in Part II of this Schedule.

Column 1 Description of Development	Column 2 Conditions
Class I—Development within the curtilage of a dwelling house.	<ol style="list-style-type: none"> 1. The height of such buildings shall not exceed the height of the original dwelling house. 2. No part of such building shall project beyond the forwardmost part of the front of the original dwelling house.
<ol style="list-style-type: none"> 1. The enlargement, improvement or other alteration of a dwelling house so long as the cubic content of the original dwelling house (as ascertained by external measurement) is not exceeded by more than one-tenth, subject to a maximum of 4,000 cubic feet, provided that the erection of a garage or stable within the curtilage of the dwelling house shall be treated as the enlargement of the dwelling house for the purposes of this permission. 2. The erection, construction or placing and the maintenance, improvement or other alteration within the curtilage of a dwelling house, of any building or enclosure (other than a dwelling, garage or stable) required for a purpose incidental to the enjoyment of the dwelling house as such. 	3. Standard conditions 1 and 2.
Class II—Rural Dwellings	
<ol style="list-style-type: none"> 1. Where the total floor area of any proposed building or of the existing and proposed buildings on a holding does not exceed 750 sq. ft., planning permission shall not be required if in the opinion of the local planning authority such building or buildings will not be visible from the existing main road or principal Parish Council road or the location of the proposed main road. 	<ol style="list-style-type: none"> 1. The height shall not exceed, in the case of a building with a ridged roof, 12 feet, or in any other case 10 feet. 2. The total area covered by all such buildings or enclosures shall not exceed 500 sq. feet and the total area, covered (including the original dwelling house) shall not exceed 50 percent of the site area. 3. Standard conditions 1 and 2.

Column 1 Description of Development	Column 2 Conditions
<p>Class III—Sundry Minor Operations.</p> <p>1. The erection or construction of gates, fences, walls or other means of enclosures, not exceeding 4 feet in height where abutting on a highway used by vehicular traffic and the maintenance, improvement or other alterations of any gates, fences, walls or other means of enclosure, but not including land adjacent to the line of high water mark which shall be the subject of a planning application.</p> <p>2. The painting of the exterior of any building or work otherwise than for the purpose of advertisements, announcement or direction.</p> <p>Class IV—</p> <p>1. Any use of land for agricultural purposes.</p>	<p>1. No improvement or alteration shall increase the height above, the height appropriate for a new means of enclosure.</p> <p>2. Standard conditions 1 and 2.</p> <p>1. Standard conditions 1 and 2.</p>

PART II

STANDARD CONDITIONS

1. The permission shall not authorise any development which involves the formation, laying out or material widening of a means of access to a highway.

2. No development shall be carried out which creates an obstruction to the views of persons using any highway by vehicular traffic at or near any bend, corner, junction or intersection so as to be likely to cause danger to such persons, or obstruct scenic views.

Dated at 2A Manhattan Road, Kingston 5
this First day of September, 1981.

BLOSSOM SAMUELS,
Chairman,
Town and Country Planning Authority.

No. TPD 243/D.O. Vol. II